

RIGHTS OF WAY COMMITTEE

11 July 2017

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

ALLEGED PUBLIC FOOTPATHS Nos 118 & 119 FORMER WANSBECK DISTRICT

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

Purpose of report

In this report, the Committee is asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of (i) a public footpath between the C415 road north of the former Ash Dock at Cambois and the U6554 road just east of East Sleekburn and (ii) a public footpath between the above mentioned alleged public footpath and the C415 road, south-east of number 1 Harbour View.

Recommendations

It is recommended that the Committee agree that:

- (i) there is sufficient evidence to indicate that public footpath rights have been reasonably alleged to exist over the route U-A-B-C-H-D-E;**
- (ii) there is NOT sufficient evidence to indicate that public footpath rights have been reasonably alleged to exist over the route E-F;**
- (iii) there is sufficient evidence to indicate that public footpath rights have been reasonably alleged to exist over the route F-G-W;**
- iv) there is NOT sufficient evidence to indicate that public footpath rights have been reasonably alleged to exist over the route V-X;**
- v) there is NOT sufficient evidence to indicate that public footpath rights have been reasonably alleged to exist over the route A-V-B or the direct route C-D;**
- vi) the U-A-B-C-H-D-E and F-G-W sections be included in a future Definitive Map Modification Order as public footpaths.**

1. BACKGROUND

- 1.1 The relevant statutory provisions which apply to adding a footpath to the Definitive Map and Statement based on 20 years user evidence are Sections

53(3)(b) and 53(3)(c)(i) of the Wildlife and Countryside Act, 1981, which require the County Council (as Surveying Authority) to modify the Definitive Map and Statement following:

“the expiration in relation to any way in the area to which the map relates of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path;” [s53(3)(b)]

or

“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 to which this Part applies;” [s53(3)(c)(i)]

1.2 It is an unresolved question whether it is permissible to invoke section 53(3)(c)(i) in a case to which section 53(3)(b) applies. There is a case (Bagshaw) which is indirect authority to the effect that in any case of deemed dedication reliance on paragraph (c)(i) is perfectly acceptable. Members are therefore invited to apply the lower test.

1.3 Section 31 of the Highways Act 1980 provides for the presumption of dedication of a public right of way following 20 years continuous use. Sub-section (1) states:

“Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.”

1.4 It is necessary to show that there has been uninterrupted use, as of right, by the public over a period of 20 years or more. ‘As of right’ means openly, not secretly, not by force and not by permission. The public must have used the way without hindrance (e.g. objections, verbal/written warnings, etc) or permission from the landowner or his agents. The 20 year period may be shown at any time in the past and is generally taken to run backwards from the date when the use of the path was first “brought into question”, whether by a notice or otherwise.

1.5 The Committee must consider whether there is sufficient evidence to allege that the presumption is raised. The standard of proof is the civil one that is the balance of probabilities. Members must weigh up the evidence and if, on balance, it is reasonable to allege that there is a public right of way, then the presumption is raised. The onus is then on the landowner to show evidence that there was no intention on their part to dedicate. This must be by some

overt act on the part of the landowner to show the public at large that there was no such intention.

- 1.6 Such evidence may consist of notices or barriers, or by the locking of the way on one day in the year, and drawing this to the attention of the public, or by the deposit of a Statutory Declaration under section 31(6) Highways Act 1980 to the effect that no additional ways (other than any specifically indicated in the Declaration) have been dedicated as highways since the date of the deposit.
- 1.7 All the relevant statutory provisions and competing rights and interests have been considered in making this report. The recommendation is in accordance with the law and proportionate, having regard to individuals' rights and the public interest.

2. PUBLIC EVIDENCE

- 2.1 In March 2017, Derek Blake and Dorothy O'Connor of Cambois made an application to record a public footpath on the Definitive Map of Public Rights of Way, between Cambois and East Sleekburn (West), on the basis of user evidence. In addition, a spur path, leading from the above route and proceeding northwards to join the C415 road at East Sleekburn (East) was also identified on the application plan.
- 2.2 The main east-west application route was supported by user evidence from 14 members of the public, 7 of whom claim to have used the route on foot for periods greater than 20 years. Copies of recent photographs and an "Energy Central" brochure were included as part of the application. The north-south spur path was supported by user evidence from 1 person, who did not claim to have used that route for more than 11 years.
- 2.3 In mid-June 2017, user evidence forms from 3 further members of the public was submitted in support of the application.

3. REBUTTAL / LANDOWNER EVIDENCE

- 3.1 By letter, dated 12th May 2017, Mr N Dexter of National Grid responded to the consultation, stating:

"This is a response on behalf of National Grid Electricity Transmission Plc (NGET). I refer to your letter dated 6 April 2017 in relation to an application to add two public footpaths to the Definitive Map and Statement of Public Rights of Way in the Wansbeck District. Having reviewed the letter and accompanying plan National Grid would like to make the following comments and objections:

Wansbeck District Alleged Public Footpath No 119 (Points V-X):

"National Grid objects to the proposed footpath No 119 as shown by Map No 159/160 (the Plan) between points V-X. There are 2 metre

high palisade gates and fencing located at point X as shown on 'the plan' restricting access to the site. The gates are kept locked and are only open when access is required. Having consulted colleagues who have worked at the site for around 25 years the perimeter of the site has been maintained and kept secure with a metal chain link fence with signage indicating private land and danger keep out.

"National Grid has a long term lease for the substations at the site (please see the attached plan at appendix 1 showing National Grid's land ownership - blue line). The red line on the plan shows National Grid's proposed 400kV substation that was granted full Planning Permission (16/03929/FUL) by Northumberland County Council on 22nd February 2017. You will see that the proposed sub-station (see appendix 2 for a detailed plan) would be located across part of the alleged footpath and therefore once constructed it would not be possible for the proposed footpath to follow the route as shown by Map No 159/160. It is anticipated that construction of the substation will be in 2018 or early 2019 and negotiations for land rights are ongoing with the landowner (Arch Group). The alleged footpath will run along the main access road into the new substation, which will also be the main access road into the wider former power station site which Arch Group is seeking to redevelop, and which would have the potential for conflict between pedestrians and construction / operational traffic if the proposed public footpath was confirmed.

"The new 400kV substation will provide a connection point for the North Sea Link (NSL) subsea electricity interconnector currently being built between Norway and Great Britain.

"Please also be advised that EDF and Northern Power Grid also have an interest in land and are currently constructing a 66kV wind farm connection substation.

Wansbeck District Alleged Public Footpath No 118 (points W-V-U):

"National Grid objects to the alleged footpath No 118 as currently proposed by Map No 159 / 160 between points W-V-U. The alleged section of footpath immediately to the south east of the substation (between points V-W) is overgrown with brambles so it is difficult to see how this has been used recently or frequently.

"National Grid's proposed 400kV substation and access road that was granted full Planning Permission (16/03929/FUL) by Northumberland County Council would also be built across part of the alleged footpath. Consequently, once constructed it would not be possible for the proposed footpath to follow the route as shown by Map No 159 / 160.

"It is likely that any proposed footpath would need to be closed during maintenance / construction work being carried out on the towers and cables by National Grid and Northern Power Grid.

"I hope the above information is useful. If you require any further information please do not hesitate to contact me."

- 3.2 By letter, dated 26th May 2017, Mr L Farrier of Arch Commercial responded to the consultation, stating:

"Introduction

I am writing further to your letter dated 6th April 2017 with the accompanying alleged Public Rights of Way path map (Appendix 1). As owner of land on which the above alleged Public Rights of Way are located, Arch wish to object to the alleged path and provide the following information in order to assist in your consideration of the matter. We are aware that the Port of Blyth own a section of the land over which the alleged PRow crosses. This is highlighted in the plan at Appendix 2.

"Background

Arch acquired the land identified on the plan in Appendix 2 on 31 May 2016 from RWE, the former operators of the Blyth A and B Power Stations. The Central Electricity Generating Board began building the Station A in May 1955 and became fully operational in 1960. The completed station was first shown on the 1966 Ordnance Survey map. Work began on Power Station B in April 1959 and was completed 3 years later in 1962. To the north of the power station was the coal stocking yard with associated conveyors, hoppers and travelling crane, as well as extensive railway sidings. In 1990, following privatisation of the electricity industry ownership transferred to National Power who, in 2000, made the decision to close Blyth Power station. At the time of decommissioning, it was the oldest coal-fired power station in Britain. The landward section of the coal stathes was demolished in 1995. Work began on the demolition of the A + B stations in 2002. The four chimneys were last to be demolished on 7th December 2003, amid much public interest.

"Current Status and Future Plans for the site

The site benefits from Enterprise Zone status as part of the Blyth Estuary Enterprise Zone area. It is allocated as a Strategic Employment Area under Policy 5 of the Draft Core Strategy and as such is prioritised for economic development within the low carbon, offshore and subsea engineering, and renewable energy generation sectors. The EZ area also has Local Development Order status which grants planning permission via permitted development rights for certain developments subject to satisfying the conditions of the LDO.

"Arch acquired the site in order to facilitate and attract future inward investment of the main site and the dock, creating jobs and boosting economic development in Northumberland. The site is a catalyst for a much larger area around Blyth and Cambois known as Energy Central which will be launched in Parliament in July 2017. The overall objectives are to attract significant investment in the Energy and Renewable Energy sectors to various sites within the area. Energy Central is already home to existing National Grid, Northern Power Grid

and Port of Blyth assets. The construction of the North Sea Link Interconnector has started on site and the Blyth Offshore Wind Energy Demonstrator project is nearing completion. Appendix 3 provides a plan showing the current and future land uses.

“The former Blyth Power Station site requires remediation and reclamation in order to provide a development ready site for interested investors. The Ash Dock also requires modification in order to be fit for purpose for energy related businesses and capable of accommodating larger vessels. This includes doubling the width of the dock and constructing a new heavy crane pad and quay wall across the alleged Public Right of Way route.

“Arch has therefore successfully secured £20 million of funding to undertake these works over the next 18 months. Planning permission has been granted for the reclamation and remediation of the site (16/04722/LDO) and Listed Building Consent for the removal of remnant staithe supports (17/00536/LBC) on Port owned land to facilitate the dock works. A detailed planning application has been submitted to the Local Planning Authority in respect of the Ash Dock widening and modification works (17/0999/FUL). A decision is expected in June/July 2017. Works are due to begin in July on a trial remediation contract with the main works commencing in November 2017. The purported footpaths cross parts of the site affected by these works.

“Comments on the route

Following receipt of the notification of the application to amend the definitive map, Arch staff walked the route of the alleged PRoW on 20th April 2017 in order to assess current site conditions. A number of photographs were taken. The purported route was walked from W to V and X, then from V to U. For ease of reference, the plan attached in Appendix 4, divides the route into sections and points to relate back to the narrative below and the labelled photographs supplied in Appendices 5 – 9.

“Green Section (Points 1 to 4 and Appendix 5 photographs A-Q)
At W (point 1) the route is accessed via a Heras fence gate, which was erected in June 2016 by Arch following acquisition of the site from RWE. The gate and fencing display warning signs against Trespass and Deep excavations on the site. The gate is not padlocked in order to allow vehicular access along the route of the property path to the owners of boats moored on the West Staithe. This is an arrangement which was already in place when Arch acquired the site. Arch have agreed to allow boat owner access at point 1 along the service road for a limited period until the Port of Blyth can make alternative arrangements for mooring.

“The route passes a further barrier over the service road which is padlocked but it is possible for pedestrians to walk around this. This barrier was erected by the Port of Blyth to prevent unauthorised

vehicular access through the site. Apart from the service road the area is mixed scrub land with demolition arisings scattered around. At point 2, the road turns south toward the seaward section of the West Staithes (a Grade II Listed structure). To the west of the road lies the route of the remains of the landward staithes and a small marshy area. This area is in the ownership of the Port of Blyth. Historically there was extensive fly tipping by the public in this area. The area was cleared by the Port 12 months ago and the fly tipping has now ceased following the erection of the Heras fencing by Arch at point 1.

“At point 3 the route leaves the service road and heads west when it reaches the seaward section of the staithes. To the south is the foreshore, beyond which is Blyth Estuary SSSI. At point 4 there is a palisade fence with a faded warning sign attached. A secured gate is located within the fence. The first palisade fencing extension installed by RWE (see below) is also at this point.

“The plan produced by NCC shows the route passing through the palisade fence within the former power station site. However, Arch believe that no such route has ever existed and is not aware from discussion with RWE and security staff of continuous trespass in the area which would have been with the use of force of entry and we would argue with secrecy. However, it is possible to continue along the foreshore with considerable difficulty by scaling down the stone revetment beyond the fencing which runs along the top of the revetment and which separates the former power station site and the river. Arch therefore believe the route being claimed is as described below.

“Yellow Section (Points 4 to 5 and Appendix 6 photographs A-J)
Outside the site perimeter fencing there is a precipitous route which follows the top of the stone revetment which falls away to the estuary to the south. A wire mesh and barbed wire security fence runs parallel to the route to the north and separates the former power station site from the river. Part of the revetment has collapsed and the route is dangerous in places. There are 2 earlier breaches in the wire mesh from previous trespass which have been repaired by RWE and Arch with additional wire fencing. At the end of the revetment at point 5 there is a further palisade fence barrier which was installed by RWE in 2008 and which runs to an outfall headwall. Again it is passable only with difficulty and is clear deterrent to trespass.

“Purple Section (points 5 and 6 and Appendix 7 photographs A-H)
Beyond the palisade fence is a locked gate in the palisade security fence into the main former power station site. Continuing west along the route, there are posts which supported the National Power Wader Trail sign (see below) and this marked the easterly extent of the Trail. The route then passes south of the 275kv substation and a number of pylons. Two routes can be taken at this point. The alleged path follows a green service route used by National Power/NPG and continues west until the service road becomes metaled at point 7. An alternative path follows the route of the former Wader Trail closer to the estuary through

shrub land and passes 3 relic bird hides erected by N Power, and several pylons. At point 7 the route is as described below. An alternative path continues due west following the route of the former Trail.

“Orange Section (points 7 – 10 and Appendix 8 photographs A-G)
At point 7 the route heads north along a metalled service road and through land which has been leased to National Grid for the North Sea Link Interconnector. The area has planning permission (16/03929/FUL) for the construction of a new 440kv substation. Between points V to X, there are three security fences. The first is kept unlocked but shows a "danger" sign. The second is kept locked, and beyond this up to point X is a live construction site for the EDF Offshore Demonstrator substation and compound. The alleged route continues through the construction site to a further locked gate onto Brock Lane at point X. This has a number of warning signs in accordance with construction site health and safety requirements. Access to and from the site is strictly monitored by Balfour Beatty the main contractors at the site.

“At point V the route heads west along a further metalled access road at point 9 and finishes at Point 10. The route then heads south towards the estuary and leads to and rejoins the historic Wader Trail and over a wooden plank bridge.

“Blue Section (points 11 – 12 and Appendix 9 photographs A-M)
The blue section of the route follows the historic Wader Trail route toward East Sleekburn village. The path is overgrown with brambles at various points. At point 11 there is a dilapidated wooden footbridge crossing a drainage ditch. The route continues to a point where no further access is possible due the overgrown nature of the vegetation and it is necessary to divert to the boundary of the adjacent field. At point 12 a 40 metre section of vegetation has recently (last 2 months) been removed by North Sea Link Interconnector to facilitate the construction of a new surface water outfall and headwall for surface water runoff from the Invertor Station north of Brock Lane. After construction, the vegetation will be reinstated. NSL have erected a fence to prevent access down the embankment where they have cleared vegetation cover. Following completion of construction the outfall will be dangerous and the rock armour surrounding it in particular will be a hazard to trespassers.

“Beyond this point the route heads down toward the Sleek Burn or follows the field boundary. The route emerges onto a No Through Road close to East Sleekburn village at point U.

“Security and warning signs are located at various points along or close to the alleged route. These are illustrated in Appendix 10.

“Site Security and Public Access – Critical Time Lines

Cambois Village sits within a heavy industrial development setting and a constantly changing industrial backdrop dominated initially by coal and then the construction and expansion of the power station before all elements were decommissioned commencing in 1995.

“The initial staithe structure was built in 1923/1928 to carry coal wagons as coal export. Figure 1 illustrates the backdrop operational staithe and operational areas relevant to the green section as “active operational areas” with the access roads to the village shown as representative of the area prior to construction of the dock. When views with the historical photos It is difficult to comprehend public gaining access through operational and construction areas given the representative level of operational and construction activity.

“Figures 2 and 3 illustrate the closure of the area to allow the commencement of the construction activities within the operational areas.

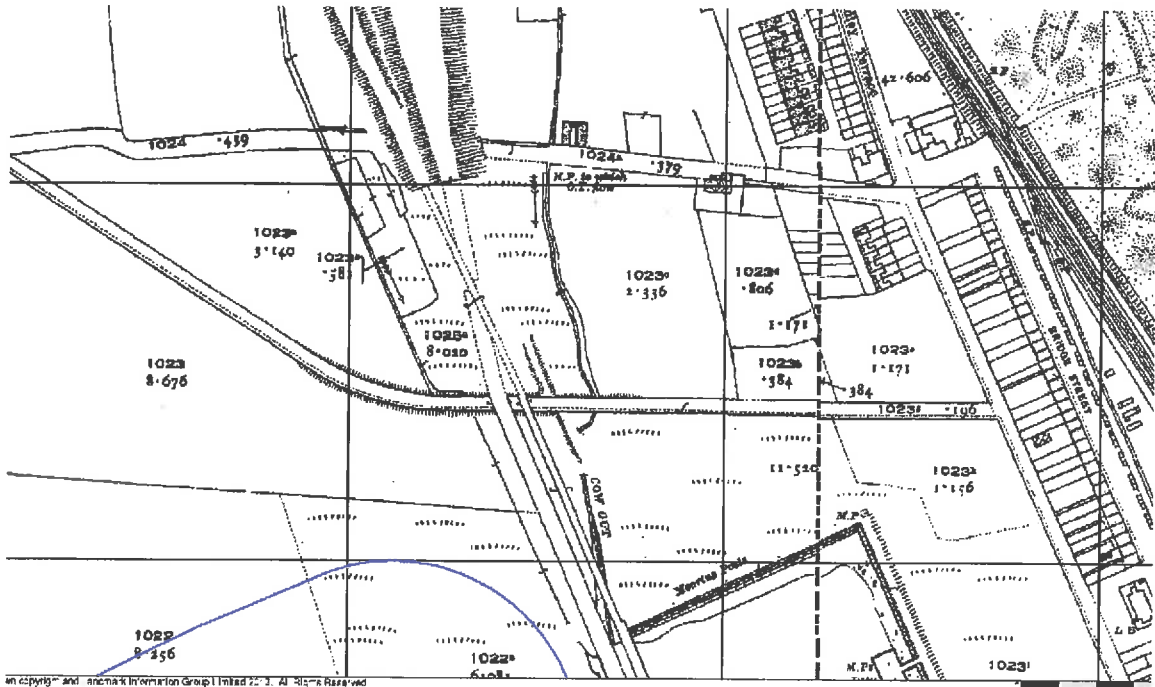


Figure 1. 1923 preconstruction drawing

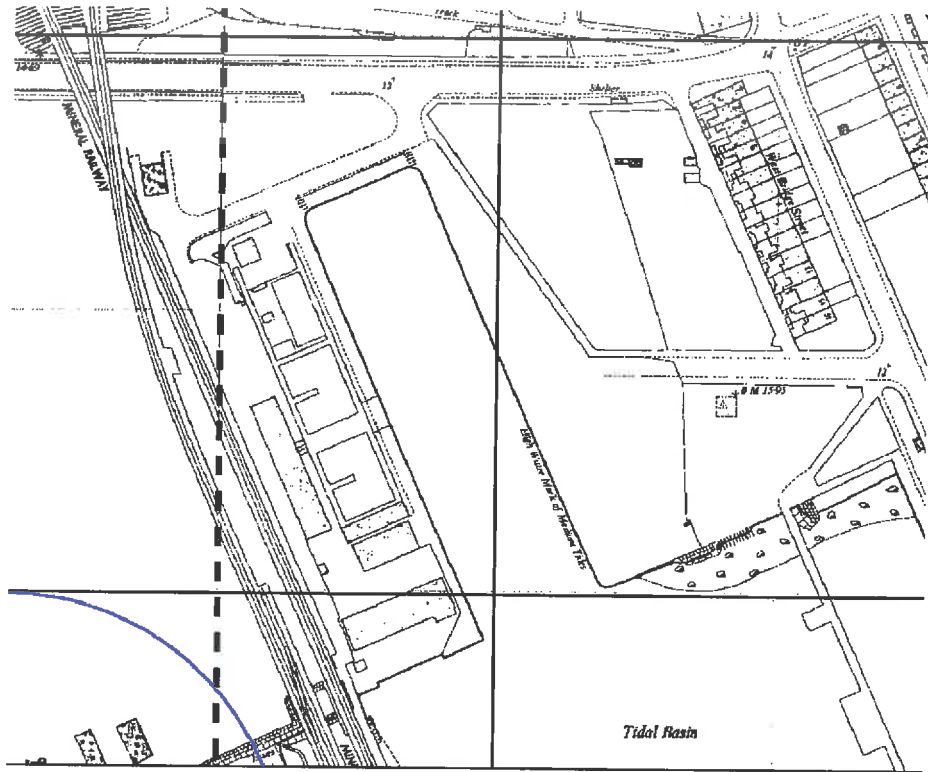


Figure 2. 1960 post staithes, dock and silos construction

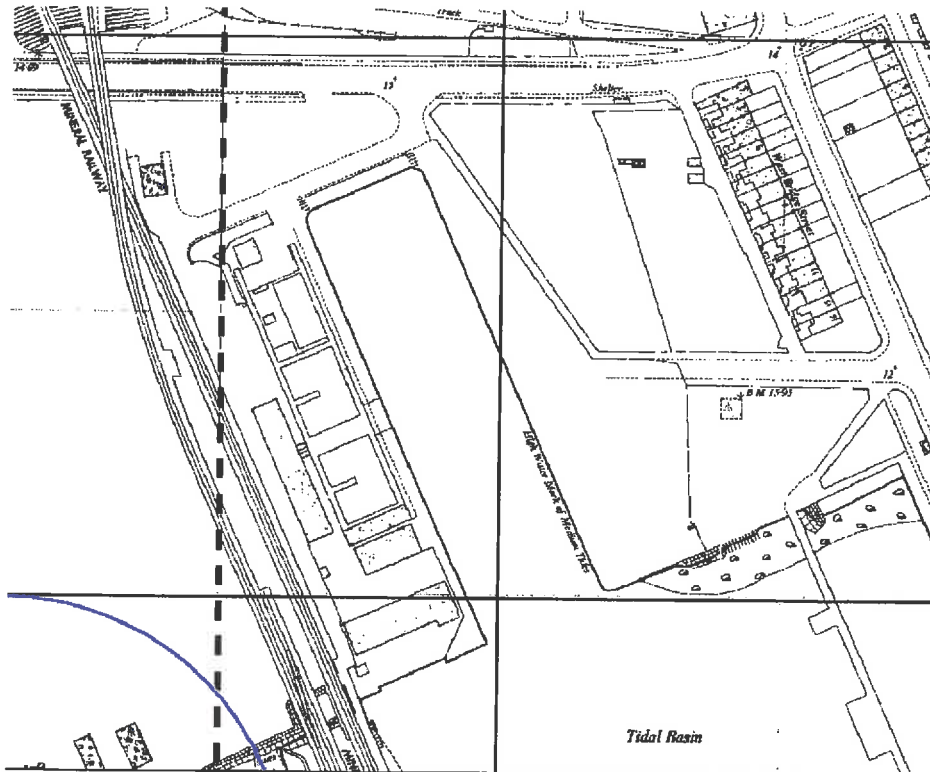


Figure 3. 1993 Immediately Prior to demolition of staithes

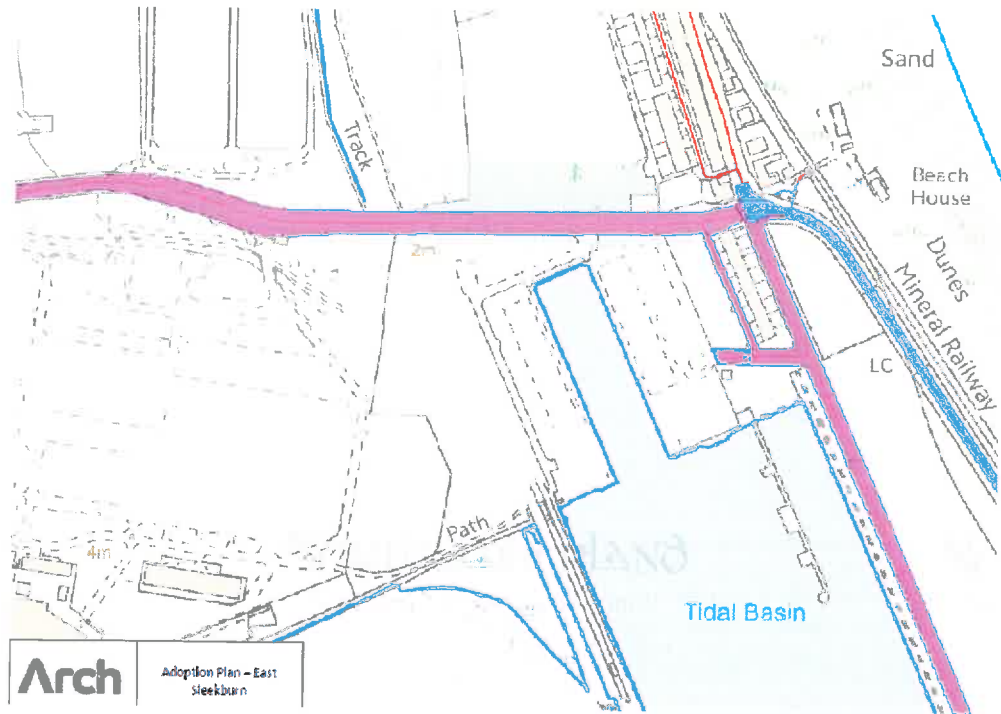
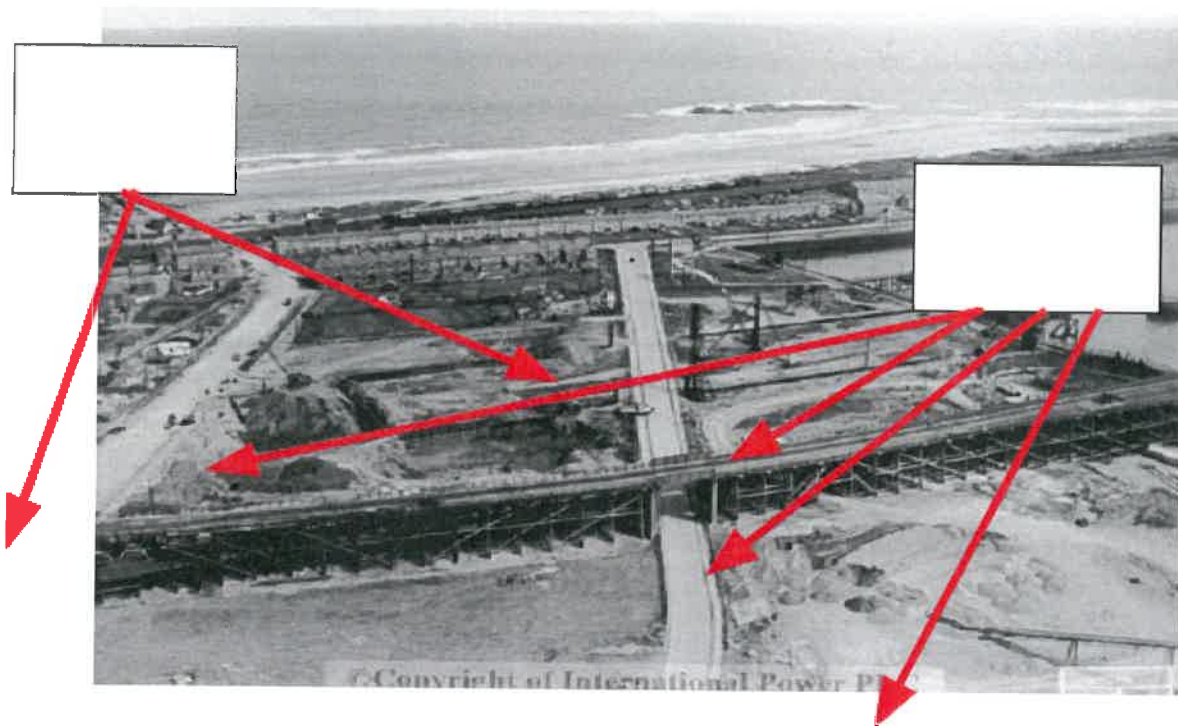


Figure 4

“Figure 4 shows the limit of adopted highway post construction of the dock which extinguished (stopped up) the original access to Cambois shown on the photograph below (Figure 5)



Ash Dock Prior to Excavation

Figure 5 Ash Dock prior to Excavation

“Construction (1955 to 1965)

As illustrated by the following photographs during the construction of the dock and the power station it is inconceivable that continuous

access was available by the public through the area for safety reasons. The first photo (Figure 6) shows the 15 to 20 high main silo under construction and the construction wagons on the lane in question. The second photo (Figure 7) shows the silo complex to the left of the photo with the large chimneys in the background and the second silo under construction



Figure 6. Ash Dock Under construction



Figure 7. Ash Dock under construction

“Operation (1960 – 2000)

During operation of the site, at no point were any signs erected indicating a right for the public to enter the land at any point along the alleged route. With the exception of the wader trail as discussed below, the route has never been acknowledged or provided for by the Landowner.

“The photograph illustrates the Blyth Power station A and B and Dock area in full operation with the staithes still in use as self-explanatory.

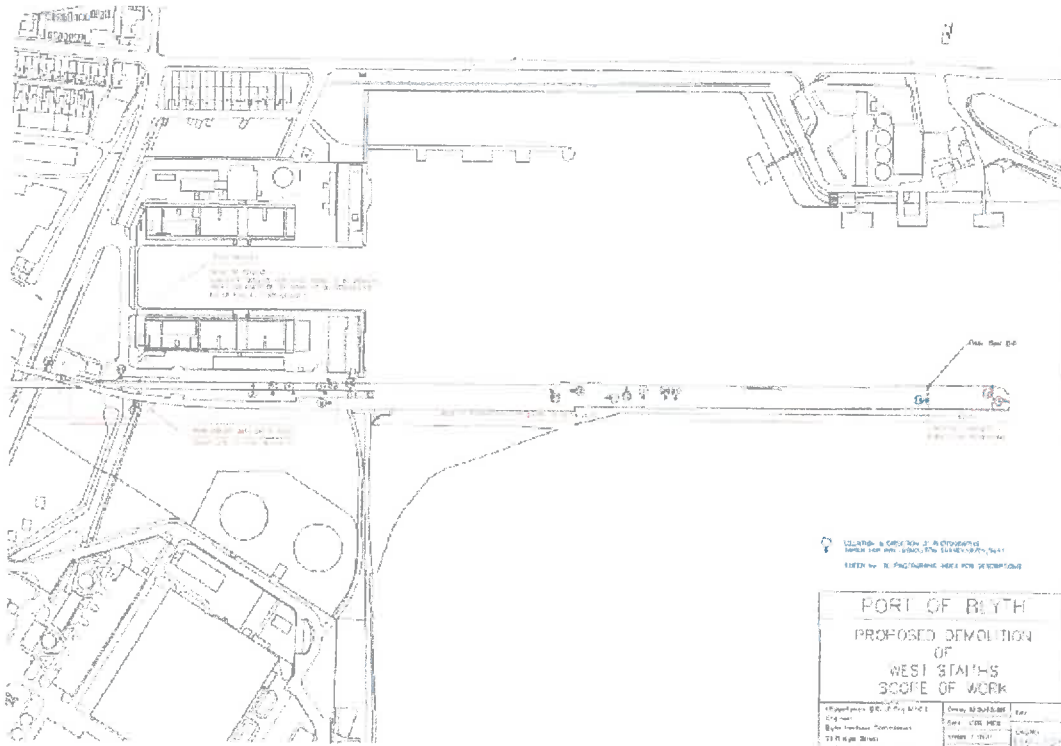


“Figure 8

Whilst the power station was still operational, NPower created a Wader Trail to the south of main site along the East Sleekburn Peninsula. There is an SSSI and there are a large number and variety of protected wading birds that use the estuary and the mudflats. The trail ran from Point 5 to 7 along the alleged path onto a small section between Points 7 and 10 (not part of the alleged route) and then rejoins the alleged route between Points 10 and 13. The trail included the creation of a wetland/reed bed area, an area of standing stones, wooden walkways and 3 bird hides built of breezeblock and wood. Organised access to the area by local school children and interested parties was allowed under license of the landowner. Appendix 11 shows the Wader Trail sign located a Point 5 which was installed by N Power and has subsequently been removed by Arch.

“Demolition and Decommissioning (1995 -2003)

Systematic decommissioning of the area and the structures started in 1995 with the removal of the staithe substantial two storey structure , a superstructure of significant height at 7 to 8 metres with conveyor structures and wagon way rails and chute structures forming part of the predominantly timber structure. Figure 9 illustrates the scope of works.



“Figure 9. Between 1995 and 2002 Removal of silo structures, dock crane and above ground structures

“There is no possibility during demolition that the works to remove the staithe would have allowed continuous access through the area during demolition.

“Once the staithe were removed and before the main power station decommissioning was started the 15m to 20m high substantive concrete silos were removed similarly the storage pens and ancillary buildings. As shown on the stage photograph below (Figure 10) and by reference to the operational layout, it is inconceivable that continuous access was available during demolition of these tall structures. As can be seen from the photos and the historical drawings the private lane being argued as a public right of way passes through a congested area of tall superstructures built in heavily reinforced concrete with thick walls. These could not have been removed safely with public access through the area being maintained.



“Figure 10. Power Station pictured 2002

“The following link provides video footage taken by a member of the public in 2001 from the vantage point of the remaining railway abutment. The silos were demolished using explosives and collapsed across the private road being contested as the public footpath.
<https://picturesofblyth.co.uk/blyth-views>

“2003 saw completion of decommissioning process with the demolition of the main 500 feet (150metre) high chimneys. The use of explosives in the demolition required the evacuation of the site and therefore access across the area. Video footage of the chimneys being demolished are widely available on the internet.

“The following images (Figures 11 to 130 are abstracts from the demolition contract which clearly identify an exclusion zone within the entire village area, the evacuation of houses and the closure of roads. It is equally inconceivable that continuous access was available during this safety critical operation.

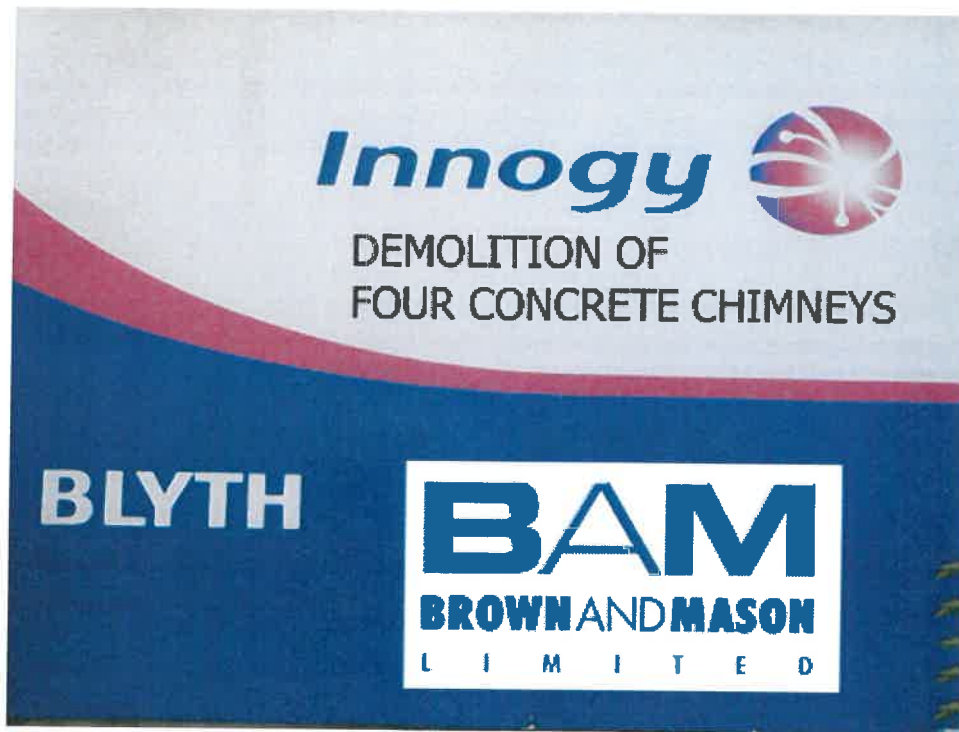


Figure 11 Demolition Contractors Safety Method Statement abstract slides.

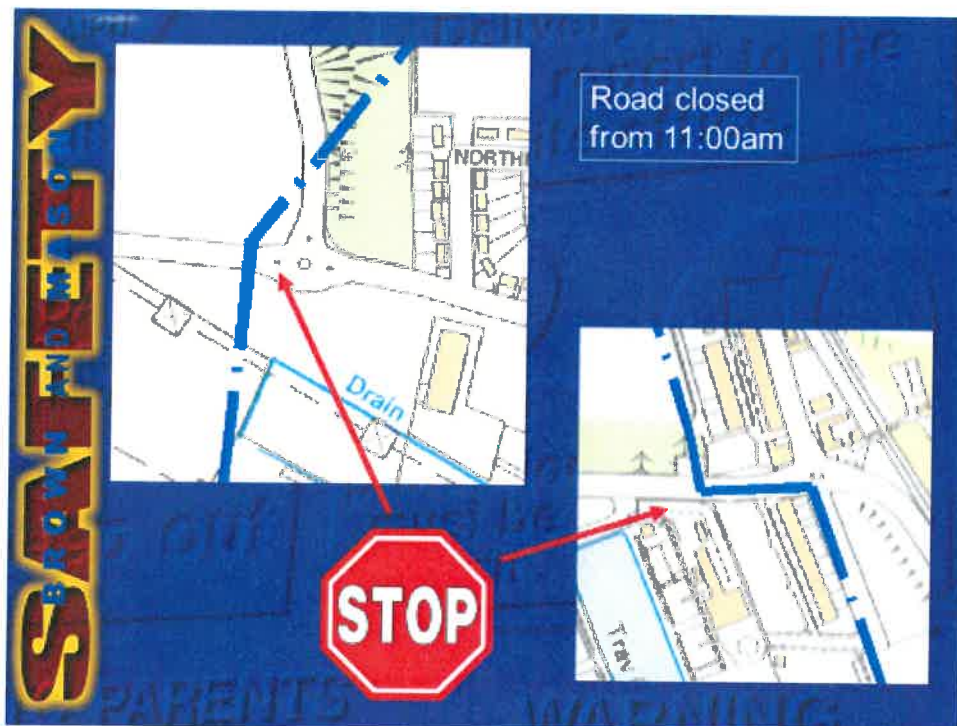
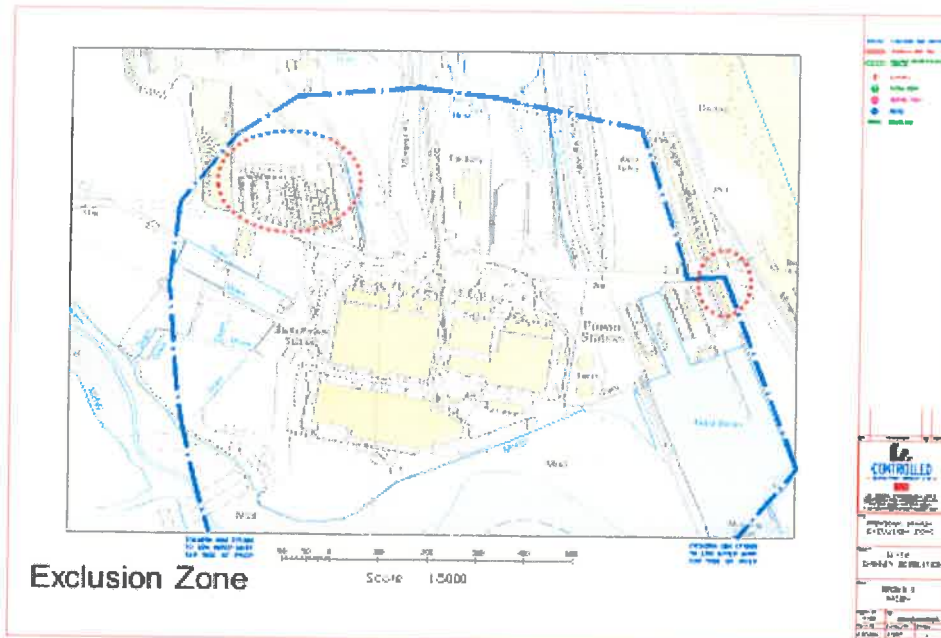


Figure 12 Closure of roads to prevent public access ahead of explosives



“Figure 13 Total exclusion zone for the public around the chimneys and village and private road area for the explosives demolition of the chimney structures.

“Given the nature of the historic land use and operational activity over which the green section of land crosses as described above, it is clear that any public access would conflict with construction, operation and demolition of the power stations and therefore it is not possible to claim continuous use. At no point was access facilitated at during this time

“Post Demolition to Present (2003 – 2017)

The main site has remained vacant since demolition of the power station and contains many hazards including metals, asbestos, contaminated material, trip hazards, water filled trenches, cables and holes in the ground. A palisade fence bounds the main power site and the dock area and security/warning signs are in place along the perimeter warning of the dangers of trespass.

“Between 2003 and 2016, RWE managed the whole site and were responsible for maintaining security and preventing public access. Two security guards were present on site and housed in the main gatehouse and remain so to this day. They are responsible for monitoring and reporting any health, safety and security issues on land owned by Arch and on the RWE land north of the Brock Lane.

“During RWE ownership, whilst there were no preventative measures implemented along the blue and pink sections of the route, there was no formal public access permitted and the vegetation along the path and landscape features including the footbridge and point 10 ceased to be maintained. The main security gate at X on the orange route and at the Gatehouse were locked to prevent access. The area owned by the Port of Blyth and the service road running along the northern and western perimeter of the dock was fenced by a low level security fence

along the northern boundary adjoining Brock Lane (C415). A padlocked drop bar fence across the service road prevents vehicular access. In 2008 a Safety Inspection by RWE's Project Group raised concerns about the 'hidden' nature of illegal entry and the precipitous nature of the revetment to the relatively isolated yellow section of the alleged route to the south of the 275kv substation. As a consequence RWE installed security fence extensions down the revetments to the estuary in an endeavor to prevent pedestrian access along this section.

"In May 2016, following acquisition of the site Arch undertook a comprehensive Health and Safety and Security Assessment. This resulted in the installation of additional fencing and gate along the northern area of the site north of the Port land, around the water inlet valve chambers and the repair of palisade fencing which was in disrepair or had been breached by trespassers. Additional warning signs were also installed. Loose and dangerous material was removed from the three relic bird hides which formed part of the Wader Trail.

"Other Strategic Interests on the site

The area which the purported footpaths cross includes a number of strategic assets and interests. These include the following:

- National Grid - 275kv and Northern Power Grid 66kv substations and 14+ pylons to the south of the main site
- EDF - Blyth Offshore Demonstrator Substation located in the north section of the site south of Brock Lane and adjacent to route 119 together with associated services which run through the main site
- North Sea Link – Interconnector - Proposed 440KV substation land and associated cable and outfall route
- The Service Road running southwards from point X and used for maintenance of National Grid and EDF assets
- The Port of Blyth landward section on West Staithes

"A plan showing these strategic interests is provided in Appendix 3

"Conclusion

Arch does not believe that any of the claimed routes have been continuously used over the last 20 years and beyond due to a number of factors:

- The power station site was operational until the year 2000 and until that date the public were excluded from the site at various stages during construction, operation and demolition. This is evidenced by the historic plans, photos and video footage provided.
- Part of the route was made open under license as part of the Wader Trail. Access to this trail was by permission only and it ceased when the power station closed. The route has not been maintained since the closure of the power station and much of

the Wader Trail is overgrown and parts are completely inaccessible.

- Sections of the alleged route would involve passing through security fencing and any access through such fencing would have been a clear act of trespass.
- The alternative route to the south of the security fencing is dangerous, particularly along the revetments. Additional fencing was installed in 2008 due to health and safety concerns to deter trespassers from gaining access to the revetments. The nature of the terrain here is such that it would only be accessible to the most intrepid.
- Part of the route from point W runs along a service road. Informal access arrangements exist between the Port of Blyth/Arch and small boat owners needing access to the West Staithes for use of this service road. The locked drop bar gate is operated by boat owners only. The boat owners have been notified that access will not be permitted once construction works start and no access to the general public has been allowed.
- Part of the route between X and V has 3 security gates, 1 is locked permanently to prevent vehicle and pedestrian access from Brock Lane. A further gate south of the EDF compound has also been closed for at least 18 months. Anyone entering this area will be immediately challenged.

"I trust that you will take this information and evidence into account when assessing the application.

3.3 By letter, dated 26th May 2017, Mr J Brown of Port of Blyth responded to the consultation, stating:

"I am writing in response to your letter regarding the application to add two public footpaths to the Definitive Map. The Port of Blyth own a section of land on which one of the alleged Public Rights of Way is located. The land we own is highlighted on the attached map. We would like to make the following comments in reference to the application.

"Wansbeck District Alleged Public Footpath No 118 (Points W-V-U)

"The Port of Blyth objects to the alleged footpath No 118 as currently proposed by Map No 159 / 160 between points W-V-U. The Port permits access to the West Staithes to boat owners with a licence from the Port. Permitted access has always been restricted to licensed berth holders only. Only owners with a license have a key to open the gates to access the West Staithes. To access our section of land, owners must use Arch's private road running next to the Ash Barge Dock.

"Furthermore, the Ash Barge Dock was used during the operational life of the power station for export of the station's ash however its use did not stop at the end of the station being operational. Large quantities of scrap were a by-product of the power station's decommissioning and

this scrap was exported across the Ash Barge Dock. There was no access to the public during this intensive period of export activity to the area surrounding the dock as the scrap was transferred from the site directly to the dock. We also confirm that we have never allowed unrestricted access to the general public to this operational area. We believe these operations began in 2001 but we have tonnage records from Jan 2002 running through until April 2004 for the period of these operations. Please see attached tonnage records.”

4. CONSULTATION

4.1 In April 2017, 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.

4.2 By email, on 17th May 2017, Mrs S Rogers responded to the consultation, on behalf of the British Horse Society, regarding this and other routes, stating:

“Wansbeck District, alleged public footpath no 118
“The British Horse Society has no comments to make on this proposal.”

“Wansbeck District, alleged public footpath no 119
“The user evidence for this proposal appears to be inadequate.”

4.3 By email, on 22nd May 2017, Mr N Allender responded to the consultation (relating to these routes and one other), on behalf of the Ramblers’ Association, stating:

“I walked from point W, and soon came to a large metal fence which goes all the way round the demolished industrial building. There was a faded sign on the fence stating that there was no access through for safety reasons. The drop to the river is steep, and there is no path.

“I can only assume the locals gain access to the river bank nearer the old dock, and walk along at low tide - unless I was in completely the wrong area!

“At the other end, point U, all I could see was a fenced off old industrial site. I could see no clear, practical path.”

5. DOCUMENTARY EVIDENCE

5.1 A search has been made of the archives relating to the area. Evidence of O.S. Maps was inspected, and the following copies are enclosed for consideration.

1966-7 Ordnance Survey Map: Scale 1:10,560

Apart from a track in the vicinity of the Ash Barge Dock (i.e. the eastern end of the alleged public footpath), there is no evidence of a path or track over the claimed route.

1977-8 Ordnance Survey Map: Scale 1:10,000

Apart from a track in the vicinity of the Ash Barge Dock (i.e. the eastern end of the alleged public footpath), there is no evidence of a path or track over the claimed route.

6. SITE INVESTIGATION

- 6.1 Alleged public Footpath No 118 (W-D-C-B-V-A-U)
Beginning at Point W, on the C415 road, 100 metres west of number 1, West Bridge Street, Cambois, the alleged footpath proceeds through an unsecured gate in the perimeter Heras fence, in a southerly direction, over a circa 10 metre wide concrete entrance area, for a distance of 15 metres. A 5 metre wide tarmac track proceeds through a vehicle barrier (with gap at one side for pedestrians) and in a south-westerly direction for a distance of 105 metres. Then a 5 metre wide stone surfaced track proceeds in a south-easterly direction for a distance of 265 metres. At this point, the alleged public footpath leaves the track and continues as a 0.5 to 1 metre wide, trodden grass / earth path in a general south-westerly direction for a distance of 180 metres to Point F. At Point F, a palisade fence crosses over the line of the path and extends for several metres down the sloping revetment towards the river. By hanging on to the fence it is possible for a reasonably able-bodied person to descend the revetment, go round the bottom of the fence and then ascend back to the top of the embankment. A 0.3 to 0.5 metre wide trodden grass path proceeds in a general south-westerly direction along the top of the revetment for a distance of 245 metres to point E, where a second section of palisade fence has been constructed across the line of the footpath, next to an outfall pipe. Again it is possible for a reasonably able-bodied person to swing round the end of the fence. A 0.5 metre wide grass surfaced path proceeds in a general westerly direction for a distance of 45 metres to a point marked D, where the path forks. Posts in the ground seemingly relate to a former "Wader Trail" sign at this location. A narrow grass path proceeds northwards for a distance of approximately 10 metres to join an access track. The application route appears to follow this 2 metre wide earth / grass / stone surfaced track in a general westerly direction for a distance of 410 metres to a point marked C (where the route to the bird hides joins it), then for a further 100 metres to a point marked B. Here, the application route follows a 3 metre wide, mainly tarmac surfaced track in a general north-easterly direction for a distance of 180 metres to Point V, then a 5 metre wide tarmac road in a westerly direction for a further 180 metres, then a 5 metre wide grassed over tarmac road in a south-westerly direction for a further 60 metres to Point A. From point A, a 0.3 to 0.5 metre wide trodden grass path proceeds in a general north-westerly direction for a distance of 420 metres to join the U6554 road, 250 metres east of the General Havelock public house.

- 6.2 Alleged Public Footpath No 118 (possible spur route D-H-C)
From Point D, a mainly 0.3 to 0.5 metre wide trodden grass path proceeds in a general south-westerly then westerly then north-westerly direction for a distance of 520 metres to a point marked C on the 'main' route of alleged Public Footpath No 118.
- 6.3 Alleged Public Footpath No 118 (possible spur route B-A)
From Point B, a 0.3 to 0.5 metre wide trodden grass path proceeds in a north-westerly direction for a distance of 195 metres to a point marked A on the 'main' route of alleged Public Footpath No 118.
- 6.4 Alleged Public Footpath No 118 (V-X)
From a point marked V on alleged Public Footpath No 118, 300 metres south of number 1 Sandfield Road, East Sleekburn, a 5 metre wide tarmac road proceeds through an unlocked security gate and in a north-easterly direction for a distance of 90 metres to a locked security gate. The 5 metre wide road then continues in a north-easterly direction for a further 60 metres, then proceeds in a northerly direction for 190 metres, passing through another lockable security gate, to join the C415 road, 25 metres south-east of number 1 Harbour View, East Sleekburn.

7. COMMENTS RECEIVED ON THE DRAFT REPORT

- 7.1 In June 2017, a draft copy of the report was circulated to those landowners / occupiers who responded to the initial consultation for their comments.
- 7.2 By letter, dated 26 June 2017, Bond Dickinson (solicitors), acting on behalf of Arch, made the following comments in relation to the draft report:

"We are instructed by Arch (Development Projects) Limited (**Arch**) to make the below representations arising from the draft rights of way committee report in relation to alleged public footpaths numbers 118 and 119, former Wansbeck District. These legal submissions are made in addition to our clients factual submissions made on 26 May 2017. In the interests of clarity we have produced one plan based on the Council's plans and attach this for ease of reference showing the claimed routes at Appendix A.

"We have had sight of the draft committee report and as requested we are making the below comments by the deadline of 26 June.

"The officer recommendation as regards the reasonable allegation of existence of public rights of way can be summarised as follows:

Route	Recommendation
E – F	Not sufficient evidence
V – X	Not sufficient evidence
A – V – B	Undecided

C – D	Undecided
U – A – B – C – H – D – E	Sufficient evidence
F – G – W	Sufficient evidence

“Firstly, we agree with the officer recommendation in respect of E – F and V – X. We note National Power has stated that there are 2 metre palisade gates at X which have been locked and secure for 25 years. These are accompanied by signs saying "private land" and "keep out".

“Secondly, we note that officers are undecided, but we consider that there is insufficient evidence to meet the statutory test in respect of A – V – B and C – D.

“Thirdly, we consider that there is insufficient evidence in respect of U – A – B – C – H – D – E and F – G – W contrary to the officer recommendation for the reasons set out below.

“As you are aware, the claims have arisen in the context of the proposed redevelopment of the former Blyth Power Station. It should be noted that given the site's previous use the claimed paths are over what was for very many years a heavy industrial location. Furthermore the claimed routes have arisen in conjunction with our client's proposed substantial redevelopment of the site. This includes first and foremost the development of a new dock facility in the area over which claimed route F-G-W passes.

“Legal test

The legal test for the statutory inference of dedication is (our emphasis):

*"where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has **been actually enjoyed by the public as of right and without interruption for a full period of 20 years**, the way is to be deemed to have been dedicated as a highway **unless there is sufficient evidence that there was no intention during that period to dedicate it**".*

Therefore there are two limbs to the legal test, firstly the evidence presented to the Council must on the balance of probabilities show that the route has actually been enjoyed by the public as of right and without interruption for a full period of 20 years. If this can be shown then the landowner must provide evidence that on the balance of probabilities there was no intention during that period to dedicate it.

“Overview of evidence

“This is a case in which the claimants' case is entirely dependent upon user evidence.

“We have analysed the 14 user evidence forms submitted as part of the application for a modification order made on 28 March 2017 by Derek Blake and Dorothy O'Connor. The table attached at Appendix B to this letter sets out the names, addresses, periods of use and comments relating to each form. We will refer to each user evidence form by the number it is assigned in the table throughout this letter.

“It should be noted at the outset that there are very low numbers of claimants and user forms. This goes to the point of whether there can genuinely be said to amount to public use in any event. Moreover, it is apparent from further analysis of the evidence forms submitted that the evidence relied upon is insufficient and therefore fails to meet the necessary tests.

“There is also an inconsistency at the heart of much of the evidence: 13 of the 14 claimed users state that they have walked from East Sleekburn to Cambois and vice versa although the extent or route of the path walked is not clear in a lot of the forms.

“However, on the basis of the evidence submitted by our client, it is common ground between all parties that the central F to E section was obstructed by palisade fencing from May 2008 onwards. Therefore as a matter of fact and law, and as officers correctly acknowledge, it has not been possible to walk from E to F since at least May 2008.

“Given that the claim of use as of right from E – F for 20 years fails due to this interruption in 2008, what one is faced with are two claimed unconnected routes from U – E and F – W respectively. When the use of these routes is analysed in detail, as set out below, the evidence for 20 years use is scarce and flimsy.

“Analysis of use

“We note two of the user evidence forms (forms 9 and 10) refer to their use as having been permissive. Therefore these evidence forms cannot be taken into account when analysing use "as of right" as permissive use is not as of right. It must therefore be disregarded.

“One user (form 4) did not use the route within the relevant period for U to E (March 1997 to March 2017) and only a few months of the relevant period for E to F (May 1988 to May 2008) therefore this use cannot be considered and given little weight respectively in relation to the analysis of use for these sections of the route.

"One user (form 5) declares at 4(a) that she walked from her home in East Sleekburn to the hides, so her evidence only relates to the use of the route from U to D.

"As stated above the central F to E section was obstructed by palisade fencing from May 2008 onwards. This palisade fencing had a warning sign and a secured gate which is a positive and physical act preventing the exercise of the alleged right of way. This therefore constitutes an interruption for the purposes of the statutory test. We therefore submit that the user evidence relied upon by the residents in East Sleekburn (8 relevant forms), can only be considered as evidence of use "as of right and without interruption" until the fencing at point E from May 2008 onwards. After the fencing was erected by RWE, any use from point E onwards cannot be considered "as of right and without interruption" and therefore cannot be taken into account when analysing use for routes E to F and F to W.

"Indeed one user form (form 8) states the path was eroded "at the east end". This clearly indicates that the user considered that the terminus of that route was the point at which erosion occurred, namely at point E, not point W as the committee report concludes.

"In conclusion none of the user evidence submitted by East Sleekburn residents therefore goes to the point of use from F-W from May 2008 to the current date.

"The same principle applies to the use of the route by the Cambois residents, albeit in the opposite direction. Any use from May 2008 from point F onwards towards U cannot be considered "as of right and without interruption" therefore this use cannot be considered when analysing the use or routes E to F and U to E from 2008 onwards.

"Background of site

"Before addressing use within the relevant periods, it is appropriate to give consideration to the industrial context of land-use on the site and its transformation via demolition and decommissioning to a brownfield, post-industrial use. This was a site of heavy industry with active operational areas from which for good reason it can be expected that the public would be excluded. The photographs provided by our client clearly show an operational site that is inimical to public access.

"There was one carefully controlled exception. Whilst the Power Station was operational NPower created the permissive Wader Trail. This was an acknowledgement that the birds that could be sighted on the mudflats were of interest. Moreover we submit that it reflects both good neighbourliness and good sense in providing a specific, advertised and controlled route that provided access from East Sleekburn to the viewing hides. It should be emphasised that the Wader Trail does not extend east of point E. Given that NPower had gone to the time and trouble to create the Wader Trail route it is illogical for it – at the same

time - to acquiesce in more general and random use such as amounts to an intention to dedicate. Rather the clear intention was to allow use of the Wader Trail but not to afford any other public access.

"In addition the decommissioning process was so extensive and involved such inherently potentially dangerous activities that at times a total exclusion zone was imposed (see figure 13 of our client's letter). Moreover, more generally during that period of time the logic underpinning the provision of a permissive route to the bird hides allied with no other permitted public access continued.

"Subsequently following the decommissioning of the site public access has continued to be prevented as set out further below.

"Application of legal test

"The committee report helpfully divides the alleged footpath U to W into three sections due to the interruptions to use at E and F. We will therefore apply the legal test to the three sections in the same order.

"Path U to E

"The most westerly section of the route is from U to E and it runs from East Sleekburn to the fencing erected by RWE in May 2008 at point E.

"The committee report concludes that there are 6 path users who have used this route for the full 20 years. As per our analysis in paragraph 1 the use by the residents who live in Cambois and have been walking the route from W to U, cannot be considered as of right and uninterrupted from point E onwards past 2008 and therefore this use (forms 1 and 2) must be disregarded in part. This means that there are only 4 people (forms 5, 6, 7 and 8) who claim use of the route for the full 20 years.

"Some use is permissive (form 9 and 10). That leaves 5 users (forms 3, 11, 12, 13 and 14) who claim to have walked the route for parts of the relevant period.

"On this basis alone we consider this is insufficient use to reasonably allege public footpath rights exist over the route U to E.

"In addition, the evidence forms do not indicate clearly which route each person took and there are conflicting routes suggested. Given the uncertainty surrounding the position of the route walked the evidence is insufficient to reasonably allege public footpath rights exist over the route U to E.

"Furthermore and in any event, the second limb of the test which is the landowners intention to dedicate has not been met. It is readily apparent that any use of the route from U to E was on the basis of permissive use. The route leads to the hides overlooking the mudflats. It is acknowledged that such point affords a view of wading birds. Hence the name Wader Trail given to the route. It is clear from the document submitted by our client showing the sign for the Wader Trail that the landowner "welcomed visitors" to the Nature Reserve. Such a

sign, together with the provision of bird hides is a clear indication that permission was being granted for use of a specific trail associated with a specific purpose. The visitors were invited onto the land for a specific purpose rather than for the enjoyment of a public right of way. In that regard the evidence forms submitted make it clear that nearly every claimant was aware of the existence of the bird hides and the fact these were provided and maintained by the owner of the land. Therefore there is a clear intention not to dedicate this route as a public right of way.

“Route F to E

“We agree with the report's conclusions, however we note that one user (form 5) stated in her user evidence form that she only walked to the bird hides. Therefore it does not appear that she claims to have used section E - F. Given the Committee Report finds there to be insufficient use this does not change the conclusion.

“Route F to W

“The draft report sets out two potential dates when the use of the claimed routes was called into question, 2017 and 2001 respectively.

“If March 2017 is the date that the use was called into question, then we submit as follows: The route does not join up with a highway network. It is a there-and-back route to a point of little interest. Whilst it is acknowledged that the permissive route served a purpose of accessing bird hides, the claimed route from W does not reach any point of interest.

“Moreover the evidence forms indicate that there are only two residents from Cambois (forms 1 and 2) who claimed to have used the route for all or nearly all of the twenty year period.

“One claimant living in Cambois (form3) states she used the route for the first 11 years, but only eight times a year, which is a very limited level of use. The final Cambois resident (form 13) only walked the route for the final 11 years.

“The relevant user evidence from East Sleekburn residents does not demonstrate use of the section of the Route F to W "as of right and without interruption" from May 2008 which leaves a nine year period where the evidence shows only three people used the route. This level of use is not sufficient to support a conclusion that public footpath rights have been reasonably alleged to exist.

“Our client has explained that there is a barrier over the service road just past point W which is padlocked which was erected by the Port of Blyth. From the letter submitted by the Port of Blyth dated 26 May 2017 we know that "permitted access has always been restricted to licensed berth holders" who have a key. There is no date given for the erection of the barrier but the Port confirm there was no unrestricted access from 2001. Case law states that if a gate is locked but people continue

to go around the side there is an interruption in accordance with the legal test. By going around the locked barrier the users "were acknowledging the existence of the obstruction in the way by their very actions to avoid it".

"On this basis it is arguable that the right of way was called in to question when the barrier was erected, which was at the very latest in 2001. If that is correct and we take the relevant period as 1981 to 2001 there are only three path users who used the path for the entire 20 year period (forms 1, 2 and 3). One user (form 5) only walked from East Sleekburn to the hides and therefore did not use F to W. One user (form 4) states that she used the route until 1988 and therefore only for the first few years of the relevant period. There are then only five other evidence forms (6, 7, 8, 11 and 12) which show use in the relevant period and this is all in the last 10 years of the relevant period. As the Council concludes at paragraph 8.18 of the draft report, this level of use is not sufficient to support a conclusion that public footpath rights have been reasonably alleged to exist.

"Conclusion

"The nature of this application and the fact that use of the route was interrupted at two different points (E and F) by palisade fencing erected by RWE in May 2008 impacts the way in which the evidence must be considered. When considered as one continuous route the evidence submitted is limited,

"However, it is common ground that the evidence demonstrates two unconnected routes. When considered as two unconnected routes the evidence in support of public "use as of right without interruption" for a continuous period of 20 years is scarce and there are very few users who have evidenced use of any route for the full 20 year period regardless of which relevant period is considered.

"Taking each of the two routes recommended for addition to the Definitive Map

"U-E : there are very few users over the 20 year period and no certainty that they all used the same route. In any event the use of this path which was known as the "Waders Trail" was permissive as demonstrated by the visitors signs. Even some users considered their use of the trail as permissive. Therefore there was no intention to dedicate the route as a public right of way.

"F-W: this area has been used for heavy industry since the 1950s and records clearly demonstrate it was obstructed for long periods of time during the period of decommissioning in the late 1990s and early millennium. It is inconceivable to create a permissive Wader route on the western side of the site, permitting the public access, to then acquiesce in implied dedication on the eastern site of the site. There is clear evidence of fencing and a barred gate, the previous owner the Port of Tyne has provided clear evidence that there was no intention to dedicate a route as a public right of way as this is directly at odds with

the operation aspect of the site. It is precisely for this reason that there is so little evidence of use of this route and the use of this route by the public fails on the balance of probabilities.

"In conclusion there is insufficient use to demonstrate on the balance of probabilities a public right of way can be reasonably alleged to exist over U to E, E to F or F to W.

"If the Committee is minded to find the user evidence sufficient in relation to the route running from U to E there is clear evidence of a contrary intention by the land owner to dedicate the route as a public right of way. Its invitation to people to visit a Nature Trail clearly implies permission is given by the landowner to use the route.

"We therefore respectfully suggest that an order should not be made in respect of the claimed route in its entirety.

"Can you please ensure we are sent the final committee report once it is made publicly available or delivered to members whichever is sooner and we should be obliged if the Council's Democratic Services would contact us in relation to registering a speaker at committee."

7.3 By letter, dated 26 June 2017, Arch Commercial, made the following comments in relation to the draft report:

"I am writing further to your letter dated 12 June 2017 and the accompanying draft Committee report.

"Arch have instructed Bond Dickinson LLP to make separate representations to you in writing on our behalf in the context of the legal tests and to provide analysis of the evidence submitted.

"Arch would also like to submit the following additional information, taken from a number of web based information sources and verified where possible. This information is intended to highlight to Members of the Rights of Way Committee the scale of the former Blyth Power Station operations and the demolition, during which it can be reasonably expected that the public would be excluded for health and safety reasons. Perhaps of particular note was the death of a 21 year old worker in May 2001 during the demolition, following which it is inconceivable that the public would be allowed access to any part of the site.

"Operations

In 1989, Blyth A won a place in the Guinness Book of Records by setting the world record for total running hours in a plant of its size, when all four generating units achieved 200,000 running hours. Both Station A and B featured large boiler houses, turbine halls, switch houses, flue gas cleaning plant and a pair of concrete chimneys.

"Blyth A's chimneys stood at 140 metres and Blyth B's chimneys stood at 170 metres (560 ft). Each chimney weighed approximately 17,000

tonnes (16,730 long tons; 18,740 short tons). Blyth A's turbine hall was 120 metres (390 ft) long by 37 metres (121 ft) wide, and 26 metres (85 ft) high. It housed four 120 MW Metropolitan-Vickers 3,000 rpm turbo generators.

“Coal fed into the boilers was pulverized and fed by a coal bunker with a capacity of 2,000 tonnes (1,968 long tons; 2,205 short tons). Each pulveriser was capable of pulverising 15 tonnes (14.76 long tons; 16.53 short tons) of coal an hour. The boiler house was 110 metres (360 ft) long by 28 metres (92 ft) wide and 48 metres (157 ft) high. The A Station housed two control rooms, each of which served two generating sets and contained the controls to operate boilers, turbo generators and auxiliary plant.

“Blyth B's turbine hall was 206 metres (676 ft) long by 51 metres (167 ft) wide and 30 metres (98 ft) high. It housed two 275 MW (the first in Britain) and two 350 MW English Electric 3,000 rpm turbo generators, each connected to a boiler. The boiler house was 206 metres (676 ft) long by 32 metres (105 ft) wide and 52 metres (171 ft) high. Each pulveriser was capable of pulverising 40 tonnes (39.37 long tons; 44.09 short tons) of coal an hour, and two pulverisers fed each boiler.¹

“Coal transportation

The stations burned 51,000 tonnes of coal per week and had a peak consumption of 70,000 tonnes per week during the winter. All of the coal used in the stations was brought to them via rail transport from UK coal stocks. Trains delivered coal to the station using the North Blyth Branch of the Blyth and Tyne Railway. All coal was delivered to and stored in a large open area to the north of the power stations. The coal was brought from the storage area to the station using a system of conveyor belts, which travelled over the Bedlington-Cambois Road separating the two sites, before being integrated to feed both stations as necessary.

“Cooling system

Water used in the power station at Blyth was extracted from the Blyth Estuary at the ash dock. Once used in the station, the hot water had to be cooled before it could be discharged. Condensers were used to convert steam from the turbines back into water. The stations' condensers had a total cooling surface of 70,000 square feet (6,500 m²). Condensed water was then extracted by two duty pumps and discharged into the sea off Cambois beach below low tide level.

“Ash removal

Pulverised Fuel Ash (PFA) and Furnace Bottom Ash (FBA) were byproducts produced through the burning of coal in the station. Bottom ash was removed from ash hoppers at the bottom of the boilers by high pressure water jets. It then travelled to ash settling ponds via

sluiceways. For much of the station's life, the station was served by a series of barges, which took the ash to dump 4.8 kilometres (3.0 mi) out into the North Sea. The barges were loaded by silos situated at Ash Dock.

"Closure and demolition

"Closure

With the privatisation of the UK's electricity supply industry in 1990, the station passed into the ownership of National Power. In 1991, the two 275 MW units at Blyth B were finally decommissioned resulting in approximately 260 job losses. At the time of its closure, Blyth Power Station was the oldest coal-fired power station in Britain.

"Demolition

"The stations were demolished between 2001 and 2003 by Brown & Mason. Before the demolition of the stations' main structures could take place the plant required decommissioning. This involved the removal of hazardous materials and contaminants. Oils and chemicals were removed for re-use or disposal and storage tanks were flushed out. Methanol was removed from hydrogen production plants on site, along with bottled propane used for welding. The remaining coal in the coal storage area was dispatched to operating power stations in other parts of the country. The landfill site where ash waste from the station was dumped was top soiled. Asbestos used in the stations was removed prior to the demolition of the stations' structures.

"The smaller buildings and structures were first to be demolished. A young worker was killed during the demolition work, in May 2001, crushed underneath an electrical connection box which fell from a wall. On 31 October 2001, the ash silo which stood at the ash dock was toppled using explosives to demolish the stilts the structure stood on. The silo was then dismantled by bulldozers. A link to video footage of this event was provided in Arch's letter of 26 May 2017 and clearly shows the silo falling onto part of the alleged route between W and G.

"All of the smaller structures had been removed by July 2002. On 11 July 2002, the A Station's boiler house was demolished. The 61-metre (200 ft) high coal conveyor belt was demolished on 6 February 2003. The station's precipitators were demolished on 27 March and 17 April 2003. On 1 May 2003, the B Station's bunker bay building was demolished, and on 22 May 2003, the stations air heater was demolished. A fire started at the station on 17 June 2003, when a bunker caught fire after hot cutting equipment set fire to coke remnants.

"All of the larger structures had been demolished by July 2003. It was planned for the stations' chimneys to be demolished in October 2003, but that had to be postponed due to the complexity of the demolition. However, at noon on 7 December 2003, the four chimneys, each weighing 17,000 tonnes were demolished using a total of 150 kilograms (330 lb) of the industrial explosive Gelemex. The demolition is thought to have been the biggest chimney demolition in 50 years.

"Given the above, Arch believe there is sufficient evidence to demonstrate that on the balance of probabilities a public right of way cannot be reasonably alleged to exist over this land.

"We would therefore respectfully suggest that an order should not be made."

8. DISCUSSION

8.1 Section 53 (3)(c)(i) 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 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 of way subsists is a public path, a restricted byway or ... a byway open to all traffic.

8.2 When considering an application 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. In this case, however, with the exception of its very eastern end, the route does not appear on any of the Ordnance Survey maps that have been examined.

8.4 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. The stated width of the alleged path is typically identified by the user evidence providers as being variable and, where widths are given,

as being lying within the range 0.9 to 2 metres. The path is not constrained by boundaries, and persons identifying a minimum width of 1 yard / 1 metre are likely to be referring to the width of the trodden path on the ground, without considering that most people (from shoulder to shoulder) are wider than this. If the path is included in a future Definitive Map Modification Order, then it is recommended that a 'standard' width of 1.5 metres, wide enough for two people travelling in opposite directions to pass each other, be applied to the majority of Footpath No 118, with greater width varying between 2 to 5 metres being identified for the wider sections, as described in paragraph 6.1 above.

- 8.5 None of the user evidence providers have indicated they were ever challenged using the route(s). With the possible exceptions of Mr Waugh and Mr Richardson, none of them have ever sought / been given permission to use the route(s), either. In response to Question 12 on the User Evidence Form (Have you ever been given permission to use the path?), Mr Waugh stated that "Signage indicated permission" and Mr Richardson stated that "Yes - Encouraged to use by Power Station". Clarification is being sought, but these statements seem to indicate, more, that Mr Waugh and Mr Richardson felt that the landowner was encouraging public use, rather than that public use was only by the explicit (or implied) permission of the landowner. The "Wader Trail" notice boards that appear to have been erected by National Power do not imply that public use was by permission only, or that the landowner did not intend to dedicate a public right of way.
- 8.6 For the main W-D-C-B-A-U route, until 2008, none of the user evidence providers report encountering locked gates or barriers that obstructed their progress along the path. Mr Blake (about 6 - 7 years ago) and Ms O'Connor (no date indicated) do both acknowledge the fencing erected by RWE, across the path (presumably the fencing erected at Points marked E and F). Arch has supplied site log book information and an invoice from Site and Field Services Limited (which it obtained from RWE), which appear to show that the fencing at Points E and F was erected in May 2008.
- 8.7 For an application to record a public right of way, based upon presumed dedication, to succeed, there must first have been a 'calling into question' of the public's right to use the route. The relevant 20 year period of public user is then calculated backwards from this date. Typically, for alleged public rights of way based upon user evidence (and particularly those where almost all of the route lies within the ownership of a single party), a successful challenge to one part of a route will generally prove fatal to the whole. However, in circumstances where part of the claimed route can survive in isolation, because both ends connect with other public rights of way or (as here) one end does and the other provides access to a place of public resort, it is necessary to consider whether parts of a route may have become public rights

of way, even if the full application route has not. Different dates of “calling into question” may therefore apply to separate parts of the application route.

- 8.8 In this instance, the first date that could be considered a calling into question, is March 2017, the date of the application to record a public right of way. This date would apply to the whole application route, and would make the first potential relevant period 1997 to 2017.
- 8.9 The erection of sections of palisade fencing, across the line of the path, at Points E and F, in May 2008 is considered to be both a calling into question and an interruption / challenge to public use of the route (or, at least, that part of the route). Although some users continued to use the E-F section of path (it being possible to go, with difficulty, around the ends of both sections of fencing), others were successfully deterred. The high fence was erected across the line of the walked route, and represented a clear statement, by the landowner at that time, that they did not consider that part of the route to be a public right of way.
- 8.10 Both Arch and Port of Blyth have argued that the lengthy, large-scale activities associated with the demolition / dismantling of the significant structures surrounding the Ash Barge Dock and also the later removal of scrap material from the demolished power station site across the Ash Barge Dock would have prevented the public from accessing the W-G section of the alleged public right of way during the period 1995 to 2004. It is not clear precisely what form these operations took. At times when buildings were actually being blown up or pulled down next to the alleged public footpath, it is reasonable to assume that the public were prevented from using the route (when the power station chimneys were demolished, unsurprisingly, the C415 road next to the power station site was, itself, closed), but these operations might only have affected public access for relatively short periods of time. It might also be that early in the morning, during the evening and / or at weekends the public were still able to walk the W-G section of path. Arch identified a weblink (<https://picturesofblyth.co.uk/blyth-views>) to a home video showing the power station site. Assuming the date on the camera was set correctly, the large western-most silo at the Ash Barge Dock was toppled on 30 October 2001. The event is shown close to the end of this 17 minute long video. As stated by Arch, the explosion causes the silo to topple onto and over the section of track north of point G, effectively blocking it. What is not shown by the video is how long the demolished building subsequently remained in situ, blocking this section of the alleged footpath. On their user evidence forms, path users have not identified these operations as having impacted upon their use of the route. Further clarification of this matter has been sought from the path users. Whilst the demolition operations may indeed have interrupted public use of the route to a degree which is deemed sufficient to have prevented the public from acquiring a public right of way over the W-G section of path, the amount of

evidence currently available with regard to these activities is considered to be insufficient to safely draw that conclusion.

- 8.11 With regard to alleged Public Footpath No 119, Arch has argued that locked gates at Point X and at a point 90 metres north of Point V would have prevented public access. These claims regarding locked gates are certainly credible, but have not been evidenced to a degree which would prevent public footpath rights from being found to be reasonably alleged over the V-X route. That said, to date only one person (Ms O'Connor) has provided user evidence in support of public footpath rights over the V-X route, and this user only covers an 11 year period. This level of user evidence is not sufficient to raise a rebuttable presumption of dedication.
- 8.12 Both National Grid and Arch have argued that the alleged public footpaths will directly impact upon and adversely affect their major development aspirations for the wider site. Whilst these concerns are understandable and the footpaths might deter or (if left where they are) entirely prevent investment / development of the site in the way these organisations have planned, such matters are not considered to be relevant when determining whether or not public footpath rights actually exist. If the public have indeed acquired footpath rights across the site on the basis of presumed dedication, then it may be necessary for National Grid or Arch to seek the diversion or stopping-up of those rights through the normal channels.
- 8.13 The current potentially unsafe nature of part of the revetment, identified by Arch, is not considered to be relevant when determining whether or not public footpath rights have been reasonably alleged to exist. That said, the revetment section lies between Points E and F - the section of path for which landowner rebuttal evidence is already strongest.
- 8.14 Arch has also identified that a part of the A-U section of path has become overgrown and that path users have found it necessary to divert into the adjoining agricultural field. It is not known how long the path has been overgrown (some parts are worse than others). The fact that people have diverted into the field (owned by the same landowner) demonstrates that some users still have a desire to use the route. The degree of deviation involved is not considered to be fatal to the application to record public footpath rights over this section of the path.
- 8.15 The A-U section of path, is part of the longer D-H-C-B-A-U section of path that was designated, by the then landowner, National Power, as "Blyth Power Station Wader Trail". A wetland area was created, three bird hides were constructed, and a footpath (with two small wooden footbridges on it) was provided. The site information panel describes the D-H-C-B-A-U route as "Footpath". Although the path is only identified as "Footpath" and not "Public

Footpath”, the open nature of the route, without any apparent restrictions on access, might conceivably be interpreted as a common law dedication of public footpath rights over the route shown (though not, clearly, over any continuation as far as point W). The information panel indicates that National Power “are pleased to welcome visitors to the site”. It does not state or otherwise indicate that visitors are using the site (or, significantly, the specially designated footpath route) with the permission of the landowner.

- 8.16 It is probably necessary to break alleged Public Footpath No 118 down into 3 sections. The most westerly U-E section has not been the subject of any known challenges. The date of “calling into question” would, therefore, appear to be March 2017, when a formal application to record a public footpath was made to the County Council and the relevant 20 year period under consideration would be March 1997 to March 2017. There are 6 path users who have used the path for all (or virtually all) of this period (James, Blake, Barron, Cummings, K Mason and L Mason) and another 2 ‘hybrid’ path users if the overlapping use of pairs of people (e.g. Crossland & O’Connor, Waugh & Ellis) is combined to cover the whole 20 year period. As correctly pointed out by Bond Dickinson, Barron only appears to have used the western (U-D) part of the route. A further 3 people (Richardson, Rowland and McCabe) have used the route for part of the relevant 20 year period. The main difficulty at this stage (clarification on the matter is being sought) is that 5 of the 14 user evidence providers (Barron, Cummings, K Mason, McCabe and Ellis) have not indicated which route they used between point U and Point E. The 9 that have indicated a route use varying combinations of the direct A-B (James, Blake, Crossland, L Mason, Waugh, Richardson, O’Connor) the less direct A-V-B (Green, L Mason, Waugh, Rowland, O’Connor), the less direct C-H-D (James, Blake, Crossland, Barron, L Mason, Richardson & Rowland) and the more direct C-D (James, Green, L Mason, Waugh & O’Connor). Owing to complete uncertainty over the route(s) Cummings, K Mason, McCabe and Ellis took and partial uncertainty re Barron, and then the mixture of routes that the other 8 users took, it could be argued that, although public footpath rights might have been established over both routes, as things stand, they have only been reasonably alleged to exist over the westerly U-A part of the route (where there is only one available route).
- 8.17 The central F-E section (narrow path on top of the revetment) was obstructed by palisade fencing erected in May 2008. This makes the relevant period under consideration May 1998 to May 2008. There are only 3 path users who have used the path for all of this period (James, Blake and Crossland) and 1 possible ‘hybrid’ user if the not quite overlapping use of Green and Barron is combined. A further 9 people have used the path for part of the relevant 20 year period. This level of use is not considered sufficient to support a conclusion that public footpath rights have been reasonably alleged to exist.

8.18 The eastern F-W section is, perhaps, the least clear cut. If March 2017 is taken as the date of calling into question then, as with the U-E section, there are 5 path users who have used the path for all (or virtually all) of this period (James, Blake, Cummings, K Mason and L Mason) and another 2 'hybrid' path users if the overlapping use of pairs of people (e.g. Crossland & O'Connor, Waugh & Ellis) is combined to cover the whole 20 year period. A further 3 people (Richardson, Rowland and McCabe) have used this section of the alleged footpath for part of the relevant 20 year period. If June 2016, when the perimeter Heras fencing with trespass warning signs was erected by Arch, is taken as the date of calling into question, the numbers are the same. If the ash barge dock demolition date of 2001 is taken as the date of calling into question / interruption of use then, as with the central F-E section, there are only 3 path users who have used the path for all of this period (James, Blake and Crossland). A further 6 people have used the path for part of the relevant 20 year period. This level of use would not be considered sufficient to support a conclusion that public footpath rights have been reasonably alleged to exist. At this stage, however, there is insufficient clear evidence to demonstrate that the demolition of the ash barge dock and later transportation of scrap materials from the power station across the ash barge dock significantly interrupted public use of the footpath.

8.19 Addressing comments made in relation to the Draft Report:

- Although the volume of user evidence is not huge, it is nevertheless considered sufficient to justify the recommendations given. There is clear evidence of well worn routes on the ground which suggests that the user evidence providers are a sample of recent path users - not the sum total.
- It is a fair comment that the extent of the route walked is not clear from a lot of the user evidence forms. Letters were sent to all of the user evidence providers seeking clarification on a number of matters, including alignment. Unfortunately, responses were only received from five people (James, Blake, Crossland, L Mason and O'Connor).
- Waugh and Richardson did not go as far as describing their use as being permissive. Whilst there remains a small question mark regarding their use, it would be wrong to disregard it at this stage.
- It is agreed that Barron's user evidence form appears to relate to use of the route between points U and D only.
- It is accepted that the interruption to use arising from fencing being erected at points E and F might, potentially, have wider implications in relation to user 'as of right' on the rest of the route. However, even if Bond Dickinson is correct with this assertion, it is submitted that their analysis of its effect on the existing user evidence is not. It makes some assumptions [(a) that everyone has always lived where they live now, and (b) that people only walked the path from the end that they live at]. It ignores the fact people who walked the whole route through to the public road at either point U or point W, upon returning the way they came were, in effect, 'legitimately' walking the other end of the route.

- It is not accepted that L Mason's statement that "in late years the path eroded at east end" means that this erosion point was the eastern extent (i.e. end) of the route she walked. The plan attached to her user evidence form clearly shows a continuation to W. The erosion took place on the eastern 'part' of the path, not necessarily its extremity.
- It is not accepted that the presence of a power station, of itself, means that it is not possible for the public to acquire public footpath rights on the basis of presumed dedication. The site was relatively self contained. When the power station was operational, public use of the route appears to have been unproblematic. Site activities and public use of the routes only really seem to come into conflict when the power station and ash barge dock were being demolished.
- It is certainly possible that the Central Electricity Generating Board / National Power / RWE never actually had any intention of dedicating public footpath rights, but if the public used routes across their land in sufficient numbers and with sufficient frequency, without the landowner ever communicating any lack of intention to dedicate to users, then public rights of way may have come into existence.
- It is not accepted that the Wader Trail unequivocally represents a permissive arrangement which defeats the establishment of public rights of way. Visitors were "welcomed" - they were not "invited"; the signs did not indicate that the public were only allowed there "with permission". Furthermore, if the power station closed in the early 1990s - it is doubtful that the landowner would still be involved in any active management of the Wader Trail afterwards.
- The F-G-W might be a relatively short there-and-back route, but it still appears to be a route which is important to a significant number of Cambois residents. There is a very clear trodden path on the ground. The section of path between points G and F offers views of the River Blyth estuary.
- There is no clear date when the barrier across the access track, south of Point W, was erected. The barrier is clearly designed to prevent unauthorised vehicular access. It does not extend across the full width of the track; there is a gap on the south side. The barrier appears to have been deliberately constructed and positioned so as not to impede pedestrian traffic. In the circumstances, officers do not consider that the case law (R V Secretary of State for Environment ex parte Blake (1984)) quoted by Bond Dickinson has any bearing on this case.
- Arch's submission contains background information regarding Blyth Power Station when it was in operation and then greater detail regarding the demolition operations when the power station was decommissioned. There is nothing within the submission that demonstrates that the public could not have used the alleged public footpath routes, as they have claimed to be doing, during those periods.

8.20 Ms O'Connor has submitted 3 additional user evidence forms (from Robert

Gascoigne, Mr M Robson and John Eke). All three have a plan attached, but no walked route identified on that plan. Mr Gascoigne's evidence appears to relate to the W-G-F-E-D (perhaps further) part of the route and covers the period 1987 to 2017. Unfortunately, the evidence forms completed by Mr Robson and Mr Eke do not really provide sufficient detail to assist in the determination of this application.

- 8.21 User evidence providers were asked to clarify what effect demolition of the power station and ash barge dock had on the ability to use the eastern part of the path. In response:

John James "During the demolition of Ash Silos we were advised not to use the path but was never physically stopped at any time."

Derek Blake "I was never approached by any one or refused access at any time during the demolition process and have not heard of anyone being approached or refused access obviously people used their common sense and when any work entailing a safety issue the residents respected this and stayed off the site the contractors worked along with the local community this is something ARCH and Port of Blyth could learn from them instead of the bully boy tactics used by both of these organisations."

Lynda Mason "The only time use was prevented was with blasting. I spoke with Brown & Mason staff on loads of occasions, they had staff on site who were really pleasant & would have a quick chat."

Dorothy O'Connor "N/A - only moved to Cambois in 2006."

9. CONCLUSIONS

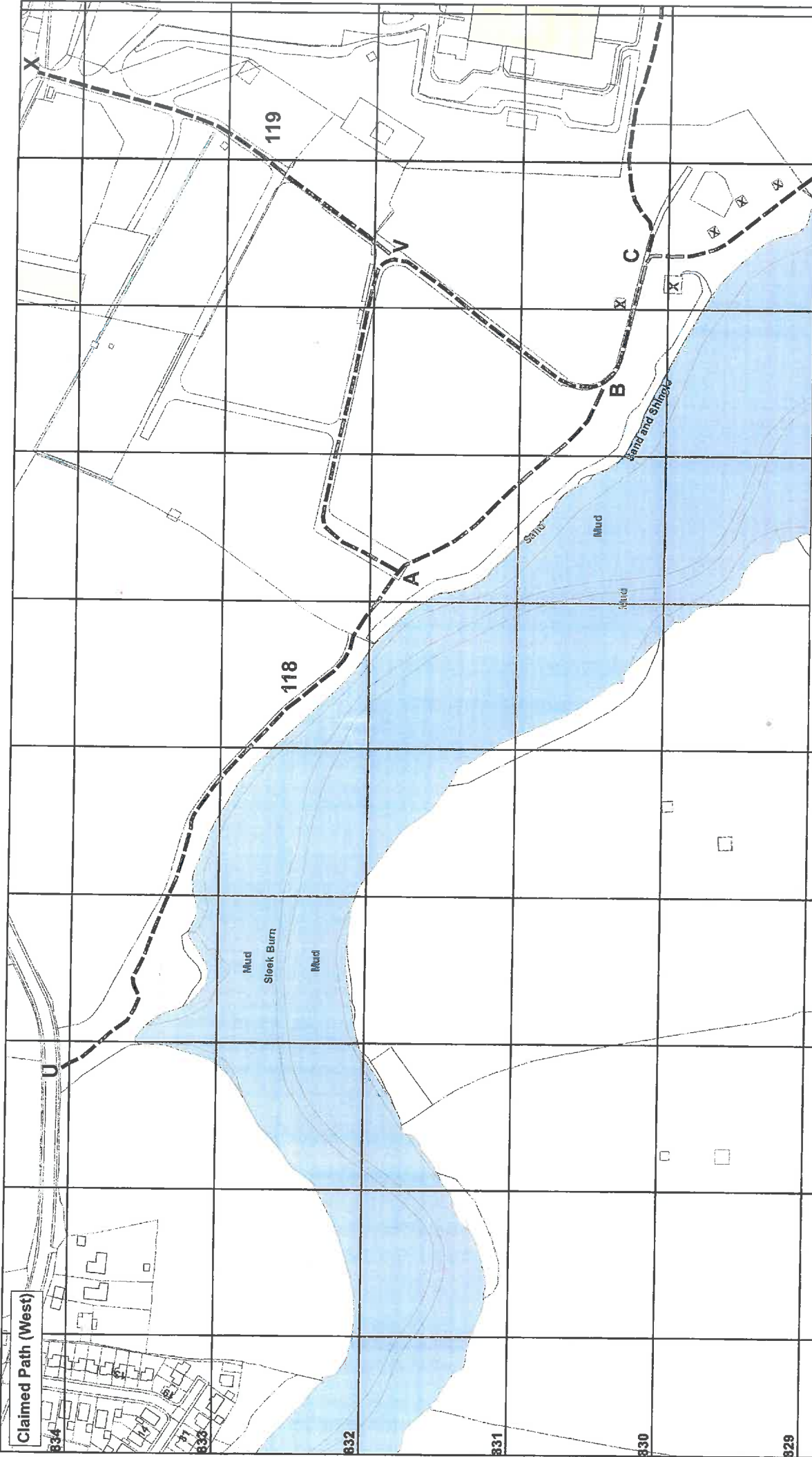
- 9.1 With regard to alleged Public Footpath No 118 (U-W), in light of the user and documentary evidence available, public footpath rights have been reasonably alleged to exist over the route of the U-A-B-C-H-D-E section, have not been reasonably alleged to exist over the E-F section, and have been reasonably alleged to exist over the F-G-W section. The U-A-B-C-H-D-E and F-G-W sections should be included in a future Definitive Map Modification Order as public footpaths.
- 9.2 With regard to alleged Public Footpath No 118 - alternative routes - A-V-B and C-D, in light of the user and documentary evidence available, public footpath rights have not been reasonably alleged to exist.
- 9.3 With regard to alleged Public Footpath No 119 (V-X), in light of the user and documentary evidence available, public footpath rights have not been reasonably alleged to exist over the route.

BACKGROUND PAPERS

Local Services Group File: F/118+119z

Report Author

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(01670) 624133
Alex.Bell@Northumberland.gov.uk



Northumberland
 Northumberland County Council

Infrastructure
 Local Services
 County Hall Morpeth Northumberland
 NE61 2EF

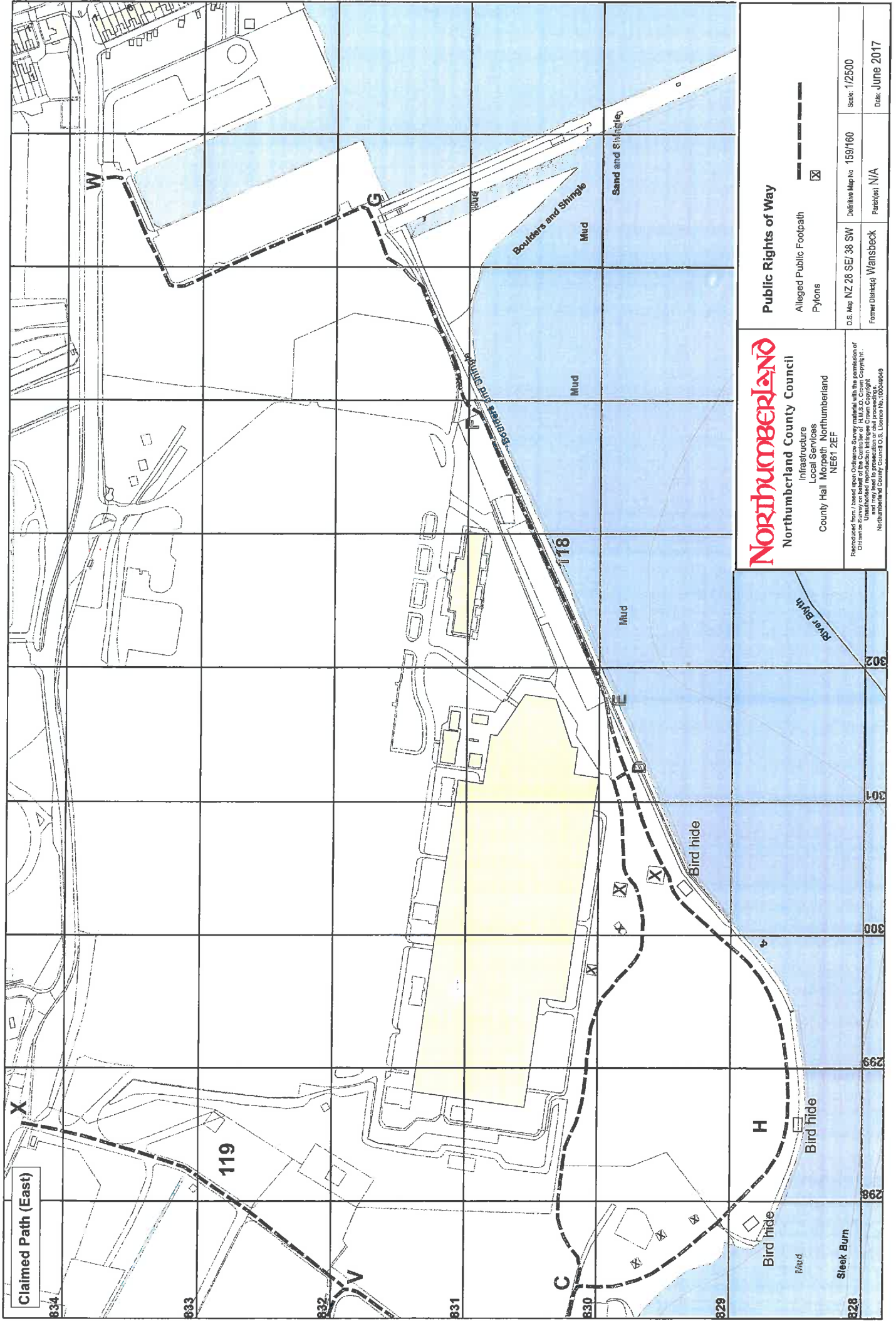
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Public Rights of Way

Alleged Public Footpath ————
 Pylons ☒

O.S. Map NZ 28 SE/ 38 SW
 Former District(s) Wansbeck
 Parish(es) N/A
 Definition Map No 159/160
 Scale: 1/2500
 Date: June 2017

Claimed Path (West)



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 Local Services
 County Hall Morpeth Northumberland
 NE61 2EF

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Public Rights of Way

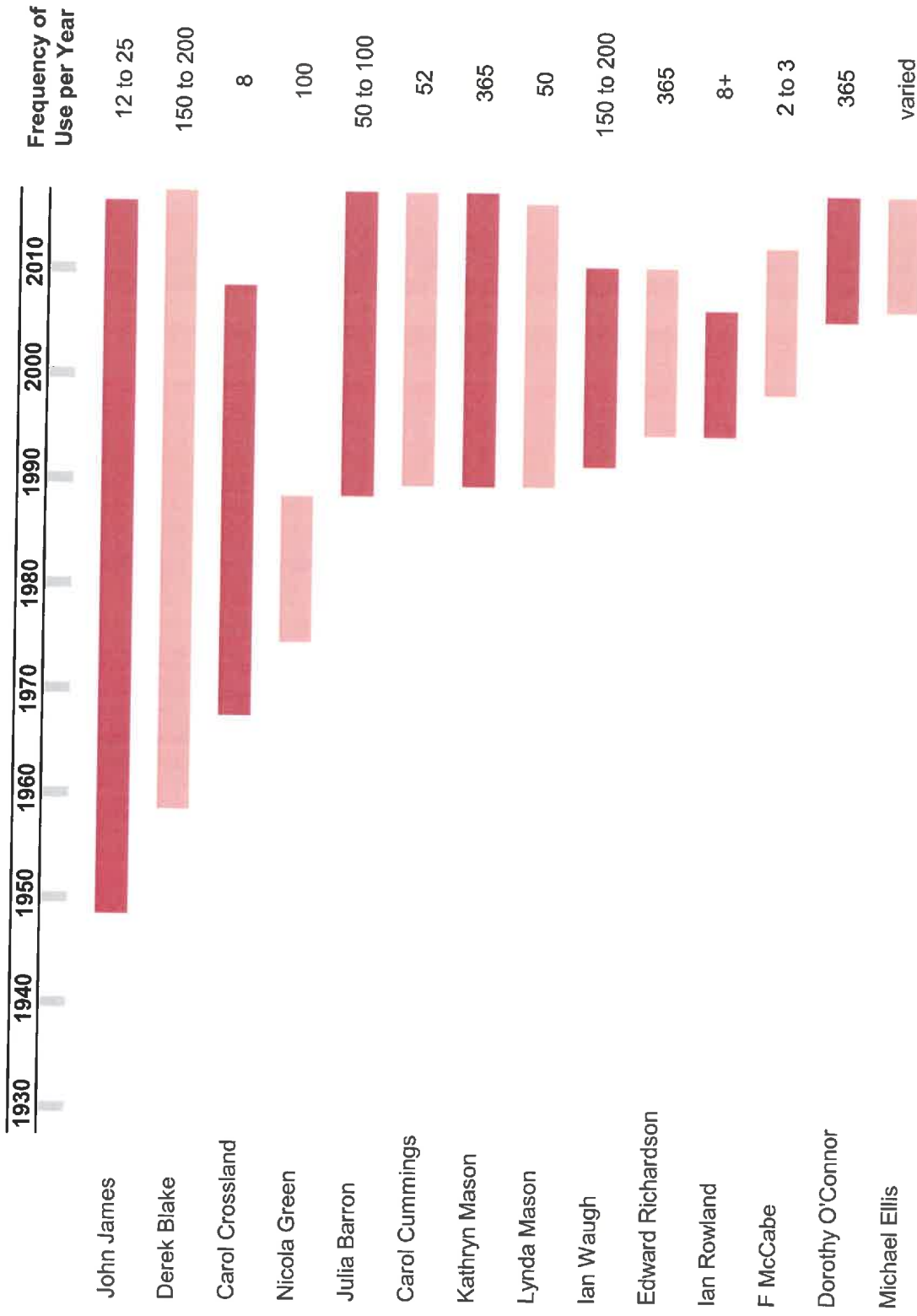
Alleged Public Footpath

Pylons

O.S. Map: NZ 28 SE/ 38 SW Delineate Map No: 159/160 Scale: 1/2500

Former District: Wansbeck Parish(es): N/A Date: June 2017

**USERGRAM FOR ALLEGED PUBLIC FOOTPATH No 118
(FORMER WANSBECK DISTRICT)**



PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

APPLICATION FOR MODIFICATION ORDER

Former Borough/District WANSBECK
Parish SLEEK BURN

To: Asset & Infrastructure Management
Local Services Group
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

We DEREK BLAKE - DOROTHY O'CONNOR (Name)
of 2 SELBOURNE TERR 11 AGED MINERS COTT' (Address)
CAMBOIS CAMBOIS NE24 1QX

hereby apply for an order, under Section 53 (2) of the Wildlife and Countryside Act 1981, modifying the Definitive Map and Statement for the County of Northumberland, by adding the footpath:

from CAMBOIS
to EAST SLEEK BURN WEST

as shown on the plan attached.

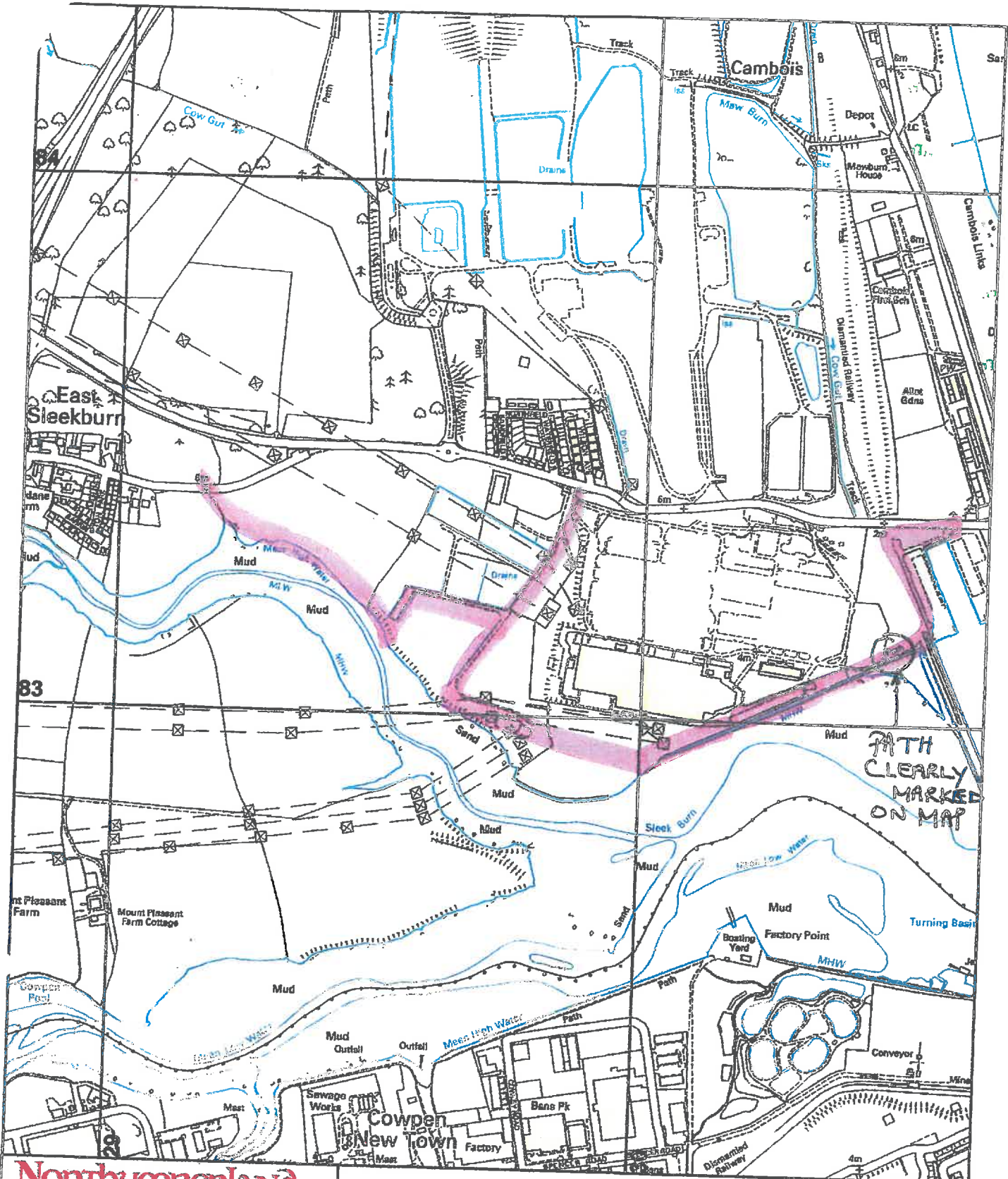
We attach copies of the following documentary evidence (including statements of witness) set out below in support of this application.

List of Documents

EVIDENCE FORMS (UEF)
PHOTOS - WITH EXPLANATION POINTS.

Dated 28.3.17 Signed

NOTE: This application must be accompanied by a map showing the right(s) of way applied for. Legally such a map must be at a scale of not less than 2 1/2" to 1 mile, but 1:10,000 scale (being the scale at which the Definitive Map is to be prepared and maintained) will normally be preferable.



Northumberland
Northumberland County Council

Infrastructure Local Services
County Hall Morpeth Northumberland
NE61 2EF Telephone 0345 600 6400

Wildlife & Countryside Act, 1981

Claimed Public Right of Way

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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PHOTO EVIDENCE.

1. ENTRANCE TO ASH BARGE DOCK.
FENCING ERECTED BY ARCH IN 2016
BUT NEVER LOCKED AS ARCH KNEW IT
WAS AN ACCESS POINT.
2. START OF FOOTPATH
BARRIER PUT IN PLACE TO DETER FLY-TIPPING
3. PATH RUNNING TO STAIRS.
4. ACCESS POINT TO ESTUARY
5. VIEW OF ESTUARY.
6. PATH IN USE
7. AS ABOVE
8. AS ABOVE
9. BACK OF POWER STATION SITE
- 10 AS ABOVE.
- 11+12. FENCE ERECTED BY R.W.E
saying that it was temporary
due to safety.
However:- STILL IN USE.
13. PICTURE TAKEN LOOKING THROUGH fence
showing path in use going west.
14. Pictures taken on the West side
of the fence erected by RWE.

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District:

Parish: Cambouris Parish

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

FOOTPATH No. of path (if known)

IMPORTANT NOTE

The object of this form is simply to provide a factual statement about the matter. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public claim. This is of particular importance if the information is to be of real value in establishing the status of the path. (The term "path" is used throughout this evidence form, whatever the status, i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Name of witness MR JOHN JAMES

Address 1 SELBOURNE TERR CAMBOUIS

BLYTH NORTHLD Postcode NE24 1QZ

Date of birth 18-4-1934 Occupation RETIRED

Description of path (with grid references if known):

From ROAD IN FRONT OF ASH DOCK POWER STATION
to Gate End of (West) East Sleekburn.

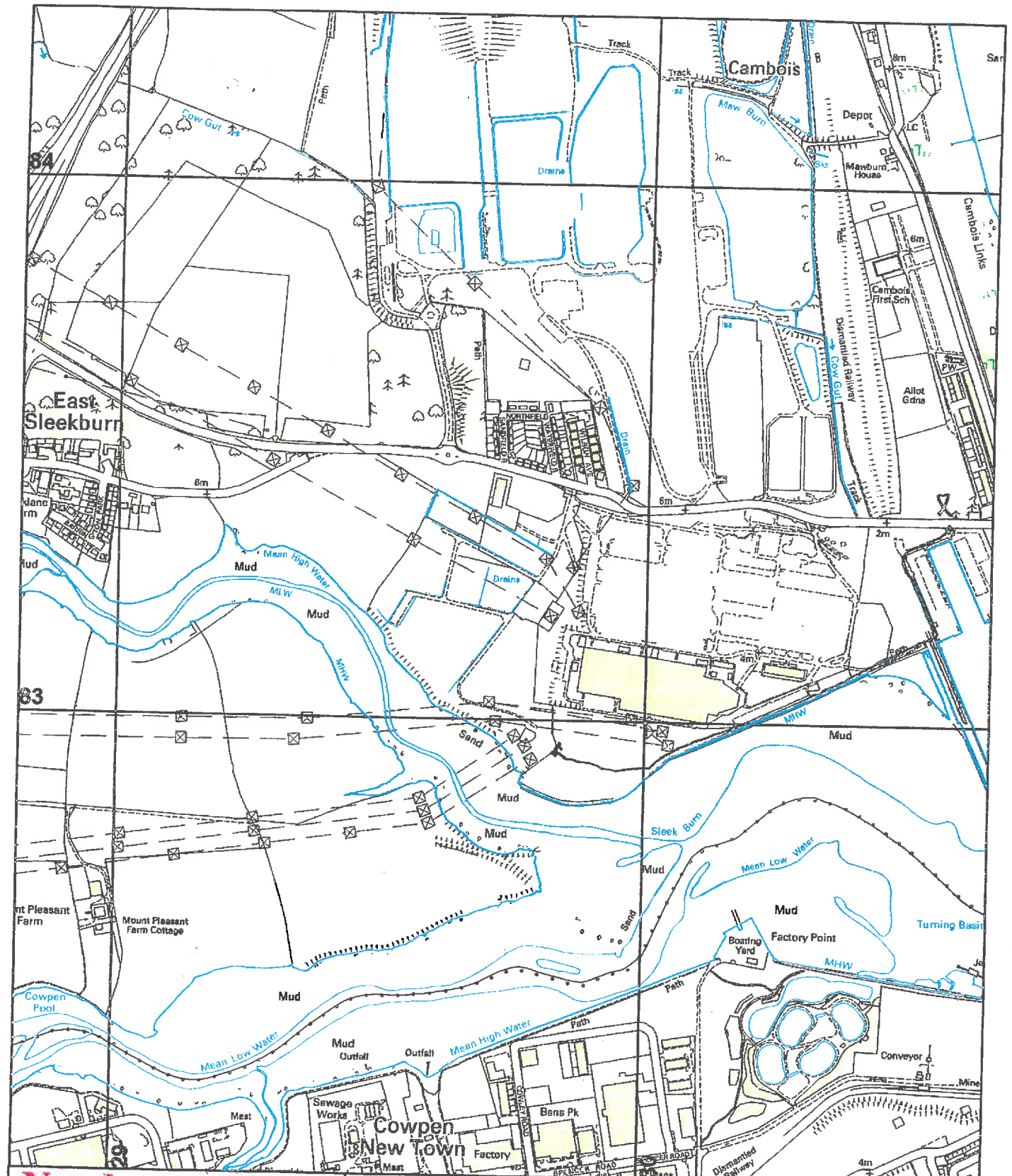
If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	YES
2	How wide is the path?	VARIES FROM 4m. to 7m.
3	During which years have you used it? (e.g. 1975-1995)	LATE 1960S to 2016.
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	Nowhere walking Pleasure Riverside once or twice a Month Probably MORE
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	YES

6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	one footbridge + one stile at west end.
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	NO
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	NO.
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	NO.
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	NO. THERE ARE BIRD HIDES ON RIVERSID. PUT THEIR BY POWER STATION
12	Have you ever been given permission to use the path?	NO
13	Can you give any further particulars?	
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	NOT TO MY KNOWLEDGE
15	Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	YES.

To the best of my knowledge and belief the facts that I have stated are true

Dated 22/3/17 Signed 



Northumberland

Northumberland County Council

Infrastructure Local Services
County Hall Morpeth Northumberland
NE61 2EF Telephone 0345 600 6400

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Wildlife & Countryside Act, 1981

— Claimed Public Right of Way

Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District: WANSBECK

Parish: SLEEK BURN

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

PATH No. of path (if known) —

IMPORTANT NOTE

The object of this form is simply to provide a factual statement about the matter. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public claim. This is of particular importance if the information is to be of real value in establishing the status of the path. (The term "path" is used throughout this evidence form, whatever the status, i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Name of witness DEREK BLAKE

Address 2, SELBOURNE TERRACE CAMBOIS BLYTH

NORTHUMBERLAND Postcode NE24 1QZ

Date of birth 2/8/1941 Occupation RETIRED SERVICE ENGINEER

Description of path (with grid references if known):

From CAMBOIS

to EAST SLEEK BURN (WEST)

If necessary continue your answers on an additional sheet of paper.

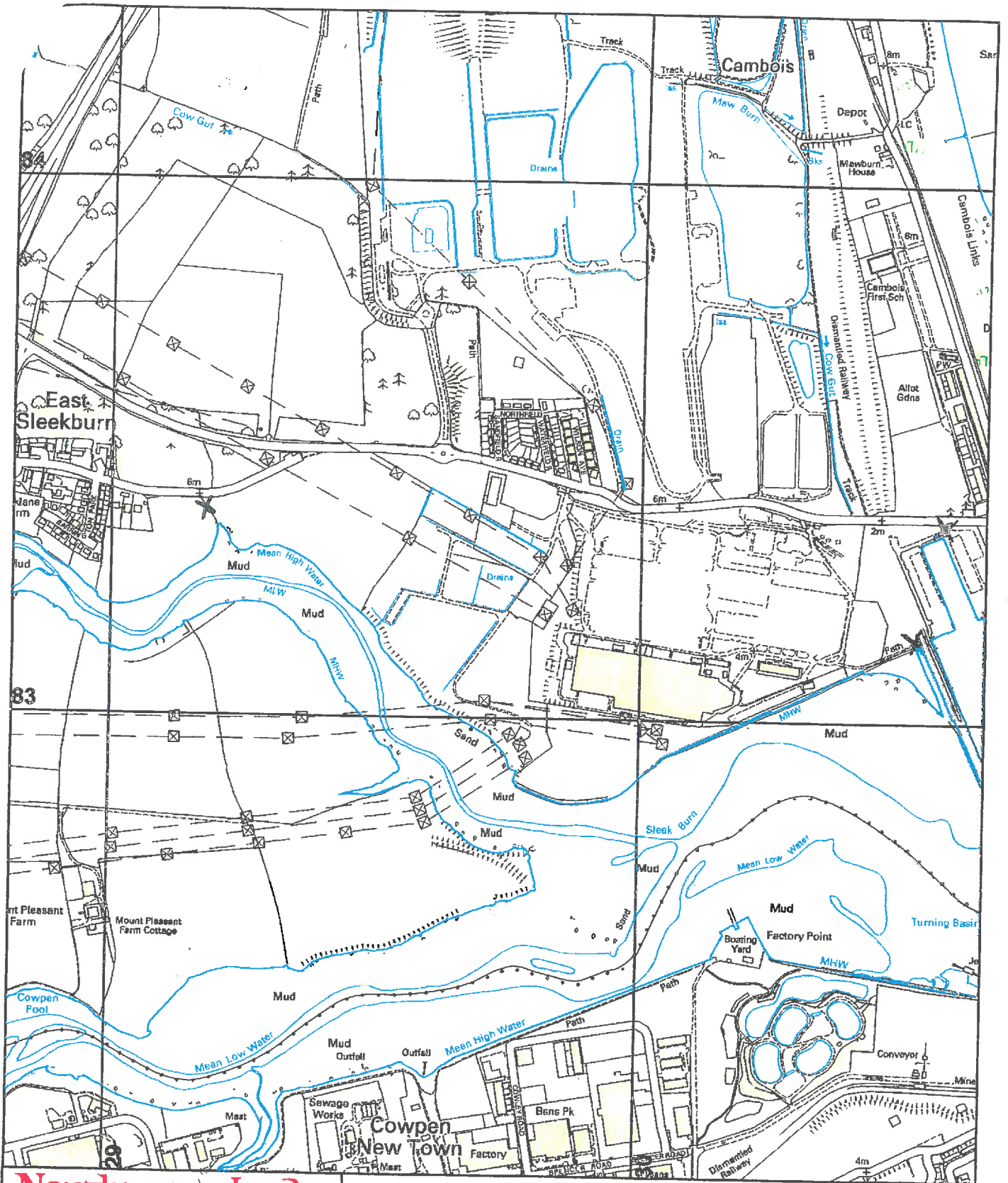
1	Have you used the above path?	<u>YES.</u>
2	How wide is the path?	<u>1.5 - 2 METERS</u>
3	During which years have you used it? (e.g. 1975-1995)	<u>1959 - 2017</u>
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	<u>CAMBOIS - EAST SLEEK BURN GENERAL WALK AND PHOTOGRAPHY. ON AVERAGE THREE-FOUR DAYS A WEEK. FOOT.</u>
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	<u>YES SINCE THE POWER STATION WAS BUILT IN THE FIATIES (SEE NOTES)</u>

6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	No
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	No No
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	No
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	No
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	JUST WHEN RINE BUILT A FENCE SUGGESTING IT WAS UNSURE (SEE NOTES)
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	SEE NOTES
12	Have you ever been given permission to use the path?	No
13	Can you give any further particulars?	SEE NOTES
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	No
15	Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	YES.

To the best of my knowledge and belief the facts that I have stated are true.

Dated 12/3/17 Signed 

Asset & Infrastructure Management
Local Services Group
Northumberland County Council
County Hall, Morpeth
Northumberland NE61 2EF



NORTHUMBERLAND
Northumberland County Council

Infrastructure Local Services
County Hall Morpeth Northumberland
NE61 2EF Telephone 0345 600 6400

Wildlife & Countryside Act, 1981

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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

MR. DEREK BLAKE
2, SELBOURNE TERRACE
CAMBOIS
BLYTH
NORTHIMBERLAND
NE24 1QZ

THE FOOTPATH IN QUESTION FOR CLOSURE

I HAVE ATTACHED PHOTOGRAPHS OF THE FOOTPATH IN QUESTION TO GIVE AN IDEA OF THE SITUATION THE MOST IMPORTANT PART IS THE ACCESS FROM THE VILLAGE OF CAMBOIS VIA THE OLD POWER STATION ASH DOCK LEADING TO THE ESTUARY. THE ORIGINAL ACCESS WAS VIA THE SOUTHERN END OF WEST BRIDGE STREET AND WHEN THIS ACCESS WAS CLOSED TO ACCOMMODATE THE ASH DOCK IN THE 1950'S IT DENIED THE VILLAGE ACCESS TO THE FERRY LANDING SO ACCESS WAS ALLOWED ALONGSIDE THE ASH DOCK AND IN FACT IT HAS BEEN THERE EVER SINCE EVEN THOUGH THE LAND BELONGED TO AT THE TIME "CEGB" WHO OPERATED THE POWER STATION I HAVE NEVER BEEN CHALLENGED OR KNOW OF ANYONE BEING CHALLENGED IN ALL THOSE YEARS THE FERRY IS LONG GONE PROBABLY AT THE SAME TIME AS THE COLLIERY CLOSED IN 1968 BUT THIS PATH WAS STILL USED REGULARLY AND STILL IS TODAY BY DOG WALKERS THE GENERAL PUBLIC, BOAT OWNERS, AND PEOPLE LIKE MYSELF WHO ENJOY WILD LIFE PHOTOGRAPHY AND IS THE ONLY ACCESS TO THIS PART OF THE ESTUARY. THE LAND BEHIND THE POWER STATION WHERE THE FOOTPATH WAS SIGNPOSTED WAS CLOSED OFF TOTALLY ABOUT 6 7 YEARS AGO BY "RWE" FOR THEY SAY SAFETY REASONS THEY SAID AS PART OF THEIR SEA WALL HAD SLIPPED AND RATHER THAN REPAIR THIS THEY FENCED OFF THE PATH AS SHOWN ON ATTACHED PHOTOGRAPHS THERE ARE PEOPLE STILL USING THIS PATH BEHIND THE OLD POWER STATION (SEE PHOTOGRAPH) AS ALSO THIS PATH HAS 2 BIRD HIDES WHICH WERE PROVIDED I THINK BY THE POWER STATION. THERE WAS ANOTHER ACCESS WHICH WENT OVER AN OLD REDUNDANT REFUSE TIP USED BY THE LOCAL COUNCIL AND ALSO USED BY THE SHIPBREAKERS HUGHES BOLCKOWS THE PATH WENT DOWN THE CENTER OF THE LAND AND IS SHOWN ON OLD PHOTOGRAPHS AND A LOCAL MAN HAD HIS STABLE ON THE SAME SITE THIS PATH ENTRANCE WAS SITUATED WHERE WHAT WAS THE POWER STATION MAIN GATES ARE SITUATED

I AM 75 YEARS OLD AND LIVED IN THE VILLAGE ALL MY LIFE AND WALKED THIS PATH ALL MY LIFE UNFORTUNATELY I AM NOW REGISTERED DISABLED AND HAVE HAD A REPLACEMENT ANKLE, KNEE, AND HIP APART FROM OTHER PROBLEMS AND THE LOSS OF THIS ACCESS WOULD DENY ME ACCESS TO ONE OF MY FAVOURITE PASTIMES LOCALY PHOTOGRAPHING THE WILDLIFE AND ESTUARY IN MY OWN VILLAGE.

AN UPSET DEREK BLAKE







PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District: WADDSBECK

Parish: SLEEKBURN

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

No. of path (if known)

IMPORTANT NOTE

The object of this form is simply to provide a factual statement about the matter. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public claim. This is of particular importance if the information is to be of real value in establishing the status of the path. (The term "path" is used throughout this evidence form, whatever the status, i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Name of witness CAROL CROSSLAND

Address 39, DANE ST, CAMBOIS, BLYTH

Postcode NE24 1SB

Date of birth 16 MAY 1956 Occupation SELF EMPLOYED

Description of path (with grid references if known):


From CAMBOIS: ACCESSED FROM C415 ROAD. GRID REF. N2305833
to EAST SLEEKBURN: ON TO "OLD MAIN RD". GRID REF. N2291834

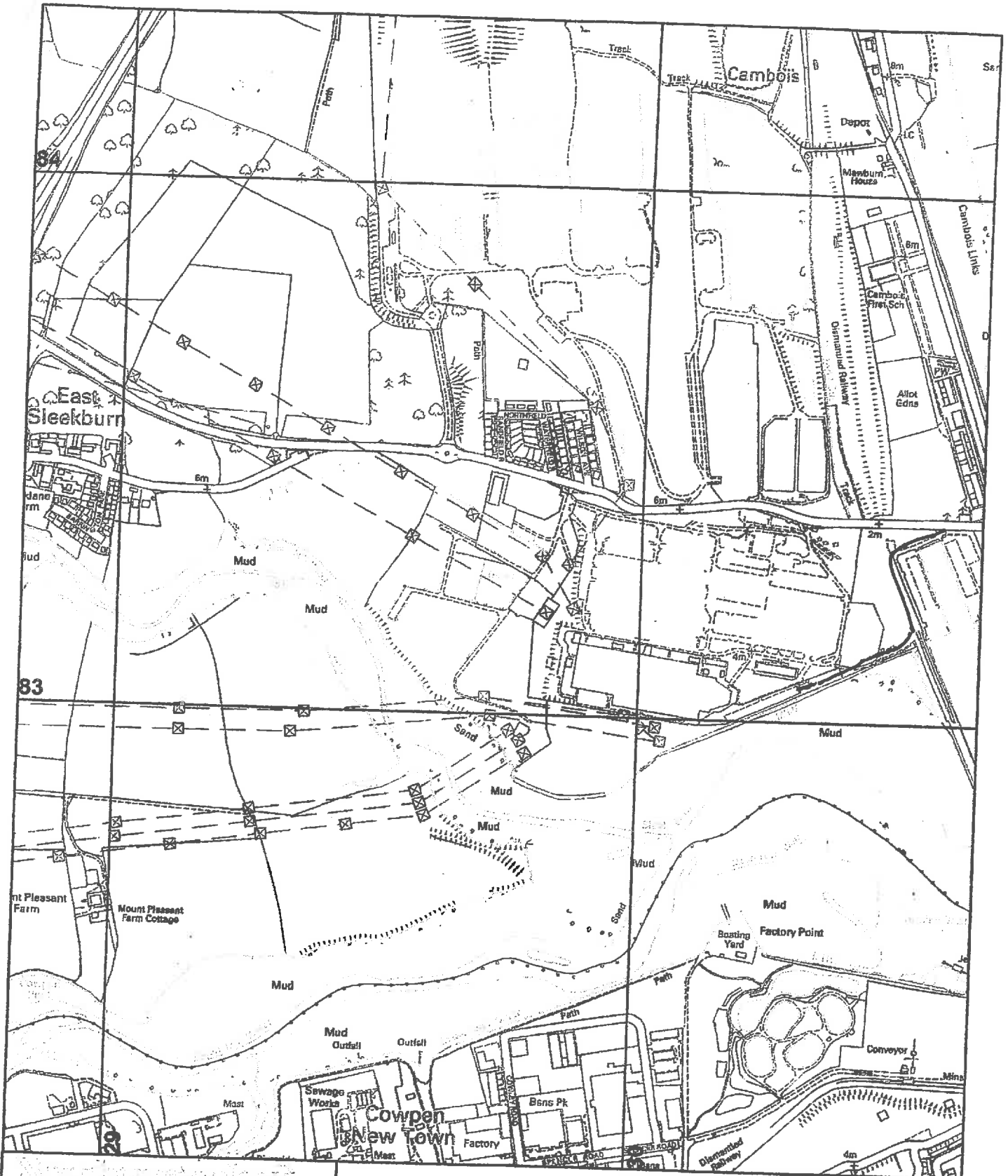
If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	YES
2	How wide is the path?	VARIABLES
3	During which years have you used it? (e.g. 1975-1995)	1968 (APPROX) TO 2008
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	CAMBOIS TO E. SLEEKBURN LEISURE / RECREATIONAL APPROX 8 TIMES. FOOT
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	YES.

6 Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	NO
7 (a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	NO
8 Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO
9 Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	NO
10 Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	
11 Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	NO
12 Have you ever been given permission to use the path?	NO
13 Can you give any further particulars?	-
14 Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	NOT KNOWN
15 Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	YES.

To the best of my knowledge and belief the facts that I have stated are true

Dated 17 MARCH 2017 Signed 



Northumberland County Council

Infrastructure Local Services
County Hall Morpeth Northumberland
NE61 2EF Telephone 0345 600 6400

Wildlife & Countryside Act, 1981

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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District: Northumberland

Parish: Bedlington

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

No. of path (if known)

IMPORTANT NOTE

The object of this form is simply to provide a factual statement about the matter. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public claim. This is of particular importance if the information is to be of real value in establishing the status of the path. (The term "path" is used throughout this evidence form, whatever the status, i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Name of witness Nicola Green

Address 3, Stone Cottages East Sleekburn

Bedlington Northumberland Postcode NE22 7BB

Date of birth 5/4/69 Occupation -

Description of path (with grid references if known):

From East Sleekburn (Havelock village)

to power station

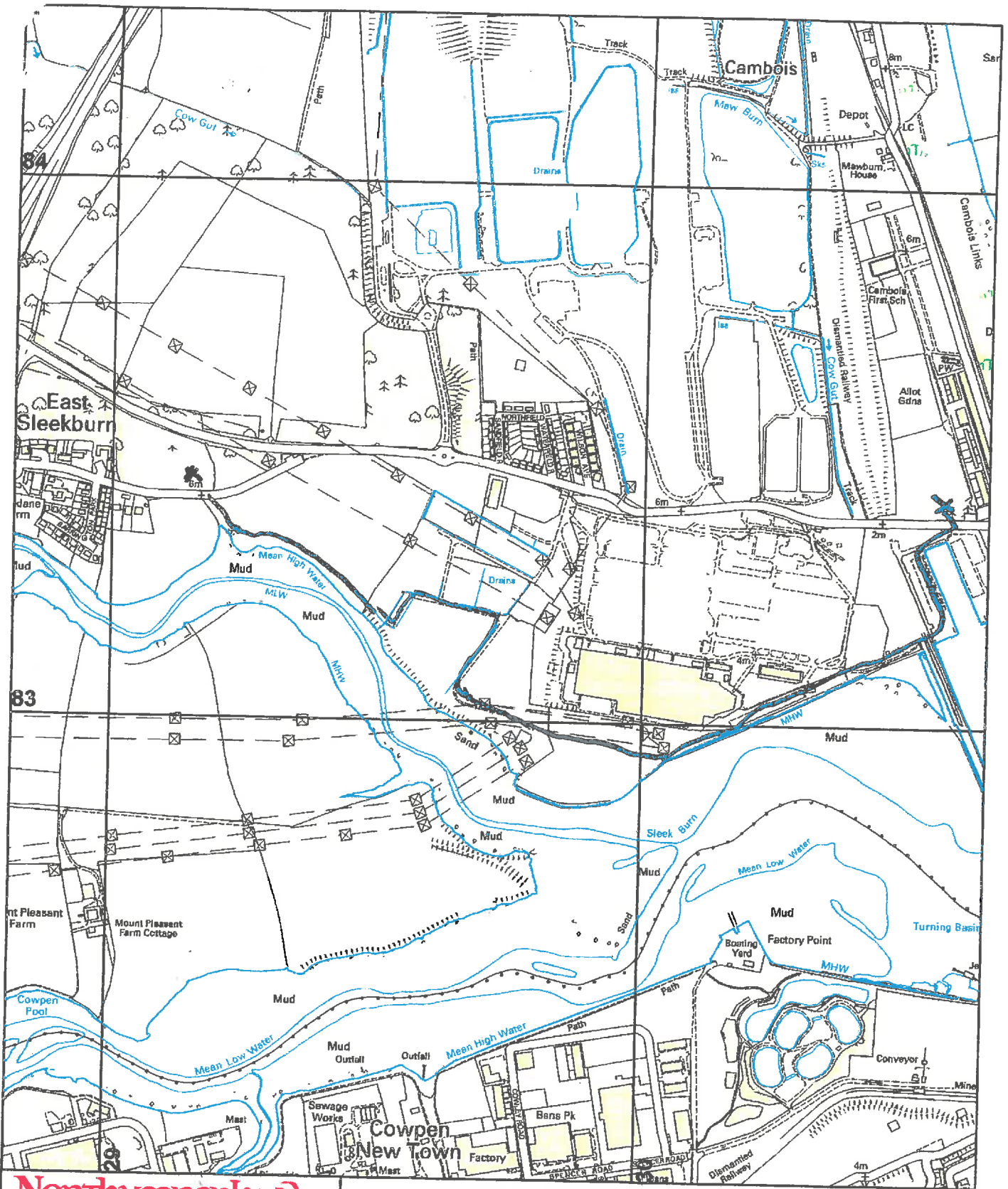
If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	yes
2	How wide is the path?	1m approx
3	During which years have you used it? (e.g. 1975-1995)	1975 - 1988
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	Havelock - power station Dog walk, playing twice a week foot
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	yes

6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	No
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? Is so, state when this took place and give particulars.	No
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	No
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	No
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	No
12	Have you ever been given permission to use the path?	No
13	Can you give any further particulars?	
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	-
15	Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	Yes

To the best of my knowledge and belief the facts that I have stated are true.

Dated 12/3/17 Signed [Redacted]



Northumberland

Northumberland County Council

Infrastructure Local Services
County Hall Morpeth Northumberland
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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District:

Parish:

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Footpath - Public Right of Way

No. of path (if known)

IMPORTANT NOTE

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Name of witness Julia Barron

Address 9 Southview, East Sleekburn

Bedlington

Postcode NE22 7AT

Date of birth 20.6.1956 Occupation Teacher

Description of path (with grid references if known):

From Path at East Sleekburn along riverside

to rear of site of former Power Station

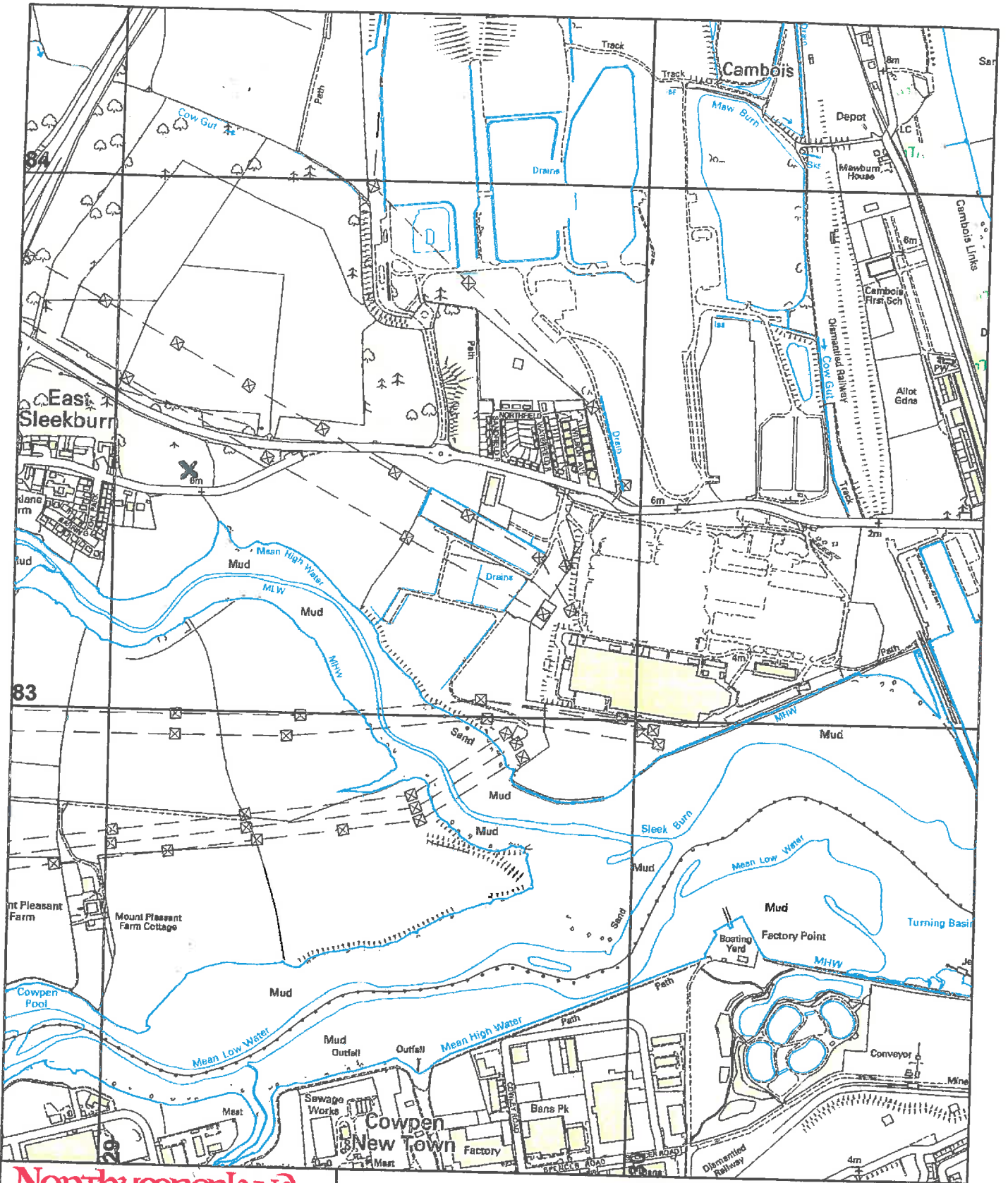
If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	Yes
2	How wide is the path?	1.5 - 2 metres
3	During which years have you used it? (e.g. 1975-1995)	1989 - 2017
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	From home to hides for Bird watching, dog walking, nature walks, digging for beet. 1-2 weekly. Foot
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	Yes, as far as I'm aware, it has

6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	A stile near former Power Station, near hives
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	No
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	Never
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	No
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	No never
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	Quite the contrary. Signs showed illustration of estuary birds and flora + fauna of the area
12	Have you ever been given permission to use the path?	Not needed, its a public right of way!
13	Can you give any further particulars?	Yes, Bill Oddie, nature conservation expert included it in a "Green Corridor for wild life"
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	No
15	Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	Yes

To the best of my knowledge and belief the facts that I have stated are true

Dated 11th March 2017 Signed .. [Redacted Signature] ..



Northumberland

Northumberland County Council

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Wildlife & Countryside Act, 1981

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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District: WANSBECK

Parish: SLEEKBURN

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Footpath - Public Right of Way No. of path (if known)

IMPORTANT NOTE

The object of this form is simply to provide a factual statement about the matter. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public claim. This is of particular importance if the information is to be of real value in establishing the status of the path. (The term "path" is used throughout this evidence form, whatever the status, i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Name of witness Carol Cummings

Address 11 South View, East Sleekburn

Bedlington Postcode NE22 7AY

Date of birth 20.01.68 Occupation Occupational Therapy Ass.

Description of path (with grid references if known):

From Grass path from East Sleekburn to rear
to of power station

If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	Yes
2	How wide is the path?	1 - 2 mtrs.
3	During which years have you used it? (e.g. 1975-1995)	1990 - 2017
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	From home down to Cambois Bird Watching/Walking 1 x weekly. Foot
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	Yes

6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	Yes Between the field & the back of power station
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	by bird hide & pond NO
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	NO
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	NO
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	NO
12	Have you ever been given permission to use the path?	Did not need permission it is a public right of way
13	Can you give any further particulars?	
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	NO
15	Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	Yes.

To the best of my knowledge and belief the facts that I have stated are true.

Dated 12.3.17 Signed 

EVIDENCE FORM

Former Borough/District: WANSBECK

Parish: WANSBECK

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

FOOTPATH No. of path (if known) —

IMPORTANT NOTE

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Name of witness MIS KATHRYN MASON

Address 13 GRANGE PARK AVENUE BEDLINGTON

(3 BELLEVUE TCE - NE22 7AX) Postcode NE22 7EF

Date of birth 15.12.86 Occupation WORKSPACE MANAGER

Description of path (with grid references if known):

FROM FOOTPATH LEADS FROM ENTRANCE NEAR GENERAL

TO HAVELOCK AT EAST SLEEBURN ALONG A DESIGNATED ROUTE PARALLEL TO RIVER, PAST HIDES AND COMPLETES AT DOCKSIDE, CAMBOIS

If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	YES
2	How wide is the path?	VARIED DEPENDING ON FOLIAGE
3	During which years have you used it? (e.g. 1975-1995)	SINCE I WAS A CHILD (1990) AND MOVED INTO VILLIAGE.
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	HAVELOCK (EAST SLEEBURN) TO CAMBOIS BEACH. LEISURE UNLIMITED TIMES, DAILY WALK FOOT + SOMEWHAT HORSEBACK
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	YES. ROUTE WAS ESPECIALLY

MAINTAINED IN 2000 WHEN HIGHEST WILDLIFE PONDS
WAS OF THE NEWISH.

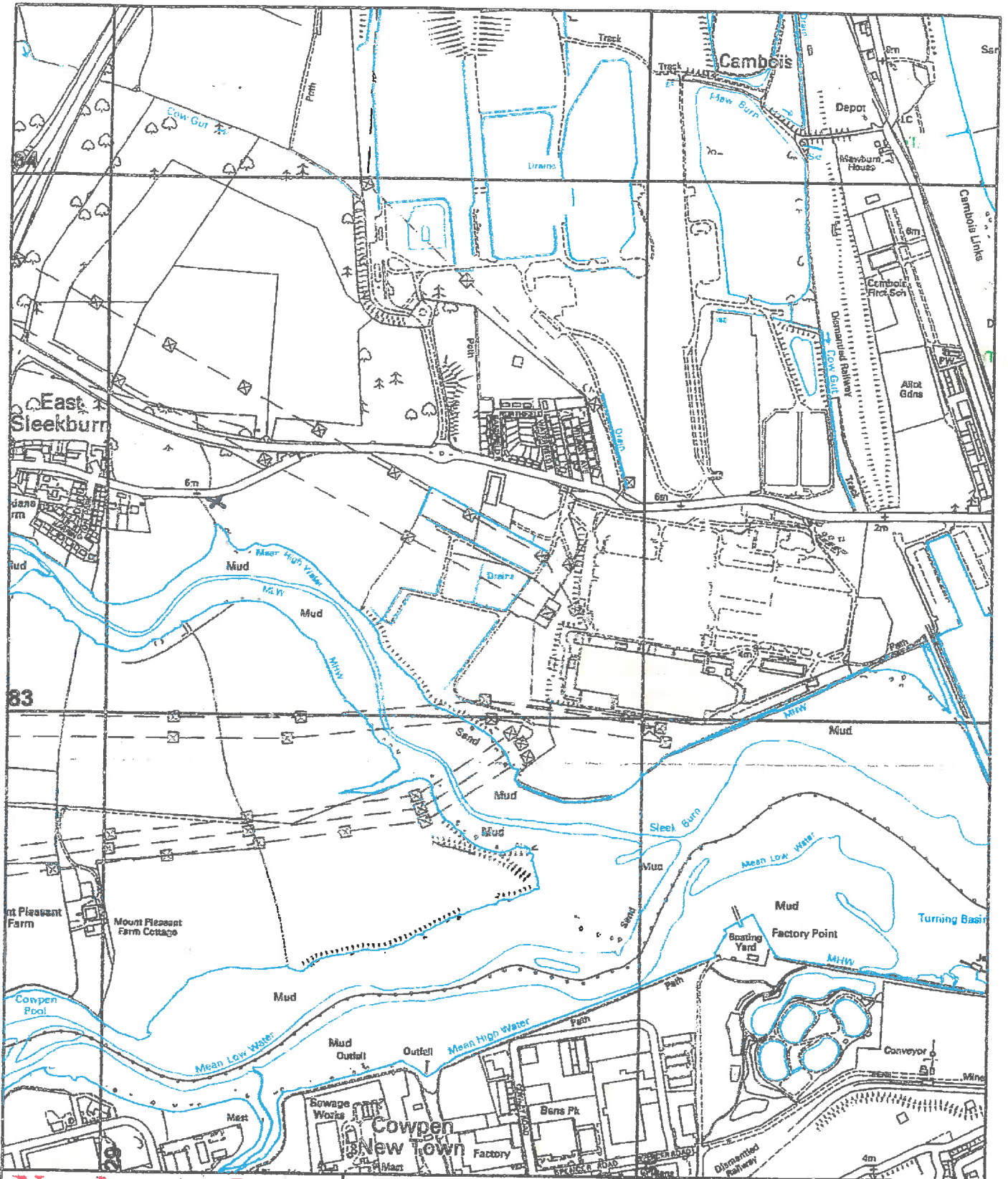
6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	A BRIDGE + STILE WAS CREATED. ROUTE WAS MAINTAINED.
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	UNSURE N/A. ALL PUBLIC USED PATH AS WAS A GREAT ROUTE TO JOIN COMMUNITY'S
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO - WE DID FULL ROUTE.
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	NO, THE LAND HAD FULL PUBLIC USE, HENCE THE BUILD + MAINTENANCE OF THE ROUTE (NO SIGNS)
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	NO. ROUTE MAPS AVAIL TOO
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	NO - NONE
12	Have you ever been given permission to use the path?	WASNT REQUIRED AS FACILITIES ALONG ROUTE
13	Can you give any further particulars? NO	WERE CREATED FOR PUBLIC + NATURE ENTHUSIASTS, PRIOR TO THIS THE ROUTE WAS STILL
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given. UNSURE	USED FREELY.
15	Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary? YES.	

To the best of my knowledge and belief the facts that I have stated are true.

Dated 19th MARCH 2017 Signed [REDACTED]

Asset & Infrastructure Management
Local Services Group
Northumberland County Council
County Hall, Morpeth
Northumberland NE61 2FP

Please note many people from both Bedlington, Stakeford + Cambois use route



Northumberland
Northumberland County Council

Infrastructure Local Services
County Hall Morpeth Northumberland
NE61 2EF Telephone 0345 600 6400

Wildlife & Countryside Act, 1981



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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District: Wansbeck

Parish: Slackburn

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Public Footpath No. of path (if known) 1

IMPORTANT NOTE

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Name of witness Lynda M. Mason

Address 3 Bela Ure Terrace, East Slackburn

Bedlington, Northumberland Postcode NE22 7AX

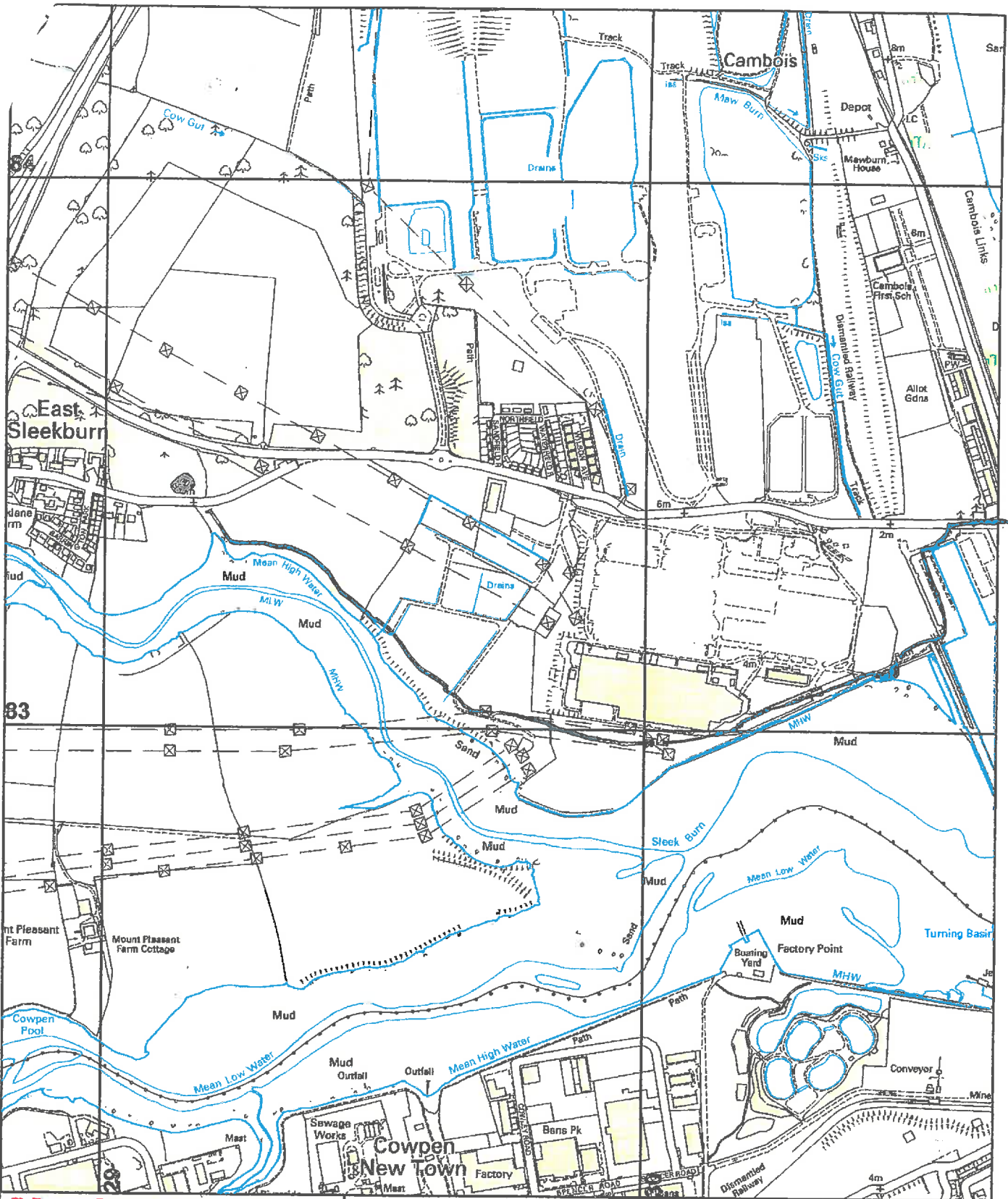
Date of birth 07.01.59 Occupation Despatcher

Description of path (with grid references if known):

From East end of East Slackburn west to
to rear (east end of power station site)

If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	Yes
2	How wide is the path?	varies
3	During which years have you used it? (e.g. 1975-1995)	1990 to 2010
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	East Slackburn to Cambois Leisure 50. Foot / part horseback.
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	Yes altho varies during bad weather



Northumberland

Northumberland County Council

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Wildlife & Countryside Act, 1981

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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District: BEDLINGTON / WANSBECK

Parish: EAST SLEEKBURN - CAMBOIS

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

FOOTPATH / NATURE TRAIL No. of path (if known)

IMPORTANT NOTE

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Name of witness IAN WAUGH

Address TOWN FARM, EAST SLEEKBURN

Postcode NE 22 7AT

Date of birth 25-09-1950 Occupation Retired

Description of path (with grid references if known):

From OLD TOWN STREET, EAST SLEEKBURN

to REAR OF BLYTH (CAMBOIS) POWER STATION

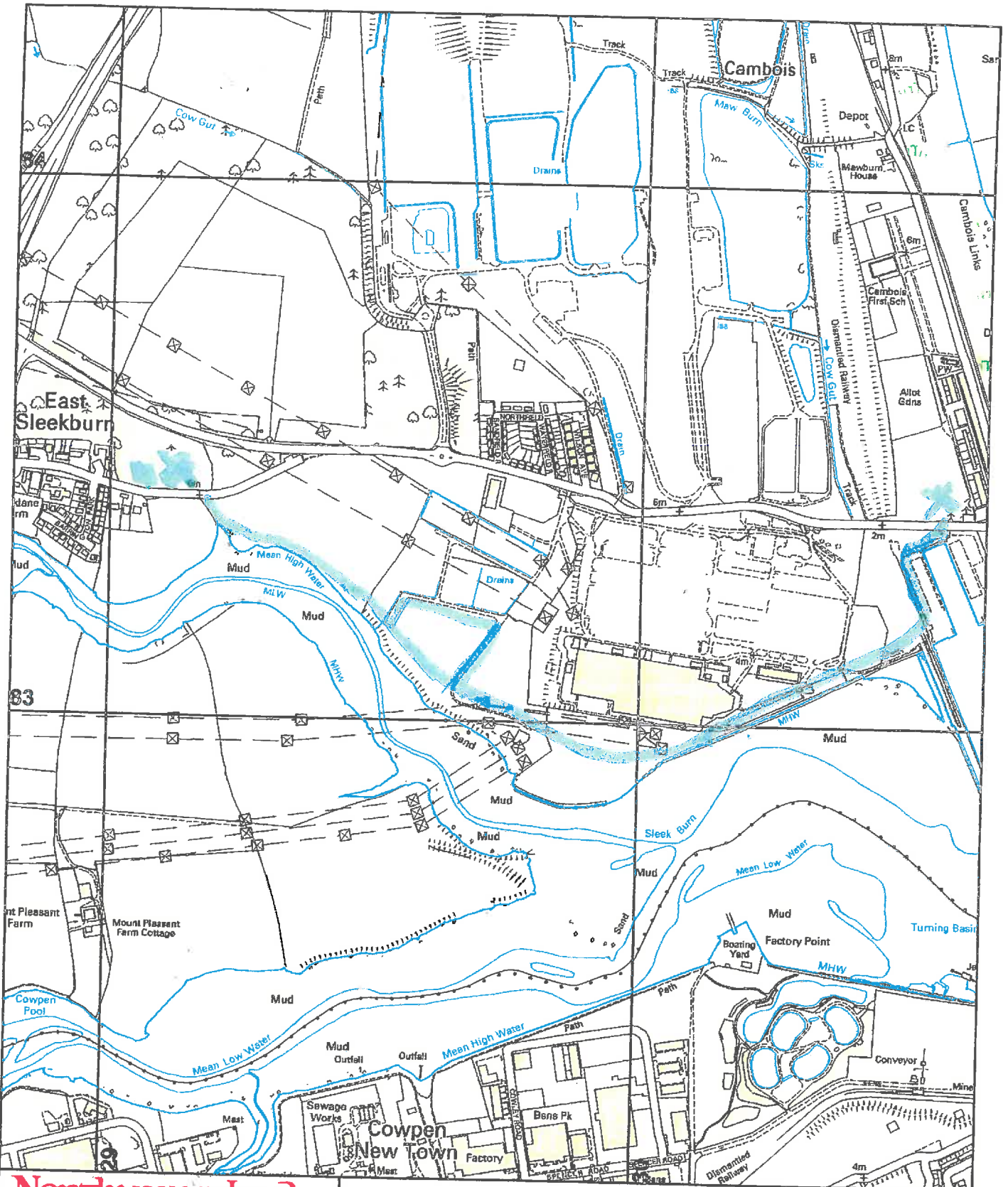
If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	<u>YES.</u>
2	How wide is the path?	<u>1m to 2m to only 600mm on corner of station.</u>
3	During which years have you used it? (e.g. 1975-1995)	<u>1992 - 2010</u>
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	<u>Along path & return Dog walking & grandchildren nature walking Several times per week On foot.</u>
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	<u>Yes but "doubled-up" near bird hides in late 1990s</u>

6	<p>Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates</p> <p>(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No").</p> <p>(b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?</p>	<p>Stile where it crosses a burn after little wooden bridge</p>
8	<p>Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.</p>	<p>No - Signage by National Power described path as a nature trail with description of fauna/flora</p>
9	<p>Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.</p>	<p>No - Use of path was encouraged by signage.</p>
10	<p>Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.</p>	<p>No - path enhanced by local school children project to Bird Hides.</p>
11	<p>Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.</p>	<p>Notice by National Power described path as a "nature trail".</p>
12	<p>Have you ever been given permission to use the path?</p>	<p>Signage indicated permission.</p>
13	<p>Can you give any further particulars?</p>	<p>Bird Hides constructed by National Power/Local school?</p>
14	<p>Have legal or other proceedings been taken about the path at any time? If so, full details should be given.</p>	<p>No</p>
15	<p>Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?</p>	<p>Yes.</p>

To the best of my knowledge and belief the facts that I have stated are true

Dated 6 March 2017 Signed [Redacted]



Northumberland

Northumberland County Council

Infrastructure Local Services
County Hall Morpeth Northumberland
NE61 2EF Telephone 0345 600 6400

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Wildlife & Countryside Act, 1981



Claimed Public Right of Way

Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District: Bodlington

Parish: East Sleekburn

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Nature Trail No. of path (if known) _____

IMPORTANT NOTE

The object of this form is simply to provide a factual statement about the matter. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public claim. This is of particular importance if the information is to be of real value in establishing the status of the path. (The term "path" is used throughout this evidence form, whatever the status, i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Name of witness Edward Richardson

Address General Havelock

East Sleekburn Bodlington Postcode NE22 7AT

Date of birth 16.4.53 Occupation Publican

Description of path (with grid references if known):


From East Sleekburn Village - Rear Power Station
to Cambois

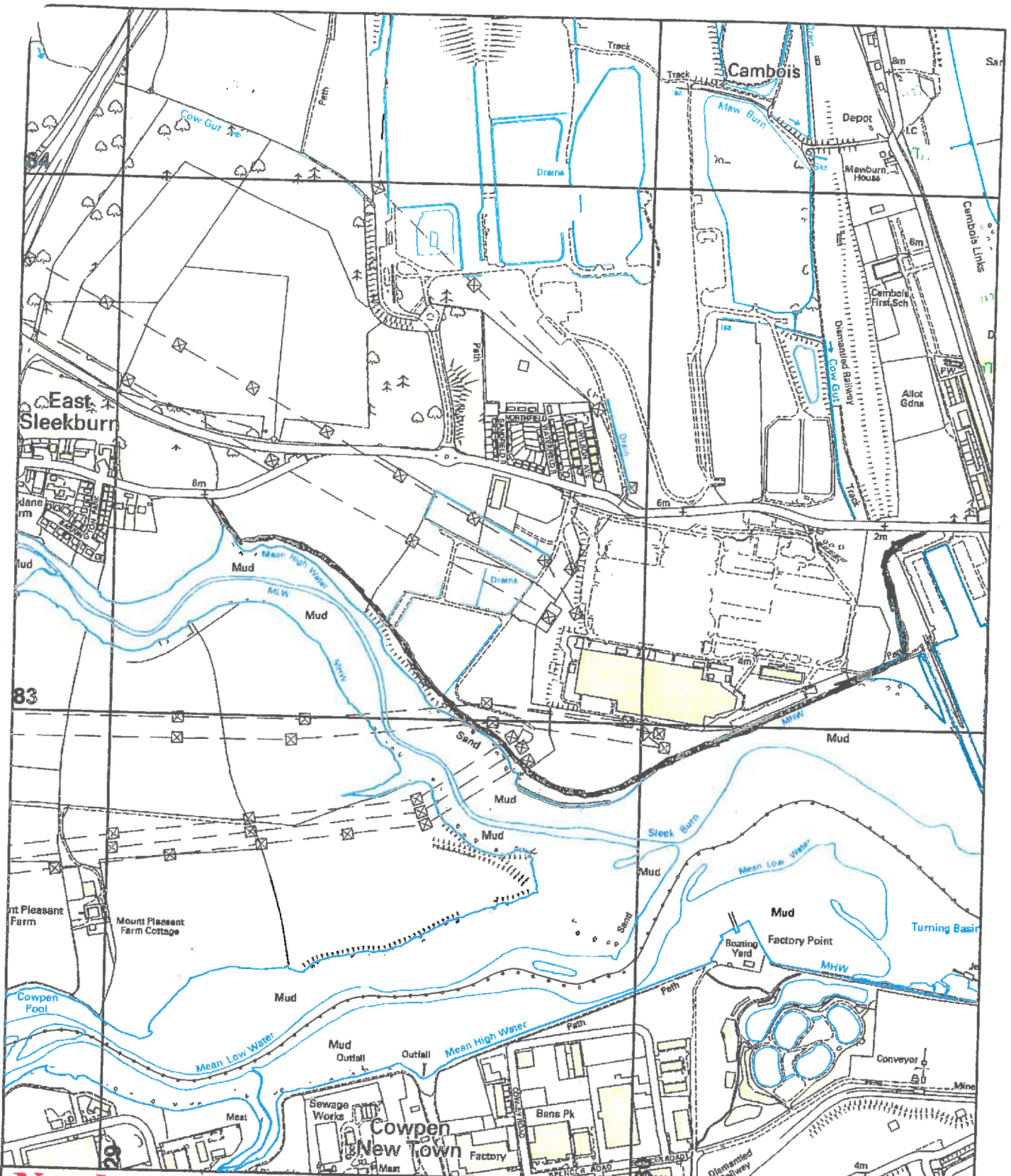
If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	<u>Yes.</u>
2	How wide is the path?	<u>1-2 M.</u>
3	During which years have you used it? (e.g. 1975-1995)	<u>1995 - 2010.</u>
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	<u>Cambois - East Sleekburn.</u> <u>doggy walks.</u> <u>Daily</u> <u>foot</u>
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	<u>Yes.</u>

6 Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	Yes. Midway - Crossing burn.
7 (a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	No —
8 Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO.
9 Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	NO
10 Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	NO
11 Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	NO
12 Have you ever been given permission to use the path?	YES - encouraged to use by Power Station.
13 Can you give any further particulars?	Nature Trail. Public encouraged to use it.
14 Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	NO.
15 Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	NO.

To the best of my knowledge and belief the facts that I have stated are true

Dated 6.3.17 Signed 



NORTHUMBERLAND
 Northumberland County Council
 Infrastructure Local Services
 County Hall Morpeth Northumberland
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Wildlife & Countryside Act, 1981
 Claimed Public Right of Way

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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District:

Parish:

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

..... No. of path (if known)

IMPORTANT NOTE

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Name of witness G. IAN ROWLAND

Address 2 MOORLAND COURT

BEDLINGTON Postcode NE22 7HP

Date of birth 3-5-47 Occupation RETIRED

Description of path (with grid references if known):

From EAST SLEEK BURN SIEE ROUTE

to CAMBOLIS

If necessary continue your answers on an additional sheet of paper.

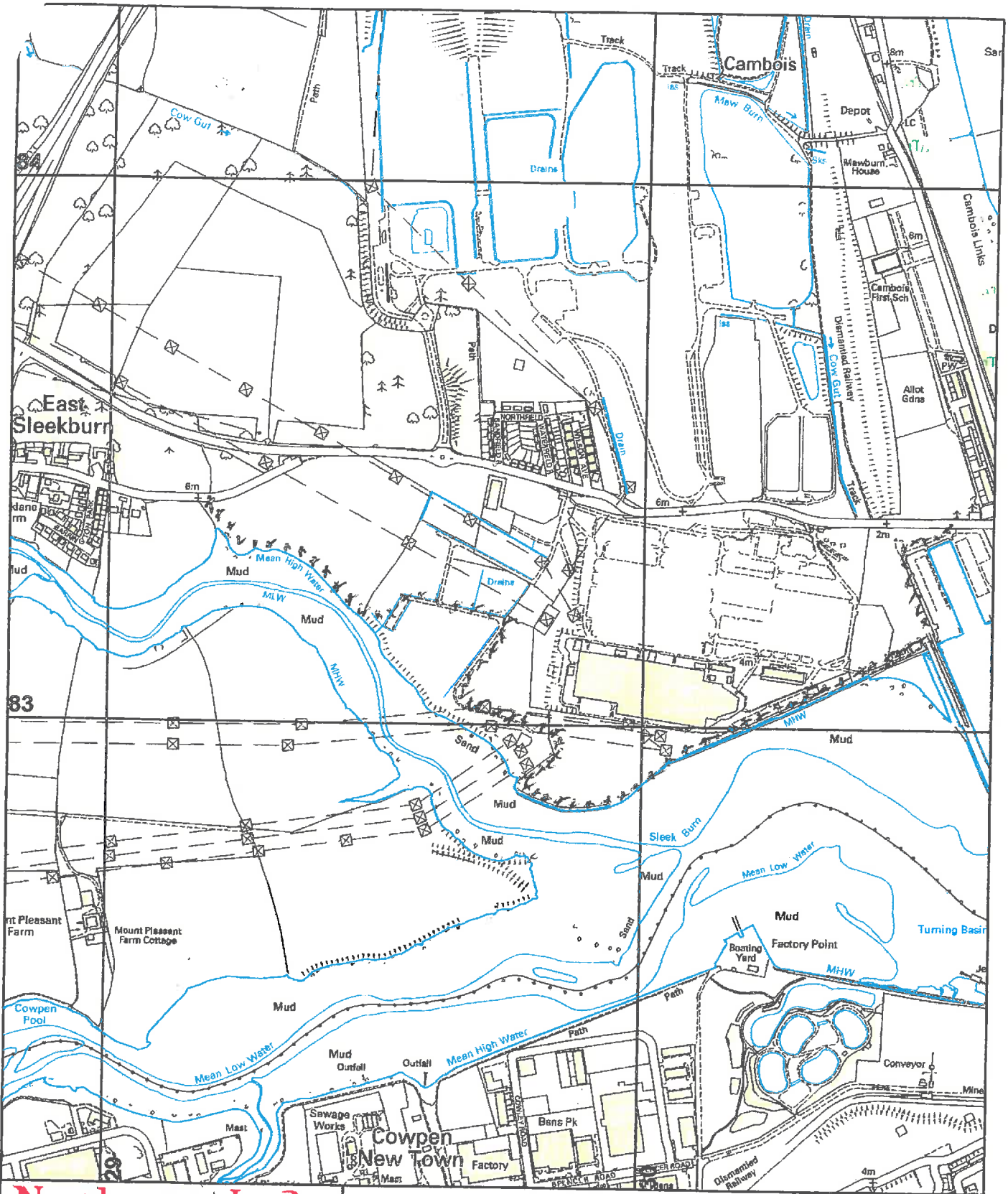
1	Have you used the above path?	YES
2	How wide is the path?	1 TO 2 YARDS
3	During which years have you used it? (e.g. 1975-1995)	1996 - 2006
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	JUST FOR WALK TAKING DOG AND GRANDAUGHTER OUT. AT LEAST 8 TIMES PER YEAR ON FOOT
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	ALL WAYS SAME ROUTE BY BRIDGE AND STILES

SIGNS UP TO SHOW THE BIRDS TO OBSERVE ON ROUTE!!

6	<p>Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates</p> <p>(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No").</p> <p>(b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?</p>	<p>YES THERE WERE 2 BIRD HIDES DOWN THERE NEXT TO RIVER NO</p>
8	9	<p>No</p>
10	11	<p>No</p>
12	13	<p>No</p>
14	15	<p>No</p>
15	<p>No</p>	
<p>Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?</p>		<p>YES</p>

To the best of my knowledge and belief the facts that I have stated

Dated 12-3-2017 Signed 



Northumberland

Northumberland County Council

Infrastructure Local Services
County Hall Morpeth Northumberland
NE61 2EF Telephone 0345 600 6400

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Wildlife & Countryside Act, 1981

Claimed Public Right of Way

Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District: NANSICK

Parish:

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

NZ 28 SK 39 SW. No. of path (if known)

IMPORTANT NOTE

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Name of witness F. McCASH

Address 1 BRICK VILL TERRACE

KASL SLAKKABORN Postcode NK 22 7AX

Date of birth 6/6/42 Occupation RETIRO

Description of path (with grid references if known):

From KASL SLAKKABORN

to CAMBLOS

If necessary continue your answers on an additional sheet of paper.

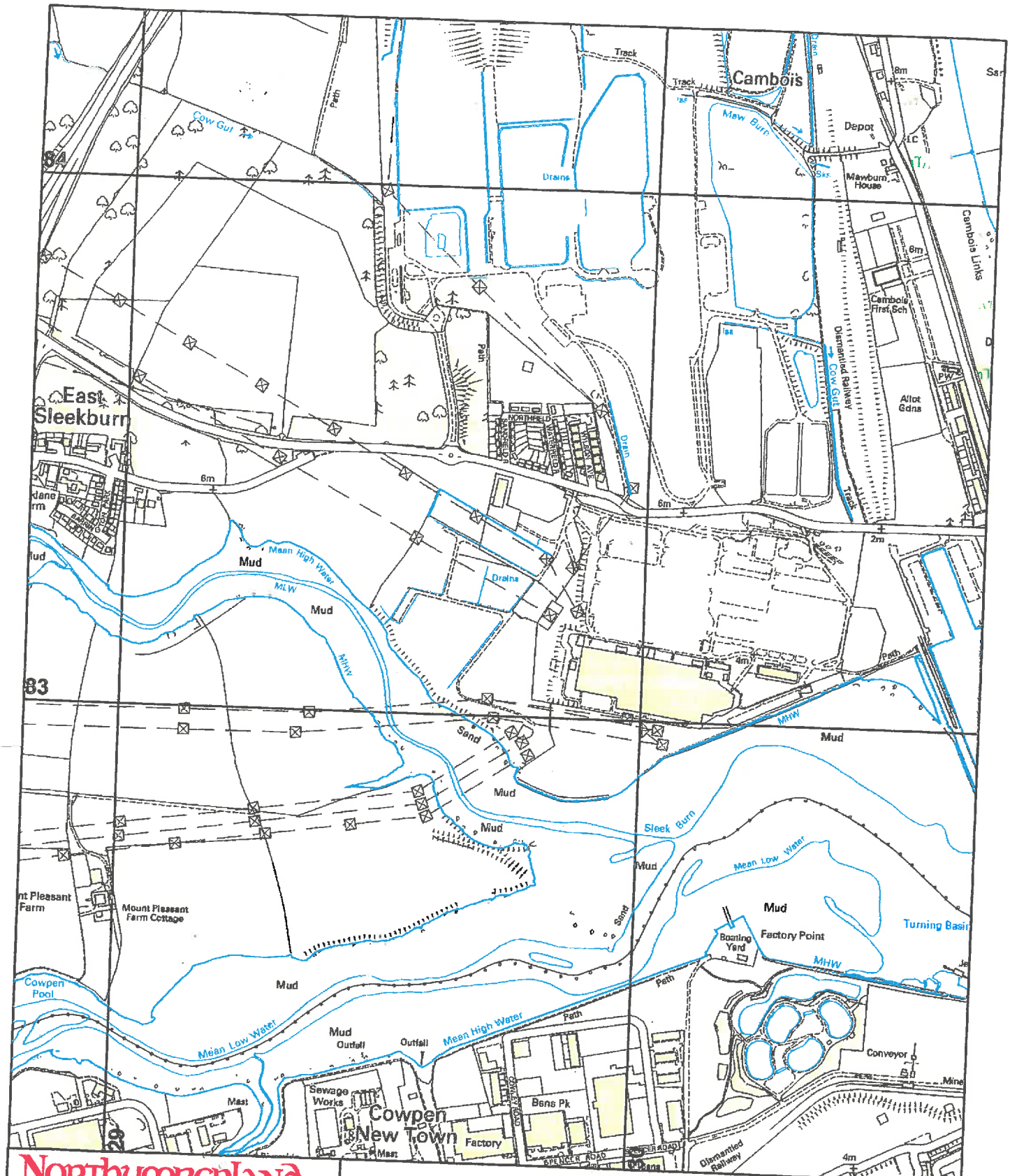
1	Have you used the above path?	<u>YES</u>
2	How wide is the path?	<u>VARIES</u>
3	During which years have you used it? (e.g. 1975-1995)	<u>1985 - 1995</u> <u>1999 2012</u>
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	<u>KASL SLAKKABORN</u> <u>BRACK</u> <u>DOG WALKING</u> <u>OCCASIONALLY</u> <u>2 OR THREE TIMES WEEK</u> <u>FOOT</u>
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	<u>AS FAR AS I KNOW</u>

6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	NO
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	NO NO
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	/
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	NO /
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	NO
12	Have you ever been given permission to use the path?	NO
13	Can you give any further particulars?	NO
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	DONT KNOW
15	Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	YES

To the best of my knowledge and belief the facts that I have stated are true.

Dated 14/3/12 Signed 

Asset & Infrastructure Management
Local Services Group
Northumberland County Council
County Hall, Morpeth
Northumberland NE61 2EF



Northumberland

Northumberland County Council

Infrastructure Local Services
 County Hall Morpeth Northumberland
 NE61 2EF Telephone 0345 600 6400

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Wildlife & Countryside Act, 1981

Claimed Public Right of Way

Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District: WANSBECK

Parish: SLEEKBURN

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

No. of path (if known)

IMPORTANT NOTE

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Name of witness Dorothy O'Connor

Address 11 Aged Miners Cottages

Cambois

Postcode NE24 1QX

Date of birth 19.3.1950 Occupation Retired Council officer

Description of path (with grid references if known):

From Cambois - via Ash barge dock

to East Sleekburn West

If necessary continue your answers on an additional sheet of paper.

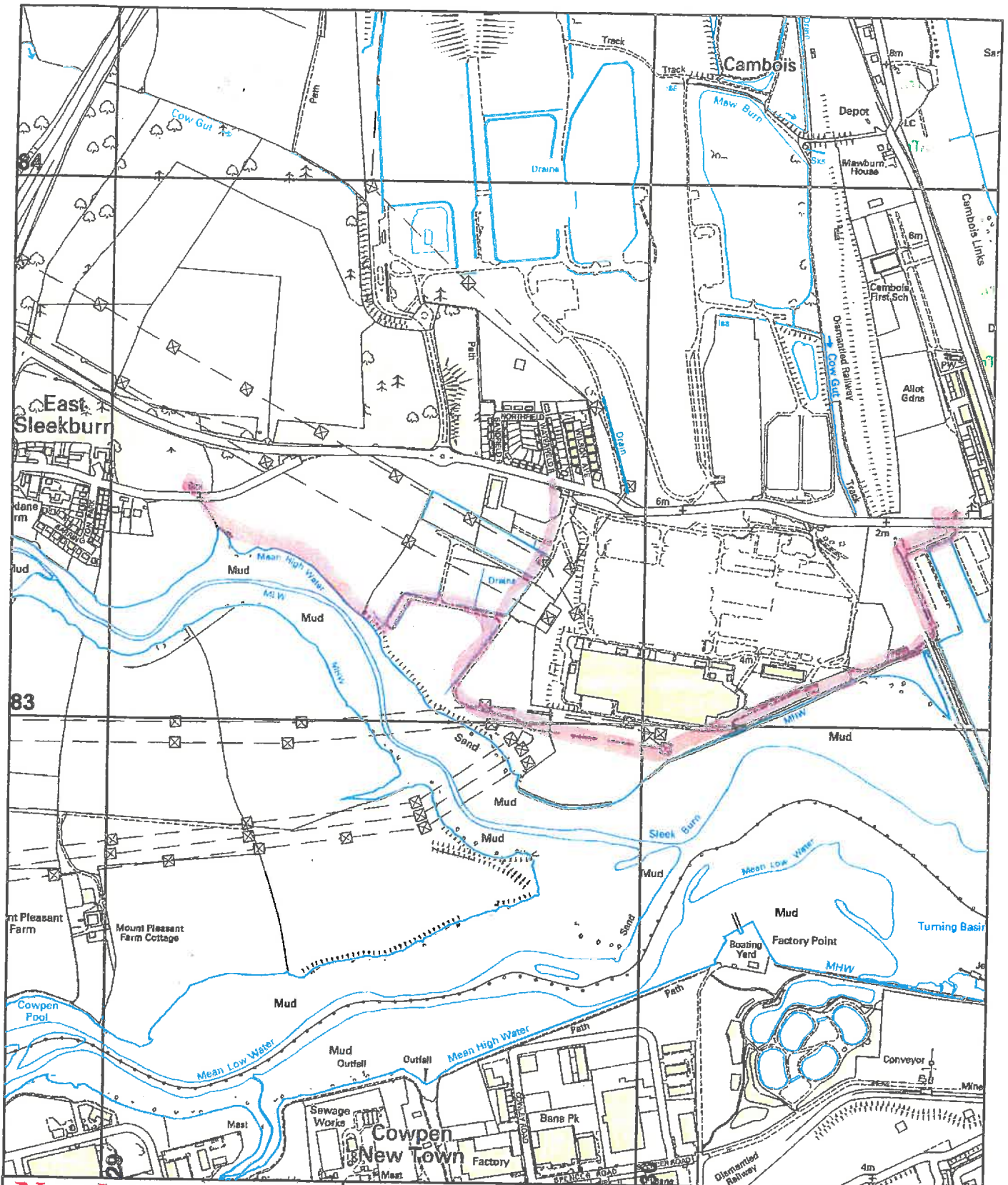
1	Have you used the above path?	YES
2	How wide is the path?	1-2 YARDS
3	During which years have you used it? (e.g. 1975-1995)	2006 - 2017
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	Cambois - Sleekburn Pleasure DAILY - IN PART. FOOT.
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	YES

6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	No
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	NO
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO .
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	NO
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	RWE Fenced off a section behind the power station; stating repairs were required
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	2 It was a temporary closure NO
12	Have you ever been given permission to use the path?	NO
13	Can you give any further particulars?	
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	NO
15	Would you be willing to attend a hearing; public inquiry or court to give evidence in this matter, if this should prove to be necessary?	YES

To the best of my knowledge, and belief the facts that I have stated are true

Dated 29-3-17 Signed 

Asset & Infrastructure Management
Local Services Group
Northumberland County Council
County Hall, Morpeth
Northumberland NE61 2EF



Northumberland

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Infrastructure Local Services
 County Hall Morpeth Northumberland
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Wildlife & Countryside Act, 1981

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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

EVIDENCE FORM

Former Borough/District: WANSBECK

Farish: WANSBECK

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

FOOTPATH No. of path (if known) -

IMPORTANT NOTE

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Name of witness MR. MICHAEL ELLIS

Address 13 GRANGE PARK AVE BEDLINGTON

Postcode NE22 7EF

Date of birth 25.10.78 Occupation BRICKLAYER / BUILDER

Description of path (with grid references if known):

From ENTRANCE AT VILLAGE RD - HAVELOCK, EAST
to SLEEBURN, ENDS AT CAMBOIS BEACH

If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	YES
2	How wide is the path?	VARIED
3	During which years have you used it? (e.g. 1975-1995)	2007 until recent
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	Havelock to Cambois beach. Leisure varied foot with dog.
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	yes as far as I am aware

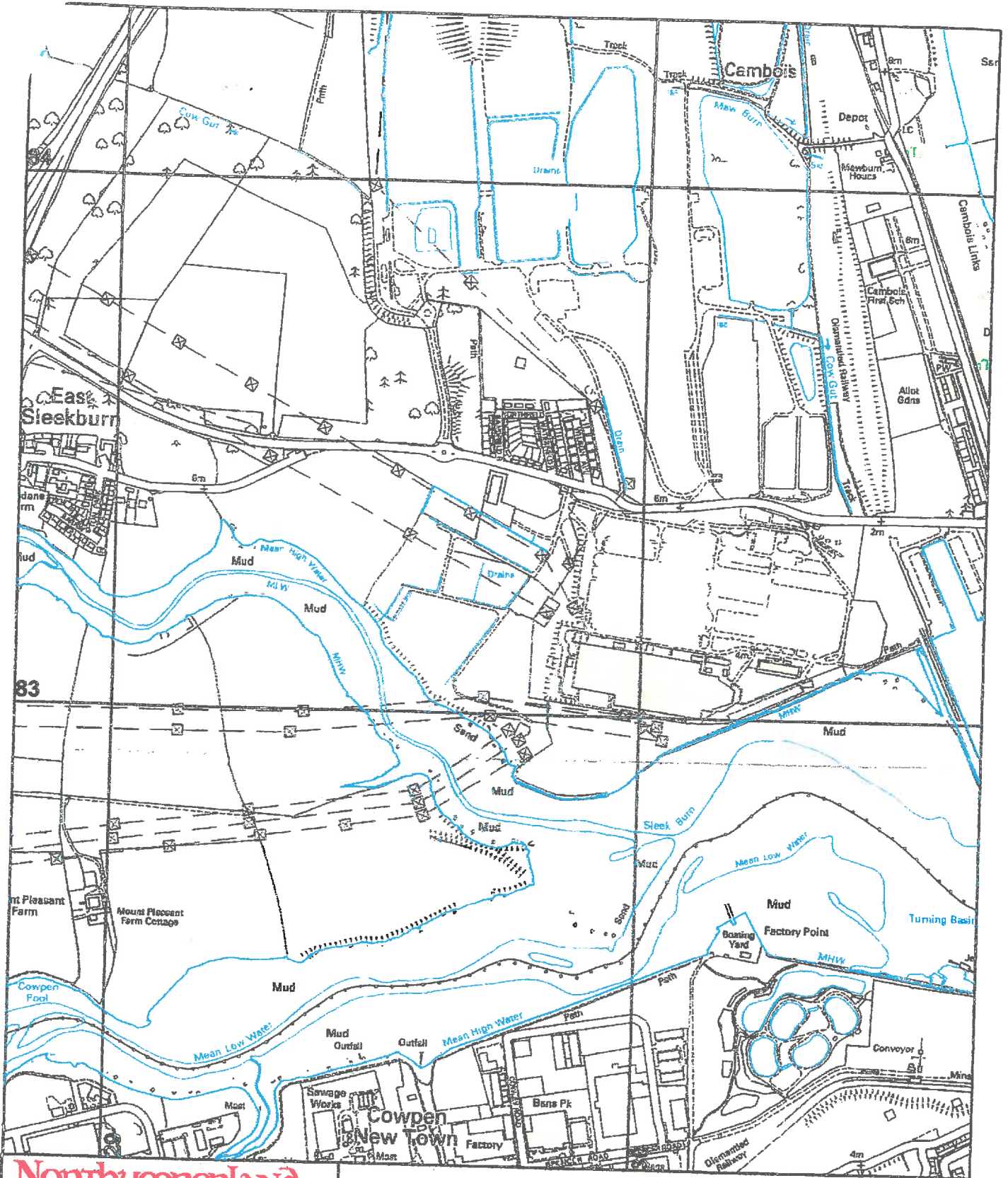
6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	bridge / public one across a ditch
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	NO. NO.
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO.
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	NO.
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	NO. Full access
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	NO nor that I recall
12	Have you ever been given permission to use the path?	Not really required, can see that its public
13	Can you give any further particulars?	NO.
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	Unsure.
15	Would you be willing to attend a hearing, public inquiry or court or give evidence in this matter, if this should prove to be necessary?	Unsure.

To the best of my knowledge and belief the facts that I have stated are true.

Dated 19th March 2017 Signed ... 

Asset & Infrastructure Management
Local Services Group
Northumberland County Council
County Hall, Morpeth
Northumberland NE61 2RF

completed by K. Mason
with full permission
granted



Northumberland
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Infrastructure Local Services
County Hall Morpeth Northumberland
NE61 2EF Telephone 0345 600 6400

Wildlife & Countryside Act, 1981

 Claimed Public Right of Way

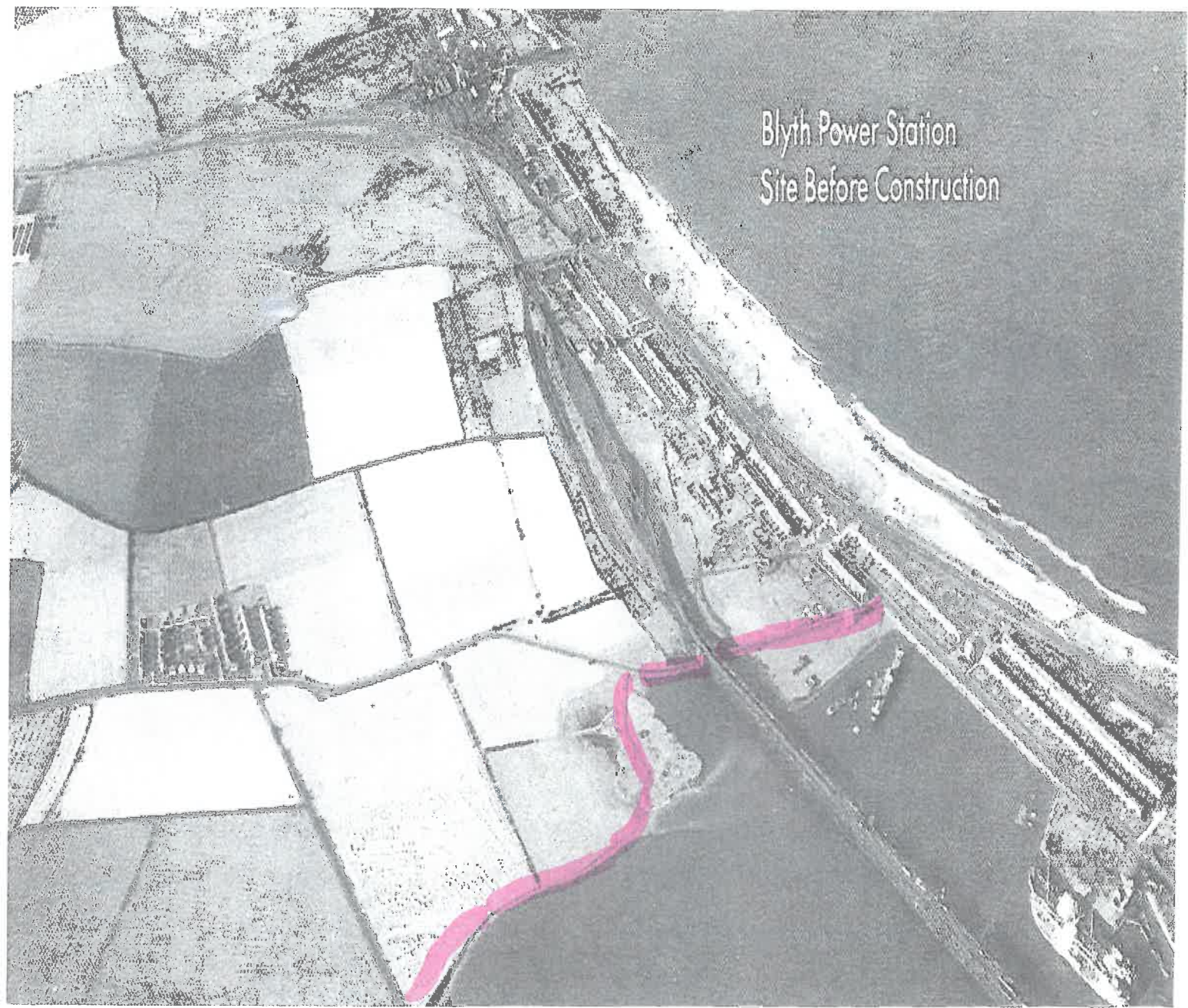
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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

**AIRIAL VIEW OF SITE BEFORE POWER STATION
WAS CONSTRUCTED**

Blyth Power Station
Site Before Construction

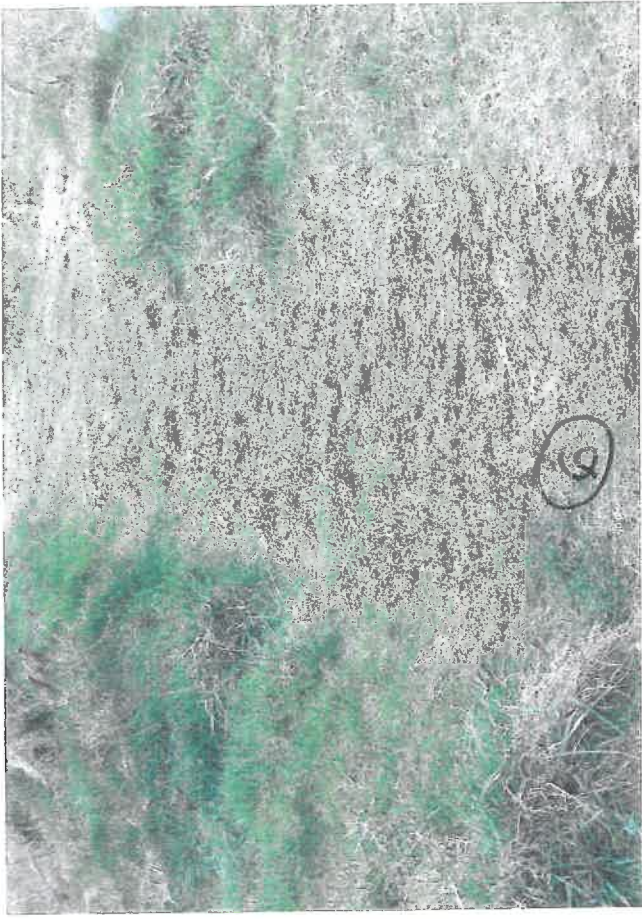
ORIGINAL PATH PROIR to the
ASH BARGE DOCK.





ALL TAKEN - MARCH 2017.

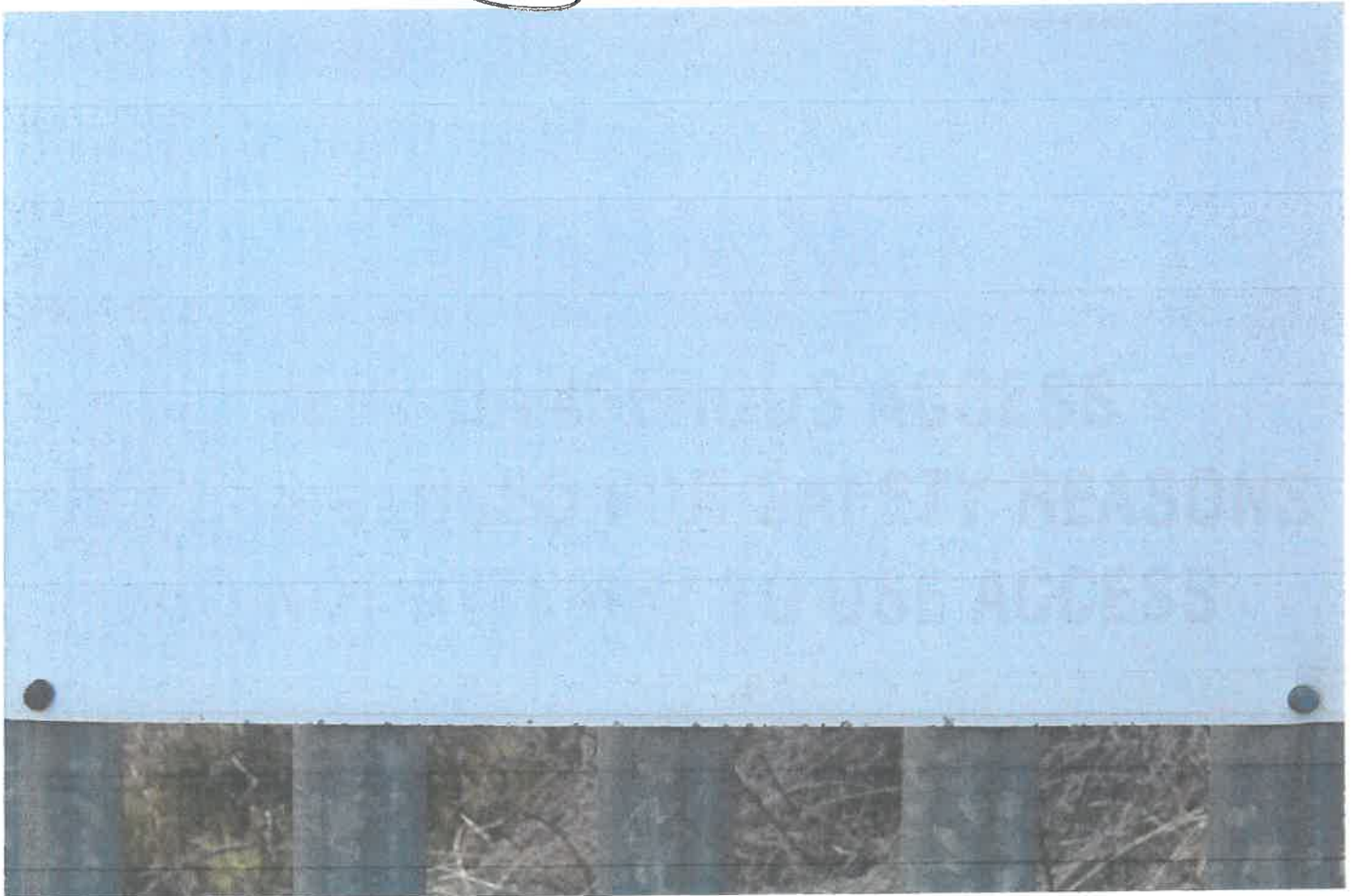








13



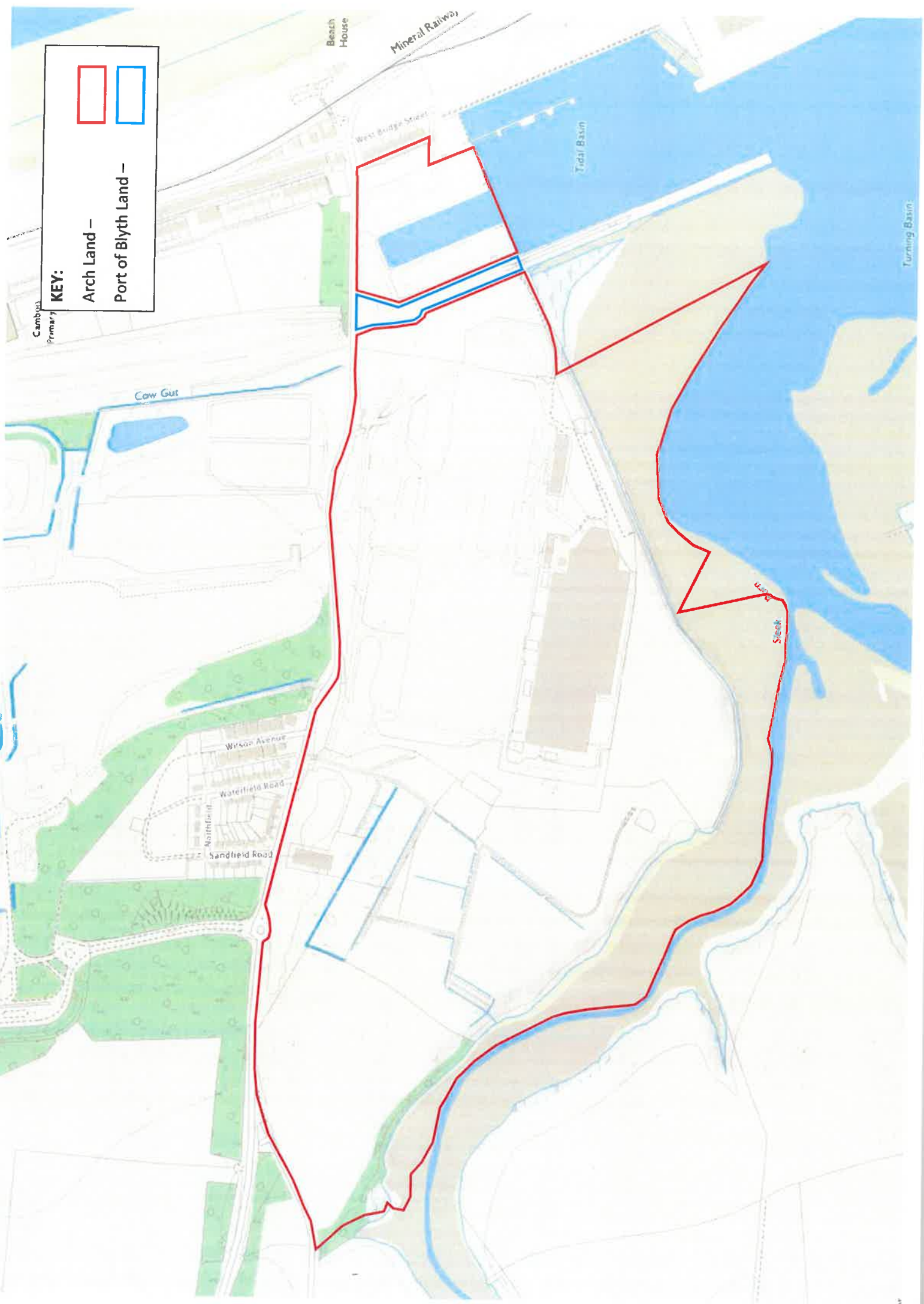
14



PICTURES TAKEN BY A MOP FROM
THE BACK OF THE POWER STATION HEADING
EAST TOWARDS PICTURES 12+13 .



22-03-2017



KEY:



Arch Land -

Port of Blyth Land -

Bench House

Mineral Railway

West Bridge Street

Tidal Basin

Turning Basin

Cow Gut

Wilson Avenue

Waterfield Road

Sandfield Road

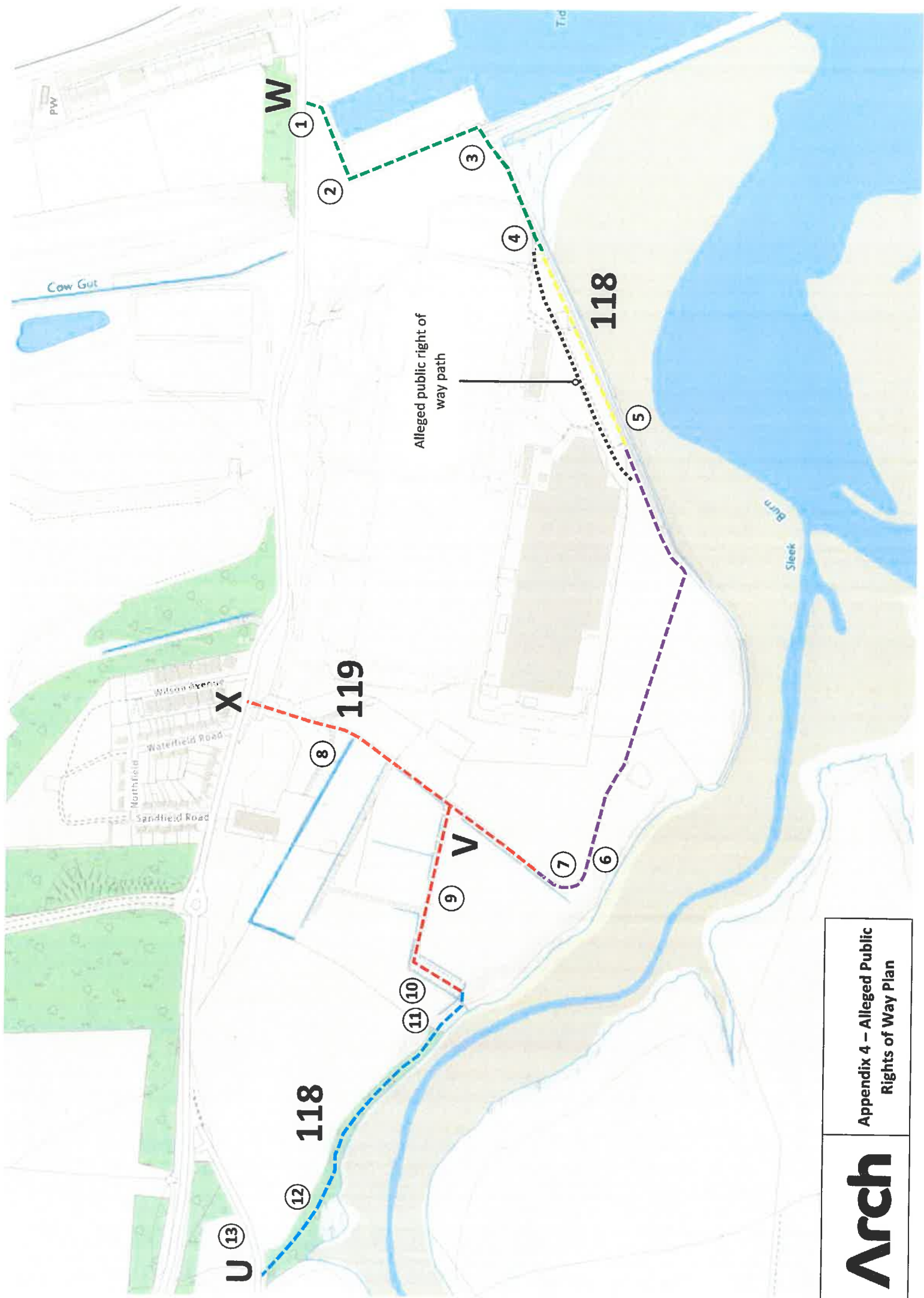
Seek Creek

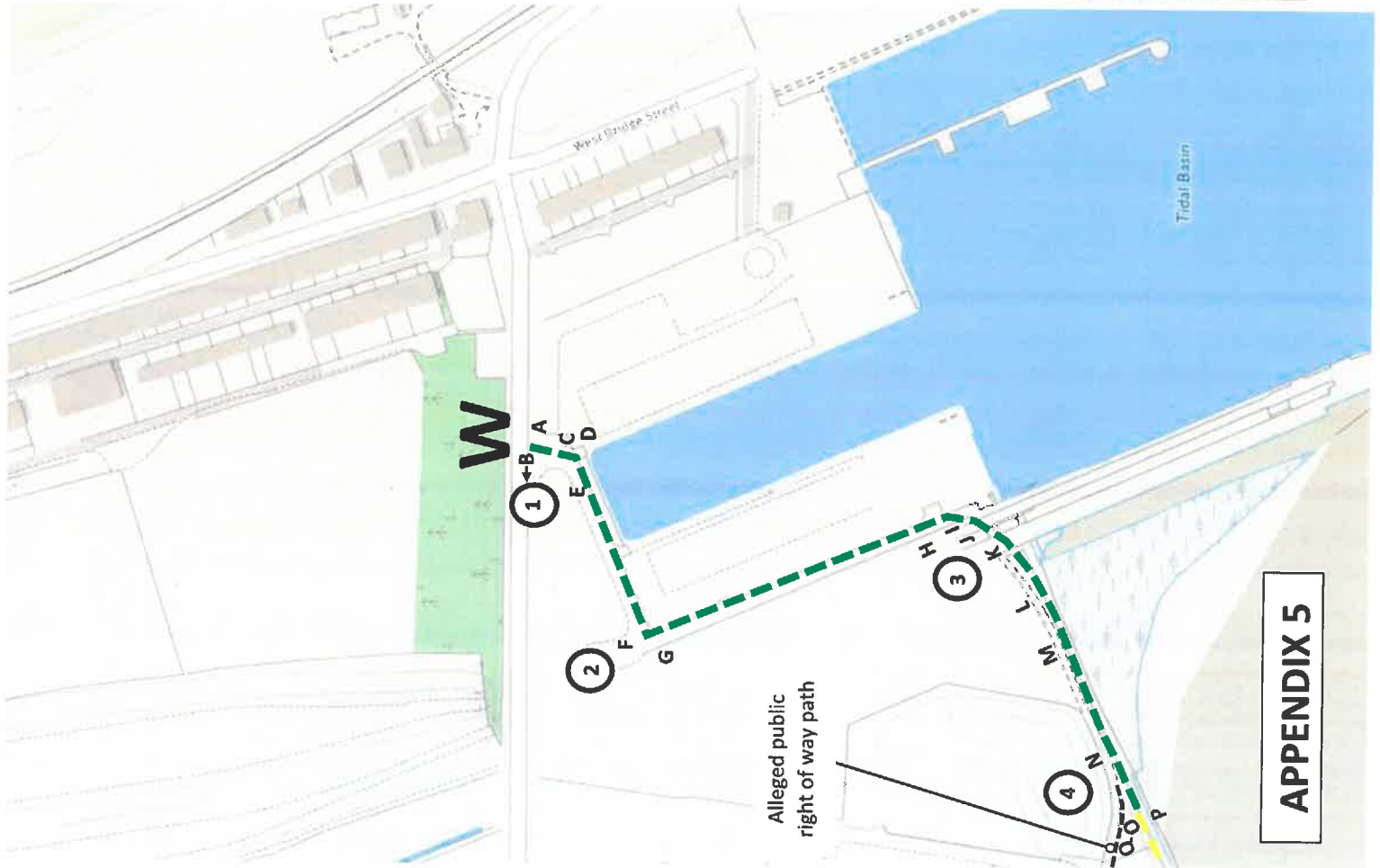
Key

- Energy Development Opportunities —
- Developed/Developing Energy Investors —
- Port of Blyth Operations —
- Road Network —
- Interconnector Cable —
- Rail Line —



APPENDIX 3





A
Entrance Gate



B
Perimeter Fence



C
Vehicular Barrier – facing west



D
Vehicular Barrier



E
Route North of Dock facing west



F
Route looking south



G
Route looking south parallel to dock



H
Route facing south towards staitheas



I
Route facing south towards staitheas



J
Route leaving road facing west



K
Route facing west



L
Route facing west



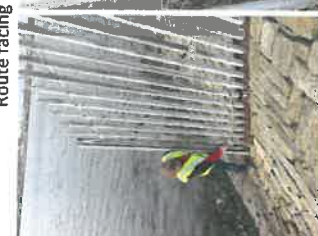
M
Route facing west



N
Route approaching security fence



O
Extended security fence



P
Extended security fence down revetment



Q
Warning sign

APPENDIX 5

Alleged public right of way path

Photos show path being walked from East to West, starting at point A and ending at point L



A
Extended fence down
revetment



B
Route along top of
revetment



C
Route along top of
revetment



D
Vegetation along route



E
Collapsed revetment



F
Route towards second
barrier



G
Route towards second
barrier



H
Extended fence down to
water outfall



I
Security gate into main site



J
Security gate into main site





A
Location of former wader trail sign



B
Route following route of wader trail



C
Route following service road to rear of 275kv substation



D
Route following service road



E
Wader trail sign



F
Route following service road



G
Route following service road



H
Route of wader trail facing west following Sleek Burn



A (south)
Service road facing south



C
Gated entrance to service road facing south at point X



E
End of service road facing west



G
Bridge over drainage ditch facing west



A (north)
Service road gate facing north



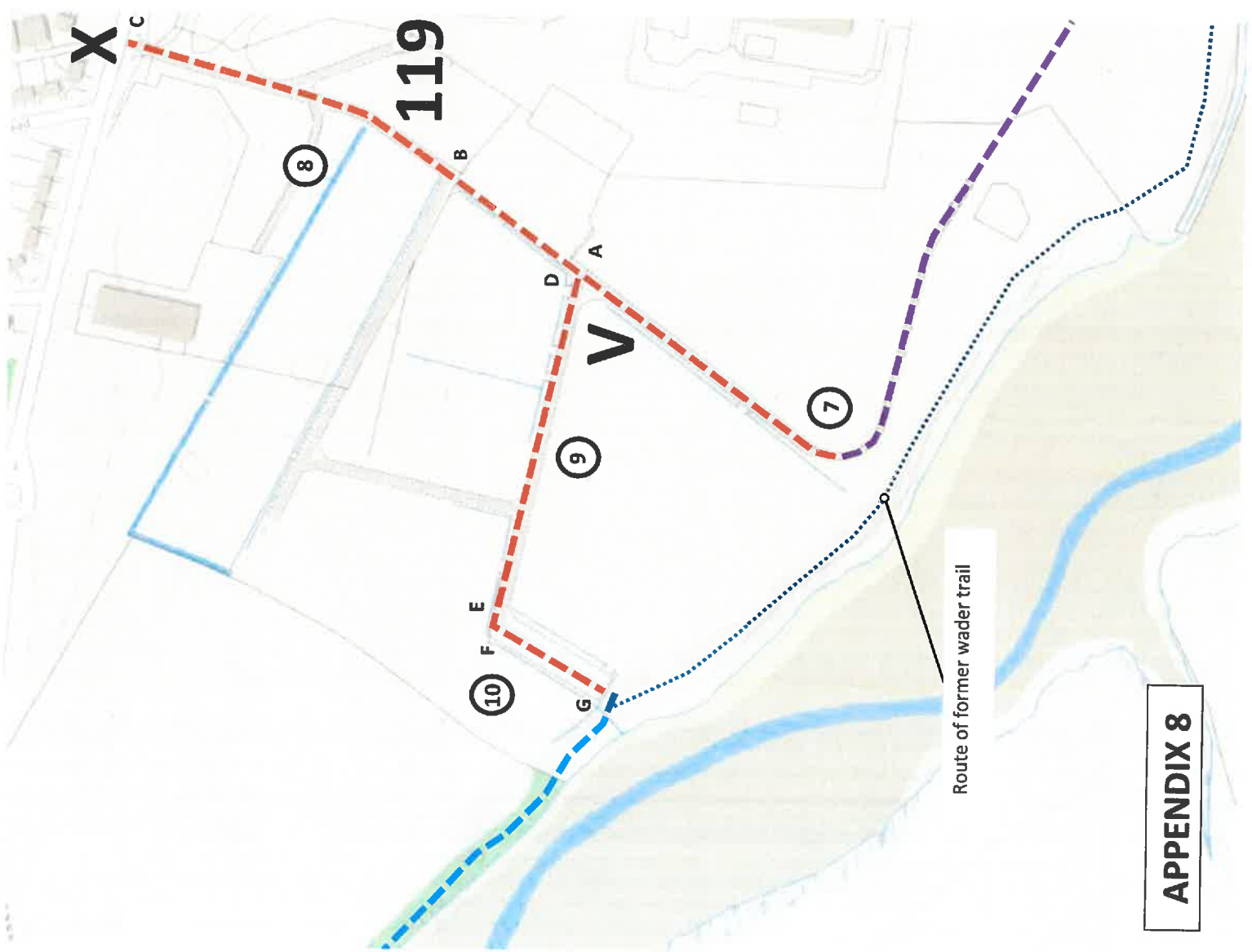
B
Second service road gate facing north



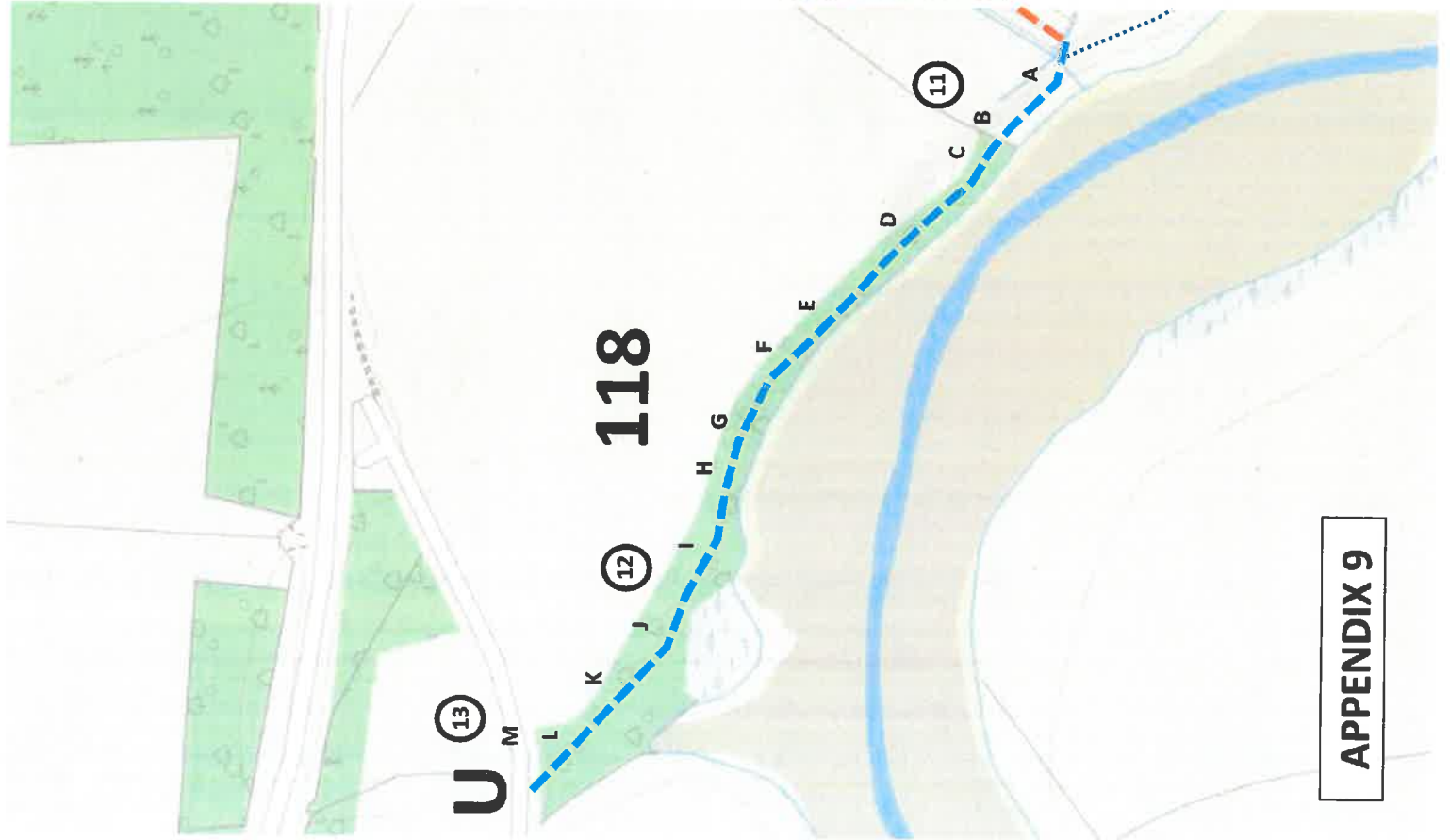
D
Service road facing west at point V



F
Route heading south from service road



APPENDIX 8



A
Route heading west after bridge Route heading to footbridge facing west



B
Route heading to footbridge facing west



C
Bridge over drainage ditch



D (bridge)
Bridge over drainage ditch



D (west)
Route heading west after footbridge



E
Route heading west



F
Route heading west



G
Route heading west



H
Impassable overgrown section of route



I
NSL outfall cleared section



J
Area of NSL outfall



K
Alternative route along field boundary



L
Route from field towards road facing west



M
Route emerging to tarmacked road facing east



N
Tarmacked road facing east



WADER trail

er are pleased to welcome visitors to the and Nature Reserve in the grounds of Blyth n. The production of electricity inevitably ronmental impacts. At National Power we are o reducing such impacts to the lowest vel. We are pledged to improve the local it where this is possible. The Wader Trail is itutive. New habitats have been created to ourage wildlife.

e Reserve is of particular importance as it e Blyth Estuary 'Site of Special Scientific SSSI). This is internationally important! lers in particular. National Power has provided three hides on re in order for the birds to red. National Power are ng the Reserve as a teaching in partnership with local Our hope is that the Trail will give much e to all those who enjoy the countryside.

WADERS & BILLS

INSTONE
An elegant, long-billed wader with a dark breast and a long, thin bill. It is often seen in the mudflats of the Blyth Estuary.

UNDERLING
A small wader with a dark breast and a long, thin bill. It is often seen in the mudflats of the Blyth Estuary.

WATERCATCHER
A small wader with a dark breast and a long, thin bill. It is often seen in the mudflats of the Blyth Estuary.

CURLEW
A large wader with a dark breast and a long, thin bill. It is often seen in the mudflats of the Blyth Estuary.

DUNLIN
A small wader with a dark breast and a long, thin bill. It is often seen in the mudflats of the Blyth Estuary.

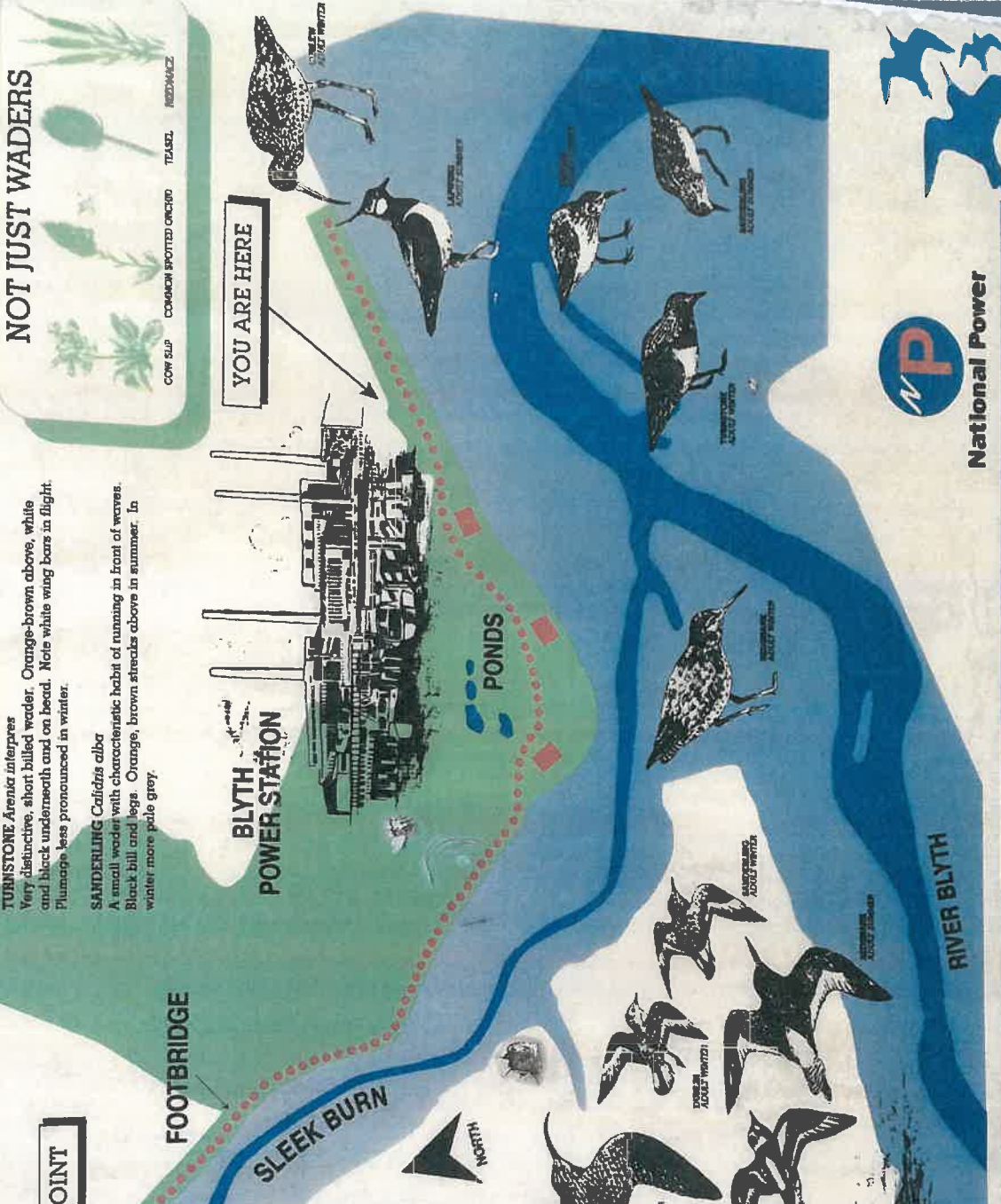
REDSHANK
A small wader with a dark breast and a long, thin bill. It is often seen in the mudflats of the Blyth Estuary.

LOOK FOR

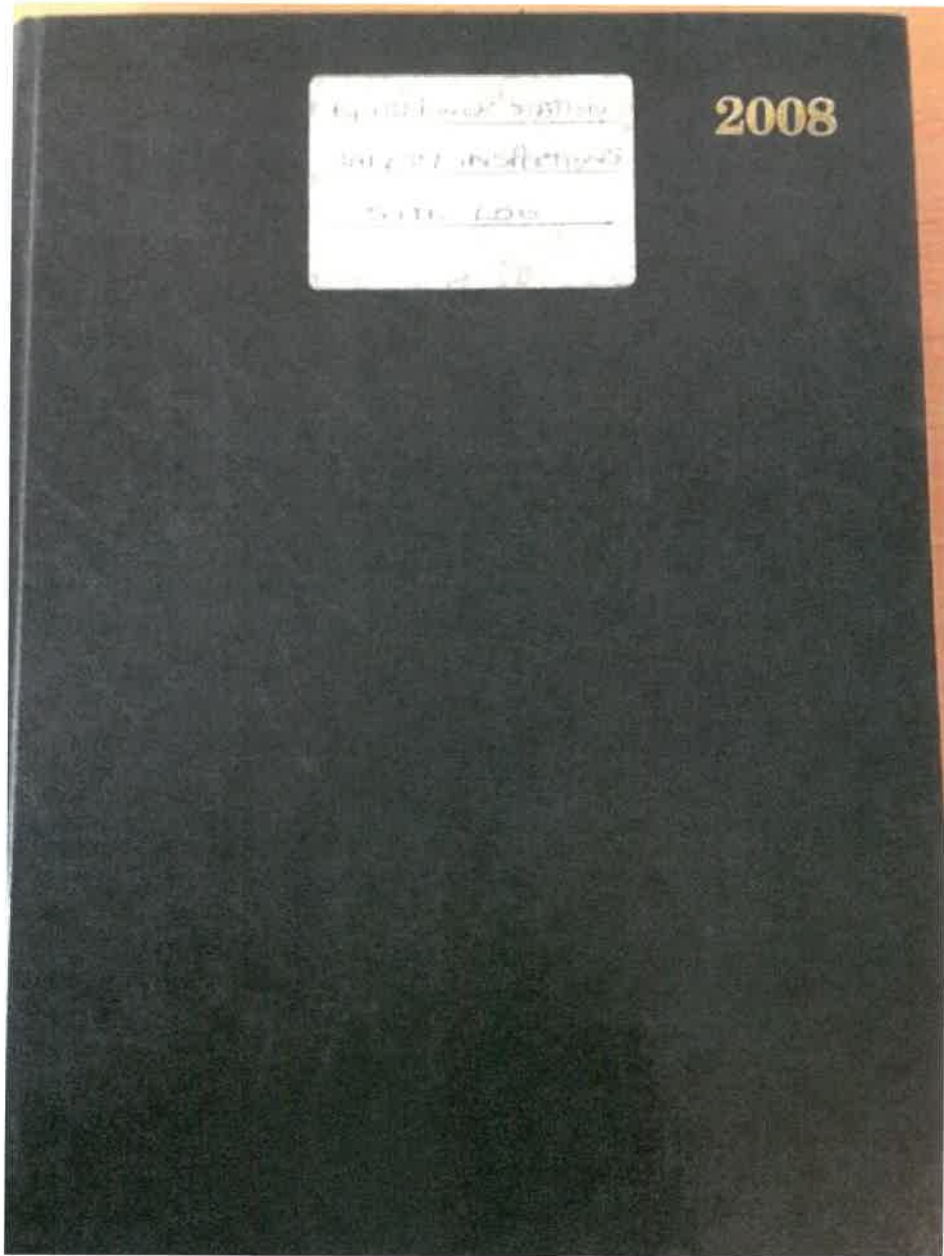
1. RED BREASTED MERGANSER
2. SHELDUCK
3. CORMORANT
4. MUTE SWAN
5. EIDER DUCK
6. GOLDFINCH
7. SKYLARK
8. GREY HERON

KEY

- RIVER
- MUD FLAT
- MEADOW
- BIRD HIDE
- FOOTPATH



National Power



2008 May

Wednesday 7

PAGE 1


WORK

On site 108.45
Off site 10.30

Site meeting with Blaw + Kato. Visited all areas of site.

General Power Station Site: NEDL contractor + G + B
Civil Engineer on site connecting up downward supplies
for site cables. - Meeting staff on site tomorrow. G + B
to do final site connections on Friday.
S + Field Services on site erecting fence at inside gate.
Ratna on site continuing with signage survey.

Local Water Plant: Calumet Hallet progressing with
groundwork survey.
Willhite, Young & Gray on site monitoring hill activities.

General: annual site Safety Induction carried out


	June					July					
M	2	9	16	23	30	M	7	14	21	28	
T	3	10	17	24		T	1	8	15	22	29
W	4	11	18	25		W	2	9	16	23	30
T	5	12	19	26		T	3	10	17	24	31
F	6	13	20	27		F	4	11	18	25	
S	7	14	21	28		S	5	12	19	26	

May 2008

8 Thursday

on site 08:30hrs
off site 13:00hrs

Main Site

Riverside fencing inspected ok.
Site 8 field installing solar fencing & signage.

Site Electrical supplies

Water plus available to install
retaining installation supplied by W&A requires the
up grade CD type. Air pump should be on site
Friday Dave Scarrott come.

sol Deck

fencing all across
Observed movement of water during water out
sampling.

Mount Water and solar progressing surveys

John G. rd.

Site & Field Services Ltd

Freeman Way,
North Seaton Ind Est,
Ashington,
Northumberland,
NE63 0YB

Tel : 01670 522522

Fax : 01670 854035



SALES INVOICE

ACCOUNT NO : R6

INVOICE NO : 844

INVOICE TO : RWE GENERATION UK PLC
ACCOUNTS PAYABLE - TECHNOLOGY
SERVICES
PO BOX 545
WORCESTER
WR4 9WU

VAT REG NO : 746 5230 32

TAX DATE : 12/05/2008

CURRENCY : Pounds Sterling

QTY	PART DESCRIPTION	U.O.M	YOUR ORDER NO.	OUR REF.	DELIVERY REF.	PRICE EACH	TOTAL PRICE
1	7705 SITE WORK 06/05/08 TRAVEL TO SITE 06/05/08 ERECTION OF 2 X OFF SHORT LENGTHS OF PALISADE FENCING, COLLECT CLOSURE NOTICES FROM RWE NPOWER SITE OFFICE AND SECURELY FASTEN TO EACH SIGN TO THE PALISADE, DISMANTLE AND DISPOSE OF SITE DISUSED METAL LADDER LOCATED ON RIVER BLYTH EMBANKMENT. COMPLETION TO BE BY 09/05/08 PLEASE CONTACT CHARLIE McLAUGHLIN (SAFETY ADVISOR), JOHN E SMITH AND JIM ORD.	Each	BLYTH/05/01	7705/1	1056/1	2,738.96	2,738.96
						GOODS TOTAL £	2,738.96
						GOODS 20 % VAT £	479.32
						TOTAL DUE £	3,218.28

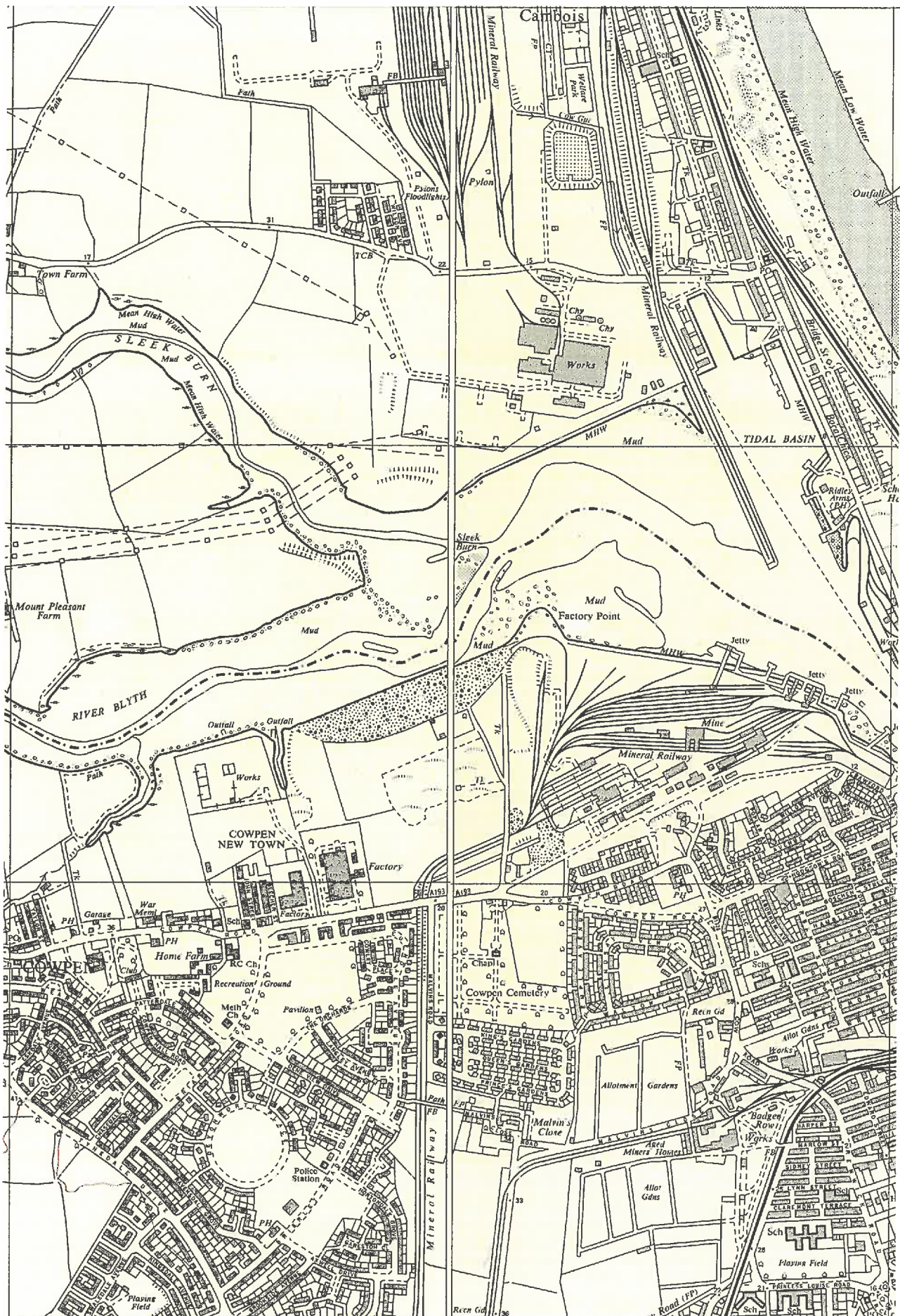
TERMS NET 30 DAYS FROM DATE OF INVOICE

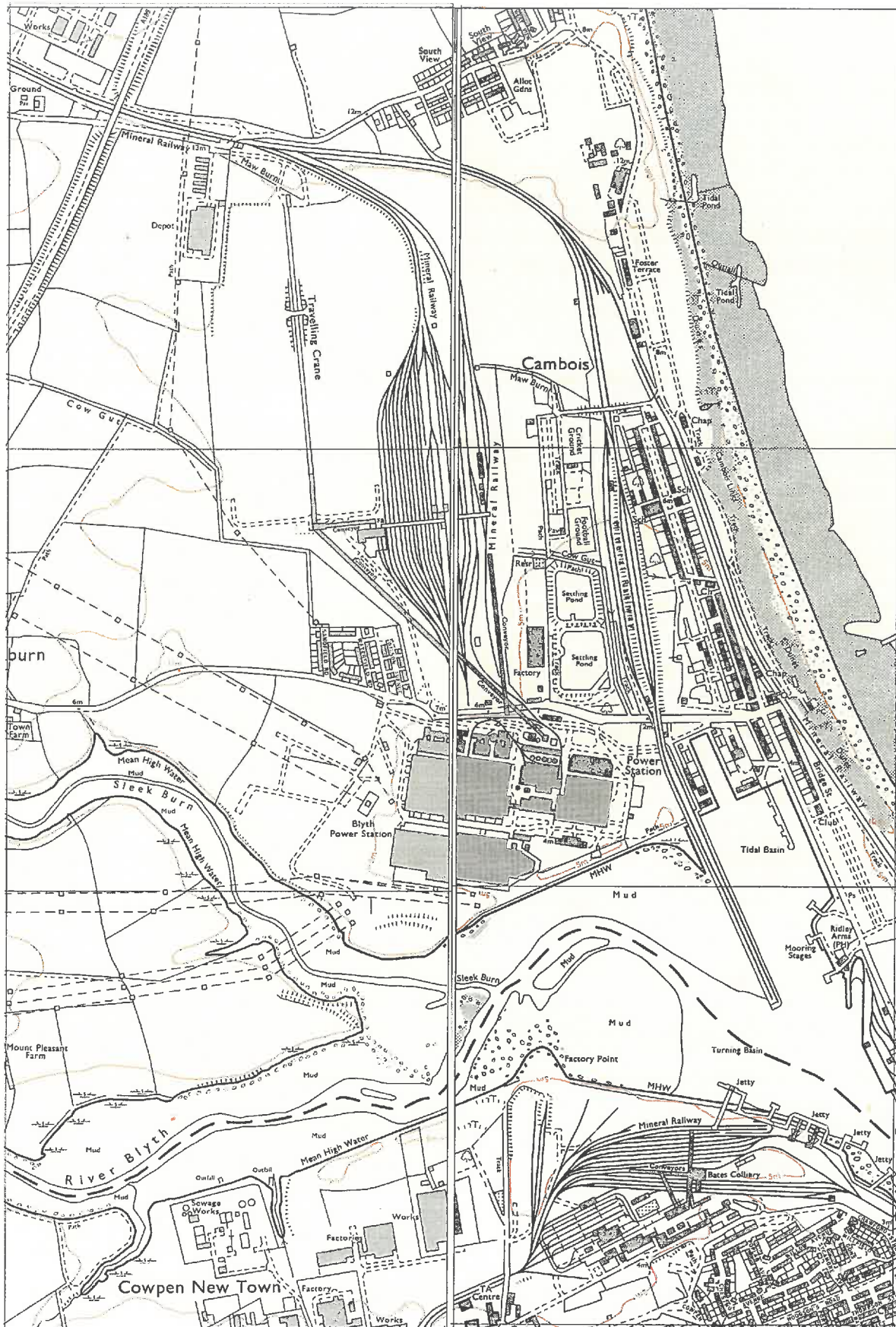
NOTICE OF ASSIGNMENT

The amount due under this invoice is assigned to and must be paid to our Factors,
New Address : RBS Invoice Finance, PO Box 598, Rotherham, S63 3GP
Account Number 81359446 Sort Code 62-31-60
They alone give a valid discharge.

Registered Office: 1 Freeman Way, North Seaton Ind Est., Ashington, Northumberland NE63 0YB
Registered in England No. 5211703 V.A.T. Reg No. 746 5230 32

1:10,560 O.S. Map
1966-7





PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District:

Parish:

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

..... No. of path (if known)

IMPORTANT NOTE

The object of this form is simply to provide a factual statement about the matter. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public claim. This is of particular importance if the information is to be of real value in establishing the status of the path. (The term "path" is used throughout this evidence form, whatever the status, i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Name of witness ROBERT GASCOIGNE

Address 4, OAKLEY CLOSE THE WINDINGS, ANITTSFORD

CRAMLINGTON NORTHUMBRELAND Postcode NE 23 7UE

Date of birth 29-06-1947 Occupation RETIRED ENGINEER

Description of path (with grid references if known):

From PATH FROM THE WEST STAIRS RUNNING BEHIND
to THE NATIONAL GRID BUILDING TOWARD EAST SLEEBURN

If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	YES
2	How wide is the path?	APPROX 1 MTR
3	During which years have you used it? (e.g. 1975-1995)	1987 - 2017
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	FROM CAMBOUR TO THE ESTUARY CATHALING BAIT FOR FISHING APPROX 30 TIMES PER YEAR FOOT
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	THE PATH HAS ALWAYS RUN OVER THE SAME ROUTE UNTIL SOMEONE ERECTED A FENCE PREVENTING ACCESS

6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	NO
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	NO
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	NO
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	AS STATED BEFORE A FENCE PLANTING ACCESS WAS ERRECTED ROUGHLY 5 YEARS AGO
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	NO NOT BEFORE THE ERECTION OF THE FENCE
12	Have you ever been given permission to use the path?	NO
13	Can you give any further particulars?	
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	NOT TO MY KNOWLEDGE
15	Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	YES

To the best of my knowledge and belief the facts that I have stated are true.

Dated 19-05-2017 Signed [Signature]

Asset & Infrastructure Management
Local Services Group
Northumberland County Council
County Hall, Morpeth
Northumberland NE61 2EF



Northumb
Northumberland County Council

Wildlife & Countryside Act, 1981

Infrastructure Local Services
County Hall Morpeth Northumberland
NE61 2EF Telephone 0345 600 6400

— Claimed Public Right of Way

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Former District	Wansbeck	Parish	n/a	Scale	1:10,000
Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

EVIDENCE FORM

Former Borough/District:

Parish:

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

..... No. of path (if known)

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Name of witness Mr M Robson

Address 3 South Parade Guide Post Choppington
W-LAND Postcode

Date of birth 20 4 1944 Occupation RETIRED

Description of path (with grid references if known):

From

to

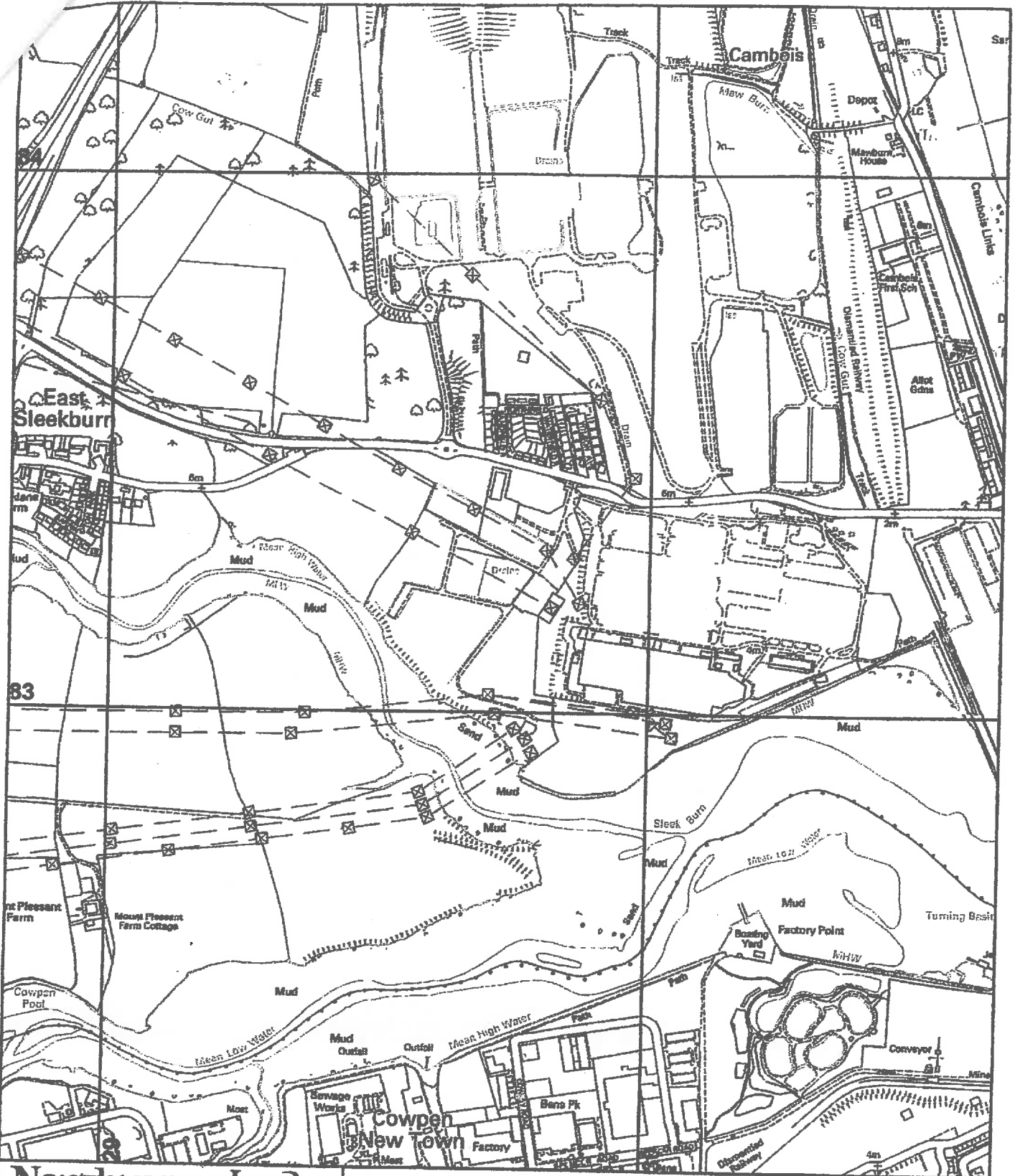
If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	YES.
2	How wide is the path?	
3	During which years have you used it? (e.g. 1975-1995)	1980 - 2017.
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	WEST BRIDGE ST. to RIVER WLYTH. 30 TIMES FOOT.
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	YES

6	Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	
7	(a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	
8	Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? Is so, state when this took place and give particulars.	
9	Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	
10	Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	NO W ARET.
11	Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	NO.
12	Have you ever been given permission to use the path?	
13	Can you give any further particulars?	
14	Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	
15	Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	

To the best of my knowledge and belief the facts that I have stated are true.

Dated 5/5/2017 Signed 



NORTHUMBERLAND
 Northumberland County Council

Infrastructure Local Services
 County Hall Morpeth Northumberland
 NE61 2EF Telephone 0345 600 6400

Wildlife & Countryside Act, 1981

————— Claimed Public Right of Way

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Def. Map. No.	159 / 160	O.S. Map	NZ 28 SE / 38 SW	Date	February 2017

PUBLIC RIGHTS OF WAY

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EVIDENCE FORM

Former Borough/District:

Parish:

Believed status of path (i.e. footpath, bridleway, restricted byway or byway open to all traffic)

..... No. of path (if known)

IMPORTANT NOTE

The object of this form is simply to provide a factual statement about the matter. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public claim. This is of particular importance if the information is to be of real value in establishing the status of the path. (The term "path" is used throughout this evidence form, whatever the status, i.e. footpath, bridleway, restricted byway or byway open to all traffic)

Name of witness JOHN EVE

Address LT ALWINTON CLOSE

BLYTH Postcode NE24 5 5W

Date of birth 24.1.50 Occupation RETIRED

Description of path (with grid references if known):

From


to

If necessary continue your answers on an additional sheet of paper.

1	Have you used the above path?	YES
2	How wide is the path?	
3	During which years have you used it? (e.g. 1975-1995)	1960 - 2017
4	(a) Where were you going to and from? (b) For what purpose? (c) How many times a year? (Please give an approx. number) (d) By what means (foot, horseback, etc.)?	HALOCK TO CAMBOCS WALK. 3 TIMES A WEEK FOOT
5	Has the path always run over the same route? If not give particulars and dates of any changes which have occurred.	YES

6 Have there to your knowledge ever been any stiles or gates on the path? If so, please state location and dates	SIGNS PUBLIC FOOT PATH
7 (a) If you were working for any owner or occupier of land crossed by the path at the time when you used it, or were then a tenant of any such owner, give the particulars and dates. (If not, write "No"). (b) If so, did you ever receive any instructions from him/her as to the use of the path by the public. If so what were they?	NO
8 Have you ever been stopped or turned back when using this path, or do you know or have you heard of anyone else being turned back? If so, state when this took place and give particulars.	NO
9 Were you ever told by any owner or tenant of the land crossed by the path, or by anyone in their employment, that the path was not public? If so, state when and give particulars and dates.	ARCH NOW
10 Have you ever known any locked gates or other obstruction to the path? If so state when and give particulars.	POWER STN AND/OR FENCE ARCH UNLOCK GATE
11 Have you ever seen any notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the path? If so, what did the notices say? Please give dates.	
12 Have you ever been given permission to use the path?	
13 Can you give any further particulars?	
14 Have legal or other proceedings been taken about the path at any time? If so, full details should be given.	
15 Would you be willing to attend a hearing, public inquiry or court to give evidence in this matter, if this should prove to be necessary?	

To the best of my knowledge and belief/the facts that I have stated are true.

Dated  Signed 15/4/17
 (Note: The signature is written as 15/4/17, which is likely a typo for 15/4/17.)

Asset & Infrastructure Management
 Local Services Group
 Northumberland County Council
 County Hall, Morpeth
 Northumberland NE61 2EP

Bond Dickinson's Summary of the User Evidence

Appendix B

No.	Name	Address	Claimed Use	Comments
1	John James	1 Selbourne Terrace, Cambois	1940s - 2016	Lives in Cambois, use from 2008 limited to W - F
2	Derek Blake	2 Selbourne Terrace, Cambois	1959 - 2017	Lives in Cambois, use from 2008 limited to W - F
3	Carol Crossland	39 Dale Street, Cambois	1968 - 2008	Used route 8 times a year lives in Cambois, use from 2008 limited to W - G
4	Nicola Green	3 Stone Cottages, East Sleekburn	1975 - 1988	Not in relevant period for U - E and E - F
5	Julia Barron	9 Southview, East Sleekburn	1989 - 2017	Only walked to the hides Use only relevant for U - D
6	Carol Cummings	11 South View, East Sleekburn	1990 - 2017	Lives in East Sleekburn use from 2008 limited to U - E
7	Kathryn Mason	13 Grange Park Avenue, Bedlington	1990 - ?	Unclear when she moved from East Sleekburn to Bedlington - it is likely she was visiting her mother so use from 2008 limited to U - E
8	Lynda Mason	3 Belle Vue Terrace, East Sleekburn	1990 - 2016	Admits path eroded, use from 2008 limited to U - E
9	Ian Waugh	Town Farm, East Sleekburn	1992 - 2010	Permissive use
10	Edward Richardson	General Havelock, East Sleekburn	1995 - 2010	Permissive use
11	G. Ian Rowland	2 Moorland Court, Bedlington	1996 - 2006	Only 10 years of use
12	F. McCabe	1 Belle Vue Terrace, East Sleekburn	1999 - 2012	Lives in East Sleekburn use from 2008 limited to U - E
13	Dorothy O'Connor	11 Ager Miners Cottages, Cambois	2006 - 2017	Lives in Cambois so use limited from 2008 to W - F
14	Michael Ellis	13 Grange Park Avenue, Bedlington	2007 - recently	Lives with Kathryn Mason, likely use was limited from 2008 to U - E