



Northumberland County Council

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

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

ALLEGED BYWAY OPEN TO ALL TRAFFIC No 35 PARISH OF EDLINGHAM

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

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 U3115 road, from the C89 road at the east end of Edlingham village, eastwards to Edlingham church.

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 U-V.

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 'U3115' 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 U3115 unclassified County road based upon more than simply its inclusion in the List of Streets.
- 2.5 The entire length of the U3115 road has been recorded on the Definitive Map of Public Rights of Way as (the western end of) Public Footpath No 16 since 1962. If higher public rights than footpath do exist, it is important these rights

are recognised and, ideally, the Definitive Map modified to reflect this. If they do not, then it is important that this position is clarified.

3. LANDOWNER EVIDENCE

- 3.1 By note / marked up plan, received 21 February 2018, Mr A R Lee of Lumbylaw Farm responded to the consultation indicating the extent of his land holding and also what he believed was the extent of the land owned by his neighbour, Mrs Maunder, at Edlingham Rectory. Mr Lee has not identified any part of the alleged byway route as being owned by himself or his neighbour.

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 26th 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 4th May 2018, Ms S Rogers responded to the consultation on behalf of the British Horse Society, in relation to a number of routes in Edlingham parish, but making no comments in relation to this particular route.

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 real evidence of a road or track approximating to the route of alleged Byway No 35, though the church is marked, and it would be reasonable to assume there was a means of access to it.

1820 Fryer's County Map

There is no real evidence of a road or track approximating to the route of alleged Byway No 35, though the church is marked, and it would be reasonable to assume there was a means of access to it.

1827 Cary's Map

There is no real evidence of a road or track approximating to the route of alleged Byway No 35.

1828 Greenwood's County Map

There is clear evidence of a road or track approximating to the route of alleged Byway No 35, and continuing eastwards to pass the ruined castle.

c.1860 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an enclosed road / track over the whole route of alleged Byway No 35, between the village road and the church graveyard. The track is identified as part of parcel number "118" in Callaly and Yetlington township. In the accompanying Book of Reference, this parcel is identified as "Public road". The section of (C89) road linking Edlingham with the B6341 road is identified as parcel number "80". In the accompanying Book of Reference, this parcel is also identified as "Public road". The width of the highway corridor in circa 1860 appears vary between 11 and 15 metres.

1866 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 35.

1899 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 35.

Finance Act 1910 plan

There is clear evidence of an enclosed road / track over the route of alleged Byway No 35. 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 enclosed road / track over the route of alleged Byway No 34.

1932 Alnwick RDC Handover Map

The route of alleged Byway Open to All Traffic No 35 is not coloured so as to identify it as a publicly maintainable road.

c.1938 Restriction of Ribbon Development Act 1935 Map

The route of alleged Byway Open to All Traffic No 35 is identified on the base map, but it is not coloured so as to identify it as a publicly maintainable road to be protected from ribbon development.

1951 Highways Map

The route of alleged Byway Open to All Traffic No 35 is shown on the base map, but it is not coloured purple 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 35 exists on the base map and is identified for inclusion on the Definitive Map as part of a public footpath (numbered "5").

Draft Map

The route of alleged Byway Open to All Traffic No 35 exists on the base map and is identified for inclusion on the Definitive Map as part of a public bridleway (numbered "5").

Provisional Map

As with the Draft Map, the route of alleged Byway Open to All Traffic No 35 exists on the base map and is identified for inclusion on the Definitive Map as part of a public bridleway (numbered "5").

1957 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 35.

1962 Original Definitive Map

The route of alleged Byway No 35 exists as a road / track on the base map, and is identified as a public footpath (the southern end of Public Footpath No 14). The southern end of the footpath has been crossed out in pencil with a notation of U3115 written alongside.

1964 Highways Map

The route of alleged Byway Open to All Traffic No 35 is coloured so as to identify it as a publicly maintainable road. It is labelled as the "U3115".

First Review Definitive Map (Relevant Date 1 Nov 1963)

The route of alleged Byway No 35 exists as a road / track on the base map, and is identified as a public footpath (the southern end of Public Footpath No 14).

1978 Ordnance Survey Map: Scale 1:10,000

There is clear evidence of an enclosed road / track over the route of alleged Byway No 35.

2005 Ordnance Survey Explorer 332 Map: Scale 1:25,000

There is clear evidence of an enclosed road / track over the route of alleged Byway No 35. The route is marked with a single green dot, signifying that it is an "Other route with public access" (i.e. an ORPA).

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 The Council's Highways Committee minutes from 17 September 1962 state:

"(11) Private Streets

....

"Alnwick Rural District - Road to Edlingham Church

"The Edlingham Parish Council have expressed concern over the state of the road which leads to the Church. This road was not included in the schedule of unclassified roads taken over from the Rural District Council and only a public right of way for pedestrians is recorded over it. The road is an 80 yard long cul-de-sac connecting the Church to the main Class III road through the Village, C89, and consists of a 10 feet wide waterbound macadam carriageway in a total road width varying from 30 to 40 feet between boundary walls. At present the carriageway is overgrown with grass and the Parish Council state that in wet weather the road becomes difficult for vehicular traffic due to skidding on the wet grass.

"I have taken up the history of this road with the Rural District Council and have now received from them a copy of a letter from Mr JT Robson, their former Surveyor, who states that he has always looked upon this road as a public highway and that during his period of office the Village lengthsman maintained it.

"In view of this evidence, I recommend that this road be entered in the Schedule of County Roads and maintained at the public expense."

The "Decision of the Committee" (in relation to this route and two others) is stated to be:

"That the roads and lengths of road be taken over as highways repairable at the public expense, subject where appropriate to their construction to the satisfaction of the County Surveyor."

5.3 There is no entry for the U3115 road, in the 1958 County Road Schedule.

5.4 The entry for the U3115 road, in the 1964 County Road Schedule, states:

“U3115 Edlingham Church Road
From C89 at Edlingham north-eastwards for a distance of 80 yards to
Edlingham Church.”

The length of the U3115 road is identified as 0.05 miles.

5.5 The entry for the U3115 road, in the 1974 County Road Schedule states:

“U3115 Edlingham Church Road
From C89 at Edlingham (NU 113091) north-eastwards for a distance of
80 yards to Edlingham Church.”

The length of the U3115 road is identified as 0.05 miles.

5.6 In the Schedule of reputed Public Rights of Way prepared by Alnwick Rural District Council, under the Rights of Way Act 1932 the following route appears to be identified starting on (rather than proceeding along) the of the route of alleged Byway No 35:

“Parish of Edlingham

.....

5. F. Edlingham Church to Overthwarts running in a NE direction through Church Yard, then through field Nos 90, 87, passing under LNER, then through field Nos 10, 6, to the Lemmington Parish boundary, joining footpath No 3 in that Parish at the Edlingham Burn.”

5.7 The original Definitive Statement for the public right of way ‘intersecting’ with the alleged byway open to all traffic states:

Public Footpath No 14

“From the public road at Edlingham School in a north-easterly direction across the London North Eastern Railway (Alnwick and Cornhill) Branch and the Eglingham Burn by the footbridge to join BR 8 south-west of Overthwarts.”

6. SITE INVESTIGATION

6.1 From Point U, on the C89 road, 5 metres east of “Old School”, Edlingham, a 3 to 3.5 metre wide tarmac road in a 10 to 12.5 metre wide corridor proceeds in a north-easterly direction for a distance of 75 metres to the entrance to Edlingham Church yard.

7. COMMENTS RECEIVED ON THE DRAFT REPORT

7.1 In January 2020, a draft copy of the report was circulated to those landowners / occupiers who responded to the initial consultation for their comments. No additional comments have been received.

8. DISCUSSION

- 8.1 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)].
- 8.2 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.
- 8.3 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.
- 8.4 The route of alleged Byway Open to All Traffic No 35 is identified on the County Council's current List of Streets as being the U3115 road. The route was not identified on the Council's 1951 Highways Map or on the 1958 County Road Schedule. It was, however, shown on the later 1964 Highways Map and included in the 1964 and 1974 County Road Schedules. The route was not identified on the 1932 Handover Maps or on the Maps / Schedules produced under the Restriction of Ribbon Development Act 1935.
- 8.5 The route has been consistently identified as an enclosed 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. Although it is identified as an enclosed road on the plan produced in relation to the Finance Act 1910, it is not separated from the surrounding land by coloured boundaries in the way that we might have expected an acknowledged public road to be shown.
- 8.6 In the Schedule of Reputed Public Rights of Way, prepared by Alnwick Rural District Council (under the Rights of Way Act 1932), the public footpath proceeding towards Overthwarts is identified as starting at Edlingham Church; which would be consistent with the alleged byway route being considered to be a public road. 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, however, at each formal stage (i.e. Draft, Provisional and Definitive Maps) and also at the preliminary Survey stage, the public footpath was identified as beginning on the 'main' C89 road at the School House.
- 8.7 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.

- 8.8 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.
- 8.9 In this instance, it seems fairly clear that the U3115 was not identified as a publicly maintainable road by Alnwick Rural District Council when responsibility for maintenance was transferred to Northumberland County Council in 1930 (1932 handover). It was not recognised by Northumberland County Council as a public road to be protected from ribbon development (under the Restriction of Ribbon Development Act 1935) in the late 1930s. Alnwick Rural District Council does appear to have viewed the route as a public motor vehicular highway when it prepared its Schedule of Reputed Public Rights of Way under the 1932 Rights of Way Act, because the public footpath which heads towards Overthwarts was identified as starting at Edlingham Church, not Edlingham School. This view was not apparently communicated to the County Council, however, because 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 southern end of Public Footpath No 14.
- 8.10 The route appears to have been added to the List of Streets following consideration of its status by the County Council's Highways Committee in September 1962. The parish council appears to have voiced concerns about the condition of the road, and enquiries made with Alnwick Rural District Council led to correspondence being submitted by one of the former Rural District Council's highways surveyors. He indicated that he had always looked upon the road being "a public highway" and that, during his period of office, the village lengthsman had maintained it. A public footpath is a type of public highway - though it seems more likely that the surveyor was using the term in its colloquial sense; and was referring specifically to a vehicular public right of way. It isn't stated what the duration of his period of office actually was. A period which was 30 years long would probably carry more weight than one

which was only 5 years long. Although evidence of past maintenance (as a vehicular highway) does weigh in favour of the route having the reputation of being a public vehicular right of way, it does not, on its own, prove the route's status.

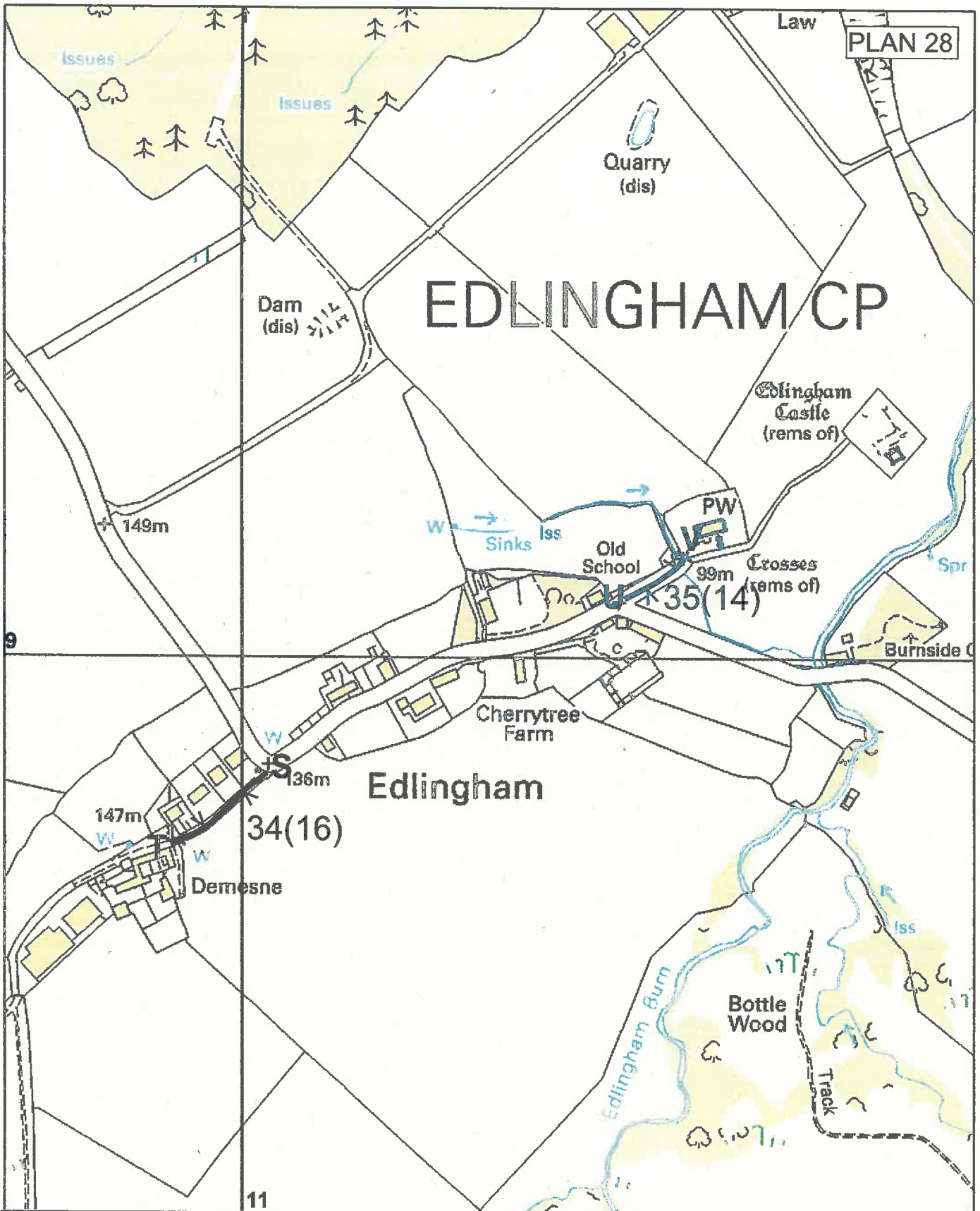
- 8.11 The County Council would appear to have recognized this route as a publicly maintainable vehicular highway since the early 1960s and to have been maintaining it as such since then. Whilst it might be difficult for the County Council to deny, now, that by its actions, it had accepted maintenance 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 (or public bridleway), 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.
- 8.12 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.
- 8.13 Of the saving provisions above, the main one (b), will clearly not apply to the U3115 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.
- 8.14 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 U3115 as a public road.
- 8.15 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 2nd May 2001 and 2nd 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 U3115 is a well made up tarmac road which

(although a vehicular cul-de-sac) is clearly used on an everyday basis by the public with 'normal' motor vehicles (to visit the church and the castle) it is also likely to be well used, on foot, by residents of Edlingham itself, and by members of the general public on longer walks.

- 8.16 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.
- 8.17 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, if this route is indeed a public road, it would appear that this route was such before any tarmac surface was applied. On that basis this saving provision is considered unlikely to apply.
- 8.18 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. This route is a short vehicular cul-de-sac which is both driven by members of the public (parking along the road to visit the castle or the church or to go for walks) and walked by members of the public (doing the same). The balance of actual public user is unclear. Notwithstanding the uncertainty over its status, the character of the route leans more towards it appearing a part of the ordinary road network.
- 8.19 Advice from the Planning Inspectorate in their 'consistency guidelines' states that it is important to have the correct width, where known, recorded in the definitive statement. Where no width can be determined by documentary means (such as an Inclosure Award, Highway Order or dedication document), there is usually a boundary to boundary presumption for public highways. On that basis, if this route were to be included in a future Definitive Map Modification Order as either a byway open to all traffic or restricted byway, it is proposed to record it with a width varying from 10 to 12.5 metres, as identified in paragraph 6.1, above.

9. CONCLUSION

- 9.1 In light of the documentary evidence available, it appears that, on a balance of probability, public vehicular rights have not been shown to exist over the route of alleged Byway Open to All Traffic No 35.
- 9.2 Even if public vehicular rights had, on a balance of probability, been shown to exist, it seems likely that the Natural Environment and Rural Communities Act 2006 would have extinguished the motor vehicular rights, leaving just a restricted byway.



PLAN 28

EDLINGHAM CP

Edlingham

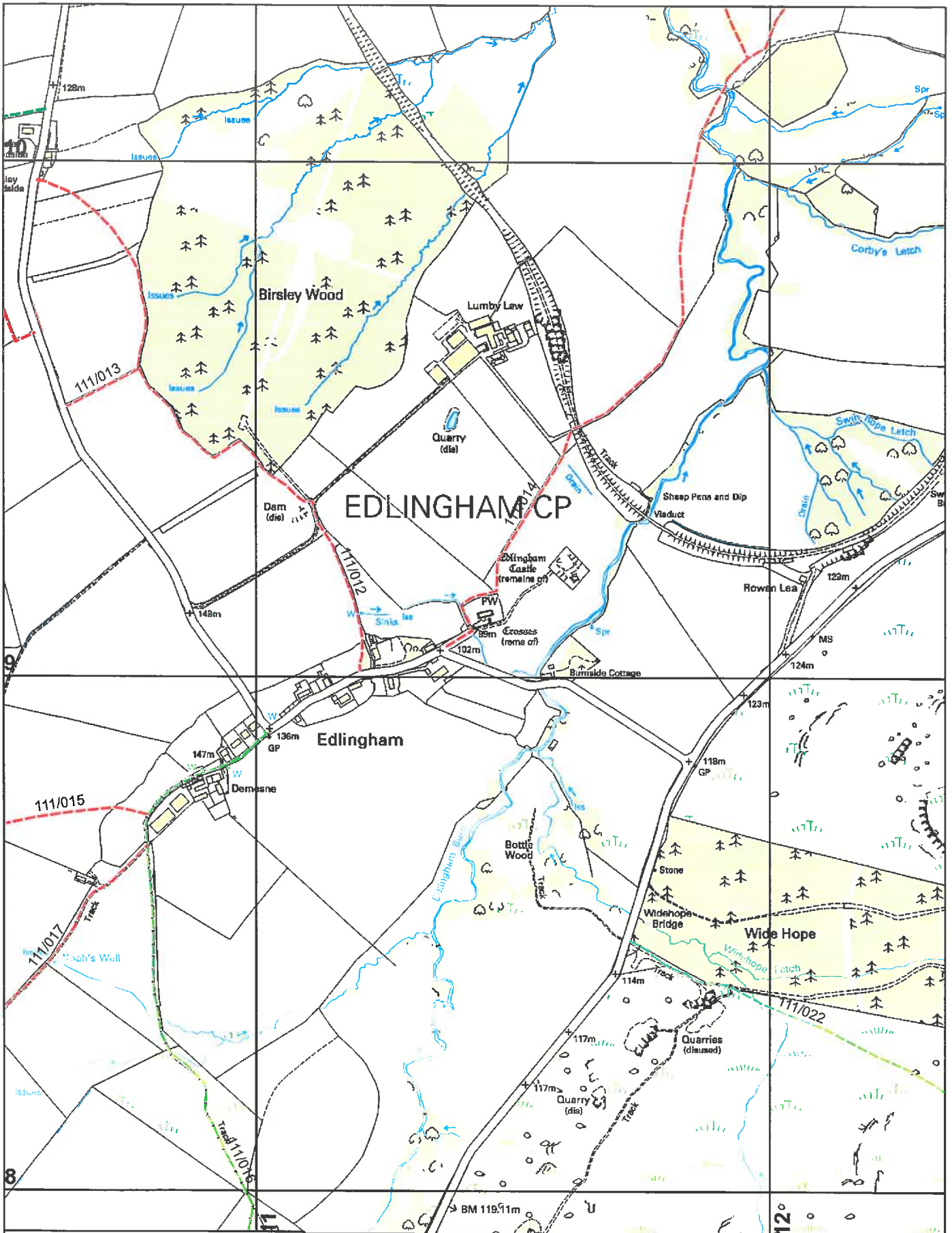
NORTHUMBERLAND
 Northumberland County Council
 Infrastructure
 Local Services
 County Hall Morpeth Northumberland
 NE61 2EF
 Telephone 0845 600 6400

Wildlife and Countryside Act 1981 Public Rights of Way

 Alleged Byway Open to All Traffic

Reproduced from / based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of H.M.S.O. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Northumberland County Council O.S. Licence No 100049048

Former District(s) Alnwick	Parish(es) Edlingham	Scale 1:5000
Def. Map No. 81	O.S. Map NU 10 NW	Date October 2016




Northumberland
 County Council

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

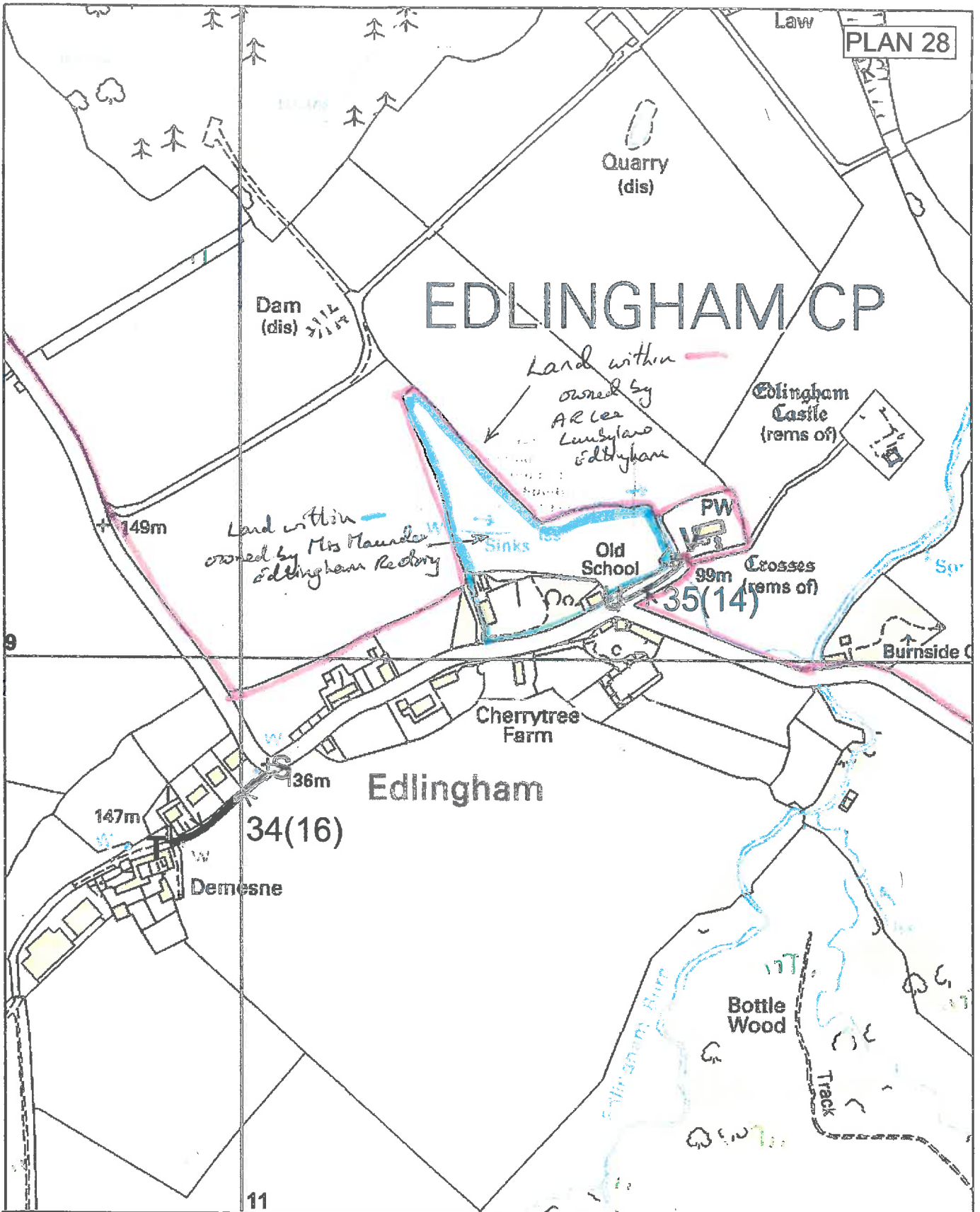
Legend

- 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

Scale: 1:10,000

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License no. 100049048 (2010).



Northumberland

Northumberland County Council

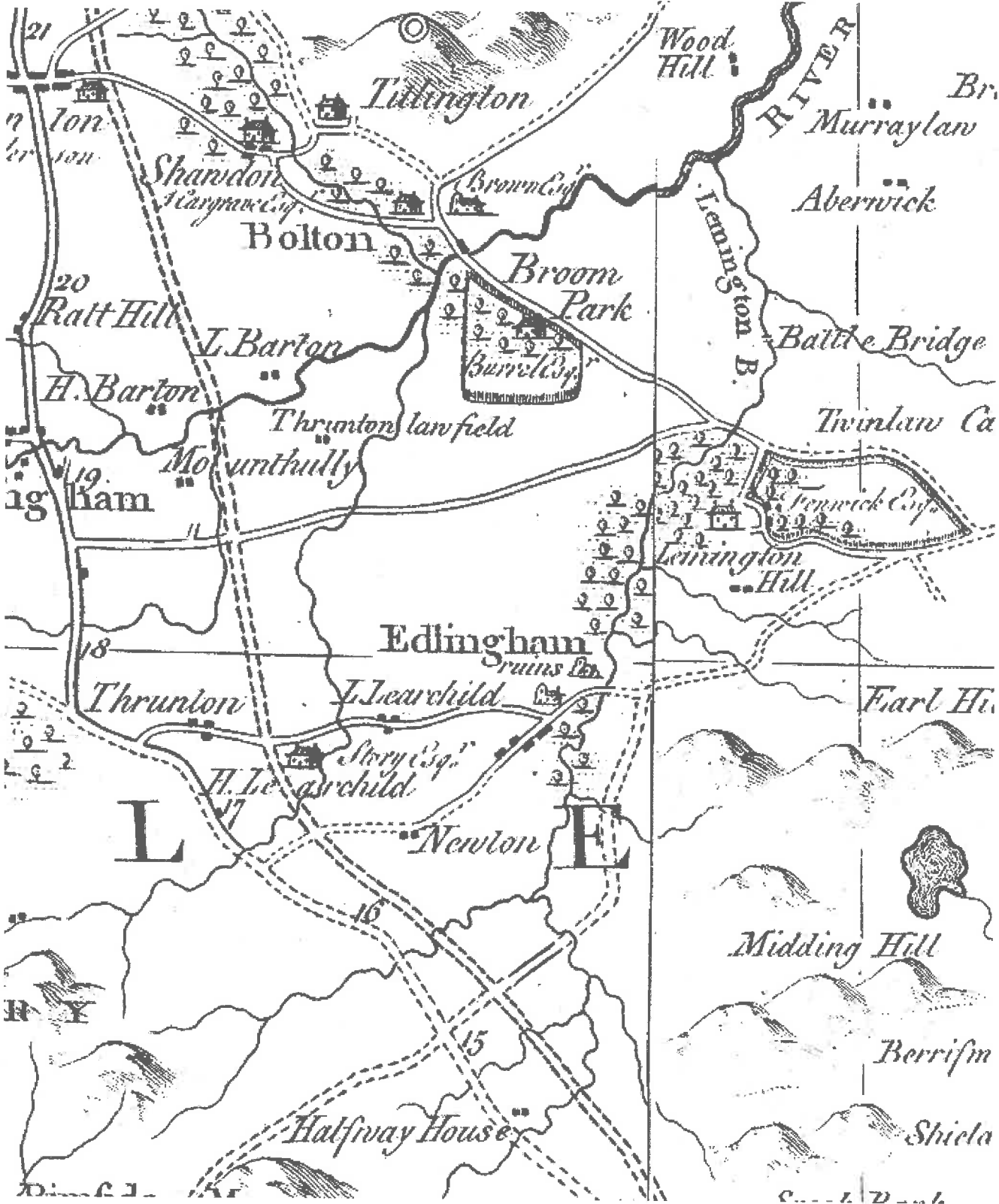
Infrastructure
Local Services
County Hall Morpeth Northumberland
NE61 2EF
Telephone 0845 600 6400

Reproduced from / based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of H.M.S.O. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Northumberland County Council O.S. Licence No 100048048

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

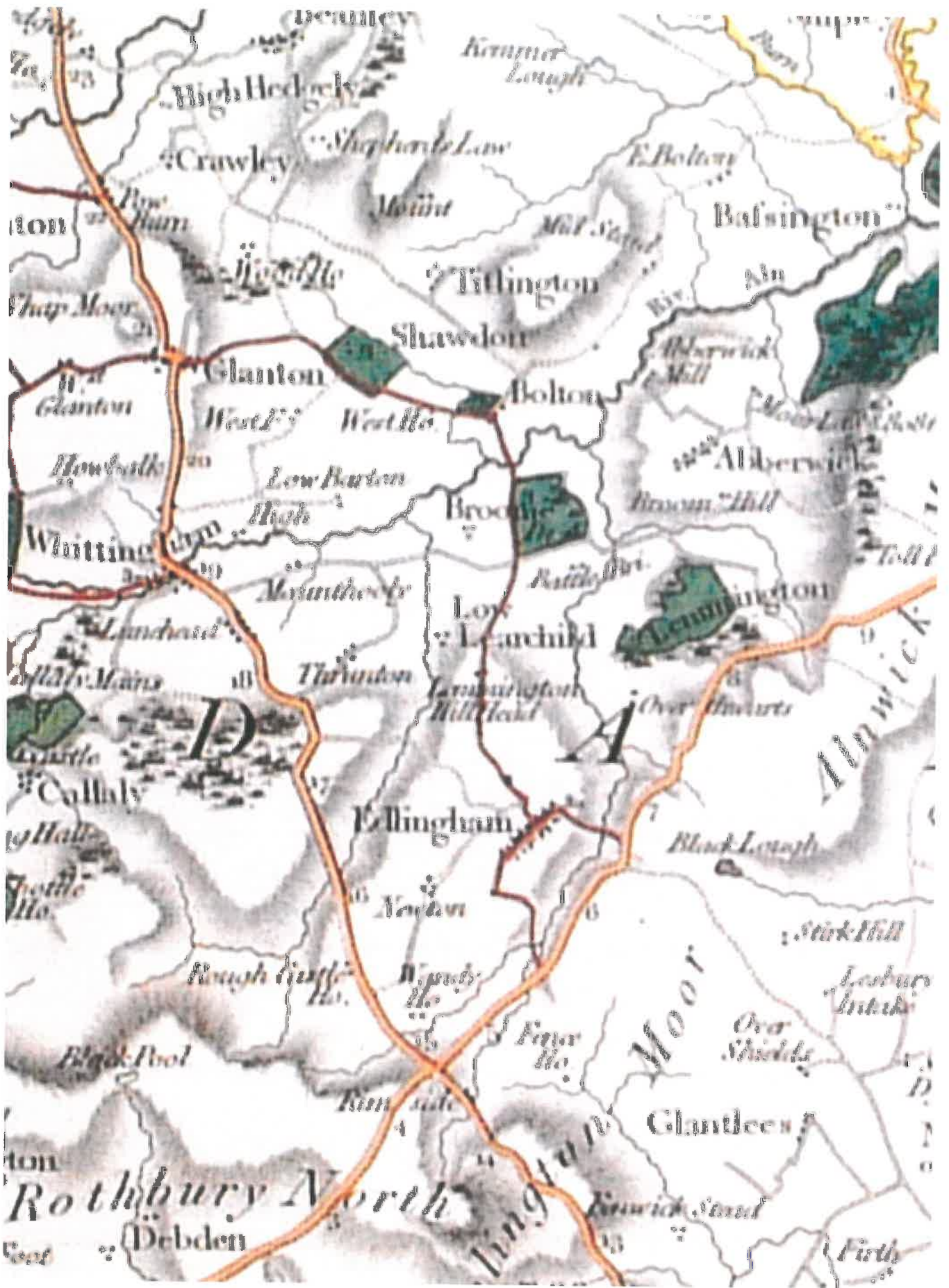
 Alleged Byway Open to All Traffic

Former District(s) Alnwick	Parish(es) Edlingham	Scale 1:5000
Def. Map No. 81	O.S. Map NU 10 NW	Date October 2016



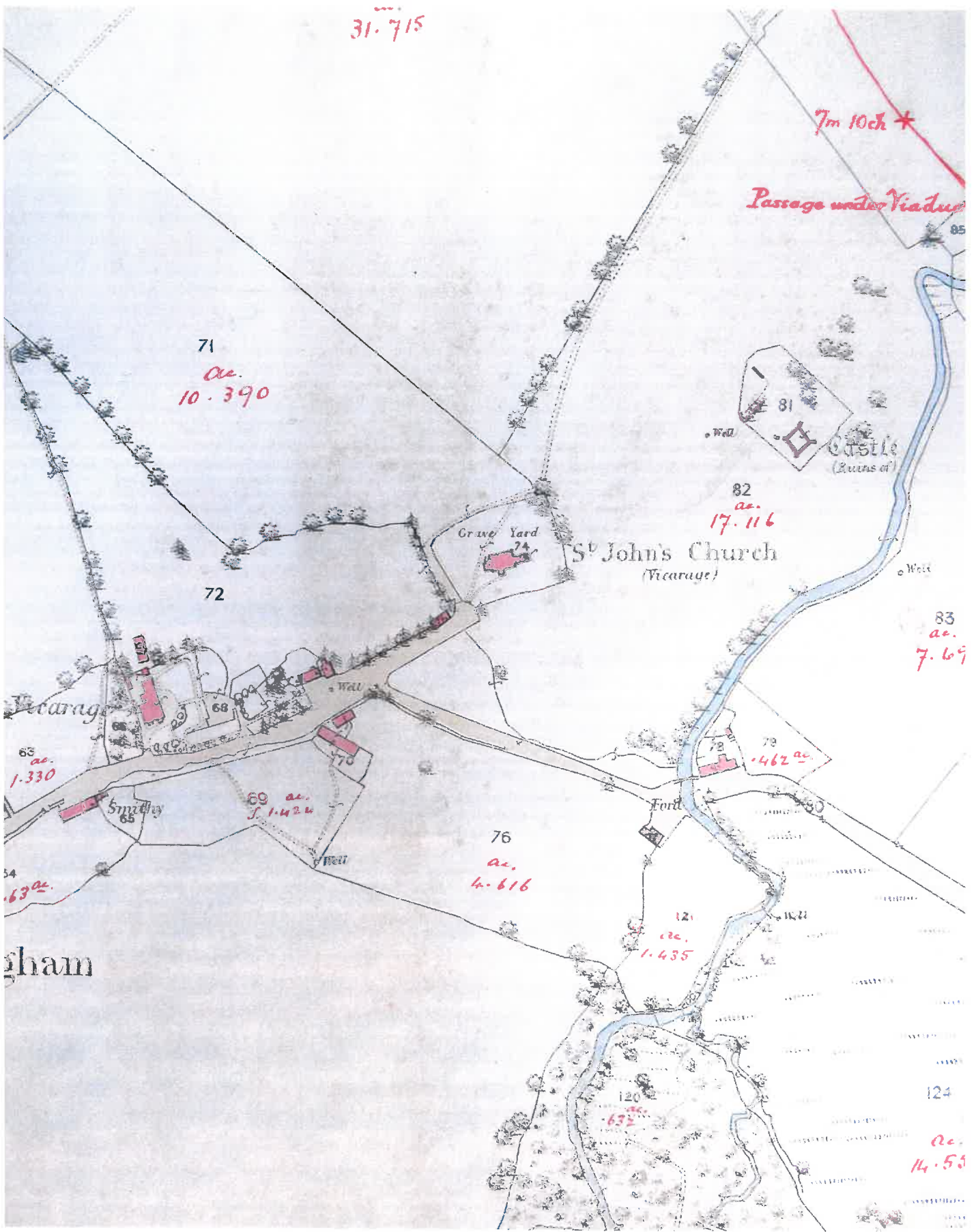
Fryer's County Map
1820





Greenwood's County Map
1828

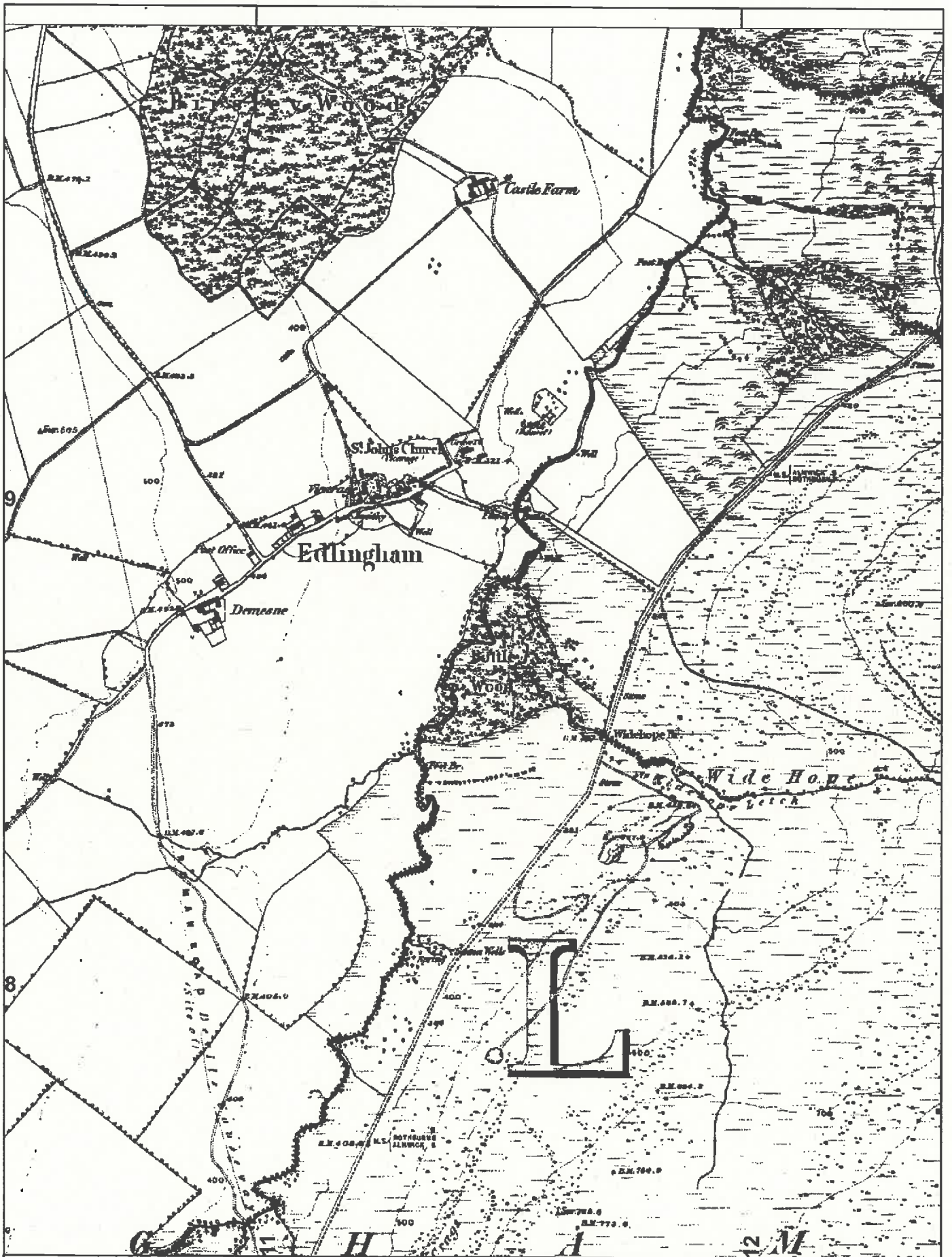




No. on Plan.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
6	15·267 ·323	<i>Brought forward.</i> Houses, yard, garden, &c.(Edlingham Hut).	52	2344·215 13·996	<i>Brought forward.</i> Arable, &c.
7	3·929	Pasture, &c.	53	14·447	Arable, &c.
8	7·721	Arable, &c.	54	15·210	Arable, &c.
9	·889	Pasture.	55	25·108	Arable, &c.
10	14·210	Pasture, &c.	56	14·735	Arable.
11	16·598	Pasture, &c.	57	1·903	Pasture.
12	2·132	Wood, &c.	58	2·027	Pasture.
13	·421	Wood, &c.	59	·157	House and gardens.
14	·212	Wood, &c.	60	·106	House and garden.
15	2·205	Wood.	61	1·358	Pasture.
16	·571	Wood.	62	·582	Houses, gardens, &c.
18	87·591	Wood, &c.(Broad Wd).	63	1·330	Pasture, &c.
19	25·468	Pasture, &c.	64	1·463	Pasture.
20	16·073	Arable, &c.	65	·183	House and garden.
21	6·430	Arable, &c.	66	·245	Wood.
22	2·322	Public road.	67	·021	House.
23	4·752	Pasture, &c.	68	1·170	Houses and gardens.
24	11·958	Arable, &c.	69	1·424	Pasture.
25	96·155	Wood, &c. (Bursley Wood).	70	·181	Houses, gardens, &c.
26	32·820	Pasture, &c.	71	10·390	Pasture, &c.
27	·716	Houses, yards, gardens, &c. (Castle Farm).	72	4·794	Pasture.
28	·032	House.	73	31·715	Arable.
29	23·779	Pasture, &c.	74	·907	St John's Church (vicarage) and graveyard.
30	56·140	Rough pasture, &c.	75	·012	House.
31	·109	Wood, &c.	76	4·616	Pasture.
32	·061	Wood.	77	·020	House.
33	·797	Wood, &c.	78	·175	Houses, yard, and gar- den.
34	·329	Wood.	79	·462	Arable.
35	·162	Wood.	80	1·587	Public road.
36	11·429	Public road.	81	·720	Pasture, &c.
37	1740·058	Rough pasture, &c.	82	17·116	Pasture, &c.
38	28·355	Wood, &c.	83	7·696	Pasture, &c.
39	1·880	Pasture, &c.	84	8·828	Pasture.
40	11·819	Pasture, &c.	85	·152	Garden.
41	·730	Wood, &c.	86	·240	Garden.
42	·173	Wood.	87	·111	Wood.
43	10·916	Pasture, &c.	88	10·943	Pasture.
44	3·980	Wood, &c.	89	33·131	Rough pasture, &c.
45	21·578	Pasture, &c.	90	5·341	Wood, &c.
46	35·218	Arable, &c.	91	6·773	Rough pasture.
47	·297	Wood, &c.	92	3·957	Rough pasture.
48	7·110	Wood, &c. (Allerton Wood).	93	3·780	Wood, &c.
49	·383	Pasture.	94	·264	Wood, &c.
50	26·550	Pasture.	95	1·379	Wood, &c.
51	13·568	Arable, &c.	96	·156	Wood.
			97	·362	Wood, &c.
	2344·215	<i>Carried forward.</i>		2595·488	<i>Carried forward.</i>

PARISH OF EDLINGHAM.

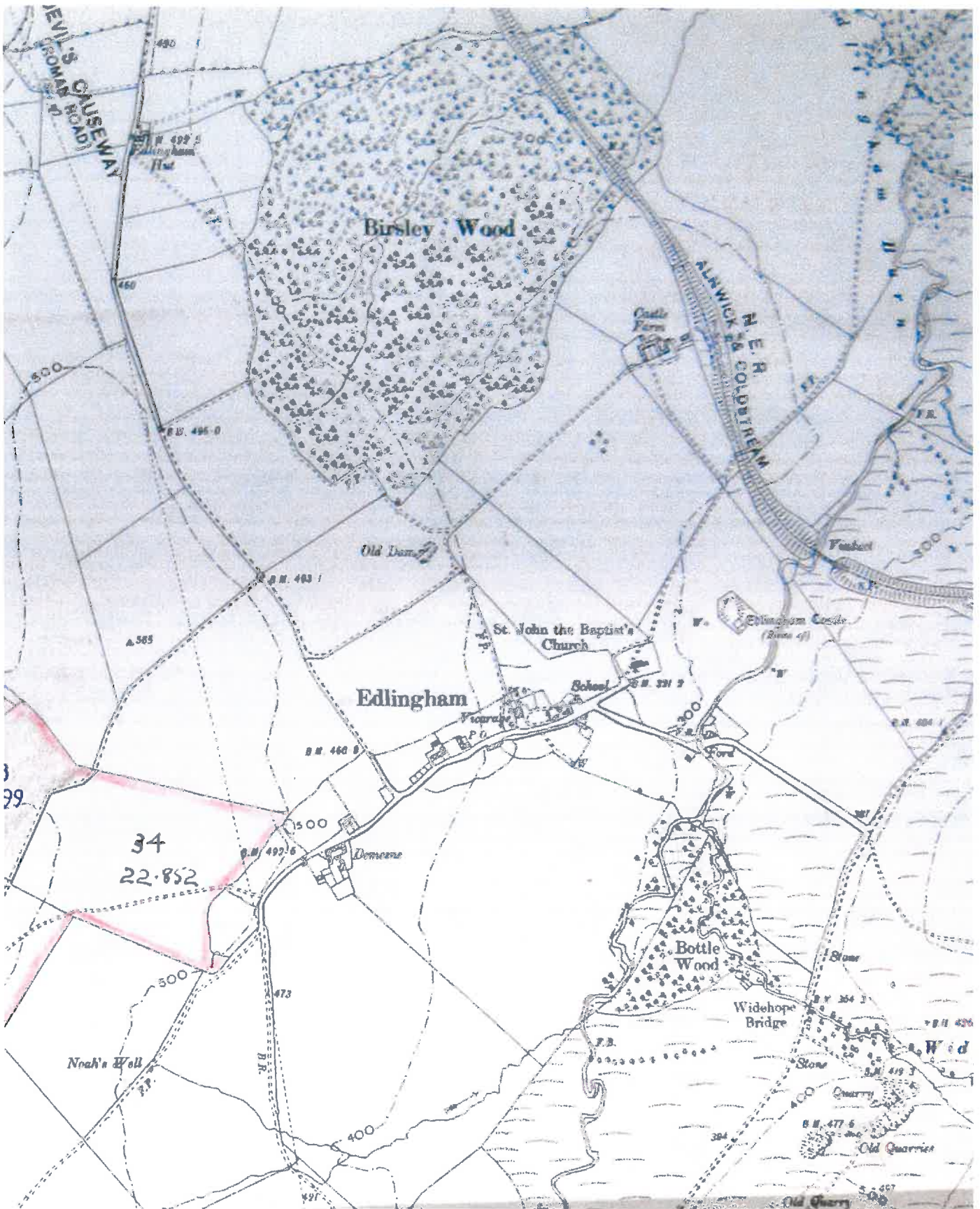
No. on Plan.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
	2595·488	<i>Brought forward.</i>		5136·339	<i>Brought forward.</i>
98	15·331	Wood, &c.	143	27·939	Pasture.
99	·502	Wood.	144	18·450	Pasture.
100	5·107	Pasture, &c.	145	1·518	Wood.
101	·187	Wood.	146	3·918	Public road.
102	16·606	Pasture, &c.	147	12·462	Arable.
103	·051	Yard and shed.	148	19·329	Arable.
104	·480	Wood.	149	25·148	Arable, &c.
105	·397	Wood.	150	8·553	Pasture, &c.
106	·038	Yard and shed.	151	34·932	Pasture, &c.
107	·440	Wood.	152	32·242	Pasture, &c.
108	·174	Wood.	153	14·549	Pasture.
109	·863	Wood.	154	·571	Wood, &c.
110	7·442	Arable.	155	·139	Garden, &c.
111	20·988	Pasture.	156	·067	Garden.
112	16·814	Arable.	157	·101	House and
113	79·729	Pasture, &c.			garden. } Rough
114	11·650	Arable.	158	·132	Houses, gar- } Castles.
115	1·773	Pasture, &c.			dens, &c.
116	1·757	Pasture, &c.	159	·295	Gardens.
117	1·303	Houses, yards, gar- dens, &c. (Demesne).	160	·251	Pasture, &c.
118	2·989	Public road.	161	1·165	Wood, &c.
119	·591	Rough pasture.	162	·100	Garden.
120	·632	Rough pasture.	163	1·018	Wood.
121	1·435	Arable.	164	4·071	Arable.
122	13·986	Wood, &c. (Bottle Wood).	165	·406	Wood.
123	·370	Rough pasture, &c.	166	4·380	Pasture, shed, &c.
124	14·559	Rough pasture.	167	18·272	Rough pasture, &c.
125	1·384	Rough pasture.	168	30·749	Pasture, &c.
126	·229	Garden, &c.	169	27·535	Pasture, &c.
127	·624	Wood.	170	46·477	Arable.
128	·592	Houses, yards, gar- den, &c.	171	14·562	Pasture, &c.
129	·328	Pasture.	172	14·141	Pasture.
130	·545	Pasture.	173	5·849	Pasture and bushes.
131	·086	House and garden.	174	28·062	Arable, &c.
132	·689	Wood.	175	32·024	Arable.
133	·188	Pasture.	176	34·071	Arable, &c.
134	17·363	Pasture.	177	2·602	Wood, &c.
135	84·398	Pasture, &c.	178	·075	Garden.
136	9·319	Black Lough.	179	2·036	Wood.
137	18·762	Wood, &c.	180	1·349	Houses, yards, garden, &c. (Wandy House).
138	2069·198	Rough pasture, &c.	181	·984	Wood.
139	7·170	Public road.	182	·221	Houses, garden, &c.
140	18·278	Rough pasture, &c.	183	·768	Pasture, &c.
141	83·392	Wood, &c. (Roughley Wood).	184	4·055	Pasture, &c.
142	12·112	Wood, &c.	185	·956	Rough pasture, &c.
			186	26·687	Pasture, &c.
			187	2·431	Wood.
			188	9·131	Wood, &c.
	5136·339	<i>Carried forward.</i>		5651·122	<i>Carried forward.</i>



Northumberland
County Council

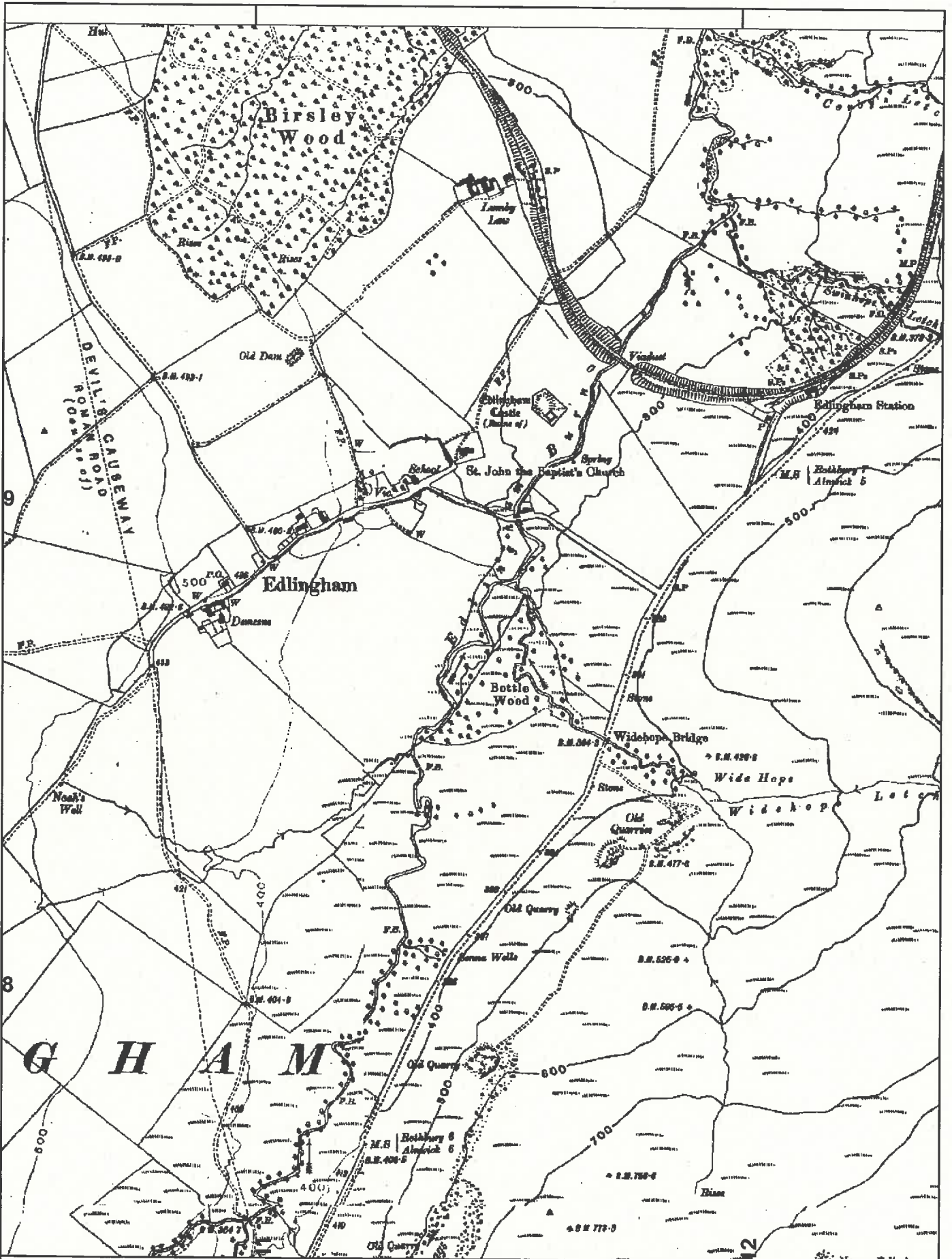
SCALE 1:10,560

Ordnance Survey 1st Edition 6" map (1866)



Finance Act 1910 Plan



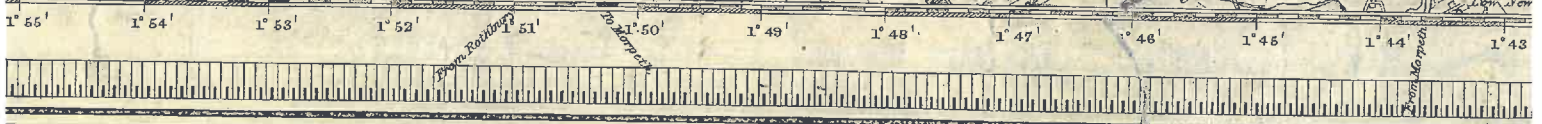



Northumberland
 County Council

SCALE 1:10,560

Ordnance Survey 3rd Edition 6" map (1926)

Alnwick RDC Handover Map 1932



N^o of the adjoining sheets of the One Inch Map

3	4
5	6
8	10

9
(ROTHBURY)

Scale of One Inch to One Statute Mile $\frac{1}{63360}$



The Altitudes are given in Feet above the assumed Mean Level of the Sea at Liverpool, which is 0.650 of a Foot below the general Mean Level of the Sea, and are in feet.

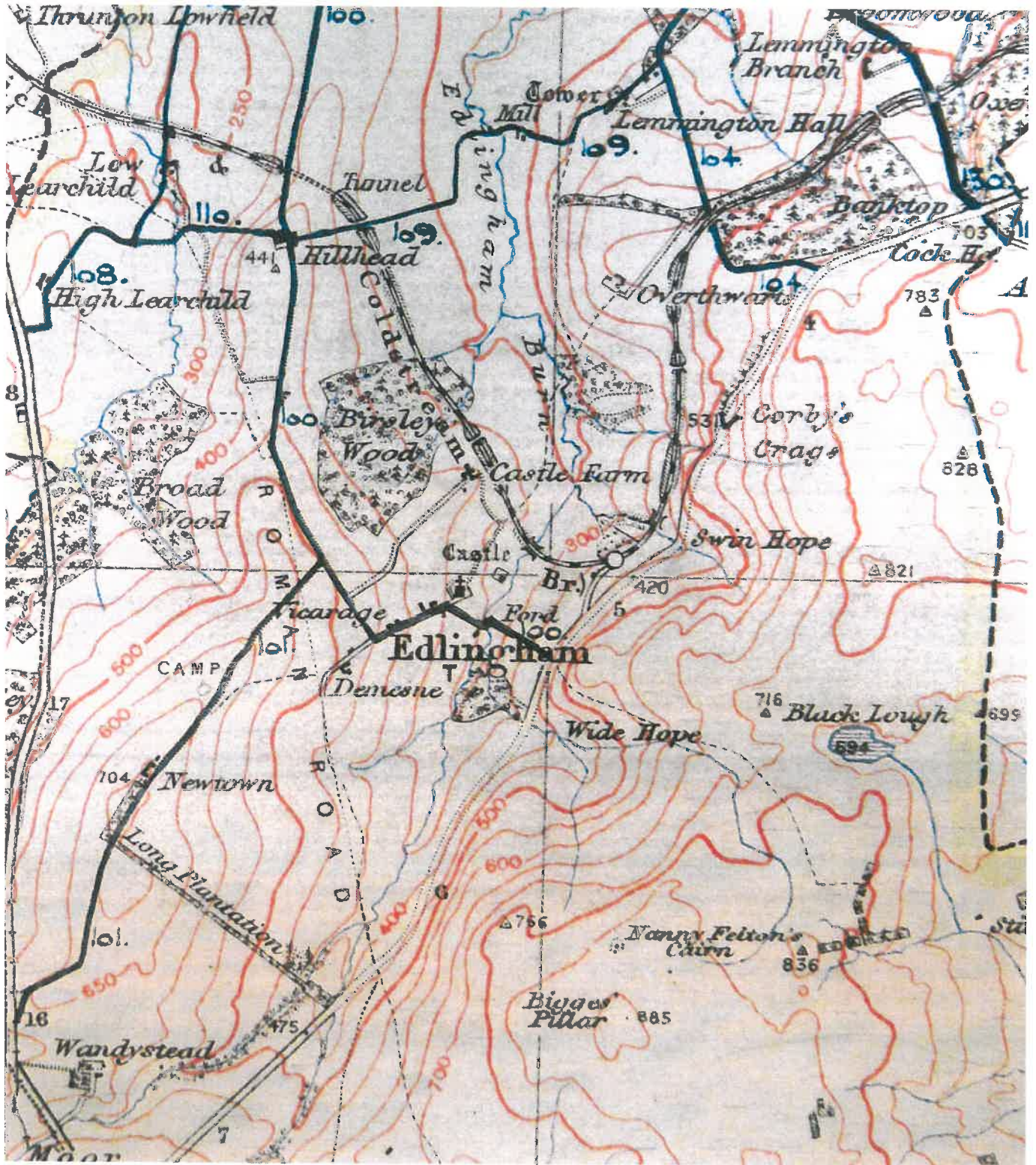
The Contours in feet of Sea are given in Feet below the assumed Mean Level of the Sea at Liverpool, and are taken from Soundings of Admiralty Charts.

At Villages
Post Office 12
Post & Telegraph Office 7

Crown Copyright Reserved

Printed 2/1932

Extract from Northumberland County Council One Inch Maps showing restrictions under Sections 1 and 2 of the Restriction of Ribbon Development Act 1935



Althrop

**ALNWICK RURAL DISTRICT
COUNCIL**

**SCHEDULE
OF
REPUTED
PUBLIC RIGHTS
OF WAY**

B.R., Bridle Road; C.R., Cart Road; F., Footpath.

Right of No.	Way	Description.
2.	B.R.	Commencing at the road from North Charlton to Doxford and continuing N. through field No. 16 to Belford Rural District Boundary, again to finish at Tyneley to Doxford Road, after running through field No. 6.
3.	C.R.	From Tyneley to Doxford road at Doxford to Belford Rural District Boundary.

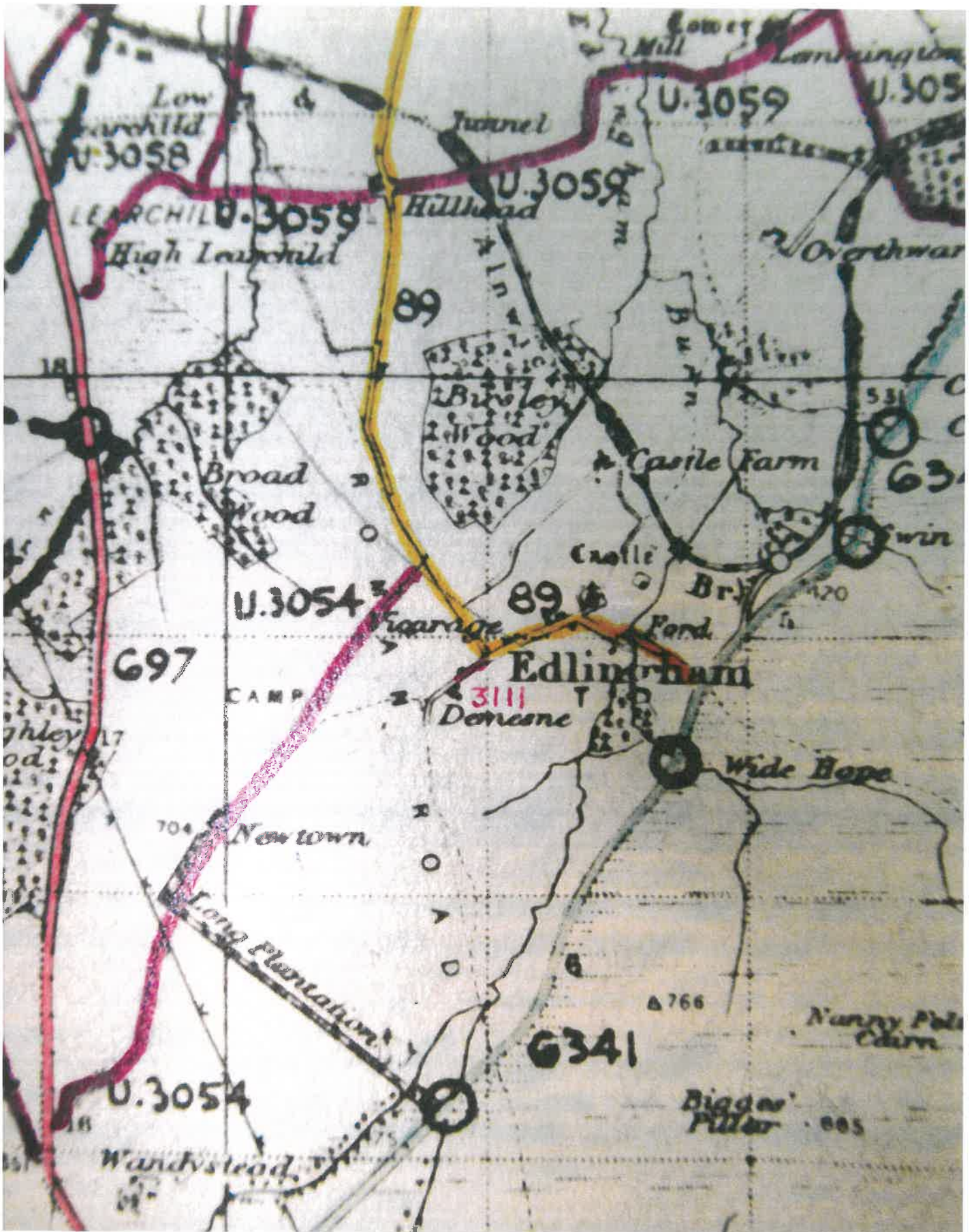
23. PARISH OF DUNSTAN.

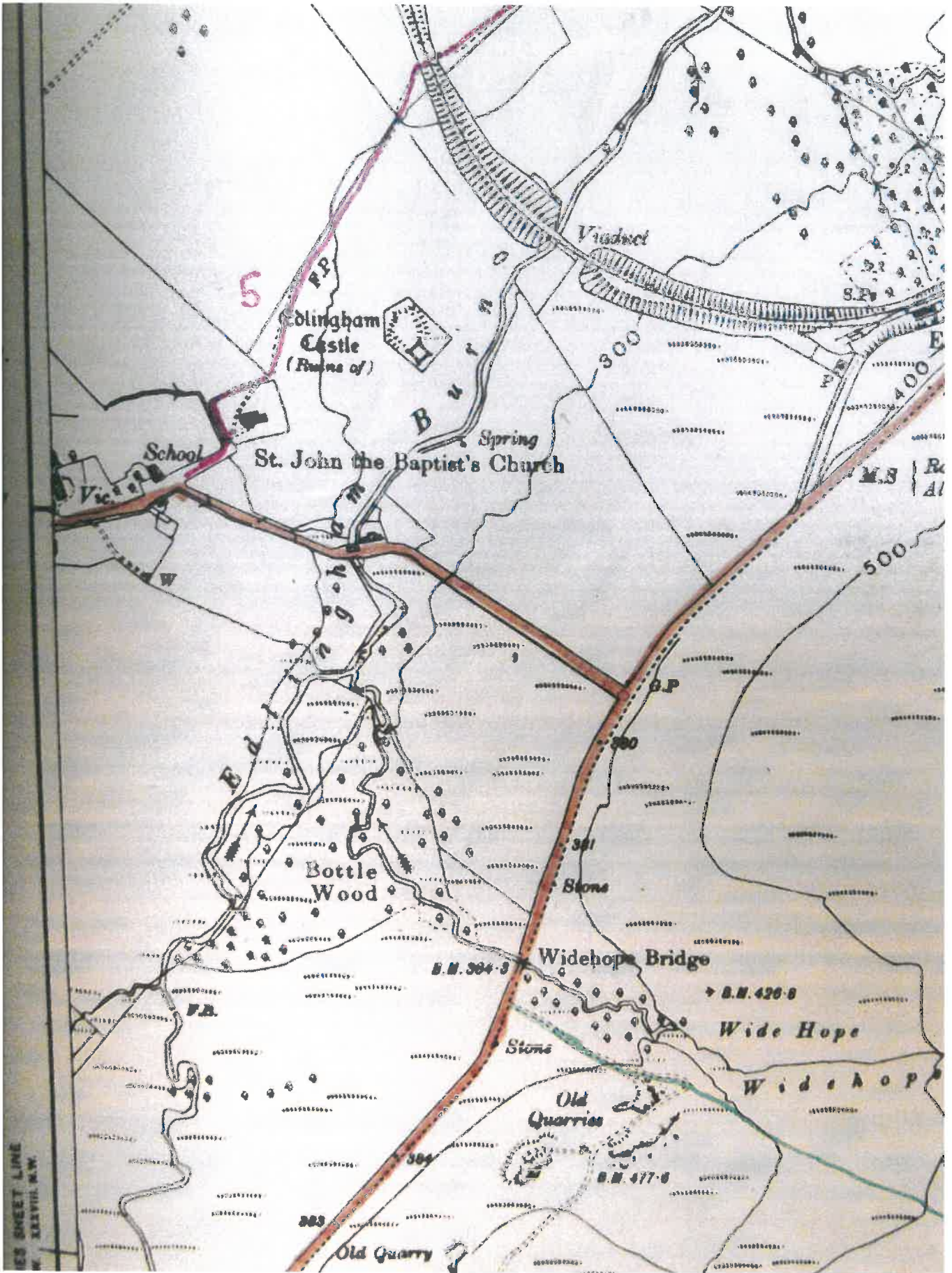
1. F. Proctor Steads to Spital Ford, commencing at main road N. of Proctor Steads and continuing in a N. direction through field Nos. 91, 51, 31, 21, 14, 15, to Embleton Parish Boundary continued by footpath No. 15 in that Parish.
2. F. From the main road S. of Spital Ford across field No. 34, to join field No. 1.
3. F. Dunstan Hill to main road. From Dunstan Hill road through the Old Quarry and field Nos. 107, 45, 46, to the main Embleton road.
4. F. Dunstan Hill to Hoddleton Plantation. From Dunstan Hill in a S. direction through field Nos. 111, 112, 114, to join bridle road No. 5 in this Parish.
5. B.R. From Parish Boundary to Hoddleton Plantation to main Embleton-Dunstan road via field Nos. 1, 117, in an E. direction.
6. F. From Parish Boundary extending footpath No. 6 in the Parish of Craster to the main road over Dunstan Common.
7. F. From the Craster Parish Boundary over field No. 139, in a N. direction to join the main road over Dunstan Common beside the Old Public House.
8. F. Dunstan to Dunstan Square commencing at the foot of the Smithy Bank through field Nos. 76a, 86, 80, to Dunstan Square.
9. F. Dunstan Square to the beach. Commencing at the road at Dunstan Square through field Nos. 83, 55, 79a, through the Little Shaird to join bridle road No. 10 in field No. 66.
10. B.R. Links bridle road. Continuing from Craster and running N., skirting the W. side of Dunstanborough Castle, over the Embleton Golf Course to the ford at Embleton Parish Boundary, to be continued by bridle road No. 13 in that Parish.
11. F. From bridle road No. 10 to Embleton Parish Boundary continuing footpath No. 14 in that Parish.

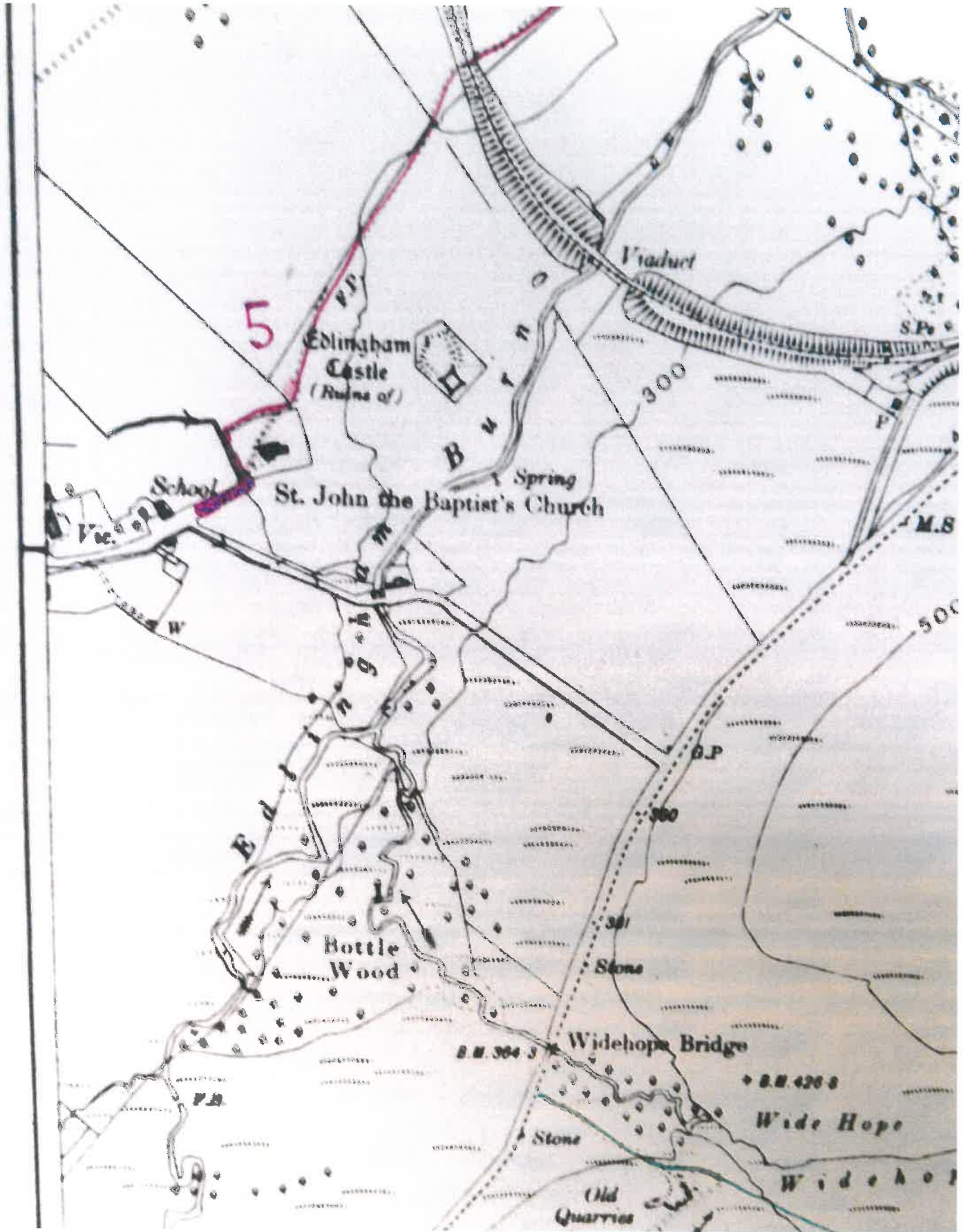
24. PARISH OF EDLINGHAM.

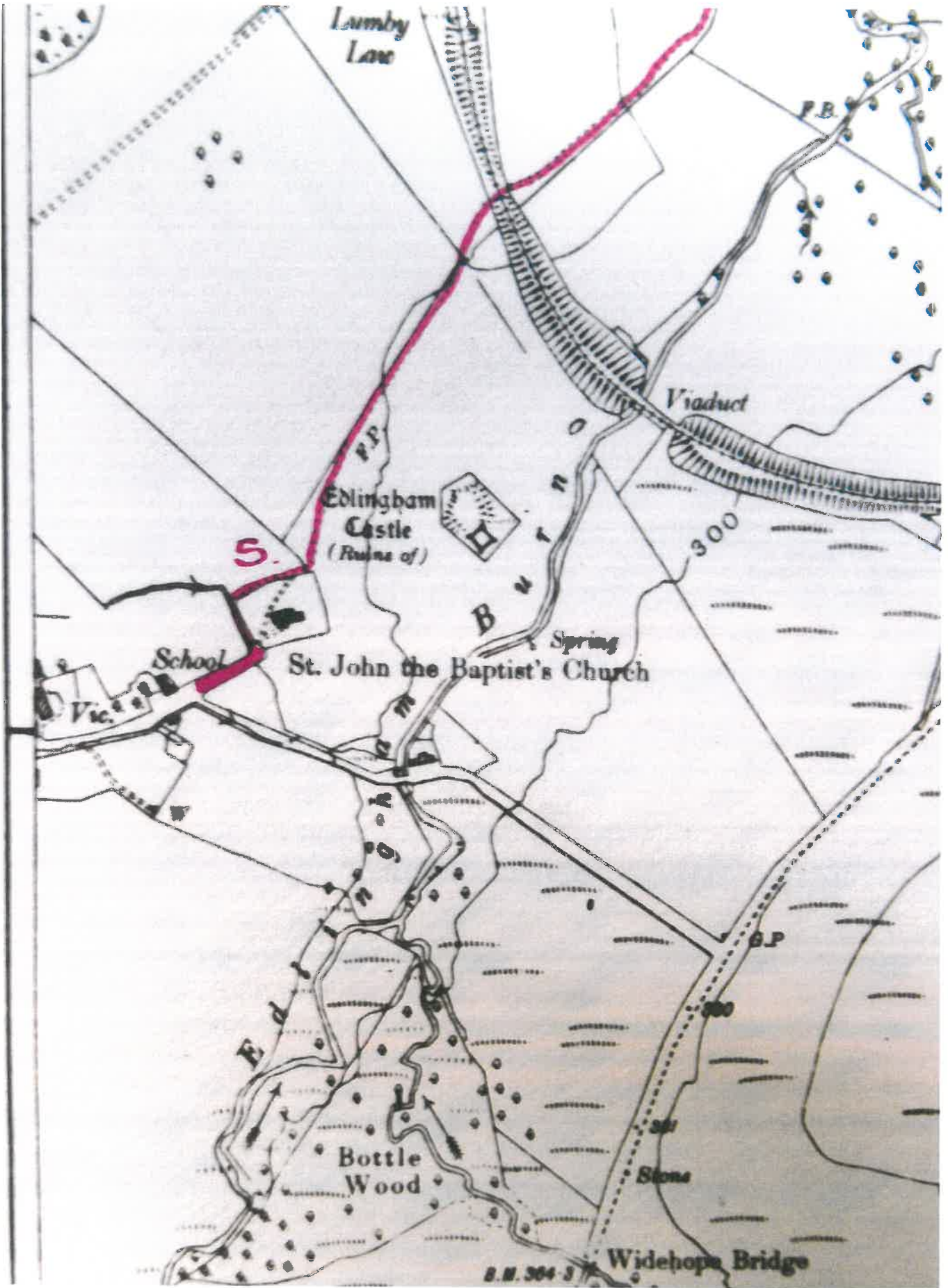
1. B.R. Edlingham Hut to Learchild from the public road N. of Edlingham Hut running in a W. direction through field No. 18 to the Learchild Parish Boundary, joining bridle road No. 2 in that Parish.
2. F. Edlingham road to Learchild, from the public road running in a W. direction through field No. 31, then N. and W. through field No. 24, then crossing Broadwood to the Learchild Parish Boundary joining footpath No. 1 in that Parish at the Coe Burn.
3. F. Edlingham Hut to Edlingham from the public road S. of Edlingham Hut running in a S.E. direction through field Nos. 13, 26, 27, 29, 72, 73, 76, to the public road near Edlingham Vicarage.
4. F. From footpath No. 3 running in a S.W. direction through field No. 29 to the public road.
5. F. Edlingham Church to Overthwarts running in a N.E. direction through Church Yard, then through field Nos. 90, 87, passing under L.N.E.R., then through field Nos. 10, 6, to the Lemmington Parish Boundary, joining footpath No. 3 in that Parish at the Edlingham Burn.
6. F. Rough Castles to Newtown, from the old turnpike at Rough Castles running in a N.E. direction through field Nos. 138, crossing the main road, then through field Nos. 134, 133, 132, to the public road at the top of Long Plantation.

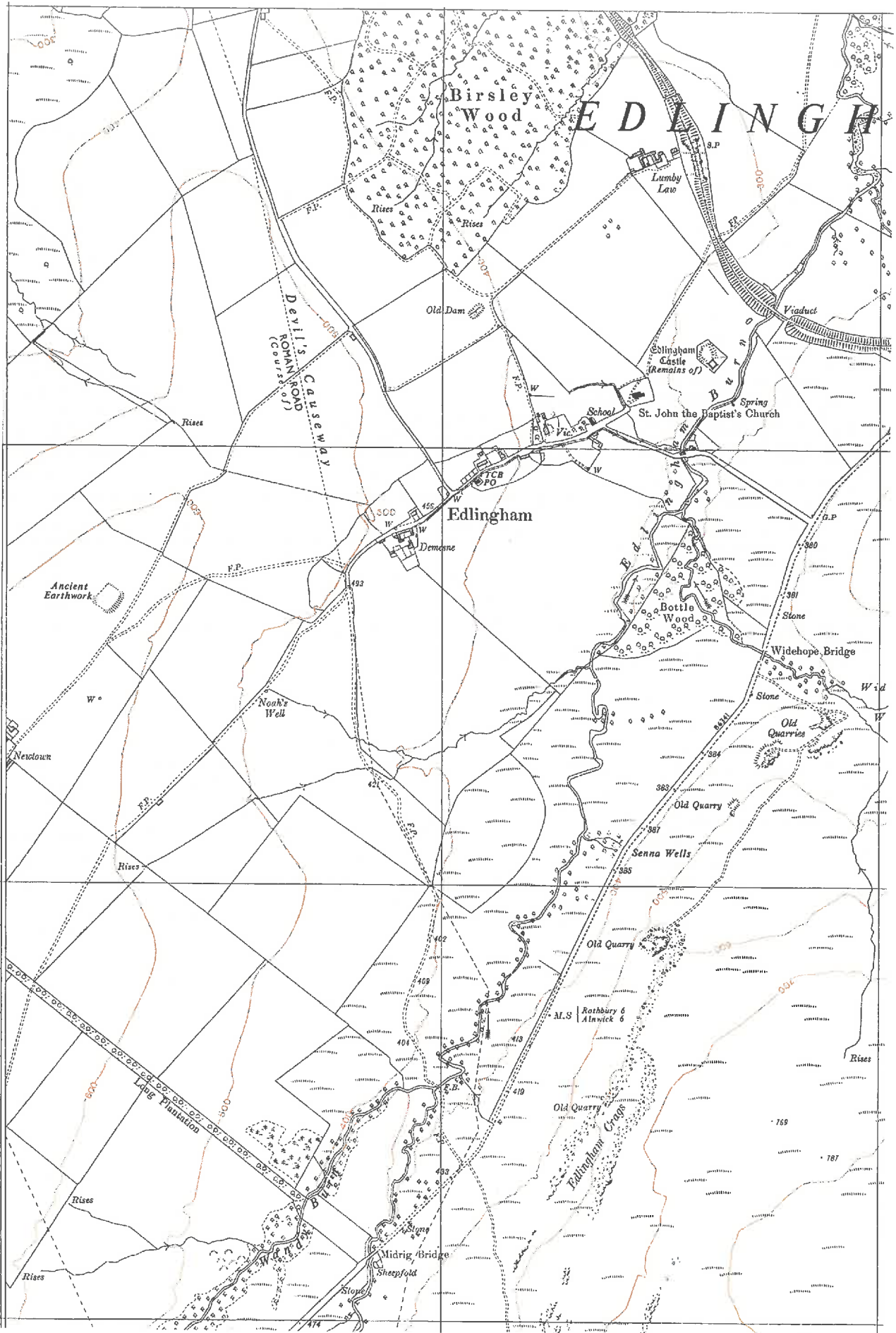
Extract from the Council's 1951 Highways Map

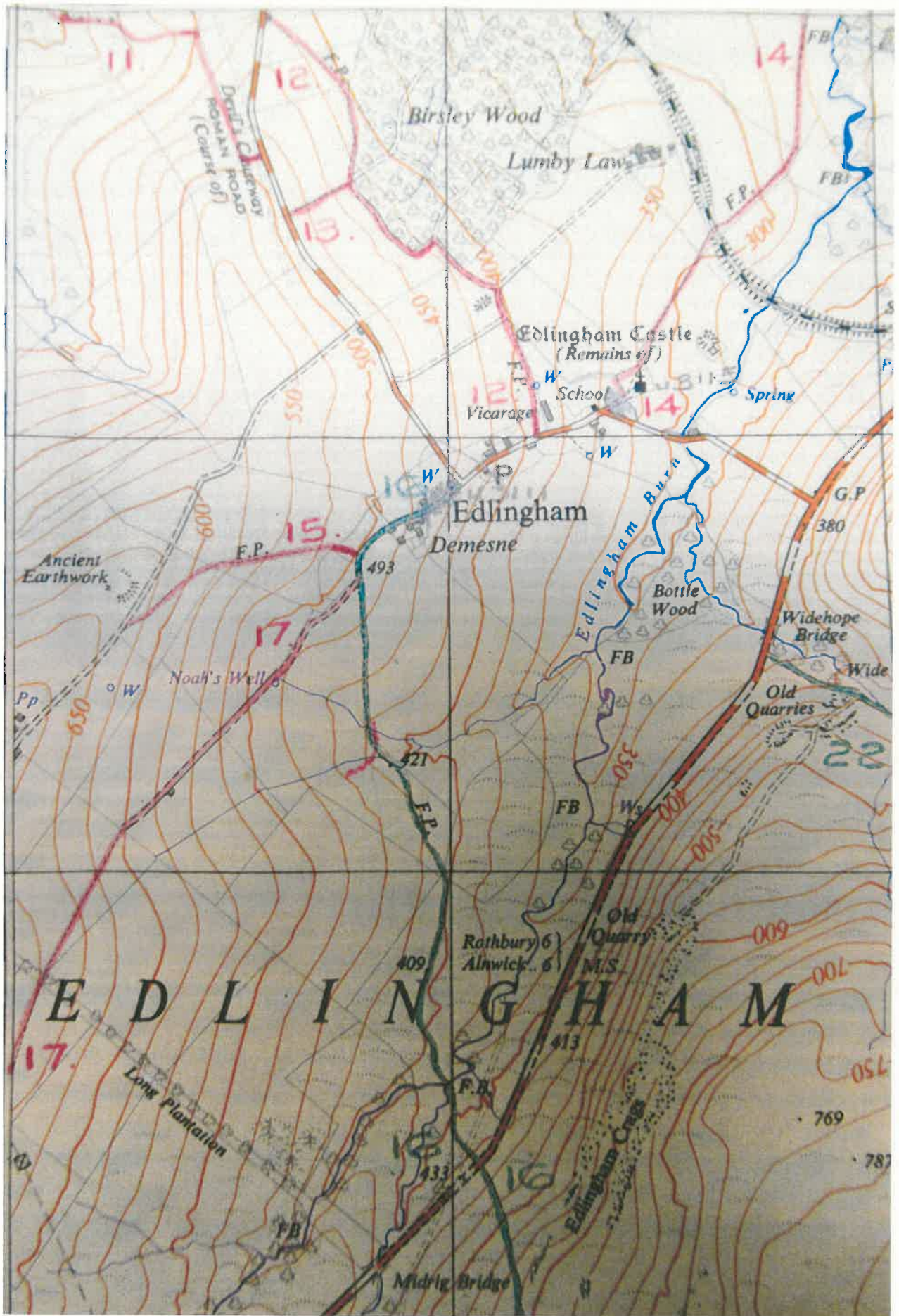












NORTHUMBERLAND COUNTY COUNCIL.

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.

PART IV.

PUBLIC RIGHTS OF WAY - STATEMENT.

1. Borough
Urban-District
Rural District **ALNWICK**
2. Parish **EDLINGHAM**
3. Number of Footpath on Map **14.**
4. Name of Path
5. Kind of Path (i.e. FP/BR) **F.P.**
6. General Description of Path **County Road (A.3115) north east of**
north westerly end **From the public road at Edlingham School in a**
north-easterly direction across the London North Eastern Railway (Alnwick and
Cornhill) Branch and the Eglington Burn by the footbridge to join B.R.8 south-
west of Overthwarts.
7. Other relevant information **Footbridge at Overthwarts recorded on County**
Council Schedule as F.B.3064.

REPORTS OF COUNTY SURVEYOR—continued.

Decision of the Committee

Alnwick Rural District—Road to Edlingham Church.

The Edlingham Parish Council have expressed concern over the state of the road which leads to the Church. This road was not included in the schedule of unclassified roads taken over from the Rural District Council and only a public right of way for pedestrians is recorded over it. The road is an 80 yard long cul-de-sac connecting the Church to the main Class III road through the Village, C.89, and consists of a 10 feet wide waterbound macadam carriageway in a total road width varying from 30 to 40 feet between the boundary walls. At present the carriageway is overgrown with grass and the Parish Council state that in wet weather the road becomes difficult for vehicular traffic due to skidding on the wet grass.

I have taken up the history of this road with the Rural District Council and have now received from them a copy of a letter from Mr. J. T. Robson, their former Surveyor, who states that he always looked upon this road as a public highway and that during his period of office the Village lengthsmen maintained it.

In view of this evidence, I recommend that this road be entered in the Schedule of County Roads and maintained at public expense.

Hexham Rural District—Housing Estate Road, Hedley-on-the-Hill.

Messrs. James Robinson (Durham) Ltd., Building Contractors, are developing a small housing estate on the south side of the Class III Road, C.259, at the east end of Hedley-on-the-Hill and they wish to enter into an agreement with the County Council, under Section 40 of the Highways Act, 1959, to cover the future adoption of the estate cul-de-sac road.

Subject to the agreement of details and specification and to Messrs. James Robinson (Durham) Ltd. entering into a Bond to cover the cost of the works, I recommend that the Committee agree to the completion of an agreement on terms approved by the Clerk of the County Council.

(12) Private Streets.—Hexham Rural District—Mount View Terrace, Stocksfield.

As previously reported to the Committee, this street has been made up and the final apportionments served on the frontagers. Requests have been received from the under-mentioned frontagers for their apportionments to be paid in instalments, which would be subject to interest at 5½ per cent. as indicated.

Mr. W. A. Staimthorpe, Shop, £87 19s. 4d. by ten annual instalments.

That the necessary agreement be completed

That payment by instalments be agreed.

REPORTS OF COUNTY SURVEYOR—continued.

Decision of the Committee.

Mrs. E. W. Bell, 'Elsinore,' £37 2s. 9d. by ten annual instalments.

Mr. W. Lucas, 5, Mount View Terrace, £26 16s. 8d. by one down payment of £10 and three equal six monthly instalments.

Rothbury Rural District—Hillside Road, Rothbury.

The frontagers on this road have now reached agreement among themselves on the payment of the costs of making up and they have entered into an agreement to pay the costs based on the County Council's offer of a contribution of £1,200. The work will be put in hand at an early date.

Requests have been received from the under-mentioned frontagers for their contributions to be paid in instalments, which would be subject to interest at 5½ per cent. as indicated.

Mr. J. Carew Slater, 'Edgcombe,' £37 9s. 0d. by ten annual instalments.

Mrs. E. W. Forster, 'Moorcot,' £23 4s. 2d. by five annual instalments.

(13) Review of Speed Limits—County Roads.—Ministry of Transport Circular No. 796.

In this Circular the Minister of Transport requested the appropriate local authorities to review existing speed limits on roads other than trunk roads and to submit their proposals to him by the end of December, 1962. Under the Road Traffic Act, 1960, Boroughs and Urban Districts with populations over 20,000 are responsible for dealing with speed limits in their own areas and the County Council is, therefore, not responsible for speed limits in the Boroughs of Blyth, Wallsend and Whitley Bay and the Urban Districts of Ashington, Bedlingtonshire, Gosforth, Longbenton, Newburn and Seaton Valley.

A summary of the Circular and the notes issued by the Minister for the guidance of local authorities is given in Appendix C.

Copies of these notes, together with particulars of amendments to speed limits that had been proposed, as set out in Appendix E, were sent to the County Councillors, other than the members for the nine areas referred to above, and they were asked for comments or suggestions on any amendments.

That payment by instalments be agreed.

That the Council be recommended to submit to the Minister of Transport under the provisions of the Road Traffic Act, 1960, the proposals as set out in Appendix "E," with the exception of nos. 2 and 11.

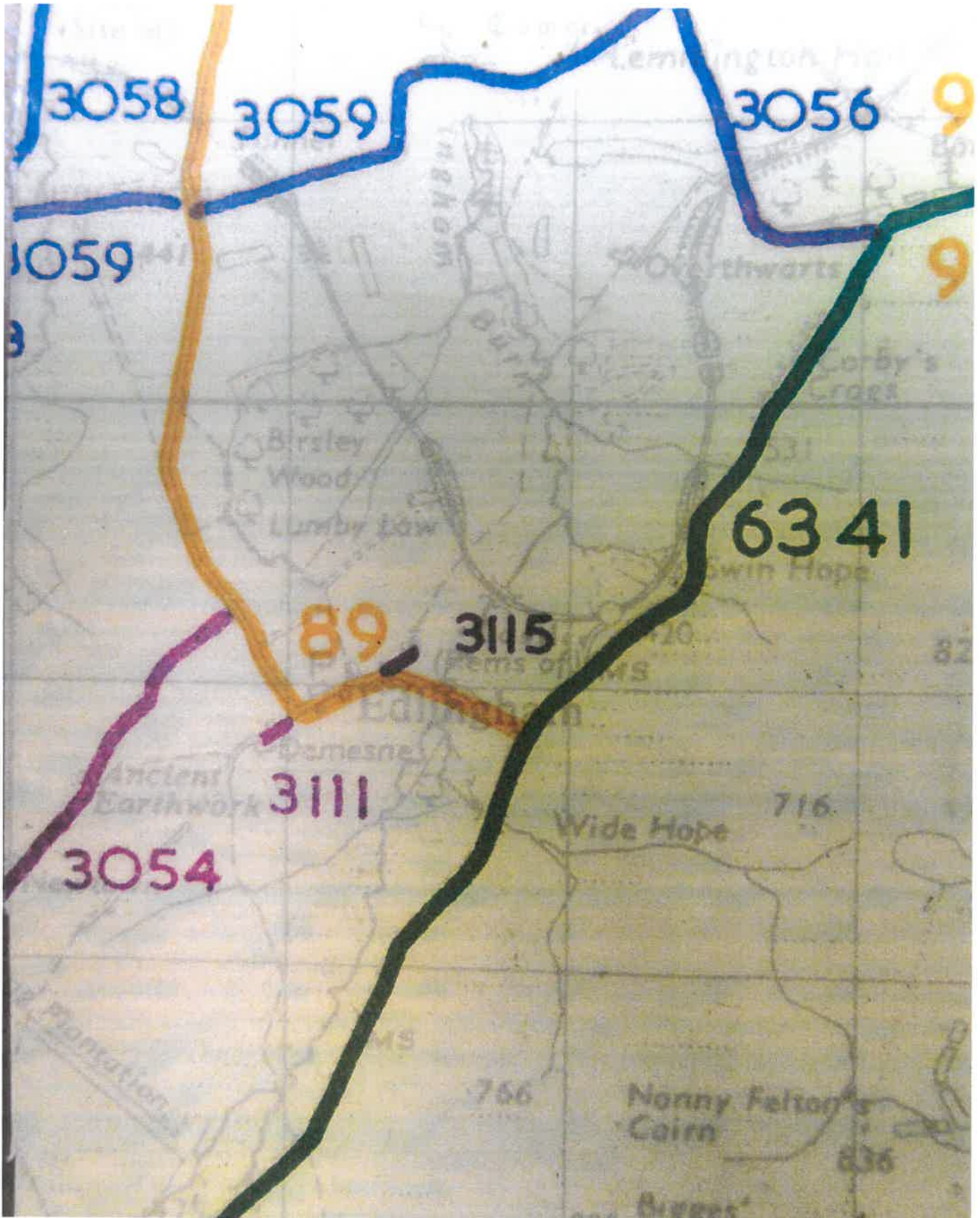
1964 County Road Schedule

- 86 -

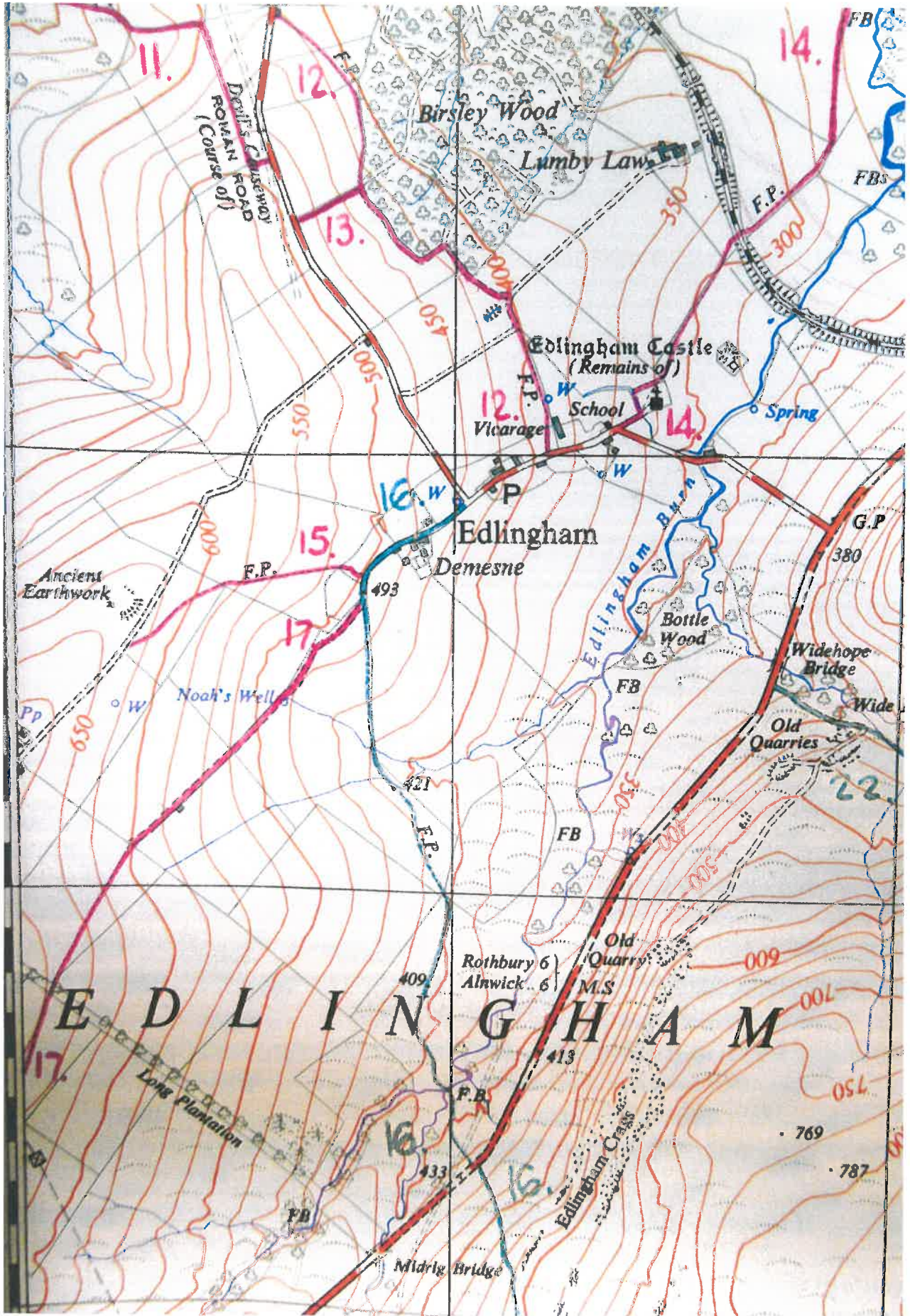
168
100

<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.3108	Farne View, Shilbottle.	Council House streets off C.97 at Farrier's Arms Inn, Shilbottle, (520 yds).	Alnwick.	0.29	0.29
U.3109	Back Togston Crescent, North Broomhill.	Off A.1068 near junction with B.6345, including 3 No. entrances on north side of A.1068, (225 yds).	Alnwick.	0.13	0.13
U.3110	Queen Street and Gordon Terrace, (Back Street), North Broomhill.	Off A.1068 near junction with B.6345 on south side of A.1068, (168 yds).	Alnwick.	0.10	0.10
U.3111	Road to Demesne Farm, Edlingham.	From C.89 at Edlingham, south-westwards to Demesne Farm, (127 yds).	Alnwick.	0.07	0.07
U.3112	Rushycap-North Acton Road, Felton.	From U.3092 at Rushycap eastwards to A.1, thence via Acton Dean to U.3041 at North Acton.	Alnwick.	0.99	0.99
U.3113	Shepherd's Hill Back Road, Alnmouth	Off north side of B.1338 at Alnmouth, east of Duchess Bridge, including 2 No. entrance roads, (180 yds).	Alnwick.	0.10	0.10
U.3114	Ashfield Terrace and Beech Estate, Shilbottle.	From C.95 northwards along Ashfield Terrace for 65 yards and thence northwards and eastwards for 210 yards, including cul-de-sac of 147 yards.	Alnwick.	0.24	0.24
U.3115	Edlingham Church Road.	From C.89 at Edlingham north-eastwards for a distance of 80 yards to Edlingham Church.	Alnwick.	0.05	0.05
U.3116	R.A.F. Married Quarters, Acklington.	Off south side of B.6345 at east end of Acklington Village:- Quarry Avenue, (off B.6345) 175 yds. Acklington Drive, (off Quarry Avenue), 338 yds. (including one footpath 6 feet wide, 89 yds, and one footpath 3'6" wide, 24 yds).	Morpeth.	0.29	0.29
U.3117	Hauxley-Amble Road.	From C.109 at Hauxley Links, Low Hauxley, northwards to Amble Urban District boundary, (1,367 yds).	Alnwick.	0.78	0.78

Extract from the Council's 1964 Highways Map

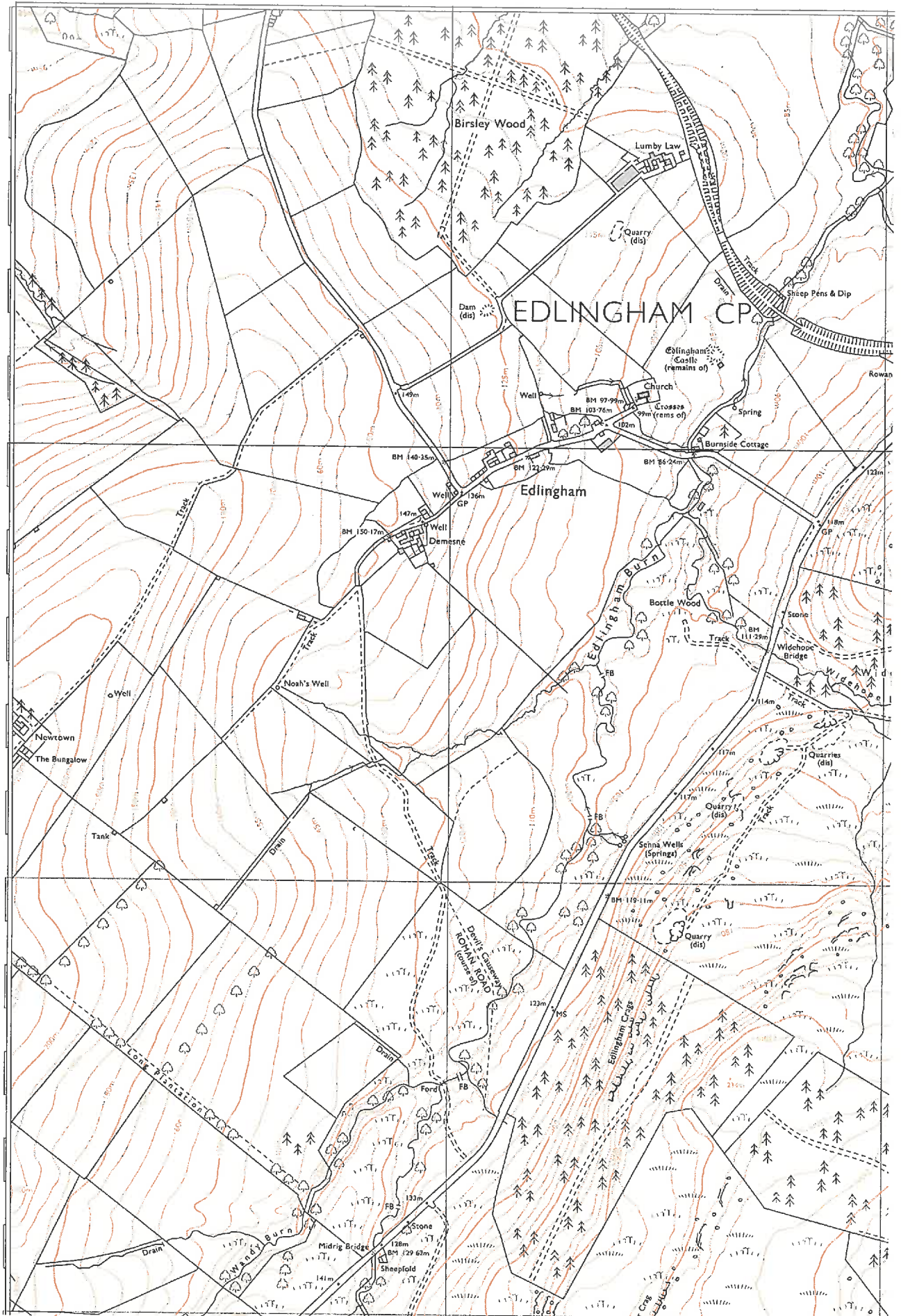


First Review Definitive Map



1974 County Road Schedule

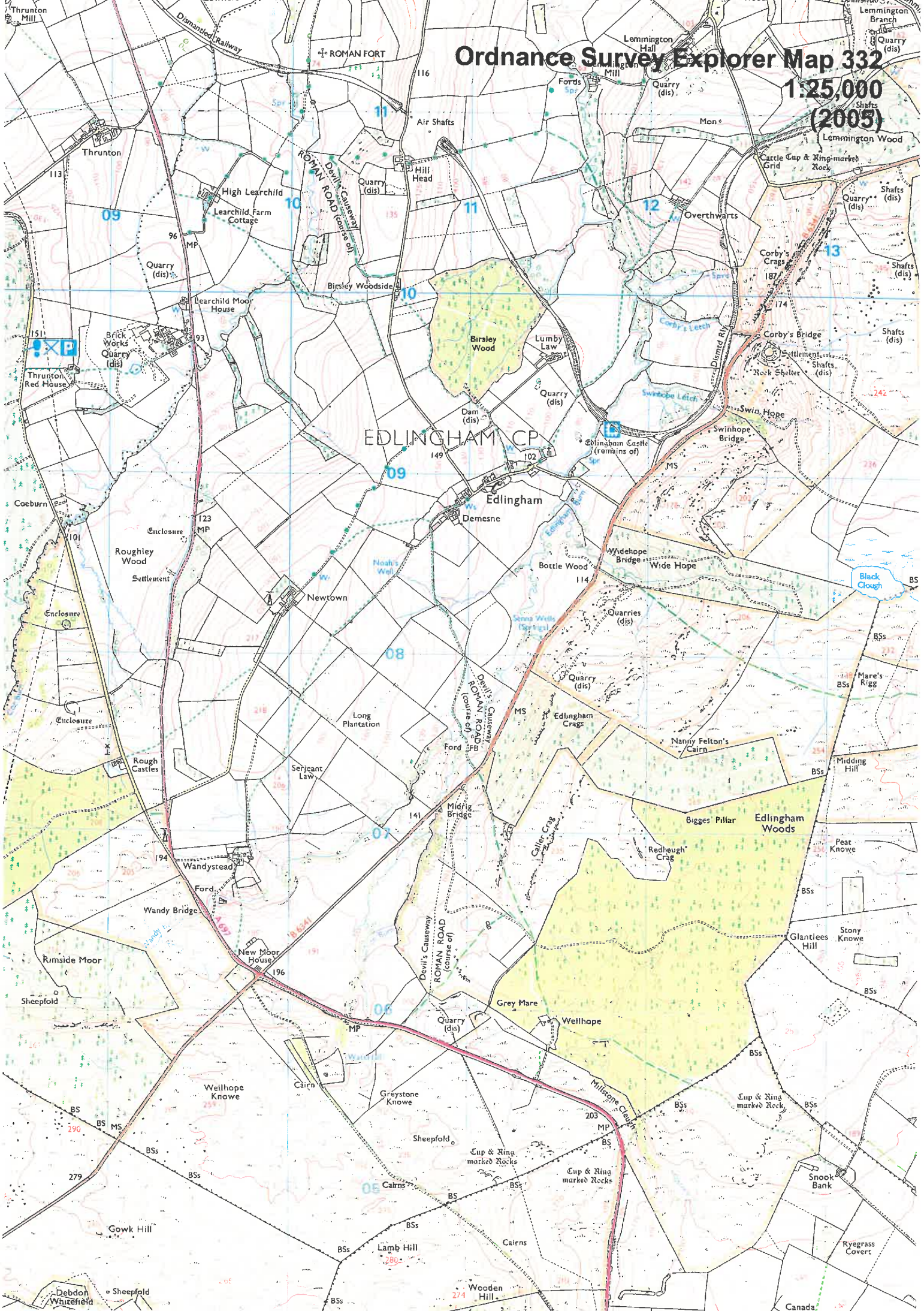
Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Total Mileage
J.3114	Ashfield Terrace and Beech Estate, Shilbottle.	From C.95 at Shilbottle (NU 205084) northwards along Ashfield Terrace for 65 yards and thence northwards and eastwards for 210 yards, including cul-de-sac of 147 yards.	Alnwick Division		0.24
U.3115	Edlingham Church Road.	From C.89 at Edlingham (NU 113091) north-eastwards for a distance of 80 yards to Edlingham Church.	Alnwick Division		0.05
U.3116	Government Married Quarters, Acklington.	Off south side of B.6345 at east end of Acklington Village (NU 232019):- Quarry Avenue, (off B.6345) 175 yds. Acklington Drive, (off Quarry Avenue), 338 yds. (including one footpath 6 feet wide, 89 yds, and one footpath 3'6" wide, 24 yds).	Morpeth Division		0.29
U.3117	Hauxley-Amble Road.	From C.109 at Hauxley Links, Low Hauxley (NU 286031) northwards to Amble Parish boundary (1,367 yards) (NU 279039).	Alnwick Division		0.78
U.3118	Shipley Farm Road.	From B.6346 at its junction with B.6347 (NU 151178) south-west and south to Shipley Farm. (NU 148170).	Alnwick Division		0.61
U.3119	Eglington Church Road.	From B.6346 at Eglington (NU 107195) south to the gateway of Eglington Churchyard. (33 yards).	Alnwick Division		0.02
U.3120	Guyzance Avenue, North Broomhill.	From A.1068, some 220 yards east of the B.6345 junction (NU 247016) south for 67 yards east for 30 yards and then westwards for 70-yards.	Alnwick Division		0.09
U.3121	Mount View, Glanton.	From C.85 at the Causeway, Glanton, some 100 yards east of its junction with C.84 (NU 073145) northwards and westwards for 88 yards to form a cul-de-sac with turning area.	Alnwick Division		0.05
U.3122	Douglas Crescent, Swarland.	From C.390 some 766 yards north of the B.6345 junction westwards and north-westwards for 77 yards to form a cul-de-sac (NU 163026).	Alnwick Division		0.04



Ordnance Survey Explorer Map 332

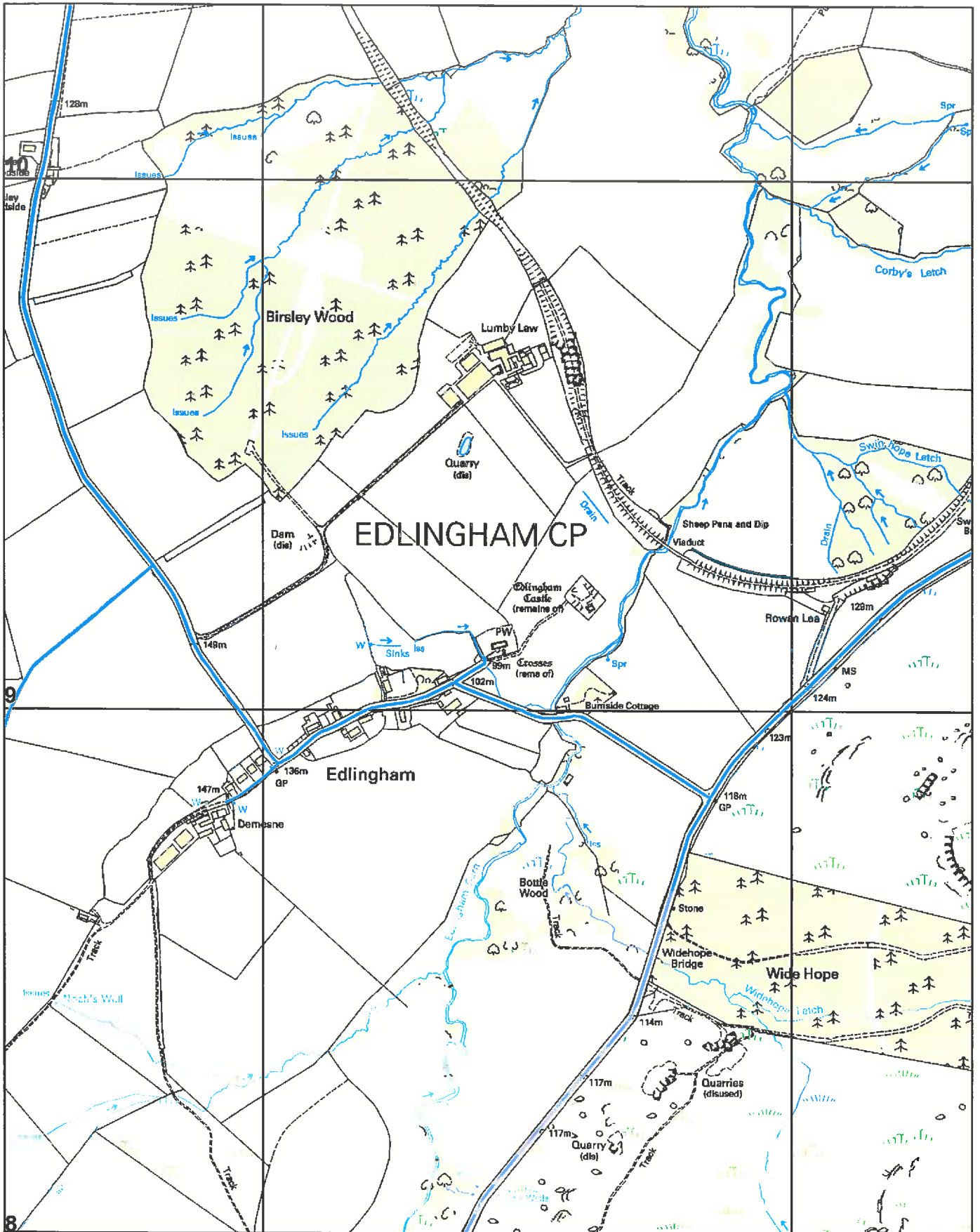
1:25,000

(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*

<i>Road Number</i>	<i>Description</i>	<i>Length - Metres</i>
U3115		
	C89 JCT TO EDLINGTON CHURCH	80
	<i>Total length for U3115</i>	80
U3116		
	ACKLINGTON DRIVE FOOTWAY	86
	TOWNSEND COURT	69
	ACKLINGTON DRIVE FOOTWAY	25
	B6345 JCT TO ACKLINGTON DV QUARRY A	85
	CHURCHILL WAY	284
	QUARRY AVENUE	134
	ST OMAR ROAD	282
	ACKLINGTON DRIVE	317
	<i>Total length for U3116</i>	1,282
U3117		
	PERCY STREET AMBLE	215
	PERCY STREET ROUNDABOUT AMBLE	78
	NEWBURGH STREET AMBLE	132
	MARINE ROAD AMBLE	116
	DILSTON TERRACE AMBLE	68
	C109 JCT TO 30MPH AMBLE (SOUTH)	1,711
	30MPH AMBLE (SOUTH) TO U3136 IVY STR	637
	<i>Total length for U3117</i>	2,958
U3118		
	B6346 JCT TO SHIPLEY FARM	1,003
	<i>Total length for U3118</i>	1,003
U3119		
	B6346 JCT TO ELLINGHAM CHURCH	37
	<i>Total length for U3119</i>	37



EDLINGHAM CP

 <p>Northumberland County Council</p>	<p>Network Management Information System</p>		<p>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</p>		
	<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License no. 100049048 (2015).</p>		<p>Drn: AB</p>	<p>Date: Dec 2019</p>	<p>Scale: 1:10,000</p>