

NORTHUMBERLAND COUNTY COUNCIL

**NORTH NORTHUMBERLAND LOCAL AREA COUNCIL
(RIGHTS OF WAY) SUBCOMMITTEE**

At a meeting of the **North Northumberland Local Area Council (Rights of Way) Subcommittee** held in Committee Room 1, County Hall, Morpeth on Tuesday, 17 December 2019 at 10:00 am.

PRESENT

Councillor T Thorne
(Chair, in the Chair)

MEMBERS

G Castle	A Murray
G Renner-Thompson	C Seymour

OFFICERS

J Blenkinsopp	Solicitor
D Brookes	Infrastructure Records Manager
K Norris	Democratic Services Officer

29. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Moore.

30. MINUTES

RESOLVED that the minutes of the North Northumberland Local Area Council (Rights of Way) Subcommittee held on 30 October 2019, as circulated, be confirmed as a correct record and signed by the Chair.

**31. REVIEW OF THE DEFINITIVE MAP AND STATEMENT
OF PUBLIC RIGHTS OF WAY
ALLEGED PUBLIC BRIDLEWAY No 6
PARISH OF ALWINTON**

The Infrastructure Records Manager introduced the above report in which Members were asked to consider all the relevant evidence gathered in support and in rebuttal of the

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existence of public bridleway rights over part of the route of existing Public Footpath No 54, from the eastern end of existing Public Bridleway No 6, north-east of Windy Gyle, along a section of the Border Ridge, to join Restricted Byway No 61, north-west of Uswayford.

Background information was provided and it was stated that the Council may approach the landowner to see if they would be prepared to dedicate a short section of the footpath as public bridleway.

Councillor Castle moved approval of the recommendation as set out in the report which was seconded by Councillor Renner-Thompson. The motion was unanimously agreed and it was therefore:

RESOLVED that there was insufficient evidence to indicate that, on a balance of probability, public bridleway rights had been shown to exist over the O-P part of existing Public Footpath No 54.

**32. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
ALLEGED BYWAY OPEN TO ALL TRAFFIC No 34
& EXTENSION TO PUBLIC BRIDLEWAY No 20
PARISH OF HARBOTTLE**

The Infrastructure Records Manager introduced the above report in which Members were asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over part of the U4018 road, from a point south of Garden Cottage, in Harbottle, eastwards to The Peels, and of public bridleway rights over a short extension to existing Public Bridleway No 20 at The Peels.

Background information was provided.

Councillor Renner-Thompson proposed acceptance of the recommendation set out in the report which was seconded by Councillor Castle. The motion was unanimously agreed and it was therefore:

RESOLVED that

- (i) there was sufficient evidence to indicate that public vehicular rights had been reasonably alleged to exist over the route D-E;
- (ii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the D-E route;
- (iii) there was sufficient evidence to indicate that public bridleway rights had been reasonably alleged to exist over the route F-G;
- (v) the routes be included in a future Definitive Map Modification Order as a byway open to all traffic and public bridleway respectively.

33. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED BYWAY OPEN TO ALL TRAFFIC No 28 PARISH OF RENNINGTON

The Infrastructure Records Manager introduced the above report in which Members were asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over the U3105 road, from the B6347 road north of Rock Midstead, southwards to a junction with Public Footpath No 4, at Rock Midstead.

Background information was provided.

Councillor Castle proposed acceptance of the recommendation set out in the report which was seconded by Councillor Renner-Thompson. The motion was unanimously agreed and it was therefore:

RESOLVED that

- (i) there was sufficient evidence to indicate that public vehicular rights had been reasonably alleged to exist over the route C-D;
- (ii) there was sufficient evidence to indicate that, on a balance of probabilities, public vehicular rights had been shown to exist over the route D-E;
- (iii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the route;
- (iv) the route be included in a future Definitive Map Modification Order as a byway open to all traffic.

34. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED BYWAY OPEN TO ALL TRAFFIC No 24 PARISH OF WHITTINGHAM

The Infrastructure Records Manager introduced the above report in which Members were asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over part of the U4002 road, from the C90 road south of Whittingham, south-eastwards to a junction with the U4004 road, south-west of Thrunton Farm.

Background information was provided.

Members were asked to note there was a slight amendment to recommendation (iii) in the report to state the section of road from the farm entrance to Point F be included in a future Definitive Map Modification Order as a byway open to all traffic. This amendment was on the basis of representations from landowners and users which indicated that more traffic used that section.

Councillor Castle proposed acceptance of the recommendations set out in the report, with the amendment to (iii), which was seconded by Councillor Seymour. The motion was unanimously agreed and it was therefore:

RESOLVED

- (i) there is sufficient evidence to indicate that public vehicular rights have been reasonably alleged to exist over the route E-F;
- (ii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the route;
- (iii) the section of the route from the farm entrance to Point F be included in a future Definitive Map Modification Order as a byway open to all traffic.

35. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED BYWAY OPEN TO ALL TRAFFIC No 25 PARISH OF WHITTINGHAM

The Infrastructure Records Manager introduced the above report in which Members were asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over the U4003 road, from the C90 road east of Whittingham, south-eastwards to Footpath No 11 at Thrunton Mill.

Background information was provided.

Councillor Renner-Thompson proposed acceptance of the recommendation set out in the report which was seconded by Councillor Castle. The motion was unanimously agreed and it was therefore:

RESOLVED

- (i) there is sufficient evidence to indicate that public vehicular rights have been reasonably alleged to exist over the route G-H;
- (ii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the route;
- (iii) the route be included in a future Definitive Map Modification Order as a byway open to all traffic.

36. DATE OF NEXT MEETING

It was noted that the next meeting would be held on Wednesday, 26 February 2020 at 10:00 am.

CHAIR

DATE:

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