



# Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL  
21 June 2018

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## PUBLIC RIGHTS OF WAY

### MODIFICATION ORDER (No 14) 2017

### ALLEGED RESTRICTED BYWAYS Nos 21, 22, 44 & 58

### (PARISHES OF AKELD, WOOLER & KIRKNEWTON)

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 Committee is asked for its views on the action now thought appropriate in determining the above mentioned Order.

#### **Recommendations**

**It is recommended that the Committee agree that, unless all the objections are subsequently withdrawn, the Order, together with the objections, be submitted to the Secretary of State for the Environment, Food and Rural Affairs for determination, accompanied by a recommendation that the Order be confirmed, as made.**

#### **1.0 Background**

1.1 The proposals in the Order seek to add, to the Definitive Map and Statement:

##### **Restricted Byway No 21**

As a 5 metre wide restricted byway, from Restricted Byway No 19, 940 metres south-east of the summit of Humbleton Hill, in a south-westerly direction for a distance of 70 metres, then north-westerly direction for 320 metres, then westerly direction for 1495 metres, then general north-westerly direction for 360 metres, then general southerly direction for a distance of 155 metres, then south-westerly direction for

740 metres, to join Restricted Byway No 44 in the Parish of Wooler, 485 metres south-west of the summit of Black Law.

#### **Restricted Byway No 44**

As a 5 metre wide restricted byway, from the western end of Restricted Byway No 21, in the Parish of Akeld, 485 metres south-west of the summit of Black Law, in a south-westerly direction for a distance of 460 metres, to join Restricted Byway No 22 in the Parish of Akeld, 1045 metres south-east of the summit of Tom Tallon's Crag.

#### **Restricted Byway No 22**

As a 5 metre wide restricted byway, from Restricted Byway No 44, in the Parish of Wooler, 1045 metres south-east of the summit of Tom Tallon's Crag, in a westerly direction for a distance of 525 metres to a junction with Public Bridleway No 14, then in a general north-westerly direction for a distance of 480 metres to join Restricted Byway No 58 in the Parish of Kirknewton, 250 metres south of the summit of Tom Tallon's Crag.

#### **Restricted Byway No 58**

Adding thereto a restricted byway, from a point marked C, at a junction with existing Public Footpath No 9, 375 metres north-east of Torlee House, in a general north-westerly direction for a distance of 1020 metres, to a point marked B, on existing Public Footpath No 42, 260 metres south-west of Kirknewton House.

Upgrading thereto to restricted byway status (and renumbering), the existing public footpath (part of Footpath No 42), from a point marked B, 260 metres south-west of Kirknewton House, in a general north-easterly direction for a distance of 565 metres, to a point marked A, at the southern end of the U1023 road, 50 metres south-east of St Gregory's Church.

- 1.2 The proposals resulted from the discovery of historical documentary evidence by the County Council.
- 1.3 In November 2017, the Rights of Way Committee considered all the available evidence both in support and rebuttal of the public right of way and resolved that, on a balance of probability, public vehicular rights had been shown to exist over the route between existing Restricted Byway No 19 south of Humbleton and the southern end of the U1023 road at Kirknewton, but that the public's motor vehicular rights had been extinguished over the route, by virtue of the Natural Environment and Rural Communities Act 2006.

## **2.0 The Order**

- 2.1 The proposal was the subject of a Definitive Map Modification Order, made on 26<sup>th</sup> November 2017, and advertised on 14<sup>th</sup> December 2017. Public advertisements were displayed in the local press and on site, and all known owners and occupiers of the land affected were notified, with 56 days given for formal objections / representations.

### 3.0 Objections

3.1 Two letters of objection and one representation to Modification Order (No 14) 2017 were received. The representation was subsequently withdrawn.

3.2 By letter, dated 29 January 2018, Mr RE Shaw of Berwick objected to the Order, stating:

“As the originator of St Cuthbert’s Way and, as such, a member of the Management Group, I am disturbed by your intention to modify one of the highlights of the route, namely, the crossing of the Cheviot Hills between the College Valley and the Humbleton Burn, by changing its status from what is primarily a Public Footpath to a 5 metre wide Restricted Byway.

“This 100 km long cross-border walking route attracts up to 5000 walkers a year, including many who walk it as a pilgrimage. To open this part of the route to horse riders and mountain bikers would have a detrimental effect on the walkers’ enjoyment of the peaceful atmosphere and also lead to serious damage to the path surface.

“Its designation as a ‘**Restricted** Byway’ would not necessarily be understood by users of off-road vehicles and trail bikes, who would probably assume that because it is a 5 metre wide Byway they are at liberty to use it. Already, mountain bikers are frequently encountered on Public Footpaths.

“I am particularly concerned about the section between Point F and Point YY on the Definitive Map, where the ground is often waterlogged. Its use by horse-riders and mountain bikers would have a disastrous impact.

“If a route suitable for riders and cyclists is needed why not continue south from the path junction near height 337m to Commonburn and then follow the Commonburn Road to Humbleton Burn.”

3.3 By letter, dated 3<sup>rd</sup> February 2018, Mrs S Robinson, objected to the Order, stating:

“Regarding Definitive Map Modification Order (No 14) 2017.

“I have 2 main reasons for concern about the route changing status from Public Footpath to Restricted Byway.

“This route is part of the St Cuthberts Way walked by hundreds of pilgrims every year. Walkers enjoy the peace and tranquility as they reach this high ground in the cheviot foot hills. The path as it is at the moment would not be suitable for walkers to share with mountain bike riders travelling at speed, as it is narrow in places, only a single track and quite wet especially after a period of prolonged rain.

“My second reason for concern is the boggy area near Tom Tallon’s crag. This is passable by walkers if you pick your route carefully and don’t stand still for too long.

“However as a horse owner myself i would never consider riding over this ground for fear of causing injury to my horse or even getting stuck.

“It would be irresponsible to mark the route as a Restricted Byway causing Riders with no local knowledge to put themselves and their horses at risk.

“Please take my observations into account before you make the decision to change the status of the route.”

- 3.4 By letter, dated 15<sup>th</sup> March 2017, Mr R Shaw, raised further objections to the Order, stating:

“Thank you very much for sending me the various items of evidence relating to the existence (or otherwise) of public vehicular rights over a route from Kirknewton to Humbleton.

“I have studied the supporting maps - i.e. Armstrong, Fryer, carey and Greenwood - very carefully and in my opinion they do **not** show any evidence of a route linking Kirknewton and Humbleton.

“Please add this letter to my previous letter of 29<sup>th</sup> January 2018.”

#### **4. Discussion**

- 4.1 The procedures under the 1981 Act empower this Authority to confirm proposals only where these are unopposed and no modification is needed. Where there is an unresolved objection, or where a modification, however minor is needed, the proposal must be submitted for determination by the Secretary of State for the Environment, Food and Rural Affairs.
- 4.2 The route (or one closely resembling it) is identified on Greenwood's County Map of 1828. A significant portion of the route also appears to be depicted on Armstrong's County Map of 1769. The route is clearly shown on the Ordnance Survey 1<sup>st</sup> Edition Map of c.1864, the 2<sup>nd</sup> Edition Ordnance Survey Map of 1899, and the 3<sup>rd</sup> Edition Ordnance Survey Map of 1924.
- 4.3 Of much greater significance, however, are the Akeld and Humbleton Common Inclosure Award of 1867 and the Wooler and Humbleton Common Inclosure Award of 1869. The Awards, themselves, do not set out any part of the alleged restricted byway route, but the Award maps do, respectively, identify an “Ancient Public Highway Yeavering and Humbleton Road” over a 1130 section of the route near Black Law, and an “Ancient Public Road Yeavering and Humbleton Road” over a 450 long section immediately west of the first section. The westerly and easterly continuations, beyond the Award boundaries, say “From Yeavering” and “to Humbleton”. This implies, strongly, that a highway of the same status continued at least as far as these destinations.
- 4.4 None of the land owners or occupiers has objected to this Order. The two objections that remain are both from people who walk the existing public footpath.

- 4.5 Mrs Robinson's objection and Mr Shaw's initial objection were based upon reasons why they did not think the route was suitable for equestrian or bicycle traffic. They argue that the route, being a part of St Cuthbert's Way, is well walked by the public and that their enjoyment of the route would be spoiled if they encountered horse riders and mountain bikers. Mrs Robinson argues that the route is too narrow in some places and too boggy in others to accommodate shared use. Mr Shaw is concerned that people unfamiliar with the restricted byway classification may mistakenly start using the route with motor vehicles. Both Mrs Robinson and Mr Shaw argue that the section of path between Point F and Point YY is often waterlogged and totally unsuited to equestrian / bicycle use. Whilst all of these concerns are understandable, none of them are considered to be relevant when determining what public rights actually exist.
- 4.6 In a follow-up letter, dated 15th March 2018, Mr Shaw modified his objection to include the argument that the supporting maps (i.e. Armstrong, Fryer, Cary and Greenwood) do not show any evidence of a route linking Kirknewton and Humbleton. In the report considered by the Council's Rights of Way Committee in November 2017, officers acknowledge that the route is not shown on Fryer's County Map of 1820 or on Cary's Map of 1820-32. As indicated above, there is, however, some evidence of a track resembling the eastern part of the Order route on Armstrong's Map and very clear evidence of a track shown on Greenwood's Map. Of greater significance, and apparently overlooked by Mr Shaw, the Akeld and Humbleton Common Inclosure Award of 1867 and the Wooler and Humbleton Common Inclosure Award of 1869 both clearly identify the existence of an ancient public road between Humbleton and Yeavinger.

## **5. Council's Position Regarding Submitting the Order to the Secretary of State**

- 5.1 In view of the historical documentary evidence available, the County Council believes that, on the balance of probabilities, public non-motor vehicular rights do exist over the route identified in the Order and that the Order should, therefore, be confirmed, as made.

## **6. Background Papers**

Local Services Group File: B/2/21+22z; B/36/40z; B/26/58z

Definitive Map Modification Order (No 14) 2017.

Report Author            Alex Bell – Definitive Map Officer  
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Alex.Bell@Northumberland.gov.uk

# **Wildlife and Countryside Act 1981**

## **Definitive Map and Statement of Public Rights of Way for the County of Northumberland**

### **The Northumberland County Council**

#### **Definitive Map Modification Order (No 14) 2017**

##### **Restricted Byways Nos 21, 22, 44 & 58 (Parishes of Akeld, Wooler and Kirknewton)**

This Order is made by Northumberland County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Definitive Map and Statement of Public Rights of Way for the County of Northumberland require modification in consequence of the occurrence of events specified in Section 53(3)(c)(i)(ii) and (iii), namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic; 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; and that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

The authority has consulted every local authority whose area includes the land to which the order relates. The Northumberland County Council hereby order that:

1. For the purposes of this Order the relevant date is 1 November 2017.
2. The Definitive Map and Statement of Public Rights of Way for the County of Northumberland shall be modified as described in the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Northumberland County Council Definitive Map Modification Order (No 14) 2017.

IN WITNESS whereof the Common Seal of the County Council of Northumberland was hereunto affixed on the 20<sup>th</sup> day of November 2017

**The common Seal of Northumberland County Council** was hereunto affixed in the presence of:-



Duly Authorised Officer



# Definitive Map Modification Order (No 14) 2017

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Parish	Path No.	Modification	OS Map Nos.	Def Map Nos.
<b>Former Berwick Borough</b>				
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## Schedule

### Definitive Map Modification Order (No 14) 2017

#### Description of Modification to Definitive Map and Statement

##### Former Berwick Borough

<b>Akeld</b>	<b>Restricted Byway No 21</b>	<b>(NT 92 NW / NE)</b>
Part I	Map:	Upgrading thereto to restricted byway status (and renumbering), part of existing Public Footpath No 6, from a point marked H, on Restricted Byway No 19, 940 metres south-east of the summit of Humbleton Hill, in a general westerly direction for a distance of 3140 metres, to a point marked HH, on alleged Restricted Byway No 44 in the Parish of Wooler, 485 metres south-west of the summit of Black Law.
Part II	Statement:	To be prepared as follows: As a 5 metre wide restricted byway, from Restricted Byway No 19, 940 metres south-east of the summit of Humbleton Hill, in a south-westerly direction for a distance of 70 metres, then north-westerly direction for 320 metres, then westerly direction for 1495 metres, then general north-westerly direction for 360 metres, then general southerly direction for a distance of 155 metres, then south-westerly direction for 740 metres, to join Restricted Byway No 44 in the Parish of Wooler, 485 metres south-west of the summit of Black Law.
<b>Wooler</b>	<b>Restricted Byway No 44</b>	<b>(NT 92 NW)</b>
Part I	Map:	Adding thereto to a restricted byway, from a point marked HH, on alleged Restricted Byway No 21 in the Parish of Akeld, 485 metres south-west of the summit of Black Law, in a south-westerly direction for a distance of 460 metres, to a point marked YY, on alleged Restricted Byway No 22 in the Parish of Akeld, 1045 metres south-east of the summit of Tom Tallon's Crag.
Part II	Statement:	To be prepared as follows: As a 5 metre wide restricted byway, from the western end of Restricted Byway No 21, in the Parish of Akeld, 485 metres south-west of the summit of Black Law, in a south-westerly direction for a distance of 460 metres, to join Restricted Byway No 22 in the Parish of Akeld, 1045 metres south-east of the summit of Tom Tallon's Crag.

**Akeld****Restricted Byway No 22****(NT 92 NW)**

Part I Map:

Upgrading thereto to restricted byway status (and renumbering), parts of existing Public Footpath No 6, Bridleway No 14 and Footpath No 16, from a point marked YY, on alleged Restricted Byway No 44, 1045 metres south-east of the summit of Tom Tallon's Crag, in a general westerly then north-westerly direction for a distance of 1005 metres, to a point marked D, on alleged Restricted Byway No 58 in the Parish of Kirknewton, 250 metres south of the summit of Tom Tallon's Crag.

Part II Statement:

To be prepared as follows:  
As a 5 metre wide restricted byway, from Restricted Byway No 44, in the Parish of Wooler, 1045 metres south-east of the summit of Tom Tallon's Crag, in a westerly direction for a distance of 525 metres to a junction with Public Bridleway No 14, then in a general north-westerly direction for a distance of 480 metres to join Restricted Byway No 58 in the Parish of Kirknewton, 250 metres south of the summit of Tom Tallon's Crag.

**Kirknewton****Restricted Byway 58****(NT 92 NW)**

Part I Map:

Upgrading thereto to restricted byway status (and renumbering), the existing public footpath (Footpath No 28), from a point marked D, on alleged Restricted Byway No 22 in the Parish of Akeld, 250 metres south of the summit of Tom Tallon's Crag, in a general north-westerly direction for a distance of 2295 metres, to a point marked C, at a junction with existing Public Footpath No 9, 375 metres north-east of Torlee House.

Adding thereto a restricted byway, from a point marked C, at a junction with existing Public Footpath No 9, 375 metres north-east of Torlee House, in a general north-westerly direction for a distance of 1020 metres, to a point marked B, on existing Public Footpath No 42, 260 metres south-west of Kirknewton House.

Upgrading thereto to restricted byway status (and renumbering), the existing public footpath (part of Footpath No 42), from a point marked B, 260 metres south-west of Kirknewton House, in a general north-easterly direction for a distance of 565 metres, to a point marked A, at the southern end of the U1023 road, 50 metres south-east of St Gregory's Church.

Part II Statement:

To be prepared as follows:  
As a 5 metre wide restricted byway, from Restricted Byway No 22 in the Parish of Akeld, 250 metres south of the summit of Tom Tallon's Crag, in a north-westerly direction for a distance of 1855 metres, then in a general westerly direction for 330 metres, then north-westerly direction for a distance of 110 metres to a crossroads with Footpath No 9, continuing in a north-westerly

direction for a further 20 metres to a stone wall with a field gate in it. Thereafter as a 23.5 metre wide, narrowing down to 18.6 metre wide restricted byway, continuing in a north-westerly direction for a distance of 315 metres to another stone wall with a field gate in it. Thereafter as a 5 metre wide restricted byway in a north-westerly direction for a distance of 90 metres, whereupon the restricted byway transfers from the eastern side of a north-south boundary wall onto the west side. The 5 metre wide restricted byway continues in a north-westerly direction for a distance of 265 metres, then northerly direction for a distance of 80 metres then in a general north-westerly direction (partly as a slightly sunken lane) for a distance of 250 metres to join Public Footpath No 42, 260 metres south-west of Kirknewton House. Thereafter as an 11 metre wide, narrowing to 7.5 metre wide restricted byway, in a north-easterly direction for a distance of 140 metres. Thereafter as a 5 to 5.3 metre wide restricted byway in an easterly direction for a distance of 245 metres. Thereafter as a 5 to 5.6 metre wide restricted byway, in a north-westerly direction for 70 metres. Thereafter as a 4.8 to 8.3 metre wide restricted byway in a westerly direction for a distance of 70 metres Thereafter as a 7.6 to 9.4 metre wide restricted byway in a northerly direction for a distance of 40 metres to join the southern end of the U1023 road, 50 metres south-east of St Gregory's Church at Kirknewton.

**Akeld**

**Footpath No 6**

**(NT 92 NW / NE)**

Part I Map:

Deleting thereto the footpath, from a point marked H, on Restricted Byway No 19, 940 metres south-east of the summit of Humbleton Hill, in a general westerly direction for a distance of 3110 metres, to a point marked HH, 485 metres south-west of the summit of Black Law, as a consequence of this section being upgraded to restricted byway (Restricted Byway No 21) status, and renumbered.

Also deleting thereto the footpath, from a point marked YY, on alleged Restricted Byway No 44, 1045 metres south-east of the summit of Tom Tallon's Crag, in a general westerly then north-westerly direction for a distance of 525 metres, to a point marked F, at its existing junction with Public Bridleway No 14, 600 metres south-east of the summit of Tom Tallon's Crag, as a consequence of this section being upgraded to restricted byway (Restricted Byway No 22) status, and renumbered.

Part II Statement:

To be amended as follows:  
From Restricted Byway No 21, 485 metres south-west of the summit of Black Law, in a westerly direction to join Restricted Byway No 22, 1045 metres south-east of the summit of Tom Tallon's Crag.

**Akeld****Bridleway No 14****(NT 92 NW)**

**Part I**      **Map:**      Deleting thereto the bridleway, from a point marked E, at its existing junction with Public Footpath No 16, 430 metres south-east of the summit of Tom Tallon's Crag, in a general south-easterly direction for a distance of 200 metres, to a point marked F, at its existing junction with Public Footpath No 6, 600 metres south-east of the summit of Tom Tallon's Crag, as a consequence of this section being upgraded to restricted byway (Restricted Byway No 22) status, and renumbered.

**Part II**      **Statement:**      To be amended as follows:  
A bridleway along a well-defined stone track varying in width between 4 metres and 5 metres from the B6351, 40 metres east of Akeld Cottages, in a general southerly direction through two field gates adjacent to the barn south of Akeld Cottages for a distance of 535 metres to a field gate 420 metres north-east of Gleadescleugh, then continuing in a general south-westerly direction for a distance of 625 metres to a field gate 160 metres south-west of Gleadescleugh, then continuing for a distance of 1,280 metres to a field gate 775 metres east of Tom Tallon's Crag and continuing for a distance of 815 metres to a field gate 405 metres south-east of Tom Tallon's Crag, then continuing in a south-westerly direction for a further 10 metres to a junction with Restricted Byway No 22, 430 metres south-east of the summit of Tom Tallon's Crag. Resuming, from a point further along Restricted Byway No 22, 600 metres south-east of the summit of Tom Tallon's Crag, and proceeding in a southerly direction for 260 metres and then in a general westerly direction over Scaldhill for 735 metres to a junction with Footpath No 9, then continuing in a general southerly direction for a distance of 490 metres to join Bridleway No 10, 140 metres north-east of Commonburn House.

**Akeld****Footpath No 16****(NT 92 NW)**

**Part I**      **Map:**      Deleting thereto the footpath, from a point marked E, at its existing junction with Public Bridleway No 14, 430 metres south-east of the summit of Tom Tallon's Crag, in a north-westerly direction for a distance of 280 metres, to a point marked D, on alleged Restricted Byway No 58 in the Parish of Kirknewton, 250 metres south of the summit of Tom Tallon's Crag, as a consequence of this section being upgraded to restricted byway (Restricted Byway No 22) status, and renumbered.

**Part II**      **Statement:**      To be deleted.

**Kirknewton****Footpath No 28****(NT 92 NW)**

Part I Map:

Deleting thereto the footpath, from a point marked C, at a junction with existing Public Footpath No 9, 375 metres north-east of Torleee House, in a general south-easterly direction for a distance of 2295 metres, to a point marked D, on alleged Restricted Byway No 22 in the Parish of Akeld, 250 metres south of the summit of Tom Tallon's Crag, as a consequence of this section being upgraded to restricted byway (part of Restricted Byway No 58) status, and renumbered.

Part II Statement: To be deleted.

**Kirknewton****Footpath No 42****(NT 92 NW)**

Part I Map:

Deleting thereto the footpath, from a point marked A, at the southern end of the U1023 road, 50 metres south-east of St Gregory's Church, in a general south-westerly direction for a distance of 565 metres, to a point marked B, 260 metres south-west of Kirknewton House, as a consequence of this section being upgraded to restricted byway (part of Restricted Byway No 58) status, and renumbered.

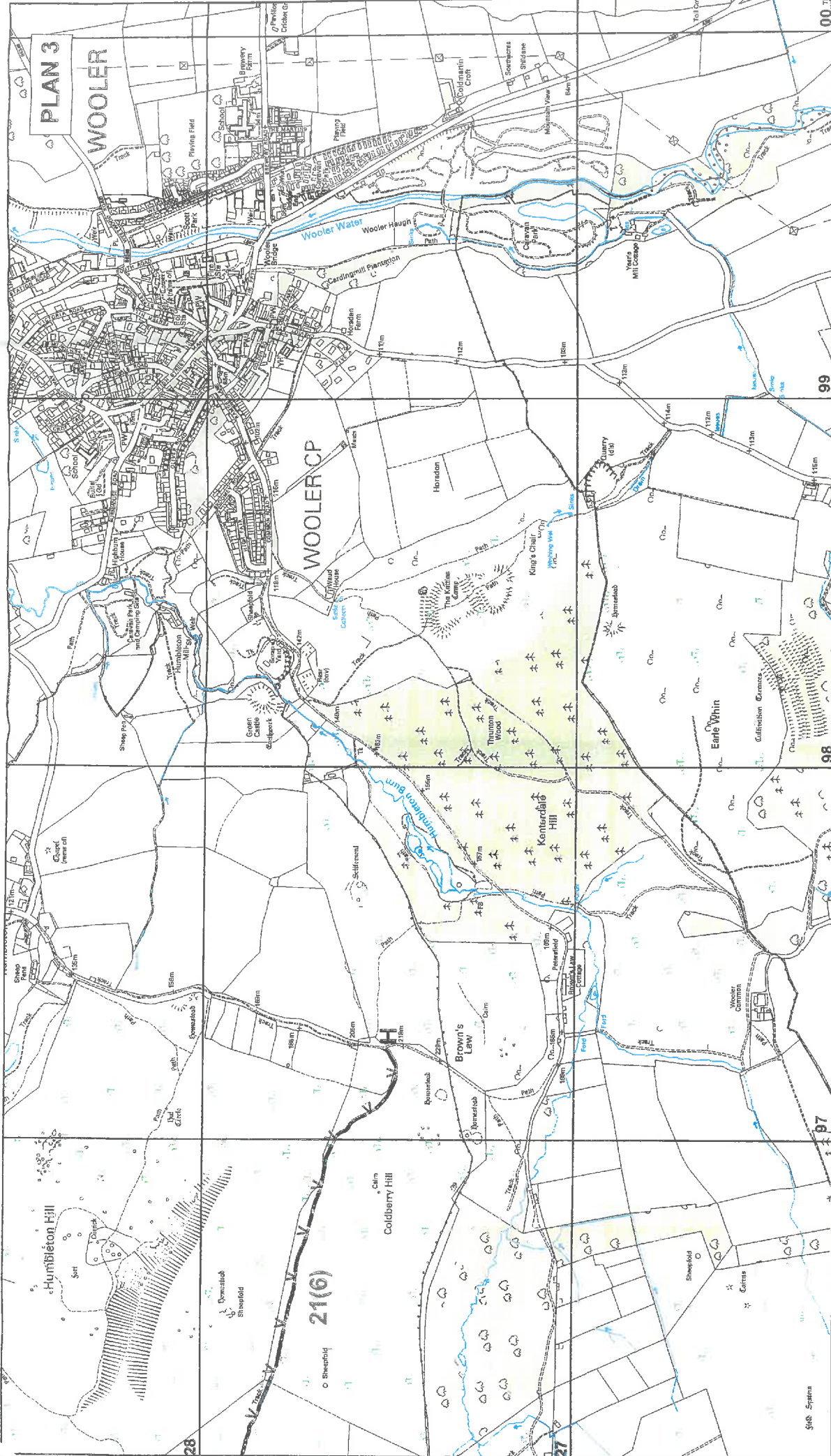
Part II Statement:

To be amended as follows:  
A path varying between 4.1 metres and 10.1 metres, from Restricted Byway No 58, 260 metres south-west of Kirknewton House, in a general south-westerly direction along an unsurfaced track for a distance of 290 metres to a field gate, and then in a general southerly direction along an unsurfaced track at the western base of West Hill for a distance of 580 metres, then continuing thereafter as a 2 metre wide path in a easterly direction off the unsurfaced track for a distance of 70 metres, and then turning south for a distance of 970 metres to join Public Footpath No 9, 400 metres east of Hethpool Linn.









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

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Wildlife and Countryside Act, 1981

**Definitive Map of Public Rights of Way for the County of Northumberland**

**The Northumberland County Council**

**Modification Order (No.14) 2017**

Public Footpath to be deleted  
 Public Footpath  
 Public Bridleway  
 Restricted Byway  
 Byway Open to All Traffic

O.S. Map: NT 92 NE  
 Former District(s): Berwick

Definitive Map No 37  
 Parish(es): Akeld

Scale: 1/10,000  
 Date: November 2017



1 Lord's Mount  
Berwick upon Tweed  
Northumberland  
TD15 1LY

29<sup>th</sup> January 2018

Liam Henry  
Legal Services  
Manager  
Northumberland County Council  
County Hall  
Morpeth NE61 2EF

Dear Sirs

Definitive Map Modification Order (NO14) 2017

As the originator of St.Cuthbert's Way and, as such, a member of the Management Group, I am disturbed by your intention to modify one of the highlights of the route, namely, the crossing of the Cheviot Hills between the College Valley and the Humbleton Burn, by changing its status from what is primarily a Public Footpath to a 5 metre wide Restricted Byway.

This 100 km long cross-border walking route attracts up to 5,000 walkers a year, including many who walk it as a pilgrimage. To open this part of the route to horse riders and mountain bikers would have a detrimental effect on the walkers' enjoyment of the peaceful atmosphere and also lead to serious damage to the path surface.

Its designation as a 'Restricted Byway' would not necessarily be understood by users of off-road vehicles and trail bikes, who would probably assume that because it is a 5 metre wide Byway they are at liberty to use it. Already, mountain bikers are frequently encountered on Public Footpaths.

I am particularly concerned about the section between Point F and Point YY on the Definitive Map, where the ground is often waterlogged. Its use by horse-riders and mountain bikers would have a disastrous impact.

If a route suitable for riders and cyclists is needed why not continue south from the path junction near height 337m to Commonburn and then follow the Commonburn Road to Humbleton Burn.

Yours faithfully



R.E.Shaw

LEGAL SERVICES

30 JAN 2018

REC'D

LEGAL SERVICES

6 FEB 2018

REC'D

19 Victoria Road

Wooler

Northumberland

NE71 6DX

3rd Feb 2018

Liam Henry  
Legal Services Manager,  
Northumberland County Council,  
County Hall,  
Morpett - NE61 2EF

Dear Sir,

Regarding Definitive Map Modification  
Order (No 14) 2017.

I have 2 main reasons for concern about  
the route changing status from Public Footpath  
to Restricted Byway.

This route is part of the St Ruthberts way  
walked by hundreds of pilgrims every year.  
Walkers enjoy the peace and tranquility as they  
reach this high ground in the Cheviot foot hills.  
The path as it is at the moment would not  
be suitable for walkers to share with Mountain  
bike riders travelling at speed, as it is narrow  
in places, only single track and quite wet  
especially after a period of prolonged rain.

My second reason for concern is the boggy  
area near Tom Tallons Crag. This is passable

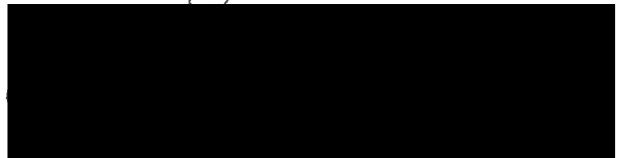
by walkers if you pick your route carefully and don't stand still for too long.

However as a horse Owner myself I would never consider riding over this ground for fear of causing injury to my horse or even getting stuck.


It would be irresponsible to mark the route as a Restricted Byway causing Riders with no local knowledge to put themselves and their horses at risk.

Please take my observations into account before you make the decision to change the status of the route.

Yours Faithfully



MRS SUSAN ROBINSON.



Lord's Mount  
Berwick upon Tweed  
Northumberland  
TD15 1LY

15<sup>th</sup> March 2018

Alex Bell  
Definitive Map Officer  
Infrastructure Records  
Northumberland County Council  
County Hall  
Morpetn  
NE61 2EF

Your reference ADB DMMO 14-17

Dear Mr Bell.

Thank you very much for sending me the various items of evidence relating to the existence (or otherwise) of public vehicular rights over a route from Kirknewton to Humbleton.

I have studied the supporting maps – i.e. Armstrong, Fryer, Carey and Greenwood – very carefully and in my opinion they do not show any evidence of a route linking Kirknewton and Humbleton.

Please add this letter to my previous letter of 29<sup>th</sup> January 2018.

Yours sincerely



Ron Shaw