



# Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL  
RIGHTS OF WAY SUB-COMMITTEE  
26 February 2020

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## REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY

### ALLEGED BYWAY OPEN TO ALL TRAFFIC No 14 PARISH OF CALLALY

Report of the Executive Director of Local Services  
Cabinet Member: Councillor Glen Sanderson, Environment and Local Services

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#### **Purpose of report**

In this report, the North Northumberland Local Area Council Rights of Way Sub-Committee is asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over the U4095 road, from the C175 road south-west of Yetlington, south-eastwards to Thistleton.

#### **Recommendation**

**It is recommended that the sub-committee agrees that there is not sufficient evidence to indicate that, on a balance of probability, public vehicular rights have been shown to exist over the route Q-R.**

#### **1.0 BACKGROUND**

- 1.1 By virtue of section 53 of the Wildlife and Countryside Act, 1981 the County Council is required to keep the Definitive Map and Statement under continuous review and make modification orders upon the discovery of evidence, which shows that the map and statement need to be modified.
- 1.2 The relevant statutory provision which applies where an existing public footpath, on the Definitive Map and Statement, is being upgraded to byway open to all traffic / restricted byway status, on the basis of historical documentary evidence, is Section 53(3)(c)(ii) of the Wildlife and Countryside Act, 1981. This requires the County Council (as Surveying Authority) to modify the Definitive Map and Statement following:

“the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description”

- 1.3 All the relevant statutory provisions and competing rights and interests have been considered in making this report. The recommendations are in accordance with the law and proportionate, having regard to individuals' rights and the public interest.

## **2.0 PUBLIC EVIDENCE**

- 2.1 In the late 1980s the County Council carried out consultations regarding proposals to add a number of unsealed tracks in the north of the County to the Definitive Map as byways open to all traffic on the basis that the routes were included in the County Council's "List of Streets" as unclassified County roads (UCR). The rationale for doing so was that it would not be obvious to members of the public (particularly horse riders, walkers and cyclists) that they were legally entitled to use routes such as these (which were considered to have vehicular status), because their physical appearance might suggest otherwise.
- 2.2 The view, held by those officers of the Council responsible for maintaining the 'List of Streets' for the County of Northumberland was (and still is) that only public roads (not public bridleways or public footpaths) were shown on this List. The only exceptions to this are the surfaced paths and alleyways providing pedestrian links between roads, in urban streets. Thus, tracks in rural settings, which have their own unique reference numbers (e.g. the 'U4095' road), were considered to be all-purpose public highways maintainable at public expense.
- 2.3 Shortly afterwards, the processing of applications from third parties seeking to record public footpath or public bridleway rights was afforded a higher priority. Later on, the process of recording UCRs as byways open to all traffic was effectively suspended because the Ordnance Survey indicated that they would be showing such routes on their published maps as being an "Other route with public access". Although, on that basis, members of the public would still be unclear as to precisely what rights they had over routes identified in this fashion.
- 2.4 The most recent advice from DEFRA (paragraph 4.42, Rights of Way Circular 1/09) is that inclusion on the List of Streets may provide evidence of vehicular rights but that this should be examined on a case by case basis. In view of this advice, it is considered prudent to evaluate the status of the U4095 unclassified County road based upon more than simply its inclusion in the List of Streets.
- 2.5 The entire length of the U4095 road has been recorded on the Definitive Map of Public Rights of Way as (the northern end of) Public Footpath No 4 since 1962.

### **3. LANDOWNER EVIDENCE**

- 3.1 To date no landowner / rebuttal evidence has been received.

### **4. CONSULTATION**

- 4.1 In February 2018, the Council carried out a consultation with the Parish Council, known owners and occupiers of the land, the local County Councillor and the local representatives of the "prescribed and local organisations" listed in the Council's "Code of Practice on Consultation for Public Path Orders". Two replies were received and are included below.

- 4.2 By email, on 26<sup>th</sup> February 2018, Ms H Evans responded to the consultation, on behalf of Cycling UK, stating:

"Ted has now looked at these and come back to me with the attached and also the comment that "Most are standard changes to confirm existing BOATs but a few are really good gains to the access network. No comment means we support and no comments are necessary".

Cycling UK did not make any comments in relation to this particular proposal.

- 4.3 By email, on 22<sup>nd</sup> February 2018, Ms S Rogers responded to the consultation, on behalf of the British Horse Society, stating:

"I am not able to give you an indication of the balance between motorised and other use, I am afraid. But, as I say, there is a real danger that these short UCRs which lead to farms and on-going footpaths and bridleways may be seen by the public to be private. I don't think many farmers realise how reticent the public are to use anything that might be private specially if it goes right past the farmhouse or buildings. Sadly this results in many ROW not being used as the public are put off from accessing them.

"I am not sure if that counts legally but it is certainly a point to bear in mind from the users' point of view.

"Alleged Byway Open to All Traffic no 14 (Thistleton)

This is another narrow unfenced tarmac road to a farm where there is an onwards public footpath. In this case it appears that the alleged route is currently on the DM&S as a public footpath so there is a finger post on the road side indicating that it leads to Thistleton & Tod-le-Moor so the need for it to be recorded as a BOAT is not so important."

### **5. DOCUMENTARY EVIDENCE**

- 5.1 A search has been made of archives relating to the area. Evidence of Quarter Sessions Records, Council Highways records, County Maps and O.S. Maps was inspected, and the following copies are enclosed for consideration.

1769 Armstrong's County Map

There is no evidence of a road or track approximating to the route of alleged Byway No 14.

1820 Fryer's County Map

Although "Thistleton" is identified by name on the map, there is no evidence of a road or track approximating to the route of alleged Byway No 14.

1827 Cary's Map

Although "Thistleton" is identified by name on the map, there is no evidence of a road or track approximating to the route of alleged Byway No 14.

1828 Greenwood's County Map

There is evidence of a road or track approximating to the route of alleged Byway No 14.

c.1860 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an unenclosed road / track over a route from the C175 road, north-west of Thistleton, south-eastwards to Thistleton. There is no individual parcel number for this section of track. The (mainly enclosed) continuation of this track, south-east of Thistleton, is identified as parcel number "184" in Callaly and Yetlington township. In the accompanying Book of Reference, this parcel is identified as "Private road".

1866 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an unenclosed road / track over the route of alleged Byway No 14.

1899 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an unenclosed road / track over the route of alleged Byway No 14.

Finance Act 1910 plan

There is clear evidence of an unenclosed road / track over the route of alleged Byway No 14. The route is not, however, identified as being separate from the adjacent land by coloured boundaries. If it had been, this would have been a good indication that the road was considered to be public at that time. There are no other notations against the route which might indicate that it was considered to be a public road.

1926 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an unenclosed road / track over the route of alleged Byway No 14.

1951 Highways Map

The route of alleged Byway Open to All Traffic No 14 is shown on the base map, but it is not coloured so as to identify it as a publicly maintainable road.

c.1952 Definitive Map – original Survey Schedules & Map

The route of alleged Byway Open to All Traffic No 14 exists on the base map. It is neither coloured brown (known public roads were generally coloured brown to indicate what the extent of the road network was considered to be) nor is it identified for inclusion as a public right of way despite a footpath (numbered "2") coming up from the south, terminating at point R. There is a pencilled "?" annotation against the alleged byway route.

Draft Map

The route of alleged Byway Open to All Traffic No 14 exists on the base map and is identified for inclusion on the Definitive Map as part of a public footpath (numbered "2").

Provisional Map

As with the Draft Map, the route of alleged Byway Open to All Traffic No 14 exists on the base map and is identified for inclusion on the Definitive Map as part of a public footpath (numbered "2").

1957 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an unenclosed road / track over the route of alleged Byway No 14.

1962 Original Definitive Map

The route of alleged Byway No 14 exists as a road / track on the base map, and is identified as a public footpath (the northern end of Public Footpath No 4).

1964 Highways Map

The route of alleged Byway Open to All Traffic No 14 exists on the base map, but it is not coloured so as to identify it as a publicly maintainable road.

First Review Definitive Map (Relevant Date 1 Nov 1963)

The route of alleged Byway No 14 exists as a road / track on the base map, and is identified as a public footpath (the northern end of Public Footpath No 4).

1979 Ordnance Survey Map: Scale 1:10,000

There is clear evidence of an unenclosed road / track over the route of alleged Byway No 14.

2005 Ordnance Survey Explorer OL 16 and 332 Maps: Scale 1:25,000

There is clear evidence of an unenclosed road / track over the route of alleged Byway No 14. The route is identified with short green dashes to denote that it is a public footpath (part of a longer footpath route extending to Tod-le-Moor).

2006 The Council's 'List of Streets' (2 May 2006)

The route of the alleged byway is clearly identified as publicly maintainable highway.

5.2 There is no entry for the U4095 road, in the 1958 County Road Schedule.

5.3 The entry for the U4095 road, in the 1964 County Road Schedule, states:

“U4095 Thistleton Farm Road  
From the Trehitt House - Yetlington Road, C175, approximately a half mile south of its junction with C174 near Yetlington, South-eastwards for a distance of 263 yards to the north-Eastern boundary of Thistleton Farm Steading.”

The length of the U4095 road is identified as 0.149 miles.

5.4 The entry for the U4095 road, in the 1974 County Road Schedule states:

“U4095 Thistleton Farm Road  
From C175, approximately a half mile south of its junction with C174 near Yetlington, (NU 018090) south-eastwards for a distance of 263 yards to the north-eastern boundary of Thistleton Farm Steading. (NU 019089).”

The length of the U4095 road is identified as 0.15 miles.

5.5 The Council's Highways Committee minutes from 19 June 1967 state:

“(20) Rothbury Rural District - Road to Thistleton Farm (Callaly)  
The Rothbury Rural District Council has requested that the road between County Road C175 and Thistleton Farm be taken over as a public highway. At present this portion of road is regarded as part of the route between Mount Pleasant Farm, (U4006), and County Road C175, which is recorded as Footpath No 4 in the Callaly Parish.

"It has been ascertained that this section of road was resurfaced in the early 1920s and 1930s by the Rural District Council and again in 1952 by the County Council, who subsequently repaired the road until 1957, when it was realised that this road was not recorded as a maintainable road.

"From that date until 1961, only work consistent with maintenance as a public footpath was carried out, after which no further work has been carried out.

"The road, which serves a farm and two cottages, is now in poor condition and an expenditure of approximately £250 will be required to put it in reasonably good order.

"The Clerk of the County Council has advised that it would be difficult for the County Council to deny responsibility for the future maintenance of the road and I, therefore, recommend that the road extending in a south-easterly direction from C175 to Thistleton Farm, a distance of approximately 260 lineal yards, be adopted as a public highway."

The "Decision of the Committee" is stated to be:

"That the work be carried out at the Council's expense and the road taken over as a highway maintainable at the public expense."

- 5.6 The original Definitive Statement for the public right of way 'intersecting' with the alleged byway open to all traffic states:

Public Footpath No 4

"From the Urchin's Bank - Folions Road north-east of Green Law in a south-easterly and easterly direction by Thistleton to join the Mount Pleasant road of Mount Pleasant."

## **6. SITE INVESTIGATION**

- 6.1 From Point Q, on the C175 road, 290 metres north-west of Thistleton, an unenclosed 2.7 metre wide tarmac road proceeds in a south-easterly direction for a distance of 235 metres to a gateway (without a gate in it) at Point R, 65 metres north of Thistleton. At this point, a tarmac road of poorer quality continues in a south-easterly direction for a few more metres, then gives way to a stone surfaced track.

## **7. DISCUSSION**

- 7.1 Section 53 (3)(c)(ii) of the Wildlife and Countryside Act 1981, requires the County Council to modify the Definitive Map when evidence is discovered which, when considered with all other relevant evidence available to them shows:

that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description [53(3)(c)(ii)].

- 7.2 When considering an application / proposal for a modification order, Section 32 of the Highways Act 1980 provides for “any map, plan or history of the locality or other relevant document” to be tendered in evidence and such weight to be given to it as considered justified by the circumstances, including the antiquity of the tendered document, the status of the person by whom and the purpose for which it was made or compiled, and the custody in which it has been kept and from which it is produced.
- 7.3 The representation of a path or track on an Ordnance Survey Map is not evidence that it is a public right of way. It is only indicative of its physical existence at the time of the survey.
- 7.4 The route of alleged Byway Open to All Traffic No 14 is identified on the County Council’s current List of Streets as being the U4095 road. The route was not identified on either the Council’s 1951 Highways Map nor the later 1964 Highways Map. Whilst it was included in the 1964 and 1974 County Road Schedules, it was not included in the 1958 Schedule and the entry in the 1964 Schedule is likely to be a later addition, based upon the decision taken by the Council’s Highways Committee in June 1967. No 1932 Handover Maps or Maps / Schedules produced under the Restriction of Ribbon Development Act 1935 appear to have survived for the former Rothbury Rural District Council area.
- 7.5 The route has been consistently identified as an unenclosed road / track on Ordnance Survey maps since c.1860. Although the route is not shown on Armstrong’s County Map of 1769 or Fryer’s County Map of 1820, or on Cary’s Map of 1827, it is depicted on Greenwood’s County Map of 1828. It is not identified as a public road on the plan produced in relation to the Finance Act 1910.
- 7.6 When the Definitive Map and Statement of Public Rights of Way came to be prepared under the National Parks and Access to the Countryside Act 1949, at each formal stage (i.e. Draft, Provisional and Definitive Maps) and also at the preliminary Survey stage, a public footpath was identified as beginning on the ‘main’ C175 road south-west of Yetlington, then proceeding along the U4095 to Thistleton before continuing south-eastwards to Mount Pleasant (now renamed Tod-le-Moor).
- 7.7 The County Council accepts that, given the way the regulations were written with regard to the way highway authorities could include publicly maintainable highways in the List of Streets, there was no impediment to public bridleways and public footpaths also being included. That is not to say that any bridleways or footpaths were so shown – just that they could be. It must, therefore, be entirely proper to consider each UCR on a case by case basis, but that does not mean that we should begin with the assumption that each UCR is no more than a public footpath unless higher rights can be proven by other means. In Northumberland there is no evidence to suggest that public footpaths and public bridleways were deliberately shown on the 1958, 1964 or 1974 County Road Schedules (forerunners of the modern day List of Streets). The fact that a route is shown on these schedules must, therefore, be evidence of some weight that public vehicular rights exist.
- 7.8 Letters from DEFRA, dated 2003 and November 2006, and Rights of Way



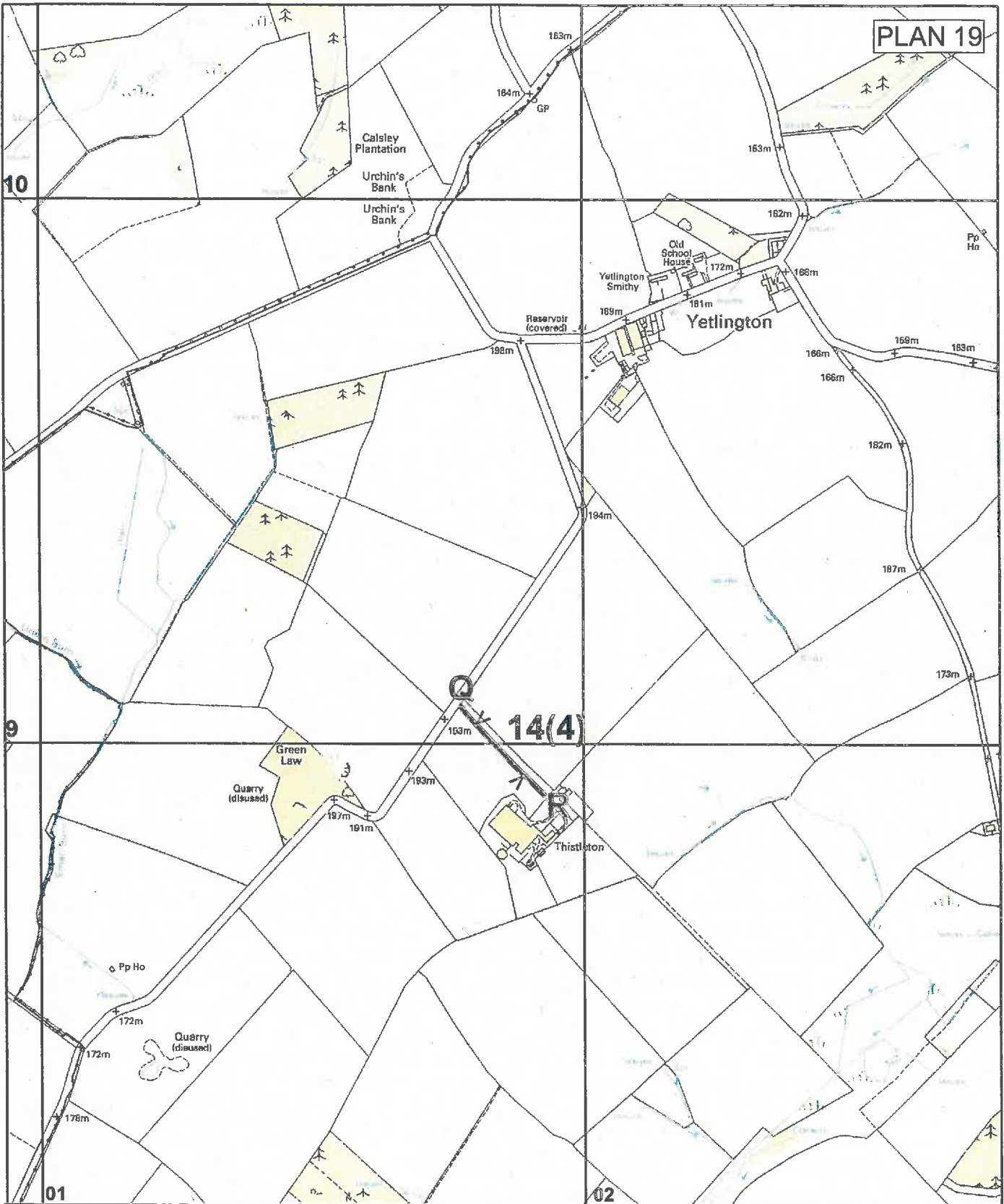
Circular 1/09 set out the approach Inspectors and order making authorities should take in determining the status of routes included on the List of Streets. In summary, the guidance states that the inclusion of a route on the List of Streets is not a record of what legal rights exist over that highway but may provide evidence of vehicular rights. However, this must be considered with all other relevant evidence in order to determine the nature and extent of those rights. Highway Authorities are recommended to examine the history of such routes and the rights that may exist over them on a case by case basis in order to determine their status.

- 7.9 In this instance, it seems unlikely that the U4095 was identified as a publicly maintainable road by Rothbury Rural District Council when responsibility for maintenance was transferred to Northumberland County Council in 1930 (1932 handover). Certainly, the route was not identified as a publicly maintainable road on the County Council's 1951 Highways map or 1958 County Road Schedule. And when the Definitive Map of Public Rights of Way was being prepared during the 1950s, no public vehicular rights were acknowledged to exist, and the route was ultimately recorded as the northern end of Public Bridleway No 4.
- 7.10 The route was almost certainly added to the List of Streets in 1967, as a result of it being considered by the County Council Highways Committee in June of that year, following an approach by Rothbury Rural District Council.
- 7.11 The County Council would appear to have recognized this route as a publicly maintainable vehicular highway since 1967 and to have been maintaining it as such since then. Whilst it might be difficult, now, for the County Council to deny that it had accepted maintenance responsibility for this route, this is a separate matter from establishing the route's status. Thus, if the route was a non-publicly maintainable public vehicular right of way before, then the County Council's maintenance activity is likely to mean it has become a publicly maintainable public vehicular right of way. But, if it was only a public footpath, the County Council's maintenance activity would not automatically upgrade the route into a vehicular right of way. The route would only become a vehicular right of way if the landowner explicitly dedicated higher rights, or if it was demonstrated that the landowner could be presumed to have dedicated higher rights under common law or under section 31 of the Highways Act 1980, on the basis of long-standing unchallenged use by the public and the corresponding actions (or lack of them) by the landowners in relation to this use. There is no reason to believe that the general public would have used this route in sufficient numbers to justify an assumption of presumed dedication by the landowner.
- 7.12 The Natural Environment and Rural Communities Act 2006 (NERC Act 2006) had a major impact upon the recording of byways open to all traffic based upon historical documentary evidence. Under section 67 of the Act, any existing, but unrecorded, public rights of way for mechanically propelled vehicles were extinguished unless one of the 'saving' provisions applied. In brief, these saving provisions were: (a) if the main lawful public use between 2001 and 2006 was with motor vehicles; (b) if the route was on the List of Streets (on 2 May 2006) and not also on the Definitive Map as something less than a byway open to all traffic; (c) the route was legally created expressly for motor vehicular use; (d) the route was a road deliberately constructed for

public motor vehicular use; or (e) the vehicular highway came about as a result of unchallenged motor vehicular use before December 1930.

- 7.13 Of the saving provisions above, the main one (b), will clearly not apply to the U4095 road. Where a route is shown on the Definitive Map as a footpath or bridleway, then the fact that it is shown on the List of Streets will not be sufficient to prevent the public's motor vehicular rights from being extinguished. It is necessary to see whether or not one of the other saving provisions might apply.
- 7.14 Under section 67(2)(c) of NERCA 2006, the public's motor vehicular rights would not be extinguished if those rights had been created on terms that expressly provided for a right of way for mechanically propelled vehicles. Officers are not aware of any documents associated with dedicating the U4095 as a public road.
- 7.15 Under section 67(2)(a) of NERCA 2006, the public's motor vehicular rights would not be extinguished if they are over a way whose main lawful use by the public during the period of 5 years between 2<sup>nd</sup> May 2001 and 2<sup>nd</sup> May 2006 was with mechanically propelled vehicles. The difficulty here is that the Council has no evidence regarding the balance of public user during this 5 year period. Although the U4095 is a reasonably well made up tarmac road, it is a vehicular cul-de-sac. It is clearly used on an everyday basis by residents and farm traffic but it seems doubtful that this use constitutes "use by the public". Public use of this route is considered likely to be predominantly pedestrian.
- 7.16 Under section 67(2)(e) of NERCA 2006, the public's motor vehicular rights would not be extinguished if they are over a way that had been in long use by mechanically propelled vehicles before 1930, when it first became an offence to drive 'off-road'. There is no evidence of long-standing public motor vehicular use before 1930 in this instance.
- 7.17 Finally, under section 67(2)(d) of NERCA 2006, the public's motor vehicular rights would not be extinguished if they are over a way that had been created by construction of a road intended to be used by MPVs. The modern day tarmac road was clearly constructed with motor vehicular use in mind but, based upon the historical documentary evidence available, it would appear that this route was a public road long before any tarmac surface was applied. On that basis this saving provision will not apply.
- 7.18 For a route to be a byway open to all traffic, it has to be (i) a public motor vehicular right of way and (ii) a route which is nevertheless used (or is likely to be used) by the public mainly for the reasons which footpaths and bridleways are used.
- 7.19 Although this route has a drivable surface, it is a short vehicular cul-de-sac, which is only likely to be driven by the occupiers of Thistleton, Thistleton Cottages, and their visitors. It is not known how much pedestrian traffic the route gets. The route's southerly continuation is Public Footpath No 4, so equestrian and bicycle use is likely to be very light to non-existent. The consultation responses did not offer any estimates regarding the balance of public user. The road would provide access to existing Public Footpath No 4,





**Northumberland**

Northumberland County Council

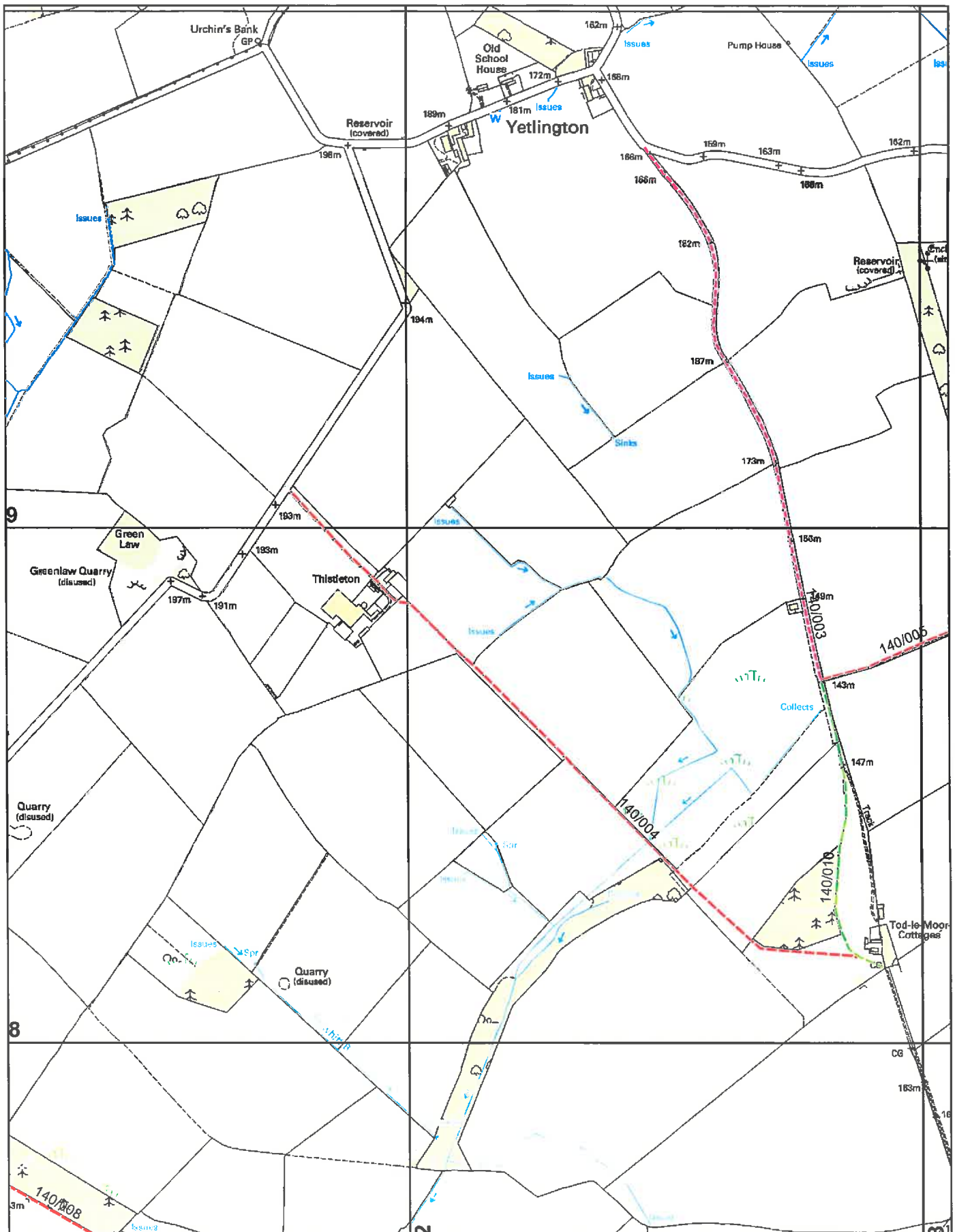
Infrastructure  
Local Services  
County Hall Morpeth Northumberland  
NE61 2EF  
Telephone 0845 600 6400

**Wildlife and Countryside Act 1981  
Public Rights of Way**



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Former District(s) Alnwick	Parish(es) Callaly	Scale 1:10,000
Def. Map No. 79	O.S. Map NU 00 NW	Date October 2016



  
**Northumberland**  
 County Council

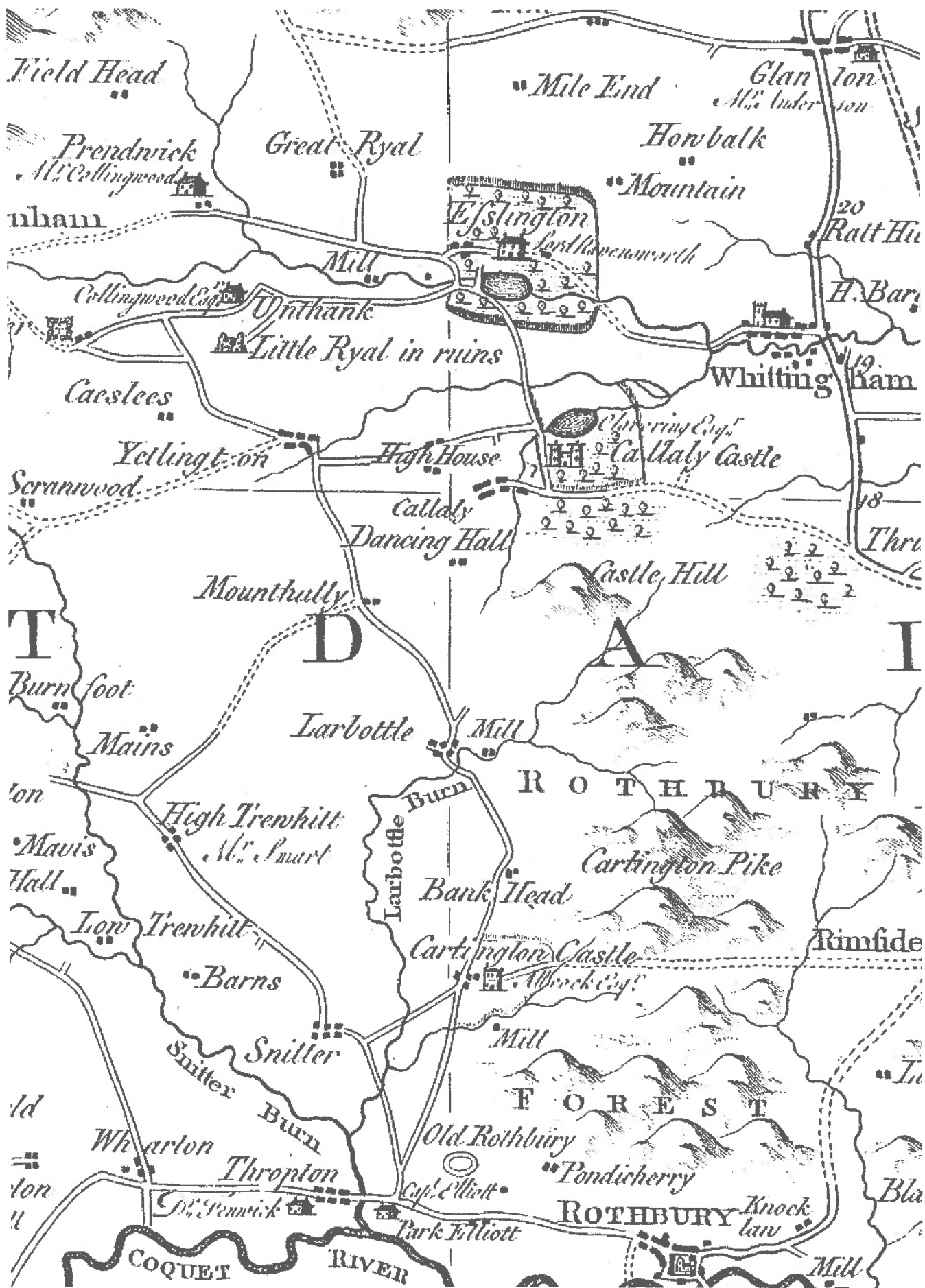
Contact: Alex Bell  
 Telephone: 01670 624133  
 Email: Alex.Bell@northumberland.gov.uk

- Legend**
- - - Footpath
  - - - Bridleway
  - - - Restricted Byway
  - Byway Open to All Traffic

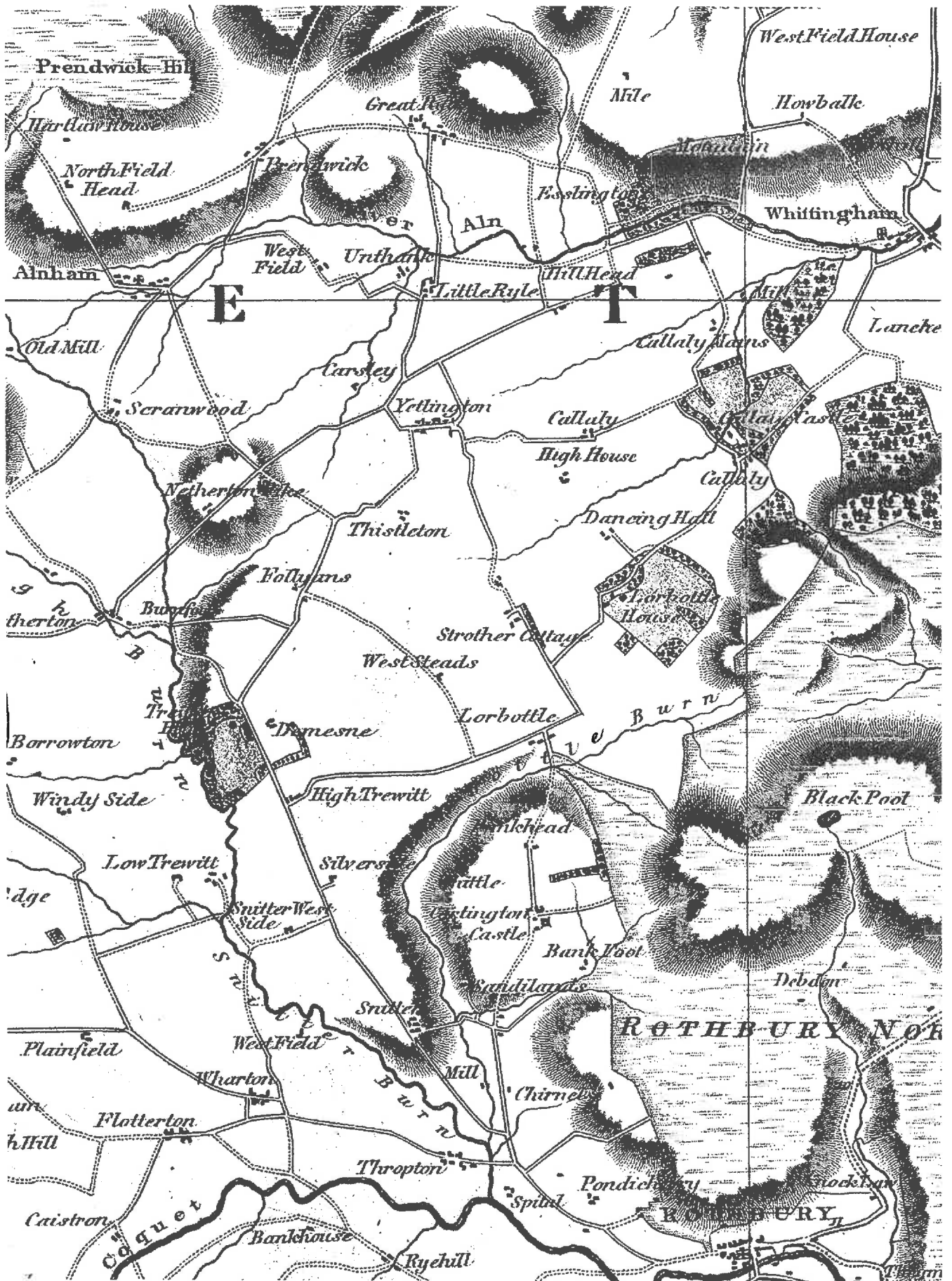
This is a computer generated extract of the Working Copy of the Definitive Map of Public Rights of Way

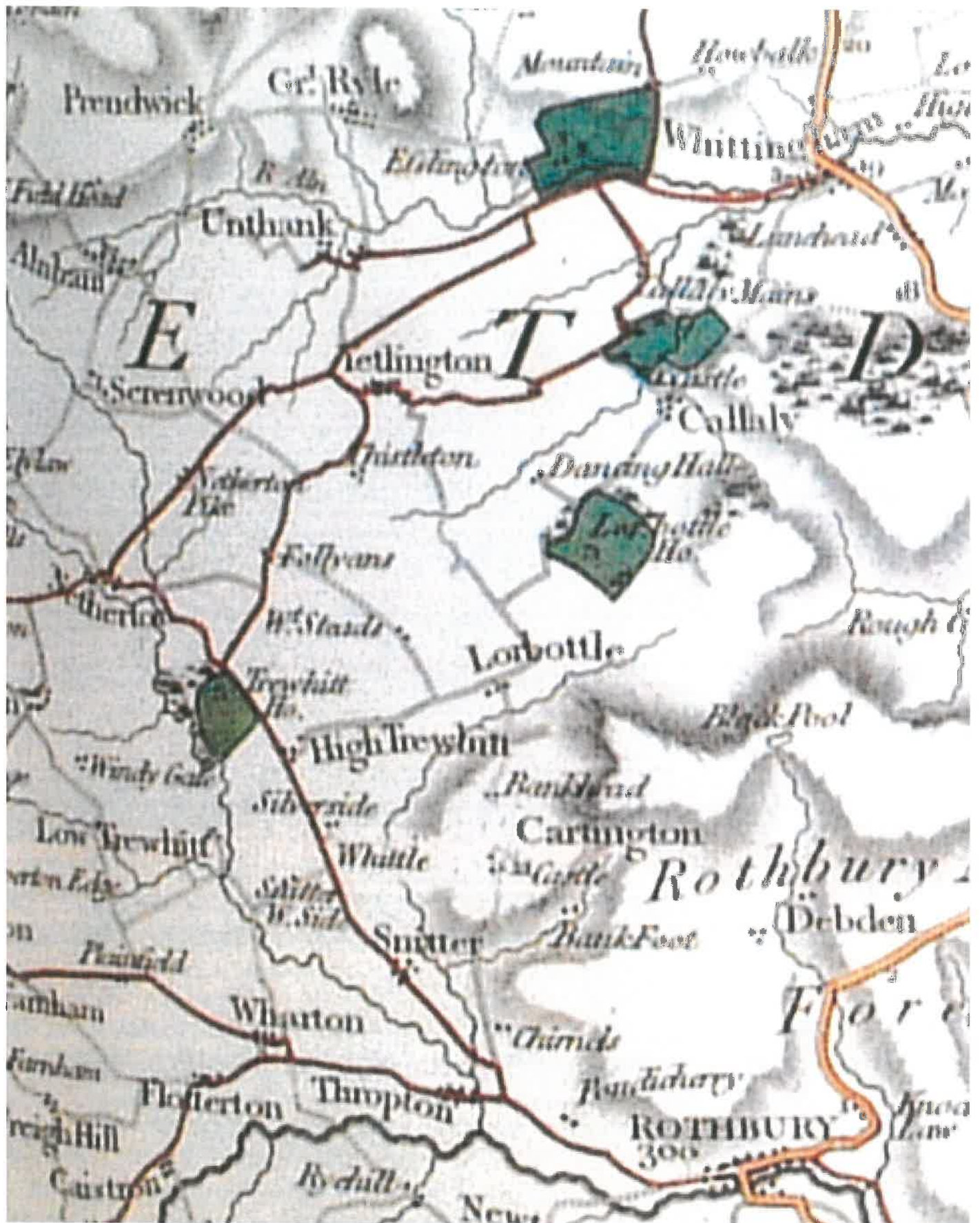
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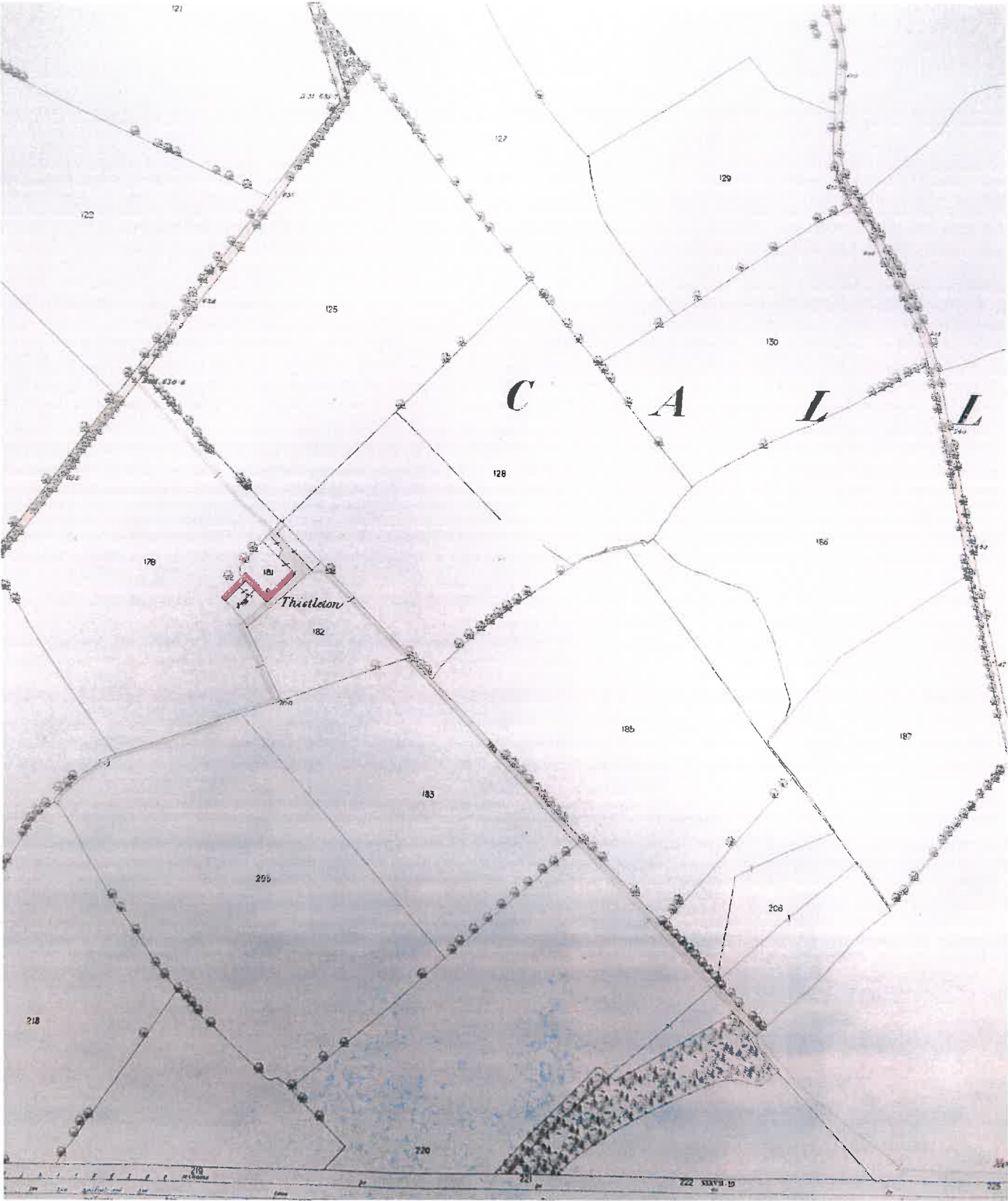
Fryer's County Map  
1820











# PARISH OF WHITTINGHAM,

IN THE

COUNTY OF NORTHUMBERLAND--(NORTHERN DIVISION).

## COQUETDALE WARD.

No. on Plan.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
<b>TOWNSHIP OF BARTON.</b>					
1	27.945	Arable, &c.			
2	28.089	Pasture, &c.			
3	22.108	Arable.			
4	24.389	Arable, &c.			
5	21.868	Pasture, &c.			
6	34.628	Public road.			
7	3.828	Arable.			
8	39.184	Arable.			
9	32.671	Pasture, &c.			
10	13.388	Pasture.			
11	13.549	Pasture.			
12	14.593	Arable.			
13	4.665	Pasture, &c.			
14	12.058	Arable.			
15	7.006	Houses, yds., gardens, &c. (Middle Barton).			
16	.320	Houses, yds., gardens, &c. (Middle Barton).			
17	78.963	House and garden (High Barton).			
18	.180	House.			
19	.082	Gardens.			
20	1.088	Wood.			
21	.571	Pasture, &c.			
22	18.600	Pasture, shed, &c.			
23	24.501	Pasture, &c.			
24	9.407	Public road.			
25	2.139	Pasture, &c.			
26	16.427	Houses, yds., gardens, &c. (Low Barton).			
27	1.085	Arable.			
28	10.458	Arable.			
29	11.843	Arable, &c.			
30	15.097	Arable, &c.			
31	8.874	Arable, &c.			
32	14.307	Arable, &c.			
33	17.954	Arable, &c.			
34	580.886				
<b>TOWNSHIP OF CALLALY AND YETTINGTON.</b>					
1	20.403	Pasture, &c.			
2	21.276	Arable, &c.			
3	1.780	Wood.			
4	32.261	Pasture.			
5	.670	Houses, yards, gardens, &c. (Mains).			
6	18.623	Arable, &c.			
7	1.080	Pasture, &c.			
8	5.426	Arable.			
9	.863	Houses, yards, and garden (Callaly Mill).			
10	.026	House and ruin.			
11	10.592	Pasture, &c.			
12	23.347	Pasture.			
13	18.164	Pasture.			
14	16.446	Arable.			
15	33.614	Pasture.			
16	12.980	Arable, &c.			
17	13.902	Arable, &c.			
18	16.060	Pasture, &c.			
19	4.200	Pasture.			
20	12.280	Pasture.			
21	23.135	Pasture, &c.			
	286.518	Carried forward.			

N.B.—To convert Decimal Fractions of an Acre into Rods and Perches, multiply the decimal first by 4 and then by 40, preserving the same number of decimals in the product.  
Example—

Acres.  
527.013  
4  
—————  
2108.052

A. R. P.  
527 0 2

A. R. P.  
633 1 17  
—————  
17.120

### TABLE

FOR CONVERTING DECIMAL PARTS OF AN ACRE INTO RODS AND PERCHES

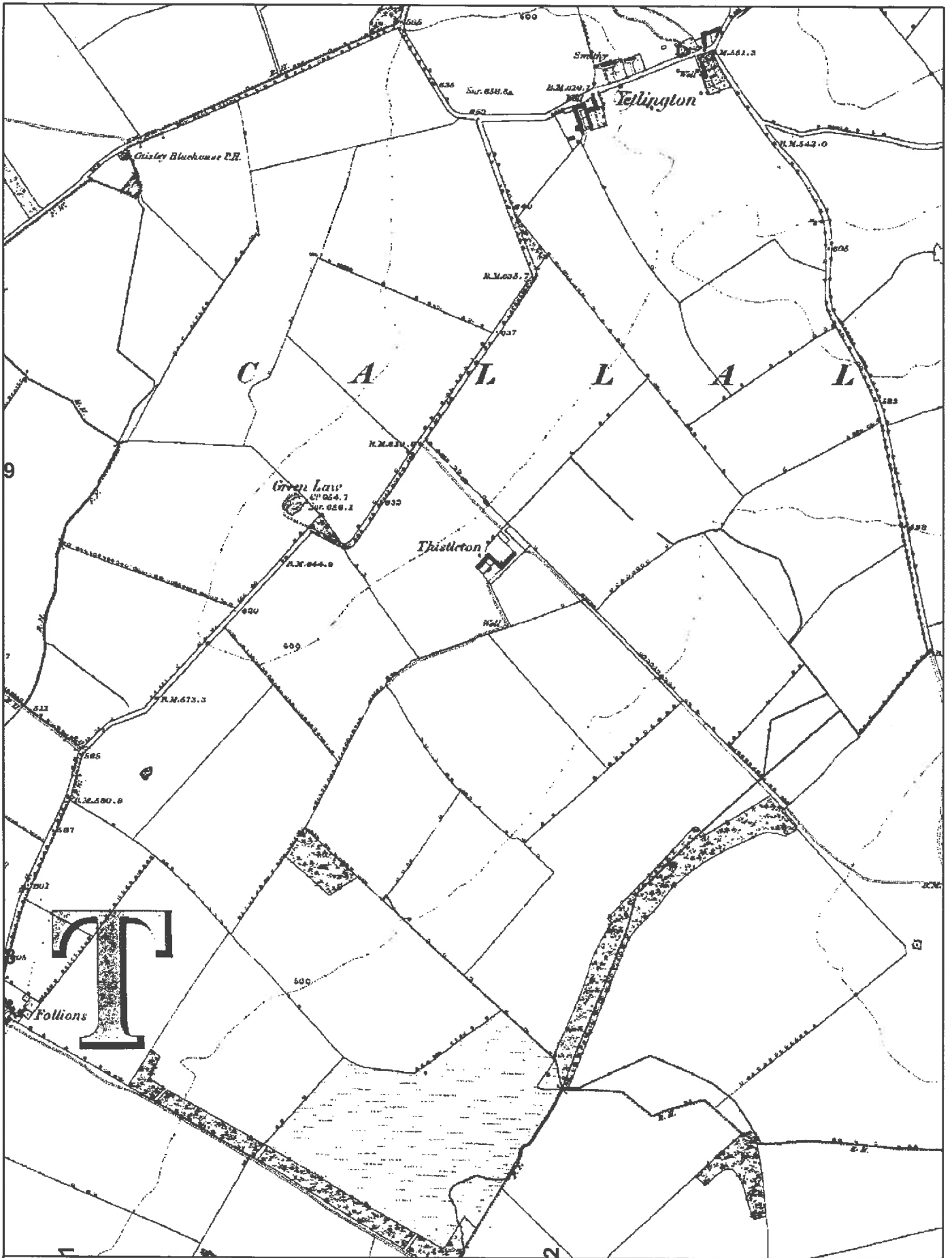
Perch.	0 Rod.	1 Rod.	2 Rods.	3 Rods.	Perch.	0 Rod.	1 Rod.	2 Rods.	3 Rods.
0	.000	.250	.500	.750	21	.131	.381	.631	.881
1	.006	.256	.506	.756	22	.137	.387	.637	.887
2	.012	.262	.512	.762	23	.144	.394	.644	.894
3	.019	.269	.519	.769	24	.150	.400	.650	.900
4	.025	.275	.525	.775	25	.156	.406	.656	.906
5	.031	.281	.531	.781	26	.162	.412	.662	.912
6	.037	.287	.537	.787	27	.169	.419	.669	.919
7	.044	.294	.544	.794	28	.175	.425	.675	.925
8	.050	.300	.550	.800	29	.181	.431	.681	.931
9	.056	.306	.556	.806	30	.187	.437	.687	.937
10	.062	.312	.562	.812	31	.194	.444	.694	.944
11	.069	.319	.569	.819	32	.200	.450	.700	.950
12	.075	.325	.575	.825	33	.206	.456	.706	.956
13	.081	.331	.581	.831	34	.212	.462	.712	.962
14	.087	.337	.587	.837	35	.219	.469	.719	.969
15	.094	.344	.594	.844	36	.225	.475	.725	.975
16	.100	.350	.600	.850	37	.231	.481	.731	.981
17	.106	.356	.606	.856	38	.237	.487	.737	.987
18	.112	.362	.612	.862	39	.244	.494	.744	.994
19	.119	.369	.619	.869	40	.250	.500	.750	1.000
20	.125	.375	.625	.875					

PARISH OF WHITTINGHAM

No. of Plot.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
22	285.518	Brought forward.			
23	7.40	Pasture, &c.	67	759.180	Brought forward.
24	6.888	Arable.	68	23.358	Arable.
25	12.312	Pasture.	69	24.807	Arable.
26	15.241	Houses, yards, gar-	70	2.225	Wood.
	1.277	dens, &c. (Yelling-	71	1.882	Pasture and shed.
		ton Lane)	72	3.233	Pasture.
27	9.590	Arable.	73	3.672	Pasture.
28	16.153	Pasture.	74	3.610	Wood.
29	14.596	Arable, &c.	75	1.276	Pasture.
30	17.571	Arable, &c.	76	1.071	Private road.
31	19.232	Pasture.	77	2.955	Gardens, &c.
32	14.761	Pasture, &c.	78	1.604	Pond.
33	11.302	Arable, &c.	79	.974	Wood.
34	23.855	Pasture, &c.	80	.123	Pond.
35	10.729	Pasture, &c.	81	.154	Wood.
36	14.163	Arable, &c.	82	.240	Wood.
37	10.011	Pasture, &c.	83	.899	Houses, &c.
38	7.508	Pasture.	84	.510	Wood.
39	19.498	Pasture.	85	1.429	Public road.
40	28.715	Pasture.	86	18.092	Arable.
41	16.867	Pasture.	87	8.642	Public road.
42	17.650	Pasture.	88	38.526	Pasture.
43	3.281	Wood.	89	1.554	Houses, yards, garden
44	28.354	Arable.			&c. (Yellington,
45	2.461	Wood.			part of).
46	27.258	Pasture, trees, &c.	90	5.357	Arable.
47	3.646	Wood, &c.	91	36.380	Pasture and trees.
48	.606	Pond.	92	4.241	Public road.
49	.086	Private road.	93	8.496	Pasture.
50	.497	Pond.	94	18.189	Arable, &c.
51	3.548	Wood.	95	29.527	Pasture.
52	.617	Wood (island).	96	.247	Wood.
53	1.498	Ornamental ground.	97	1.919	Houses, yard, gar-
54	40.857	Wood.			dens, &c. (High
55	1.864	Ornamental ground.	98	.506	Houses).
56	4.075	Public road.	99	24.197	Wood and shed.
57	35.010	Arable, quarry, &c.	100	20.416	Arable.
58	1.024	Houses, farm-tens, &c.	101	9.020	Arable.
59	.140	Pond.	102	10.680	Public road.
60	.458	Houses, garden, &c.	103	5.199	Pasture.
61	.872	Houses, garden, &c.	104	16.884	Arable.
62	3.639	Pasture.	105	23.805	Arable and trees.
63	3.407	Pasture, &c.	106	5.036	Public road.
64	14.918	Pasture, &c.	107	.130	Wood.
65	9.672	Arable.	108	22.132	Pasture, &c.
66			109	7.138	Ornamental ground.
			110	8.755	Wood, &c.
			111	17.198	Ornamental ground.
759-189	Carried forward.		1187-045	Carried forward.	

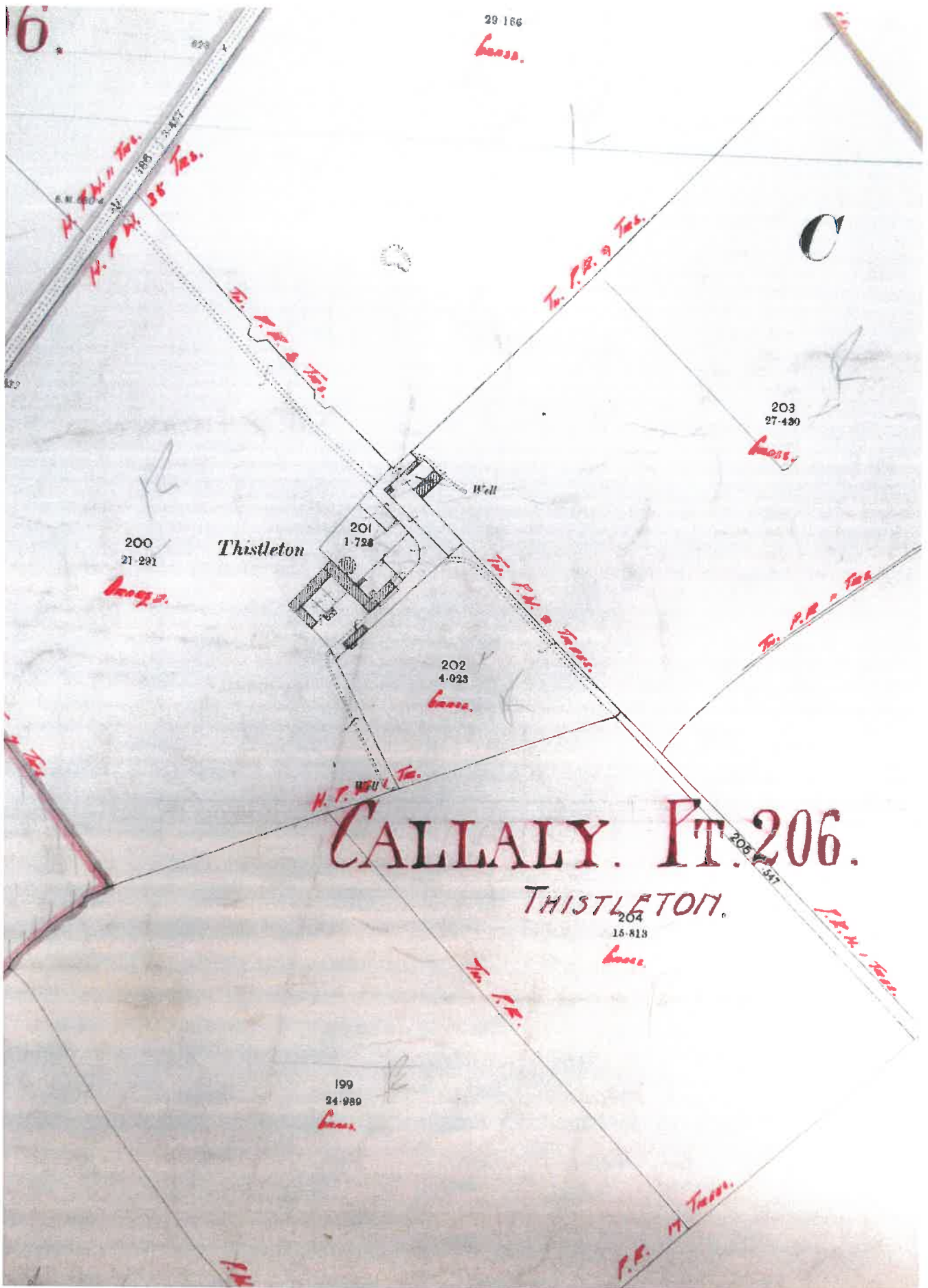
PARISH OF WHITTINGHAM

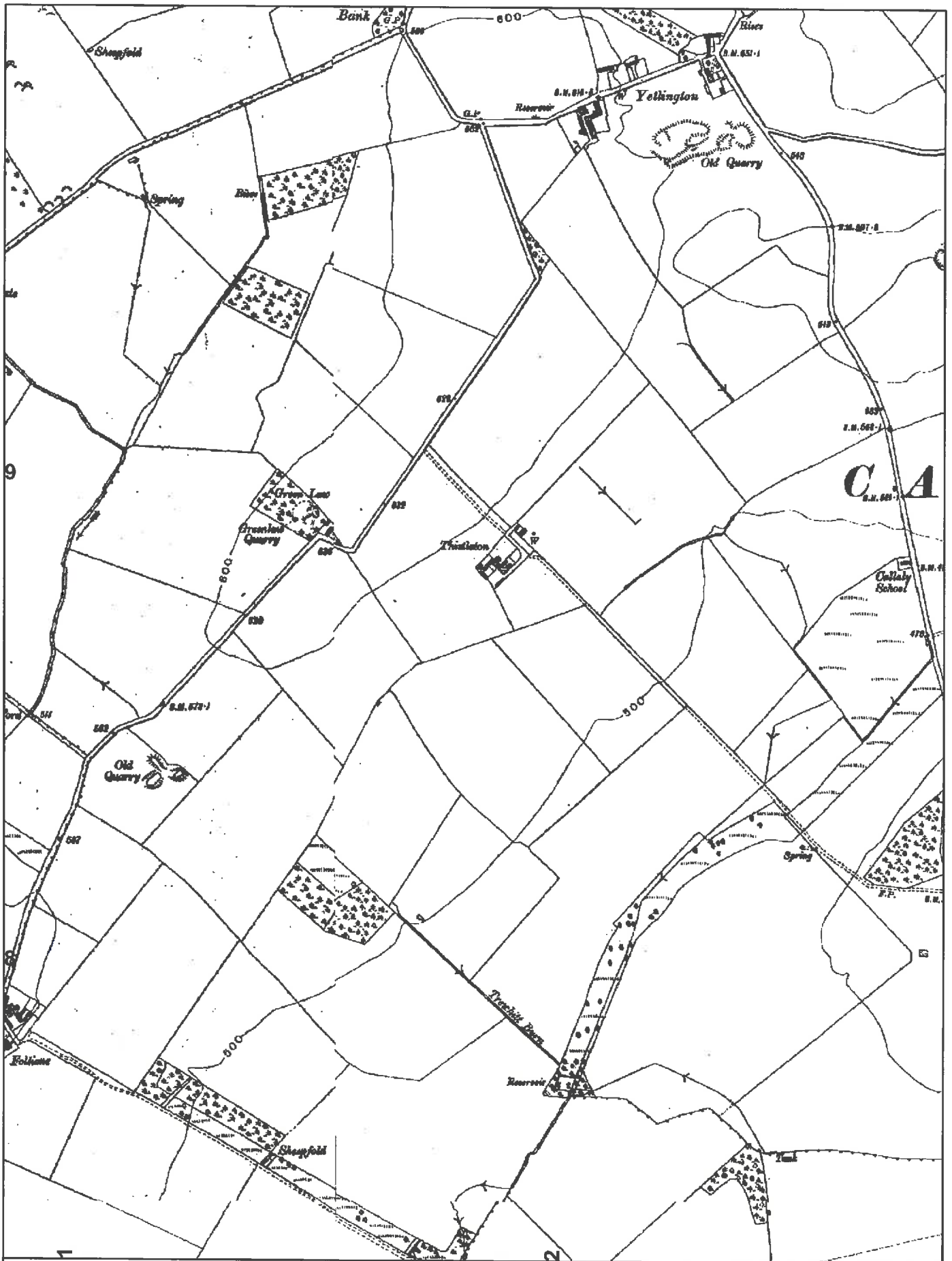
No. on Plan.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
112	1187.045	Brought forward.	168	1921.431	Brought forward.
113	.085	Houses and gardens (Lodge).	169	6.164	Pasture, &c.
114	1.593	Pasture.	170	5.747	Arable, &c.
115	2.042	Public road.	171	8.010	Pasture.
116	2.142	Arable, quarry, &c.	172	2.284	Wood, &c.
117	.015	House, &c.	173	.212	Houses, &c.
118	90.827	Wood, &c.	174	.484	Houses, &c.
119	14.888	Pasture.	175	2.111	Wood, &c.
120	41.886	Pasture, &c.	176	2.113	Wood, &c.
121	28.048	Pasture, &c.	177	1.431	Pasture.
122	29.888	Arable.	178	.426	Arable, &c.
123	21.124	Arable.	179	1.337	Wood, &c.
124	17.968	Pasture.	180	1.188	Arable.
125	124	Public road.	181	2.490	Houses, yards, gar-
126	4.083	Pasture.			dens, &c. (Thick-
127	.480	Wood.			ton).
128	20.662	Pasture.	182	4.023	Pasture, &c.
129	27.571	Pasture, &c.	183	15.813	Arable.
130	14.654	Pasture.	184	.547	Private road.
131	17.288	Pasture.	185	23.360	Arable.
132	24.360	Arable and quarry.	186	23.934	Arable.
133	23.527	Arable.	187	15.118	Pasture, &c.
134	19.715	Arable and trees.	188	39.089	Arable, &c.
135	19.707	Arable, &c.	189	19.626	Pasture.
136	16.765	Arable.	190	10.311	Arable.
137	14.229	Arable.	191	16.515	Arable.
138	19.458	Arable.	192	39.170	Arable.
139	1.948	Houses, yards, gar-	193	7.538	Arable, &c.
		dens, &c. (Cross-	194	.316	Gardens, yards, gar-
		hill).	195	1.029	dens, &c. (Dancing
140	1.264	Private road.			Hall).
141	.083	Garden.	196	11.943	Arable.
142	28.757	Arable.	197	14.229	Pasture, &c.
143	9.575	Pasture.	198	.089	Wood.
144	21.501	Arable, &c.	199	19.542	Arable and trees.
145	16.740	Arable, &c.			Carried forward.
146	32.502	Pasture, &c.	1921-431	1921-431	Carried forward.
147	26.881	Arable.			
148	11.318	Pasture, &c.			
149	13.186	Pasture, quarry, &c.			
150	16.714	Arable.			
151	28.656	Pasture, &c.			
152	24.261	Pasture, &c.			
153	.283	Pond.			
154	8.973	Houses (saw mill).			
155	.910	Arable.			
156	.121	Pasture.			
157	.071	Private road.			
		Wood.			
		Carried forward.			





Finance Act 1910 Plan





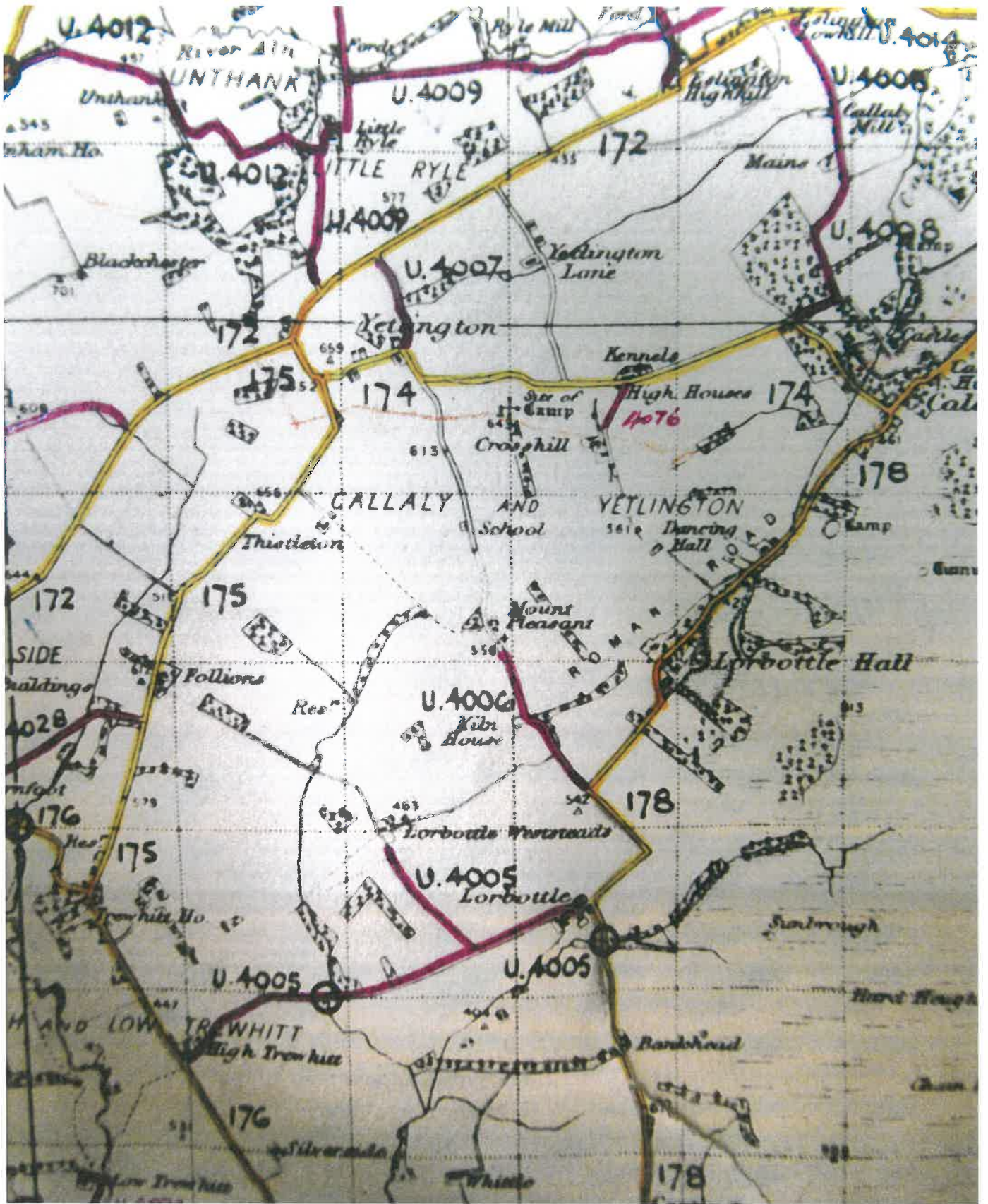

Northumberland  
County Council

SCALE 1:10,560

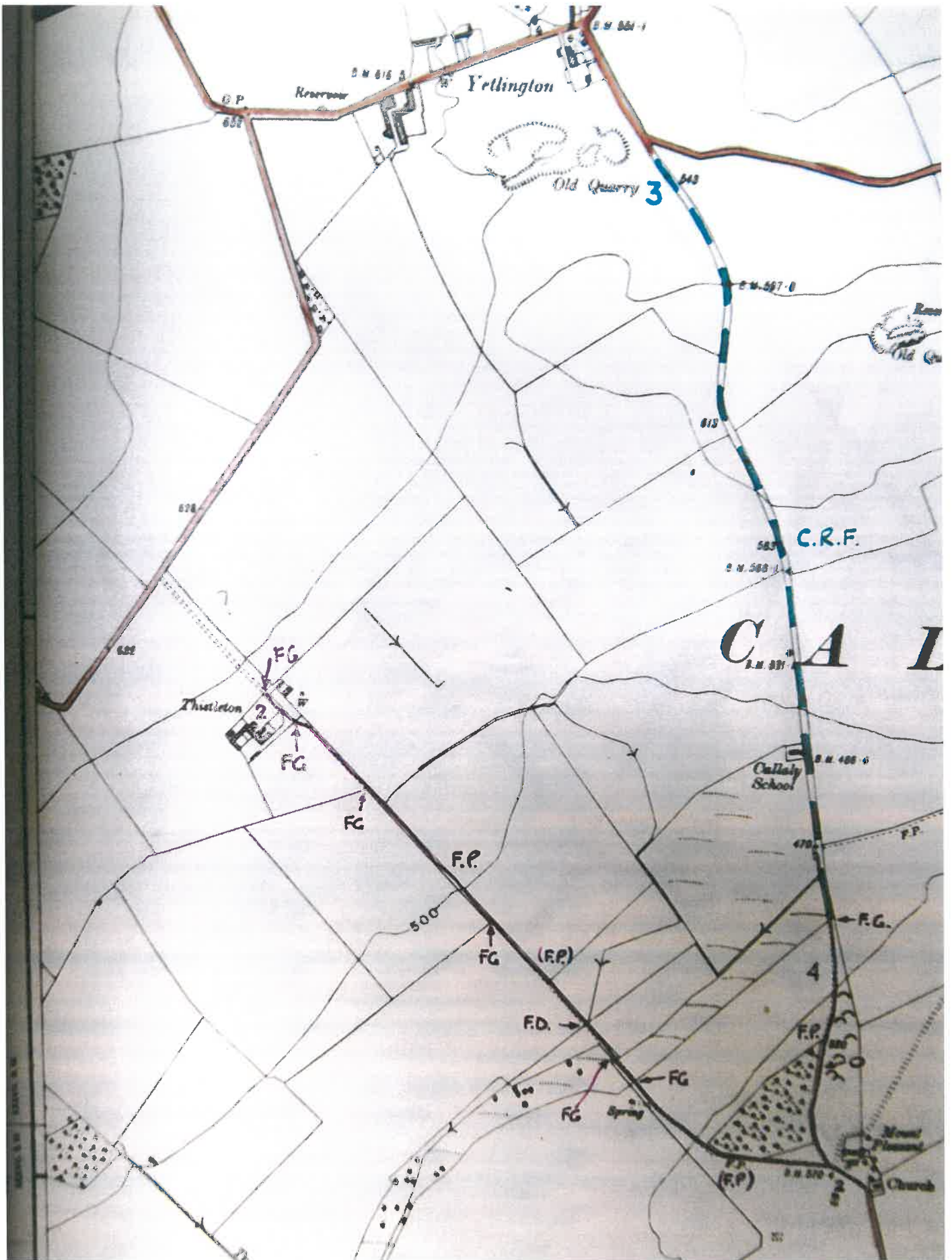
Ordnance Survey 3rd Edition 6" map (1926)

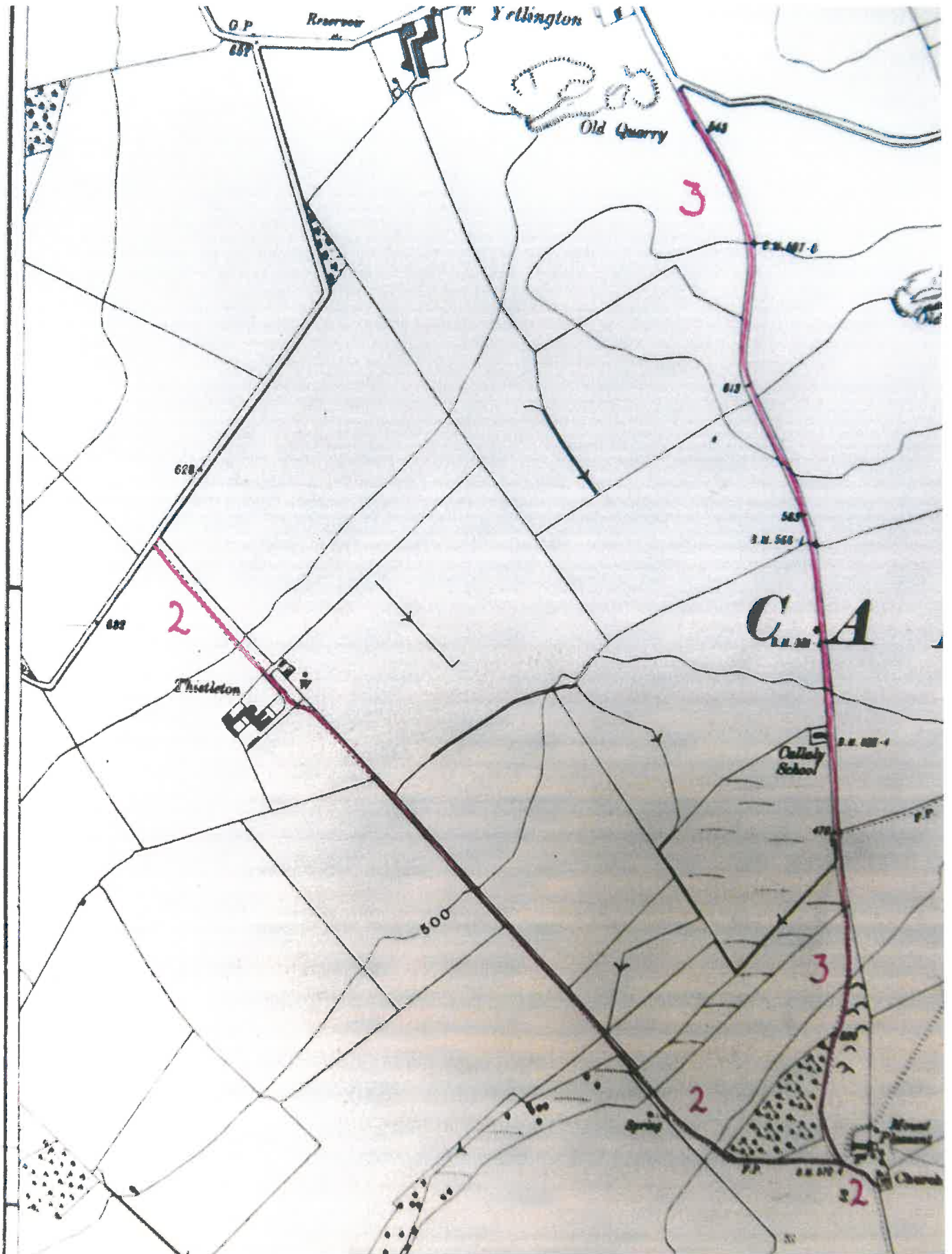


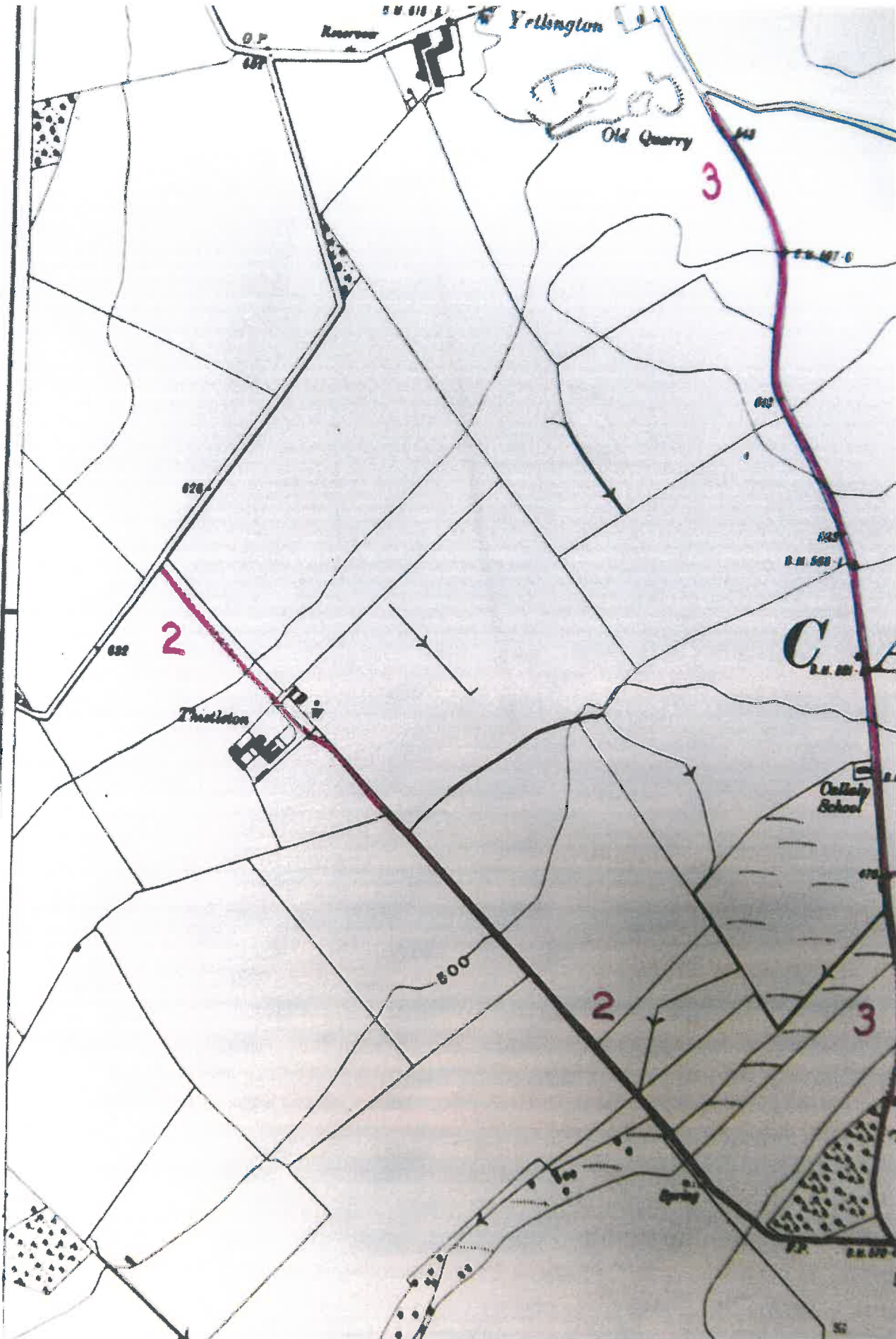
Extract from the Council's 1951 Highways Map

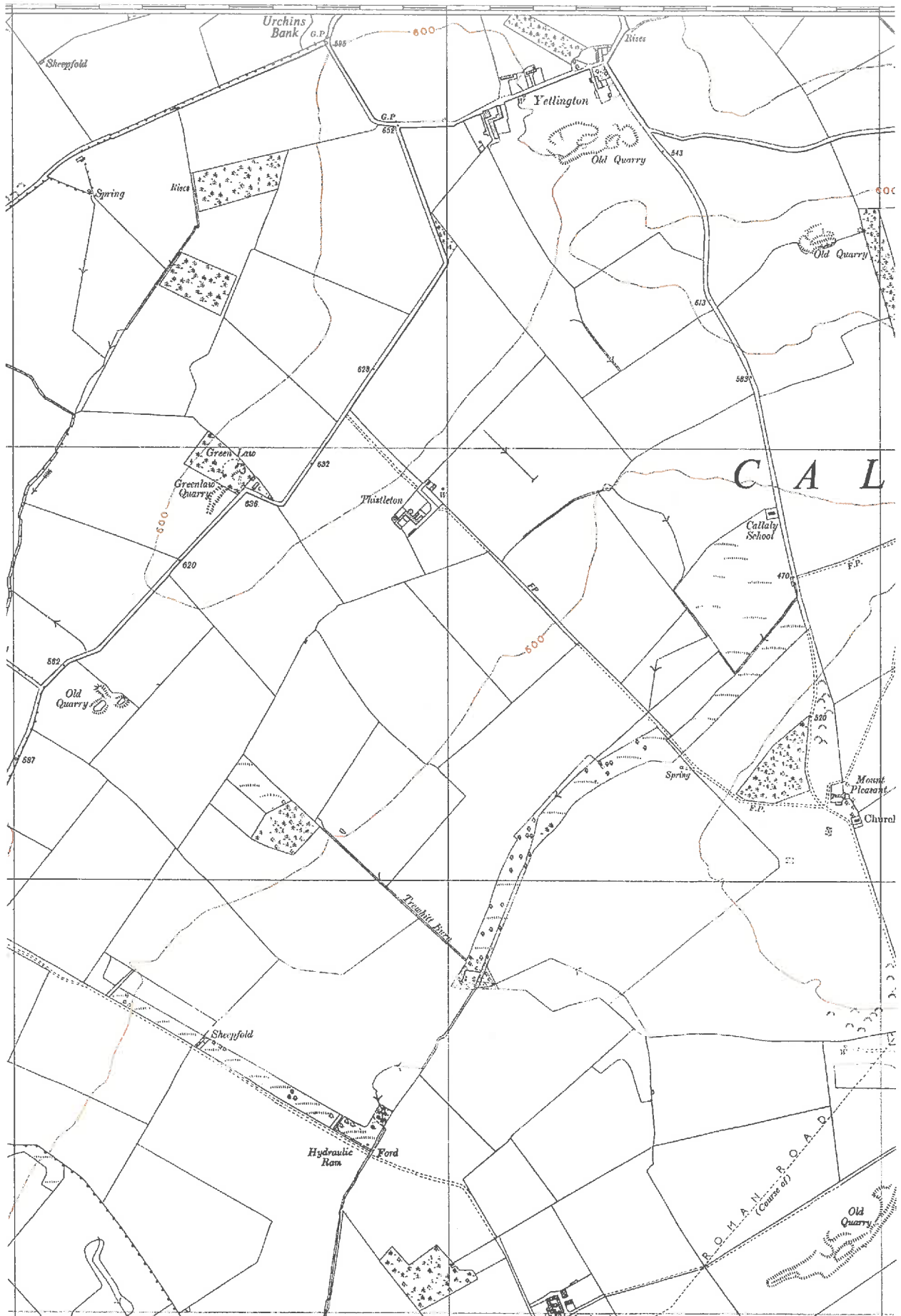


# Survey Map







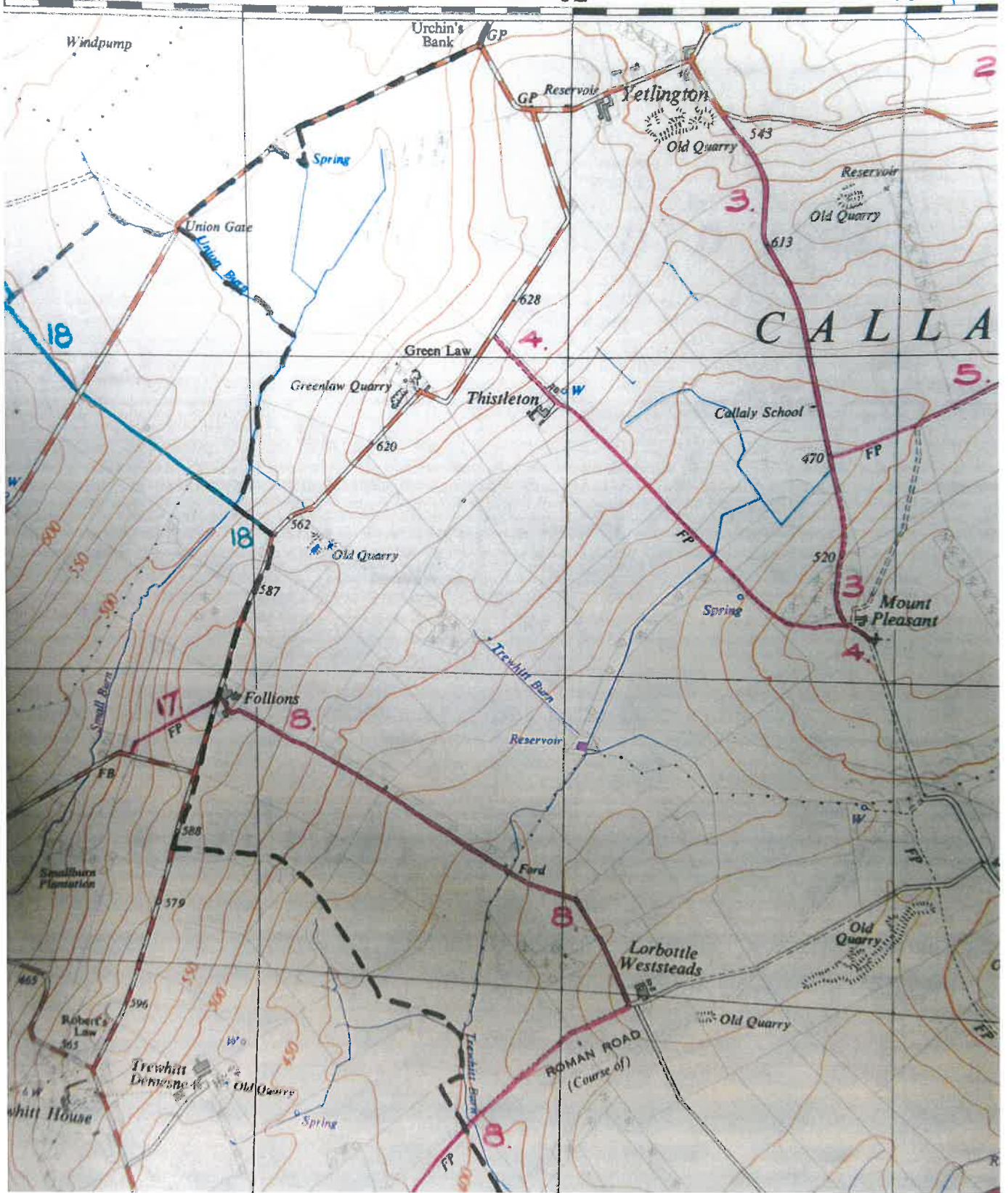


LNHAM

01 LITTLE RYLE

02

03

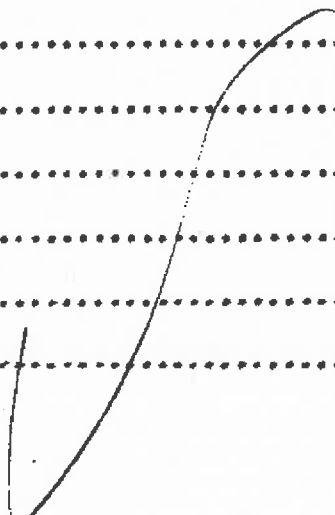


NORTHUMBERLAND COUNTY COUNCIL.

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.  
PART IV.

PUBLIC RIGHTS OF WAY - STATEMENT.

1. Borough .....  
Urban district .....  
Rural district ..... ROTHBURY .....
2. Parish ..... CALLALY .....
3. Number of Footpath on Map ..... 4 .....
4. Name of Path .....
5. Kind of Path (i.e. (FP/BR) ..... F.P. ....
6. General Description of Path From the Urchin's Bank - Follions Road .....  
north-east of Green Law in a south-easterly and easterly direction by Thistleton  
to join the Mount Pleasant road south of Mount Pleasant. ....  
.....  
.....  
.....
7. Other relevant information .....  
.....  
.....  
.....  
.....  
.....





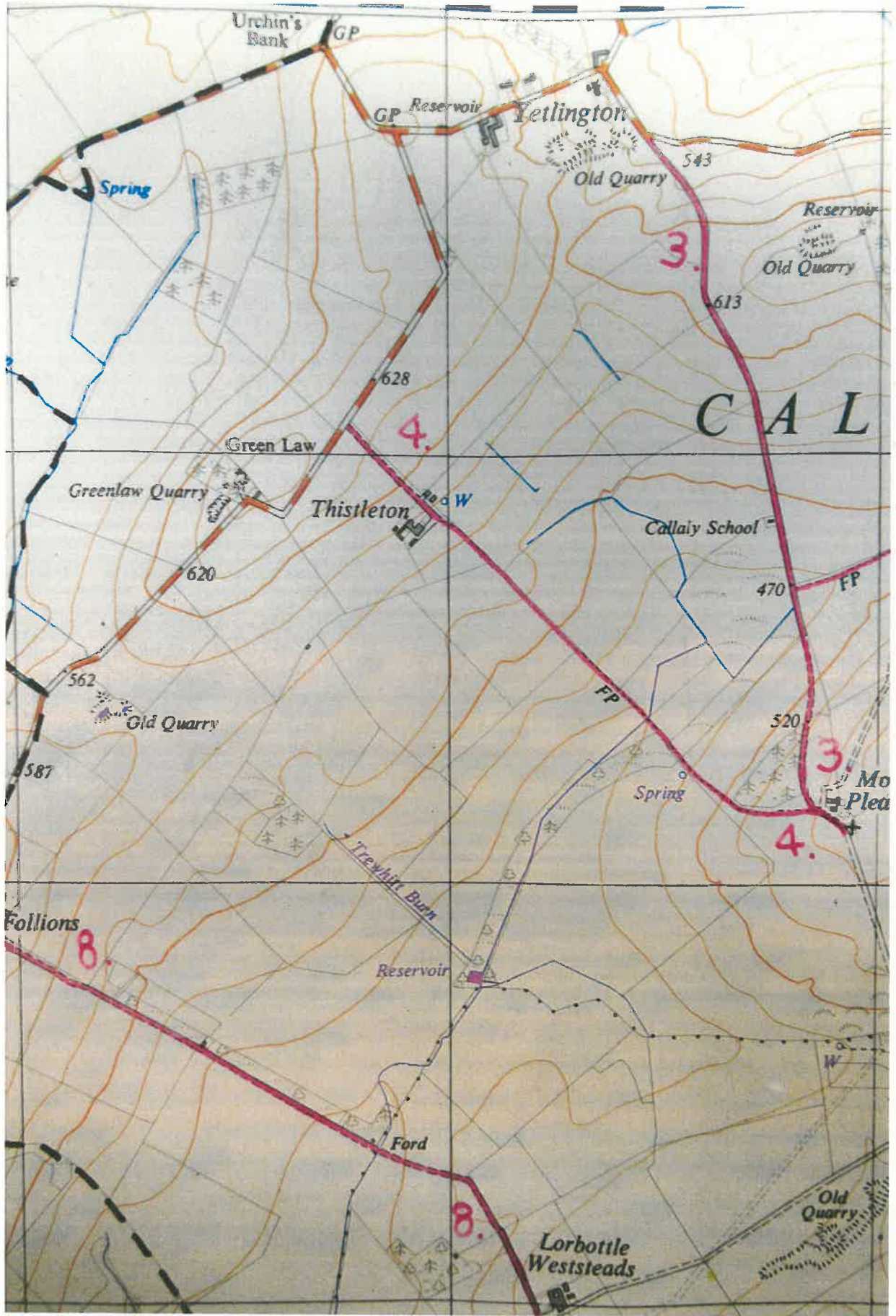


# 1964 County Road Schedule

- 95a -

<u>Route No.</u>	<u>Name of Road.</u>	<u>Description.</u>	<u>Responsible Division, or Authority.</u>	<u>Mileage.</u>	<u>Total Mileage.</u>
U.4091	Village Green Road, Whittingham.	A double loop from and south of C.178 round two portions of the village green at Whittingham, together with a loop to the north of C.178 round a further portion of the village green including a paved footpath across the River Aln ford to C.172.	Alnwick.	0.11	0.11
U.4092	Thrunton Brickworks Road.	From A.697 north of the Coe Burn south-west and north-west for 186 yards towards Thrunton Brickworks.	Alnwick.	0.11	0.11
U.4093	Harwood Village Road.	From C.187 approximately 1 mile west of junction with B.6342 north for 677 yards across the Harwood Burn to Harwood.	Morpeth.	0.38	0.38
U.4094	Tower Side and Whittingham.	From its junction with route C.178 north-westwards for a distance of 70 yards to form a cul-de-sac.	Alnwick.	0.0398	0.0398
U.4095	Thistleton Farm Road.	From the Trehitt House-Yetlington Road, C.175, approximately a half mile south of its junction with C.174 near Yetlington, South-eastwards for a distance of 263 yards to the north-Eastern boundary of Thistleton Farm Steading.	Alnwick.	0.149	0.149

# First Review Definitive Map



REPORTS OF COUNTY SURVEYOR—continued.

REPORTS OF COUNTY SURVEYOR—continued.

April, 1967, and it is anticipated that most of this expenditure will be incurred before the end of the current financial year and no provision has been made for this item in the current annual estimates.

I ask the Committee to confirm the action already taken and to recommend that financial provision be made for the rateborne element, 25 per cent, of these works by way of loan in accordance with the current County Council policy in respect of schemes within the Special Review Area.

(18) Morpeth-Tynemouth Road, A.192—Improvement at Stobhill and Access to proposed Industrial Estate.

Members will recall that I reported on the 12th December, 1966, that the Divisional Road Engineer had included Stobhill Diversion, Morpeth, in a list of schemes qualifying for classification grant, conditional upon a start being made in June, 1967, and the bulk of the expenditure incurred by April, 1968, and negotiations are now in progress for the areas not owned by the County Council.

The proposed route by-passes the original Stobhill Estate to the west and incorporates a roundabout north-east of Stobhill Farm to accommodate the A.196 from Bedlington and the proposed east-west link to A.1 which will give access to the site for the proposed new County Hall.

The area adjacent to Stobhill Farm is to be developed as an industrial estate with access to the A.192/A.1 link, which is not scheduled for construction until 1970-71.

In order to give access to this estate in the interim period without incurring abortive expenditure, it is proposed to construct a 12ft. wide carriageway to the line and level of the future carriageway foundation, together with the necessary traffic island at the roundabout.

The cost of this work is estimated to be £2,500, and I recommend that the annual estimate be adjusted to include this item so that work can proceed in conjunction with the main roadworks.

(19) Hexham Bridge, A.6079.

In connection with the widening of Hexham Bridge and the improvement of the approaches, it is necessary to acquire from the Hexham Urban District Council 1.125 square yards of land which forms part of Tyne Green over which the public have right of access.

After consultation with Hexham Urban District Council, the Clerk of the County Council has advised that it appears the only way for the County Council to acquire this area

(Authorisation of Land Acquisition of 1959, the Highways Act, 1959, the Compulsory Purchase Act, 1965, or other appropriate statutes authorising the compulsory purchase of approx. 1,125 sq. yds. of land at Tyne Green, Hexham, as shown on the plan produced to the Committee and to instruct the Clerk to take all necessary steps for obtaining confirmation of the Order by the Minister of Transport and for the acquisition of the land and the payment of compensation if and when the Order is confirmed.

Decision of the Committee.

Decision of the Committee.

of land is by means of a Compulsory Purchase Order and this, after confirmation of the Minister, would extinguish the public rights at present in existence. I ask the Committee, therefore, to recommend to the County Council that the necessary Order be made.

\*(20) Rothbury Rural District—Road to Thistleton Farm (Callaly).

The Rothbury Rural District Council has requested that the road between County Road, C.175 and Thistleton Farm be taken over as a public highway. At present this portion of road is regarded as part of the route between Mount Pleasant Farm, (U.4006), and County Road, C.175, which is recorded as Footpath No. 4 in the Callaly Parish.

It has been ascertained that this section of road was resurfaced in the early 1920's and 1930's by the Rural District Council and again in 1952 by the County Council, who subsequently repaired the road until 1957, when it was realised that this road was not recorded as a maintainable road.

From that date until 1961, only work consistent with maintenance as a public footpath was carried out, after which no further work has been carried out. The road, which serves a farm and two cottages, is now in poor condition and an expenditure of approximately £250 will be required to put it in reasonably good order.

The Clerk of the County Council has advised that it would be difficult for the County Council to deny responsibility for the future maintenance of the road and I, therefore, recommend that the road extending in a south-easterly direction from C.175 to Thistleton Farm, a distance of approximately 260 lineal yards, be adopted as a public highway.

(21) Cattle Grid—Rothbury Rural District—Alwinton—Clennel Road, U.4024.

On the 13th June, 1960, the Committee approved the installation of a cattle grid to replace an existing gate across this road at its junction with the main Harbottle to Alwinton Road for Mr. James Waddell of Alwinton, but the installation was not proceeded with.

Mr. Waddell has now renewed his request and I recommend that the grid, estimated to cost £450, be installed subject to a contribution of £225 being made, all rights to maintain the gate being given up, the land for the by-pass being dedicated free of charge and the usual form of indemnity being given. Mr. Waddell will receive a grant of £112 10s. 0d., towards his contribution from the Ministry of Agriculture, Fisheries and Food.

\*Note—Major A. S. C. Browne declared an interest in this matter and thereafter took no further part in the discussion or in the Committee's decision.

Approved:

Approved.

That the work be carried out at the Council's expense and the road taken over as a highway maintainable at the public expense.

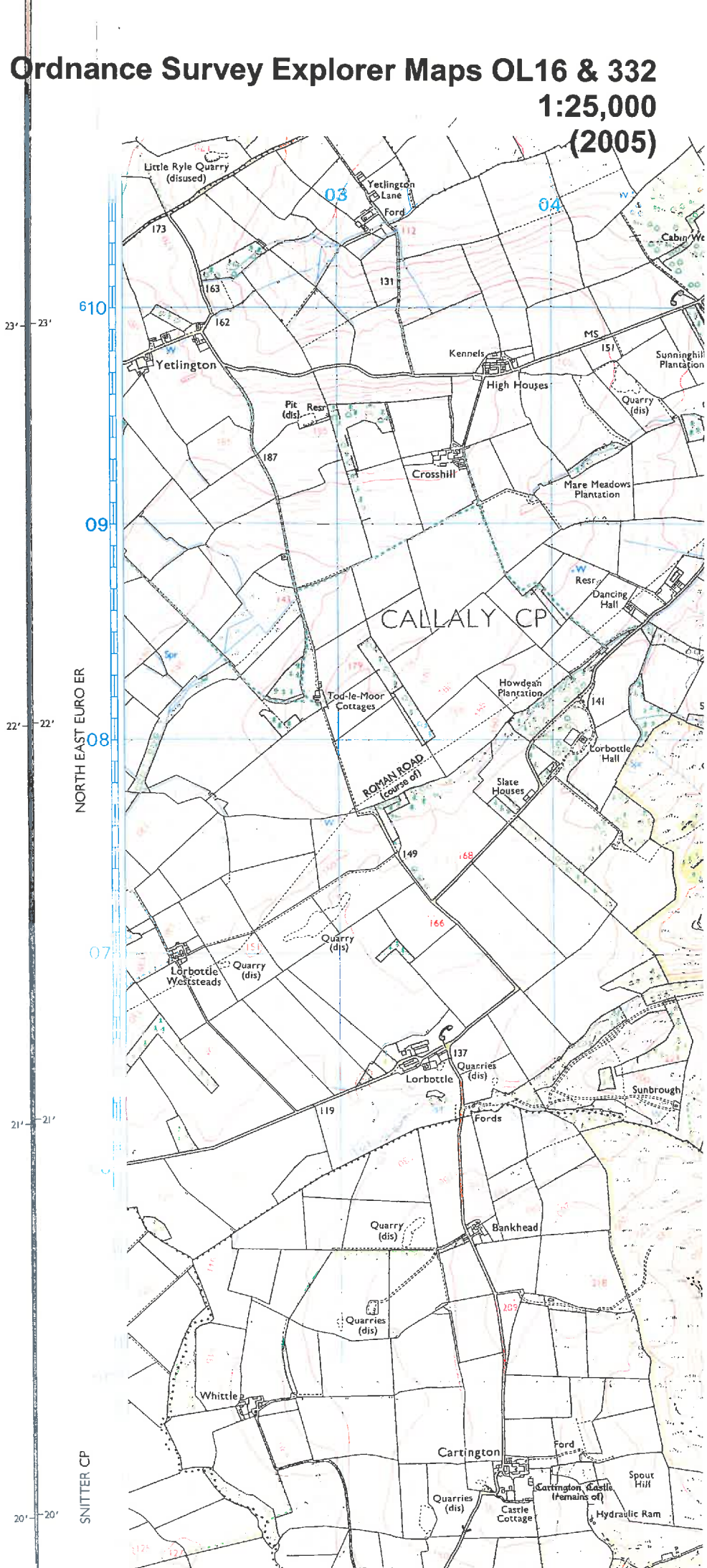
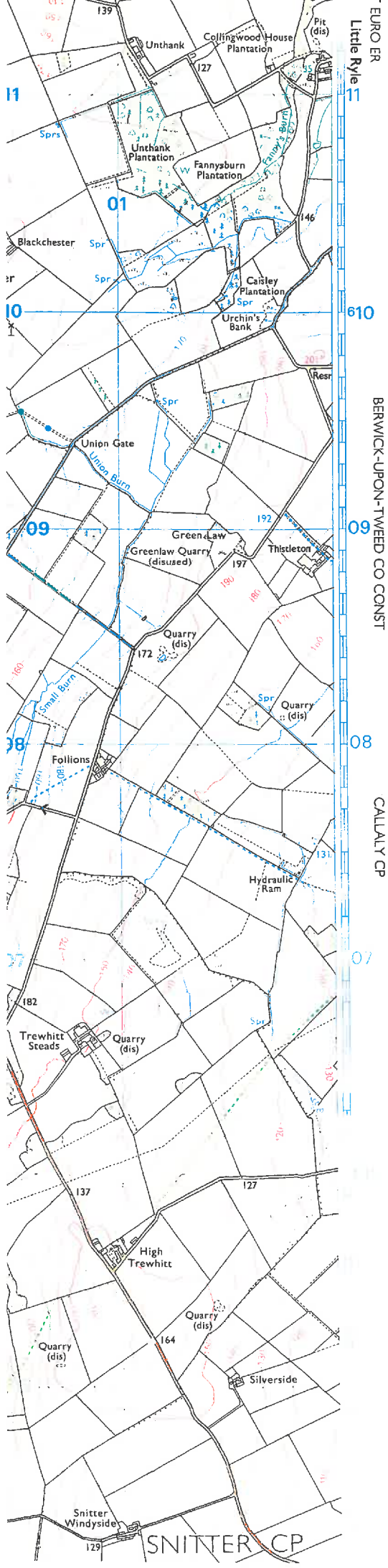
# 1974 County Road Schedule

Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Total Mileage
.4092	Thrunton Brickworks Road.	From A.697 north of the Coe Burn (NU 095097) south-west and north-west for 186 yards towards Thrunton Brickworks.	Alnwick Division.		0.11
.4093	Harwood Village Road.	From C.187 approximately 1 mile west of junction with B.6342 (NZ 003898) north for 677 yards across the Harwood Burn to Harwood. (NZ 001904).	Morpeth Division.		0.38
.4094	Tower Side Whittingham.	From C.178 some 200 yards west of junction with C.90 (NU 068117) north-westwards for a distance of 97 yards to form a cul-de-sac.	Alnwick Division.		0.05
.4095	Thistleton Farm Road.	From C.175, approximately a half mile south of its junction with C.174 near Yetlington, (NU 018090) south-eastwards for a distance of 263 yards to the north-eastern boundary of Thistleton Farm (NU 019083).	Alnwick Division.		0.15
.4096	Crook Farm Road.	From B.6342 some half mile north of Forestburn Gate (NZ 064970) north-eastwards and then southwards to The Crook (NZ 072973).	Morpeth Division.		0.66
.4097	Alwinton Village Roads.	From U.4023 at Alwinton just south-east of the Hosedon Burn crossing (NT 923063) northwards for 266 yards to a point 16 yards north of the access to Creel Cottage and also from U.4023 in Alwinton Village (NT 922064) northwards for 84 yards to a point some 30 yards north of the Red Lion Hotel.	Alnwick Division.		0.20
.4098	Old Weldon Bridge Road.	From A.697 at Low Hedley (NZ 140983) northwards via Old Weldon Bridge, dividing at Anglers Arms Inn northwards to join B.6344 opposite north-bound slip road onto A.697 (NZ 137986) and westwards for some 300 yards to join B.6344 at NZ 135986.	Morpeth Division		0.55



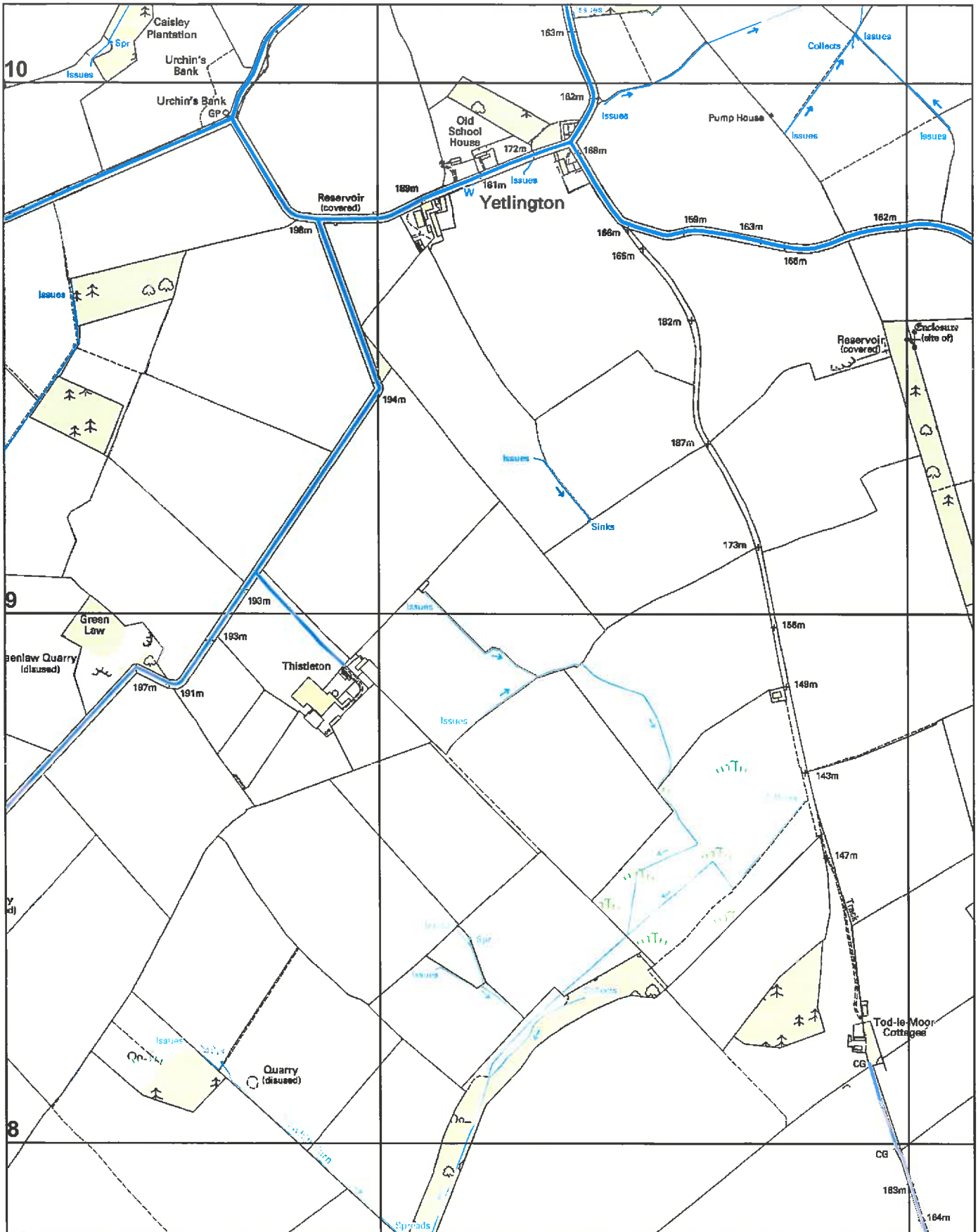
# Ordnance Survey Explorer Maps OL16 & 332

1:25,000  
(2005)



**Highways Act 1980 Section 36(6)**  
**County Of Northumberland**  
**List of Streets which are highways maintainable at the public expense**  
**As at 02-May-2006**

<b>Road Number</b>	<b>Description</b>	<b>Length - Metres</b>
<b>U4090</b>		
	<i>Total length for U4090</i>	183
<b>U4091</b>		
	C178 (WEST) TO U4091	53
	C178 (WEST) TO C178 (EAST)	74
	C178 (WEST) TO C178 (EAST)	82
	<i>Total length for U4091</i>	209
<b>U4092</b>		
	A697 JCT TO THRUNTON BRICKWORKS	164
	<i>Total length for U4092</i>	164
<b>U4093</b>		
	C187 JCT TO HARWOOD VILLAGE	836
	<i>Total length for U4093</i>	836
<b>U4094</b>		
	C178 TO TOWERSIDE CUL-DE-SAC	90
	<i>Total length for U4094</i>	90
<b>U4095</b>		
	C175 TO THISTLETON FARM STEDING	241
	<i>Total length for U4095</i>	241
<b>U4096</b>		
	B6342 JCT TO THE CROOK	1,054
	<i>Total length for U4096</i>	1,054
<b>U4097</b>		
	U4023 TO NEAR RED LION HOTELALWINT	78
	U4023 TO NEAR CREEL COTTALWINTON	202
	<i>Total length for U4097</i>	281
<b>U4098</b>		



Network Management  
Information System

Highways Act 1980 Section 36(6)  
County of Northumberland  
List of Streets which are highways  
maintainable at the public expense  
as at 02-May-2006

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Drn:	Date:	Scale:
AB	Dec 2019	1:10,000