

RIGHTS OF WAY COMMITTEE

11 July 2017

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

ALLEGED BYWAY OPEN TO ALL TRAFFIC No 21 PARISH OF CORNHILL

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 public vehicular rights over the U39 road, between the A698 road just north of Cornhill and the western end of Public Bridleway No 7 at Green Lane Cottage.

Recommendation

It is recommended that the Committee agree that:

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

1.0 BACKGROUND

- 1.1 By virtue of section 53 of the Wildlife and Countryside Act, 1981 the County Council is required to keep the Definitive Map and Statement under continuous review and make modification orders upon the discovery of evidence, which shows that the map and statement need to be modified.
- 1.2 The relevant statutory provision which applies to adding a public right of way to the Definitive Map and Statement, based on historical documentary evidence, is Section 53(3)(c)(i) of the Wildlife and Countryside Act, 1981. This requires the County Council (as Surveying Authority) to modify the Definitive Map and Statement following:

“the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:

“that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic;”

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

2.0 PUBLIC EVIDENCE

- 2.1 In the late 1980s the County Council carried out consultations regarding proposals to add a number of unsealed tracks in the north of the County to the Definitive Map as byways open to all traffic on the basis that the routes were included in the County Council's "List of Streets" as unclassified County roads (UCR). The rationale for doing so was that it would not be obvious to members of the public (particularly horse riders, walkers and cyclists) that they were legally entitled to use routes such as these (which were considered to have vehicular status), because their physical appearance might suggest otherwise.
- 2.2 The view, held by those officers of the Council responsible for maintaining the 'List of Streets' for the County of Northumberland was (and still is) that only public roads (not public bridleways or public footpaths) were shown on this List. The only exceptions to this are the surfaced paths and alleyways providing pedestrian links between roads, in urban streets. Thus, tracks in rural settings, which have their own unique reference numbers (e.g. the 'U39' road), were considered to be all-purpose public highways maintainable at public expense.
- 2.3 Shortly afterwards, the processing of applications from third parties seeking to record public footpath or public bridleway rights was afforded a higher priority. Later on, the process of recording UCRs as byways open to all traffic was effectively suspended because the Ordnance Survey indicated that they would be showing such routes on their published maps as being an "Other route with public access". Although, on that basis, members of the public would still be unclear as to precisely what rights they had over routes identified in this fashion.
- 2.4 The most recent advice from DEFRA (paragraph 4.42, Rights of Way Circular 1/09) is that inclusion on the List of Streets may provide evidence of vehicular rights but that this should be examined on a case by case basis. In view of this advice, it is considered prudent to evaluate the status of the U39 unclassified County road based upon more than simply its inclusion in the List of Streets.

3. LANDOWNER EVIDENCE

- 3.1 By letter, dated 14th August 2014, J Glass of Cramondhill Farm, responded to the consultation, stating:

“I have enclosed the map you sent, we do not own any of the land surrounding road.

“We have always been lead to believe it is a council road. The owners to our knowledge of area around road is
Mr & Mrs R Maxwell, Greenlane Cottage, Cornhill on Tweed, TD12 4UN
& Mr A Maxwell, 6 Lennel Mount, Coldstream, TD12 4NS.

“I hope that is of help.”

4. CONSULTATION

- 4.1 In July 2014, 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”. Four replies were received and are included below.

- 4.2 By email, on 19th September 2014, Cornhill Parish Council responded to the consultation regarding this and other routes within the parish stating:

“Cornhill Parish Council supports the proposed modifications to Cornhill Footpaths and Byways outlined in your letter of July 25th 2014. The Parish Council welcomes efforts to safeguard all local rights of way, which benefit the community and promote local tourism. The Parish Council also promotes several local walks through leaflets which are available on the Cornhill Website and in the Village Shop. The above footpath and byways are all well used by locals and visitors.”

- 4.3 By letter, dated 17th October 2014, Ms E Bamford responded to the consultation, on behalf of the Ramblers’ Association, stating:

“Parish of Cornhill Byway open to all traffic 21 We have walked this route on a number of occasions over the past 15 years.”

- 4.4 By letter, dated 28th October 2014, Mr D Roberts responded to the consultation, on behalf of the Cyclists’ Touring Club, indicating he had no comment regarding this particular proposal.

- 4.5 By email, on 14th November 2014, Ms S Rogers responded to the consultation, on behalf of the British Horse Society, supplying the following results of an examination of the historical deposited railway plans:

“Referring to Quarter Sessions Deposited Plans Northumberland Railways with Branches Plans and sections-IK Brunel - dated November 1844
Reference No. Q/R/UP/63a

"Byway 21GH

On Cornhill Junction page of above plan the way crossing the railway track marked as No. 3 (deduced - difficult to read). To the East of G where the way from Cramonts (sic) Hill joins the way is marked as No. 11.

"Book of Reference Page 84

Chapelry of Cornhill (Township of Cornhill).

No. on Plan	Description	Owner/Lessees/Occupier
3	Occupation Road	Fred John Collingwood, Thomas Fenwick Devises in trust under the will of John William Collingwood deceased William Pratt Trustees of Berwick and North Durham Turnpike

No. on Plan	Description	Owner
11	Half of Public Highway	Surveyor of Highways John Laing

"Referring to Quarter Sessions Deposited Plans Northumberland Central Railway Plans and Sections Branch off Wansbeck line near Scots Gap to Coldstream branch beyond Cornhill Station dated November 1862
Reference No. Q/R/UP/108a

"Byway 21GH

On Coldstream Junction Branch Page No. 25 of above plan the way crossing the railway track marked as No. 20.

"Book of Reference Page ?

Parish of Norham (Chapelry of Cornhill).

No. on Plan	Description	Owner/Lessees/Occupier
20	Occupation Road	John Collingwood John Nevens & Thomas Richardson

"Referring to Quarter Sessions Deposited Plans of the Newcastle-upon-Tyne and Berwick-upon-Tweed Railway with Branches Plans and sections November 1844

Reference No. Q/R/UP/58a

"Byway 21GH

On Cornhill Junction Page No. 13 of above plan there is a continuous way shown from the North East of G described 'From New Heaton' and marked No. 23 crossing the railway track and through to the turnpike road. Way is drawn with full lines on both sides with more direct alignment than present.

"Book of Reference Page 224

Parish or Parochial Chapelry of Cornhill (Township of Cornhill).

No. on Plan	Description	Owner/Lessees/Occupier
23	Township Road	The Surveyor of Highways for the Township of Cornhill"

5. DOCUMENTARY EVIDENCE

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

1769 Armstrong's County Map

There is clear evidence of a road or track approximating to the route of alleged Byway No 21.

1820 Fryer's County Map

There is clear evidence of a road or track approximating to the route of alleged Byway No 21.

1820-32 Cary's Map

There is clear evidence of a road or track approximating to the route of alleged Byway No 21.

1828 Greenwood's County Map

There is clear evidence of a road or track approximating to the route of alleged Byway No 21.

1843 Cornhill Tithe Award

There is clear evidence of a road or track approximating to the route of alleged Byway No 21. The easterly continuation of the route is annotated "To Melkington and Heaton".

1844 Newcastle & Berwick Railway Deposited Plan

There is clear evidence of a road or track approximating to the route of alleged Byway No 21. The easterly continuation of the route is annotated "From New Heaton". The route is labelled with the reference "23". In the accompanying Book of Reference, the entry corresponding with number "23" is "Township Road".

1844 Northumberland Railway Deposited Plan

There is clear evidence of a road or track approximating to the route of alleged Byway No 21. The route is labelled with the reference "11". In the accompanying Book of Reference, the entry corresponding with number "11" is "public highway".

c.1864-5 Ordnance Survey Map and Schedule: Scale 1:2500

There is clear evidence of a road / track over the route of alleged Byway No 21. The route is annotated with the reference number "39".

In the accompanying Book of Reference, the entry corresponding with number "39" is "Public road".

1898 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a road / track over the route of alleged Byway No 21.

Finance Act 1910 plan

There is clear evidence of an enclosed road / track over the route of alleged Byway No 21. The route is similarly shown on the eastern side of the railway line. The route has a coloured boundary delineating the road as being separate from the surrounding farmland. This is a good indication that the road was considered to be public at that time.

1924 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a road / track over the route of alleged Byway No 21.

1932 Norham & Islandshires RDC Handover Map

The route of alleged Byway Open to All Traffic No 21 is not coloured in red (which would have identified it as a publicly maintainable road).

c.1939 Restriction of Ribbon Development Act (1935) Map

The route of alleged Byway Open to All Traffic No 21 is not coloured in green (which would have identified it as a publicly maintainable road to be protected from ribbon development).

1951 Highways Map

The route of alleged Byway Open to All Traffic No 21 is coloured (in purple) so as to identify it as a publicly maintainable road. It is labelled as being the U39 road.

Definitive Map – original Survey Schedules & Map

The route of the U39 road (i.e. alleged Byway Open to All Traffic No 21) exists on the base map, and is coloured brown. Known public roads were generally coloured brown to indicate what the extent of the road network was considered to be. A public bridleway is shown terminating on the U39 road north of Cornhill.

Draft Map

The route of the U39 roads exists on the base map. Public Bridleway No 7 terminates on the route, north of Cornhill.

Provisional Map

The route of the U39 roads exists on the base map. Public Bridleway No 7 terminates on the route, north of Cornhill.

1962 Original Definitive Map

The route of the U39 road exists on the OS base map, though it is not identified as a public rights of way. Public Bridleway No 7 terminates at the eastern end of the U39 road, and would be a cul-de-sac if the U39 was not a public highway of at least bridleway status.

1964 Highways Map

The route of alleged Byway Open to All Traffic No 21 is coloured (in purple) so as to identify it as a publicly maintainable road. It is labelled as being the U39 road.

1972 Ordnance Survey Map: Scale 1:10,000

There is clear evidence of a road / track over the route of alleged Byway No 21.

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

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

5.2 The entry for the U39 road, in the 1958 County Road Schedule is:

“U39 Mugger’s Loan
From A698 to Railway Crossing at Cramond Hill.”

The length of the U39 road is identified as being 0.17 miles.

5.3 The original Definitive Statement for Public Bridleway No 7 (Parish of Cornhill) describes the route of that bridleway as follows:

“From the Public road at the North Eastern Railway (Kelso Branch) in a North easterly direction to the Public road about 560 yards South of East Melkington.”

5.4 The entry for the U39 road, in the 1964 County Road Schedule is:

“U39 Mugger’s Loan
From A698 just north of Cornhill to railway crossing at Cramond Hill.”

The length of the U39 road is identified as being 0.17 miles.

5.5 The entry for the U39 road, in the 1974 County Road Schedule is:

“U39 Mugger’s Loan
From A698 just north of Cornhill (NT863396) north-eastwards to railway crossing at Cramond Hill (NT 865398).”

The length of the U39 road is identified as being 0.17 miles.

6. SITE INVESTIGATION

6.1 From a point marked G on the A698 road, 225 metres north of its junction with the A697 road at Cornhill, a 3.5 to 4 metre wide tarmac road, in a 10 metre wide ‘corridor’ proceeds in an easterly direction for a distance of 40 metres. Thereafter a 3 metre wide tarmac road / track, within a 6 to 7 metre wide corridor (10 metres if the northerly embankment is also included) proceeds in a north-easterly direction for a distance of 380 metres, to Green Lane Cottage. Then a 3 to 4 metre wide grass track continues in a north-easterly direction for a further 15 metres to a junction with the west end of Bridleway No 7, at a field gate, 10 metres north of Green Lane Cottage (Point H).

7. COMMENTS RECEIVED ON THE DRAFT REPORT

7.1 In May 2017, a copy of the report was circulated to those landowners / occupiers who responded to the initial consultation for their comments. No additional comments were 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:

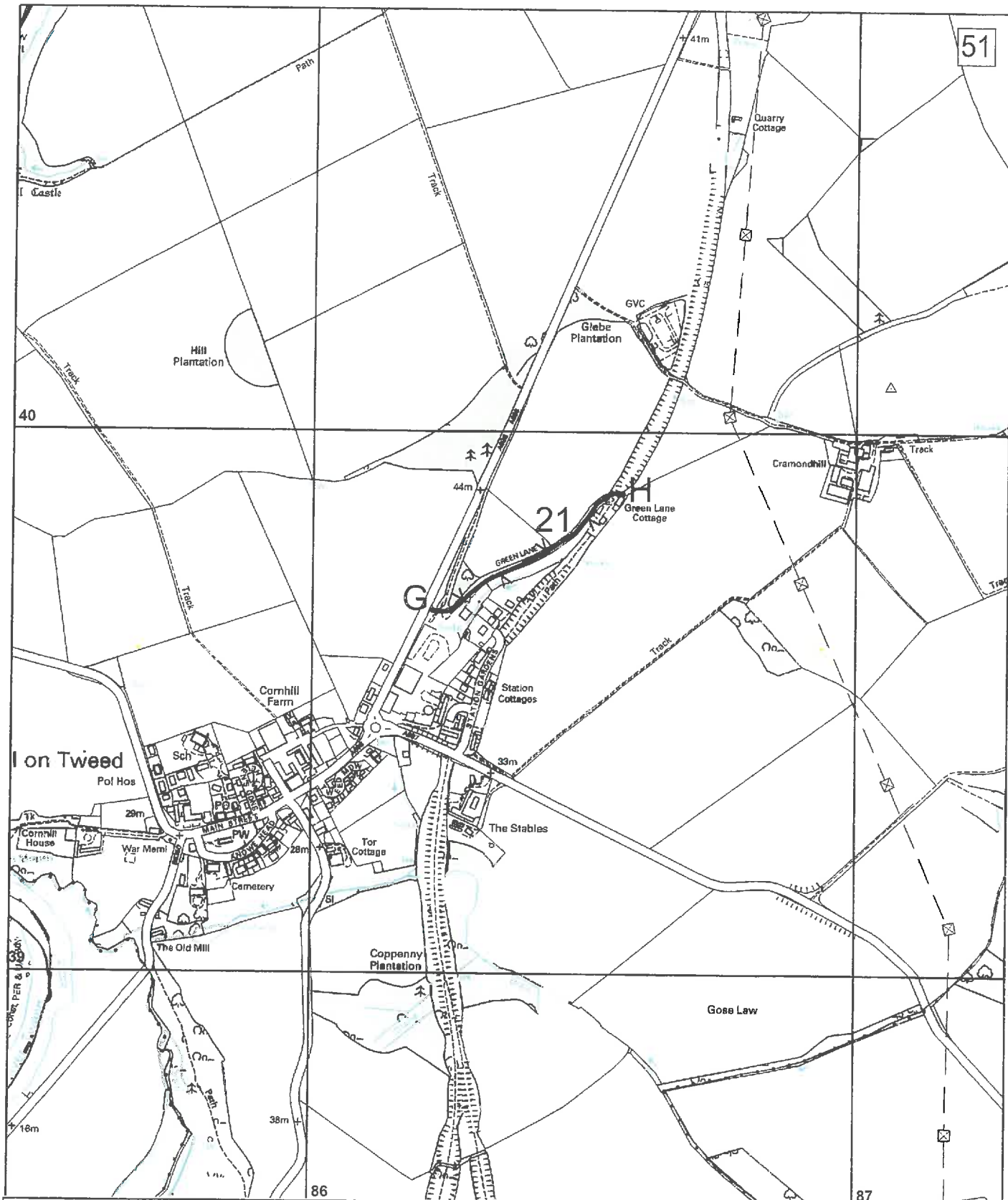
that a right of way, which is not shown in the Map and Statement, subsists or is reasonably alleged to subsist over land in the area to which the Map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or; subject to section 54A, a byway open to all traffic.

8.2 When considering an application / proposal for a modification order Section 32 of the Highways Act, 1980 provides for “any map, plan or history of the locality or other relevant document” to be tendered in evidence and such weight to be given to it as considered justified by the circumstances, including the antiquity of the tendered document, the status of the person by whom and the purpose for which it was made or compiled, and the custody in which it has been kept and from which it is produced.

- 8.3 The representation of a path or track on an Ordnance Survey Map is not evidence that it is a public right of way. It is only indicative of its physical existence at the time of the survey.
- 8.4 The route of alleged Byway Open to All Traffic No 21 is identified on the County Council's current List of Streets as being the U39 road. The route was not identified as being publicly maintainable on the 1932 Norham & Islandshires Rural District Council Handover Map, nor is it shown on the map of roads produced in relation to the Restriction of Ribbon Development Act 1935. The route is, however, clearly identifiable on the Council's 1951 Highways Map and is recorded in the 1958 County Road Schedule and in the 1964 County Road Schedule and on the Highways Map, produced at that time, to accompany that schedule. It is also recorded in the 1974 County Road Schedule.
- 8.5 The route has been consistently identified as an enclosed road / track on Ordnance Survey maps since circa 1864/5. The Book of Reference accompanying the 1st Edition 25" OS map identifies the route as "Public road". The route is shown on Armstrong's, Fryer's and Greenwood's County Maps of 1769, 1820 and 1828, and on Cary's Map of 1820-32. It is also shown on the Cornhill Tithe Award of 1843 and is identified as a "Township road" and "public highway" on the two deposited railway plans of 1844. On the plans produced in relation to the Finance Act of 1910, the route is separated from the surrounding farmland by coloured boundaries - a good indicator that the route was considered to be a public vehicular highway at that time.
- 8.6 The route does not appear to have been considered for inclusion on the original Definitive Map of Public Rights of Way (as footpath, bridleway or Road Used as Public Path) in the 1950s, despite the fact that a public bridleway terminates on the eastern end of the U39 road. This implies that the road was considered to be a public highway, but presumably one of sufficiently high status that it was not considered appropriate to record it on the Definitive Map.
- 8.7 The County Council accepts that, given the way the regulations were written with regard to the way highway authorities could include publicly maintainable highways in the List of Streets, there was no impediment to public bridleways and public footpaths also being included. That is not to say that any bridleways or footpaths were so shown – just that they could be. It must, therefore, be entirely proper to consider each UCR on a case by case basis, but that does not mean that we should begin with the assumption that each UCR is no more than a public footpath unless higher rights can be proven by other means. In Northumberland there is no evidence to suggest that public footpaths and public bridleways were deliberately shown on the 1958, 1964 or 1974 County Road Schedules (forerunners of the modern day List of Streets). The fact that a route is shown on these schedules must, therefore, be evidence of some weight that public vehicular rights exist.
- 8.8 Letters from DEFRA, dated 2003 and November 2006, and Rights of Way Circular 1/09 set out the approach Inspectors and order making authorities

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

- 8.9 It is not known on precisely what basis this route was added to the List of Streets. It has appeared on all the available maps produced since Armstrong's County Map of 1769, and on the Council's Highway records from 1951 onwards.
- 8.10 The Natural Environment and Rural Communities Act 2006 (NERC Act 2006) had a major impact upon the recording of byways open to all traffic based upon historical documentary evidence. Under section 67 of the Act, any existing, but unrecorded, public rights of way for mechanically propelled vehicles were extinguished unless one of the 'saving' provisions applied. In brief, these saving provisions were: (a) if the main lawful public use between 2001 and 2006 was with motor vehicles; (b) if the route was on the List of Streets (on 2 May 2006) and not also on the Definitive Map as something less than a byway open to all traffic; (c) the route was legally created expressly for motor vehicular use; (d) the route was a road deliberately constructed for public motor vehicular use; or (e) the vehicular highway came about as a result of unchallenged motor vehicular use before December 1930.
- 8.11 Of the saving provisions above, (b) will apply to this route. The public's motor vehicular rights would not have been extinguished by the NERC Act 2006.
- 8.12 For a route to be a byway open to all traffic, it has to be (i) a public motor vehicular right of way and (ii) a route which is nevertheless used (or is likely to be used) by the public mainly for the reasons which footpaths and bridleways are used.
- 8.13 This route has a relatively rough tarmac surface. Although drivable with a 'normal' family car, the route is a vehicular cul-de-sac, serving a single residential property (Green Lane Cottage). Beyond former railway level crossing, the route continues as Public Bridleway No 7. The Parish Council and Ramblers' Association consultation responses suggests that the route is used by walkers. For these reasons it is considered likely that the alleged byway will be used by the general public mainly for the purposes for which footpaths and bridleways are so used; thereby satisfying the criteria for being recorded as a byway open to all traffic.



NORTHUMBERLAND

Northumberland County Council
 Sustainable Transport
 Local Services
 County Hall Morpeth Northumberland
 NE61 2EF
 Telephone 0845 600 6400

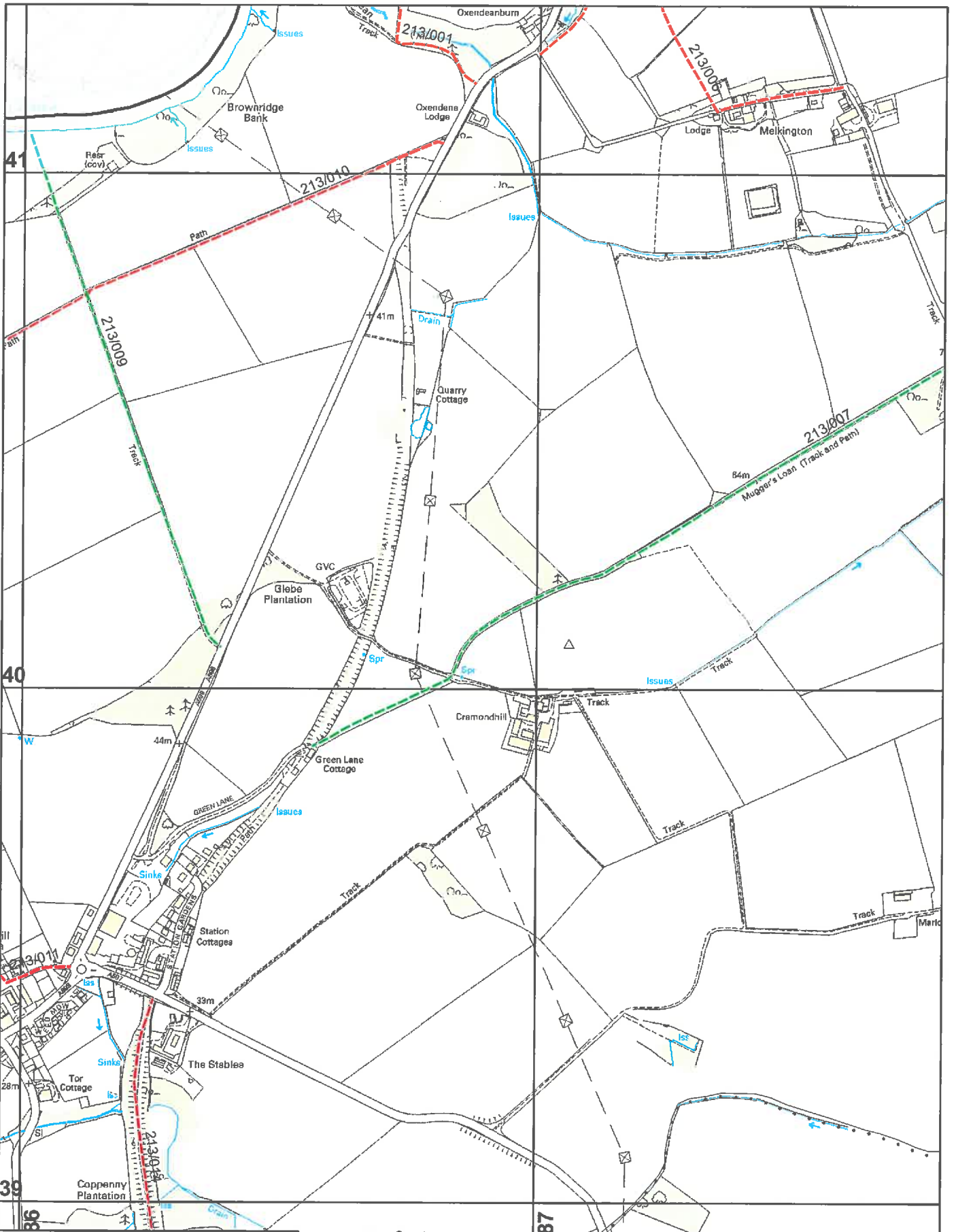
Wildlife and Countryside Act 1981 Public Rights of Way



Alleged Byway Open to All Traffic

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Former District(s) Berwick	Parish(es) Cornhill	Scale 1:10,000
Def. Map No. 18	O.S. Map NT 83 NE	Date March 2014



NORTHUMBERLAND

Northumberland County Council
Infrastructure

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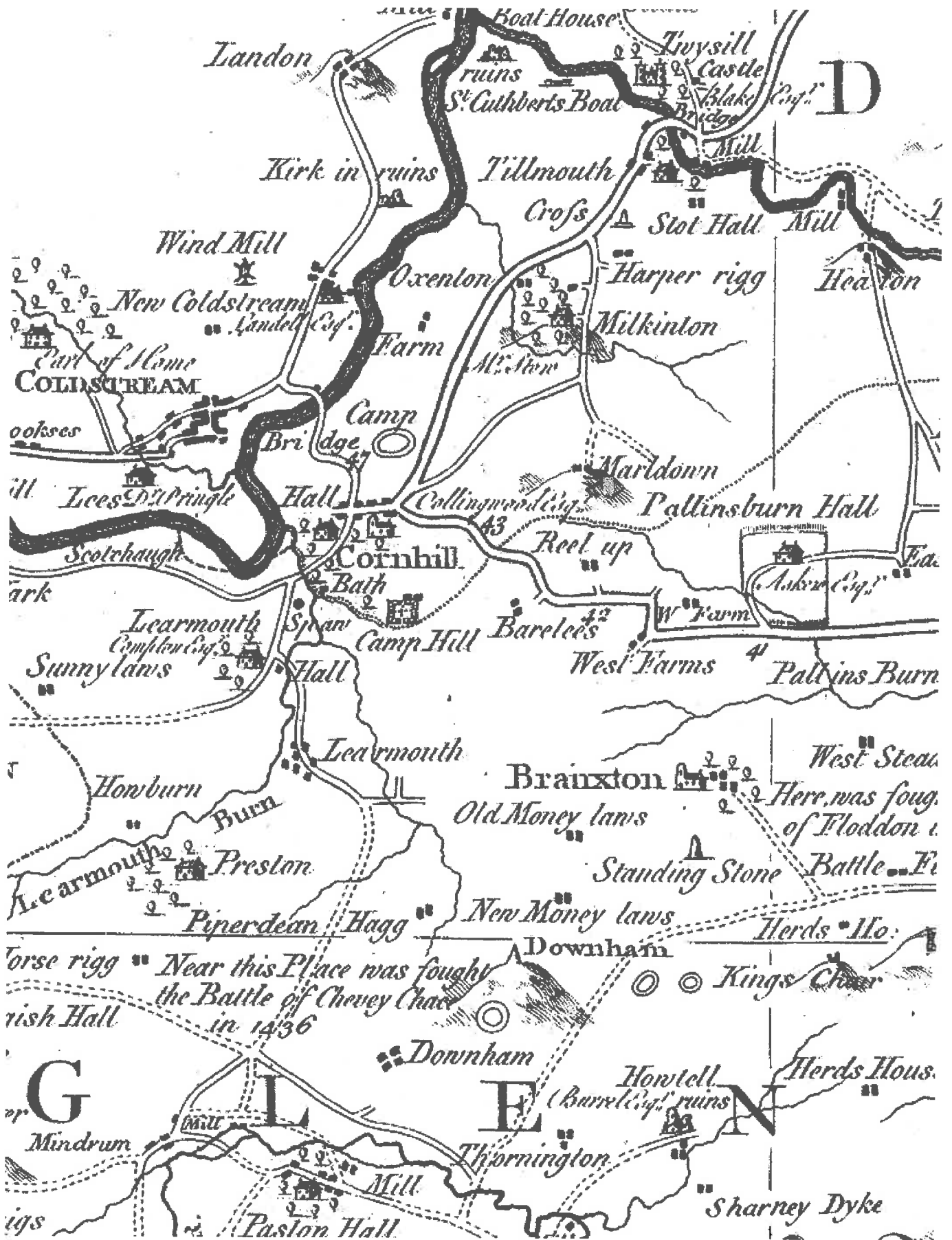
Legend

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

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

Scale: 1:10,000

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Fryer's County Map
1820



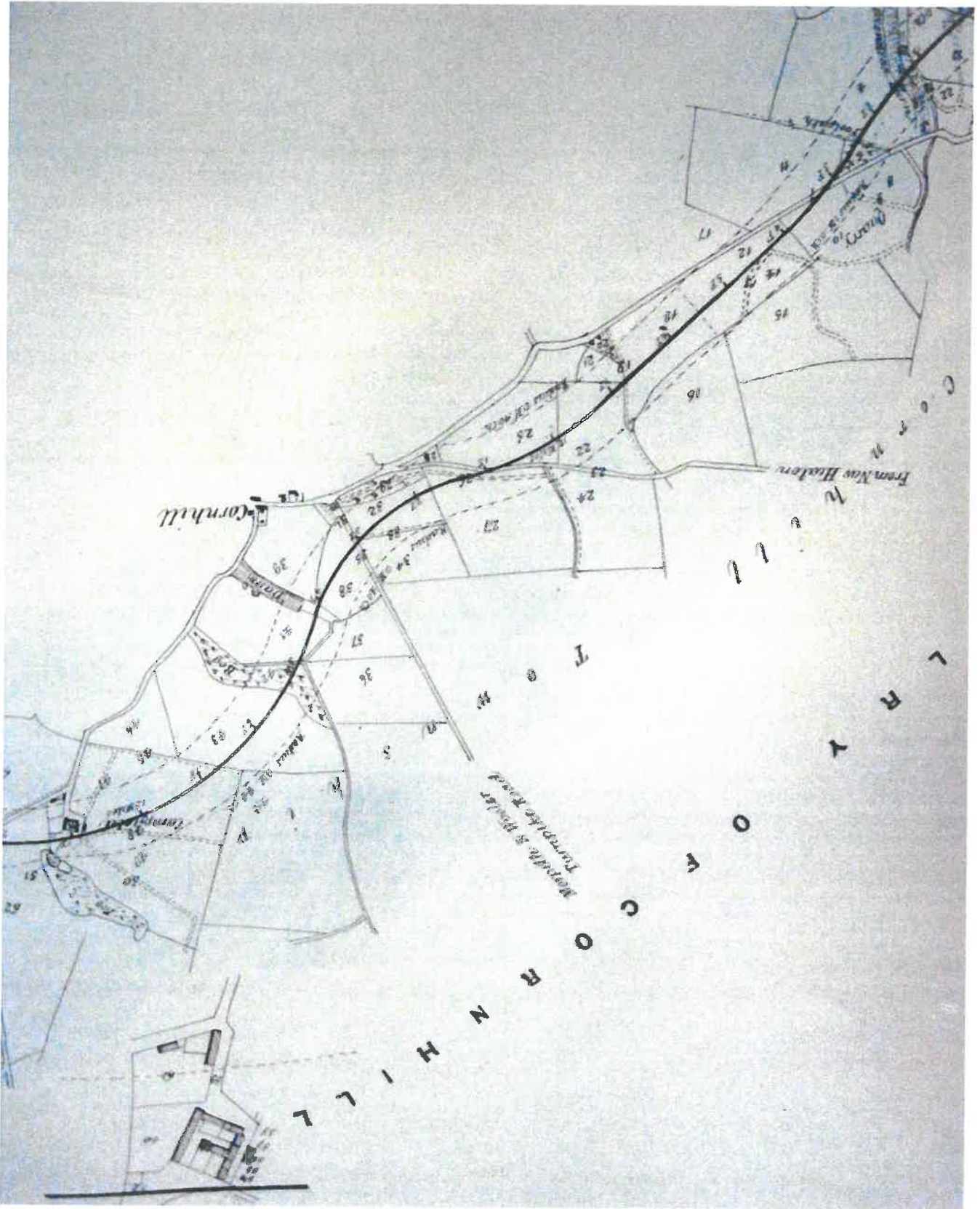
Cary's Map
1820-1832



Cornhill Tithe Award
1843



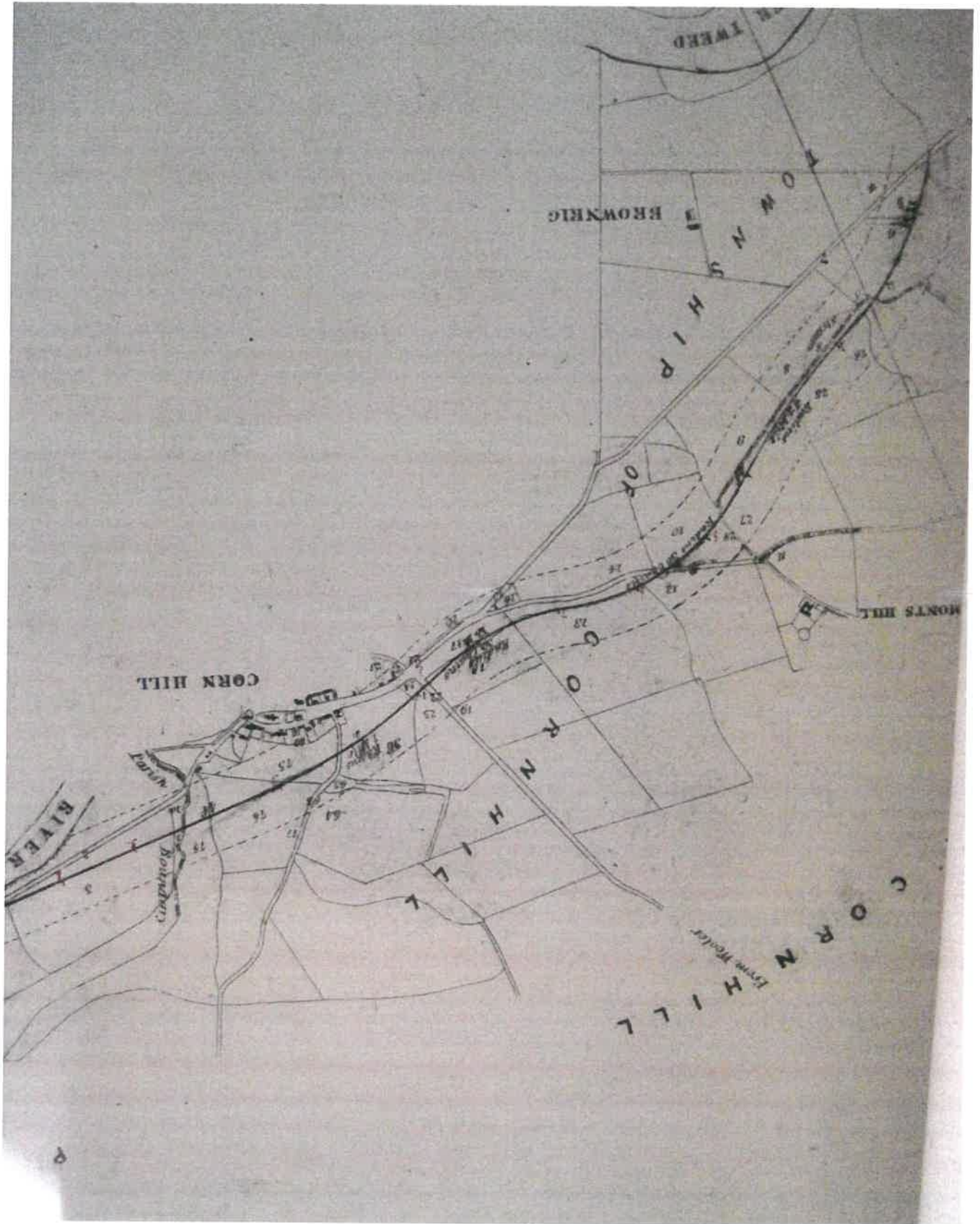
Newcastle and Berwick Railway Deposited Plan
1844



Newcastle and Berwick Railway Schedule to accompany Deposited Plan 1844

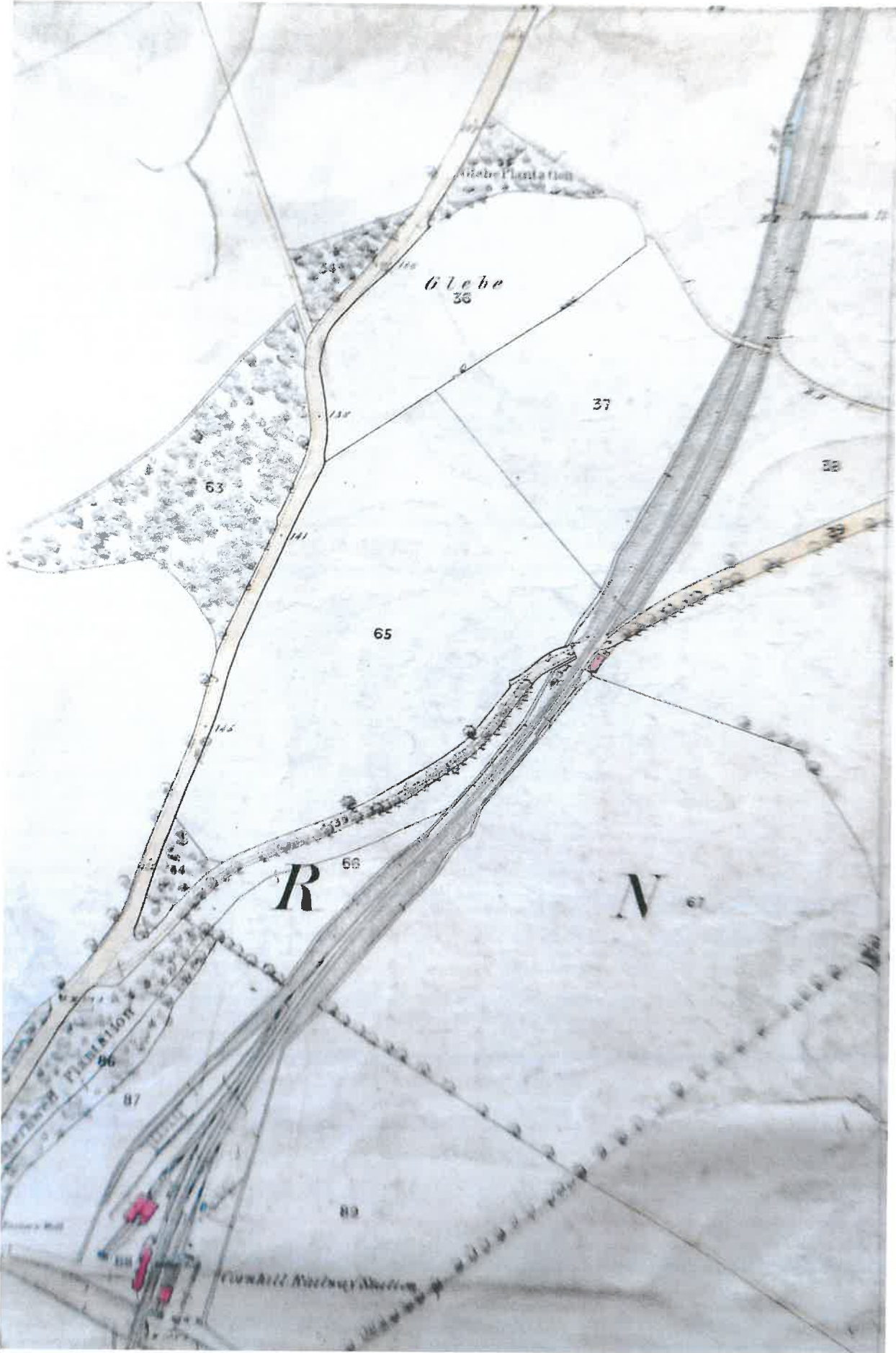
Parish of <i>Parochial Chapel of Cesswell</i> Township of <i>Cesswell</i> in the County of <i>Northumberland</i> .				
NUMBER ON PLAN	DESCRIPTION OF PROPERTY	OWNERS OR REPUTED OWNERS.	LESSEES OR REPUTED LESSEES.	OCCUPIERS.
18	Field	<i>John Pratt and his Edward Hoggeworth</i>	<i>William Pratt</i>	<i>William Pratt</i>
19	Field	<i>The Trustees of Henry John William Coltingwood</i>	<i>John Saug</i>	<i>John Saug</i>
20	Field	<i>The Trustees of Henry John William Coltingwood</i>	<i>John Morris</i>	<i>John Morris</i>
21	Occupation Road	<i>The Trustees of Henry John William Coltingwood</i>	<i>John Morris</i>	<i>John Morris</i>
22	Field	<i>The Trustees of Henry John William Coltingwood</i>		<i>The Trustees of Henry John William Coltingwood</i>
23	Field	<i>The Reverend Samuel Tyler (Incumbent of Cesswell for the Patron of the Church of St. Peter, Cesswell)</i>		<i>The Reverend Samuel Tyler</i>
24	Field	<i>Henry John William Coltingwood</i>	<i>John Morris</i>	<i>John Morris</i>
25	Township Road	<i>The Trustees of Henry John William Coltingwood</i>	<i>James Gray</i>	<i>James Gray</i>
26	Field	<i>for the Township of Cesswell</i>	<i>James Gray</i>	<i>James Gray</i>
27	Field	<i>The Trustees of Henry John William Coltingwood</i>	<i>James Gray</i>	<i>James Gray</i>

Northumberland Railway Deposited Plan
1844



Northumberland Railway Schedule to accompany Deposited Plan 1844

The Parish of CORNHILL, in the County of NORTHUMBERLAND— <i>continued.</i>				
Number of Plan	Description of Property	Owners or Reported Owners	Lessee or Reported Lessee	Comments
TOWNSHIP OF TILMOUTH—<i>continued.</i>				
23	Whin Stone Quarry	Sir Edward Haggerstone, Baronet, and John Pratt, Esquire	William Pratt	William Pratt
24	Arable field and stream	ditto	ditto	ditto
25	Arable field and waste stream	ditto	ditto	ditto
26	Old Quarry	ditto	ditto	ditto
27	Arable field and stream	ditto	ditto	ditto
28	Half of public highway	Surveyor of Highways, John Carmichael		ditto
TOWNSHIP OF CORNHILL.				
1	Plantation and footpath	Frederick John Collingwood, Esquire, and Thomas Fenwick, Esquire, devisees in trust under the will of Henry John William Collingwood, Esquire, deceased	— —	Frederick John Collingwood and Thomas Fenwick, Devisees in trust under the will of Henry John William Collingwood, deceased
2	Plantation	ditto	— —	ditto
3	Occupation Road	ditto	— —	Trustees of Berwick and North Durham Turnpike road
4	Arable field	ditto	John Laing	John Laing
5	ditto	ditto	John Nevins	John Nevins
6	Whin Stone Quarry	ditto	— —	Trustees of Berwick and North Durham turnpike road
7	Turnpike road	Trustees of Berwick and North Durham turnpike road		
7b	Arable field	Devisees in trust of Henry John William Collingwood (as in No. 1)	John Laing	John Laing
8	Arable field and stream	ditto	John Nevins	John Nevins
9	Arable field and Occupation Road	ditto	ditto	ditto
10	Arable field	ditto	ditto	ditto
11	Half of public highway	Surveyor of Highways, John Laing		Robert Curry
12	Arable field	Devisees in trust of Henry John William Collingwood (as in No. 1)	Robert Curry	ditto
13	Arable field	ditto	ditto	John Nevins
14	ditto	ditto	John Nevins	



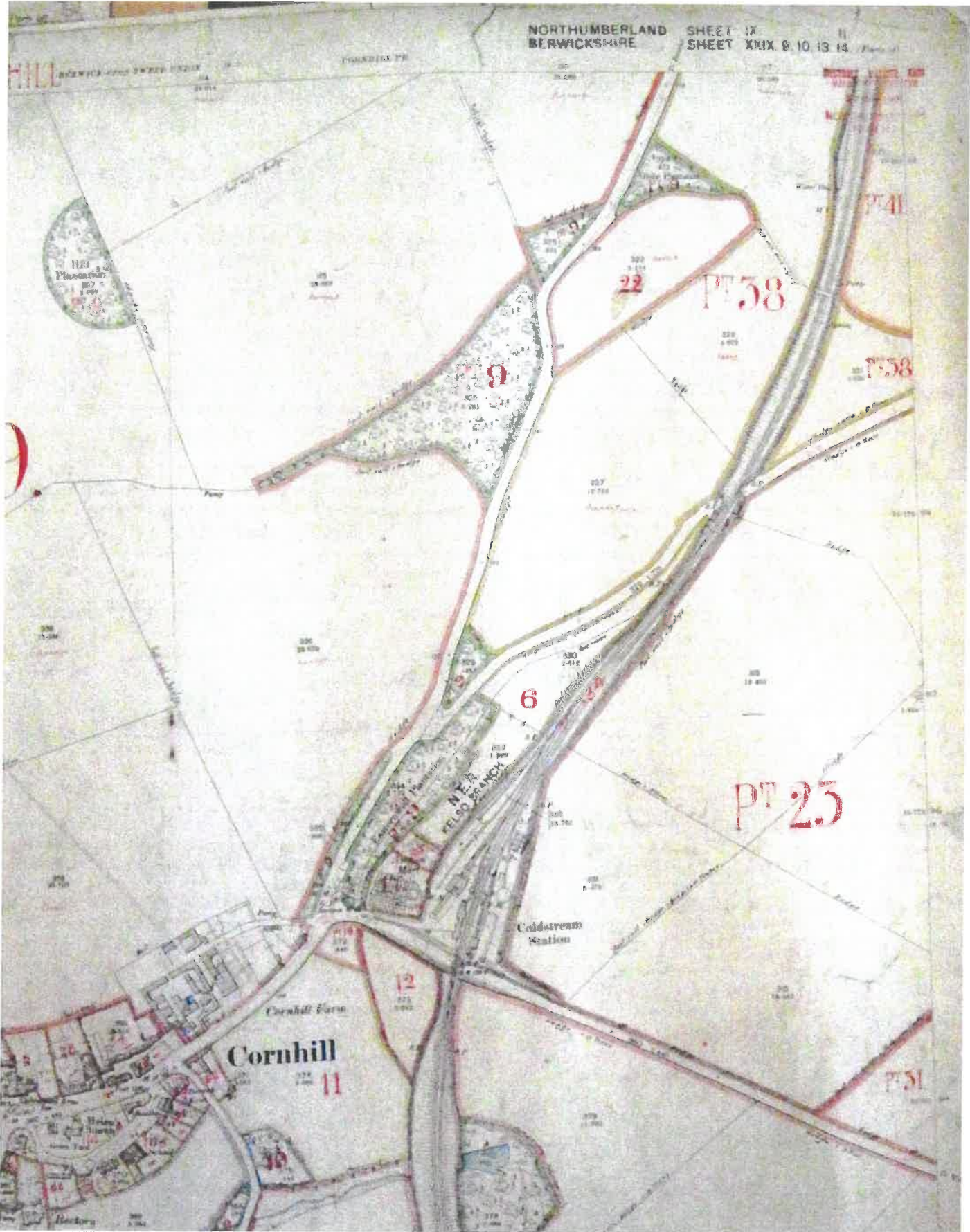
No. of Sheet.	No. on Plan.	Area in Acres.	Description.
IX. 12.	41	480.191	Brought forward.
"	42	.962	Cornhill, farmstead, &c.
"	43	.095	Pond.
"	44	.151	Private road.
"	45	7.431	Arable.
"	46	12.006	Arable.
"	47	6.067	Arable.
"	48	14.303	Arable & road.
"	49	8.979	Arable & road.
"	50	7.846	Arable
"	51	6.478	Arable.
"	52	10.510	Arable.
IX. 11.	53	16.548	Arable.
"	54	Rough pasture, stream, road, &c.	
"	55	6.851	Arable & stream.
"	56	7.263	Arable & stream.
"	57	.119	Private road.
"	58	.060	Coldstream Bridgend Toll Bar.
"	59	.808	Rough pasture & road.
"	60	30.821	Arable.
"	61	16.703	Arable.
"	62	13.123	Arable.
"	63	11.586	Arable & road.
"	64	28.679	Arable.
"	65	5.281	Plantation.
"	66	.481	Plantation.
"	67	12.716	Arable.
"	68	2.612	Arable & stream.
"	69	18.405	Arable.
"	70	15.172	Arable.
IX. 12.	71	1.864	Plantation.
"	72	14.031	Arable.
"	73	4.974	Arable.
"	74	6.649	Arable.
"	75	13.425	Arable & road.
"	76	25.265	Arable.
"	77	32.983	Arable.
IX. 11.	78	22.887	Plantation.
"	79	18.188	Arable.
"	80	11.831	Arable.
"	81	.237	Plantation.
"	82	12.159	Arable.
"	83	19.092	Arable.
"	84	4.960	Arable.
"	85	.390	Plantation.
"	86	22.627	Arable & road.
"	87	.506	Plantation.
"	88	2.784	Plantation. stream, & pond.
"	89	2.743	Arable.
"	90	29.116	North Eastern Railway, station, &c.
"	91	8.570	Arable.
		1001.907	Carried forward.

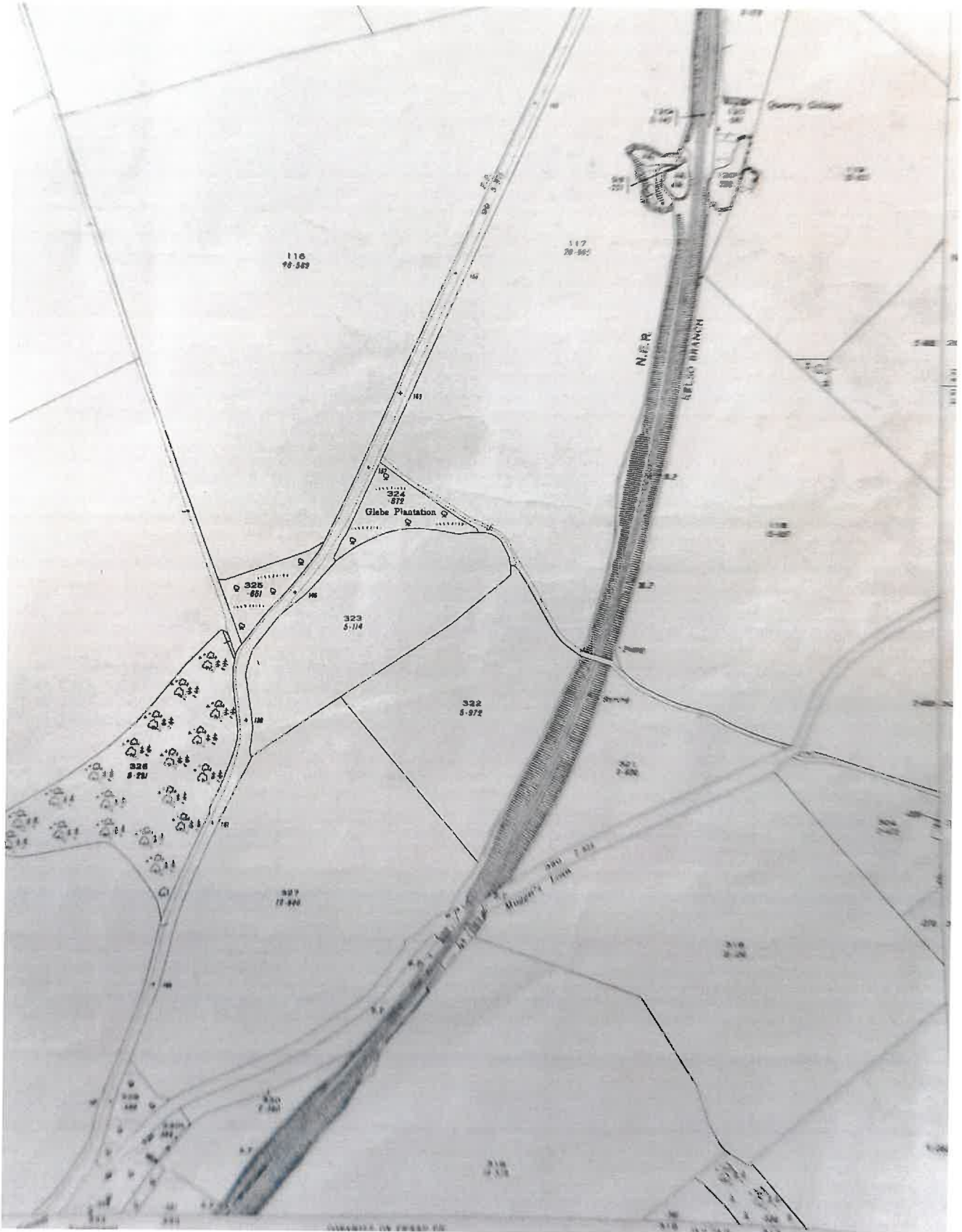
No. of Sheet.	No. on Plan.	Area in Acres.	Description.
IX. 7.	1	10.705	Plantation.
IX. 8.	2	22.202	Arable.
"	3	5.244	Arable.
"	4	1.700	Plantation.
"	5	1.145	Plantation.
"	6	.879	Plantation.
IX. 7.	7	.390	Private road.
"	8	18.356	Arable.
"	9	4.302	Arable.
"	10	.216	Plantation.
"	11	17.910	Arable.
"	12	24.044	Arable.
"	13	20.569	Arable.
"	14	15.042	Arable.
"	15	.216	Houses & yards.
"	16	22.896	Arable.
IX. 8.	17	16.230	Arable.
IX. 7.	18	24.234	Arable.
"	19	20.625	Arable.
"	20	24.014	Arable & road.
"	21	28.669	Arable.
"	22	6.278	Public road.
"	23	20.808	Arable & road.
"	24	.151	Arable.
IX. 8.	25	.648	Cornhill Quarry & waste.
"	26	.324	House & garden.
"	27	1.956	Arable.
IX. 11.	28	37.871	River Tweed.
"	29	19.780	Plantation & stream.
"	30	25.220	Arable.
"	31	35.632	Arable & road.
"	32	2.039	Plantation.
"	33	23.542	Arable & road.
"	34	.651	Plantation.
"	35	.872	Plantation.
"	36	5.114	Arable.
"	37	5.972	Arable.
"	38	3.626	Arable & road.
"	39	3.043	Public road.
IX. 12.	40	2.532	Arable.
		480.191	Carried forward.

2nd Edition 25" O.S. Map
1898

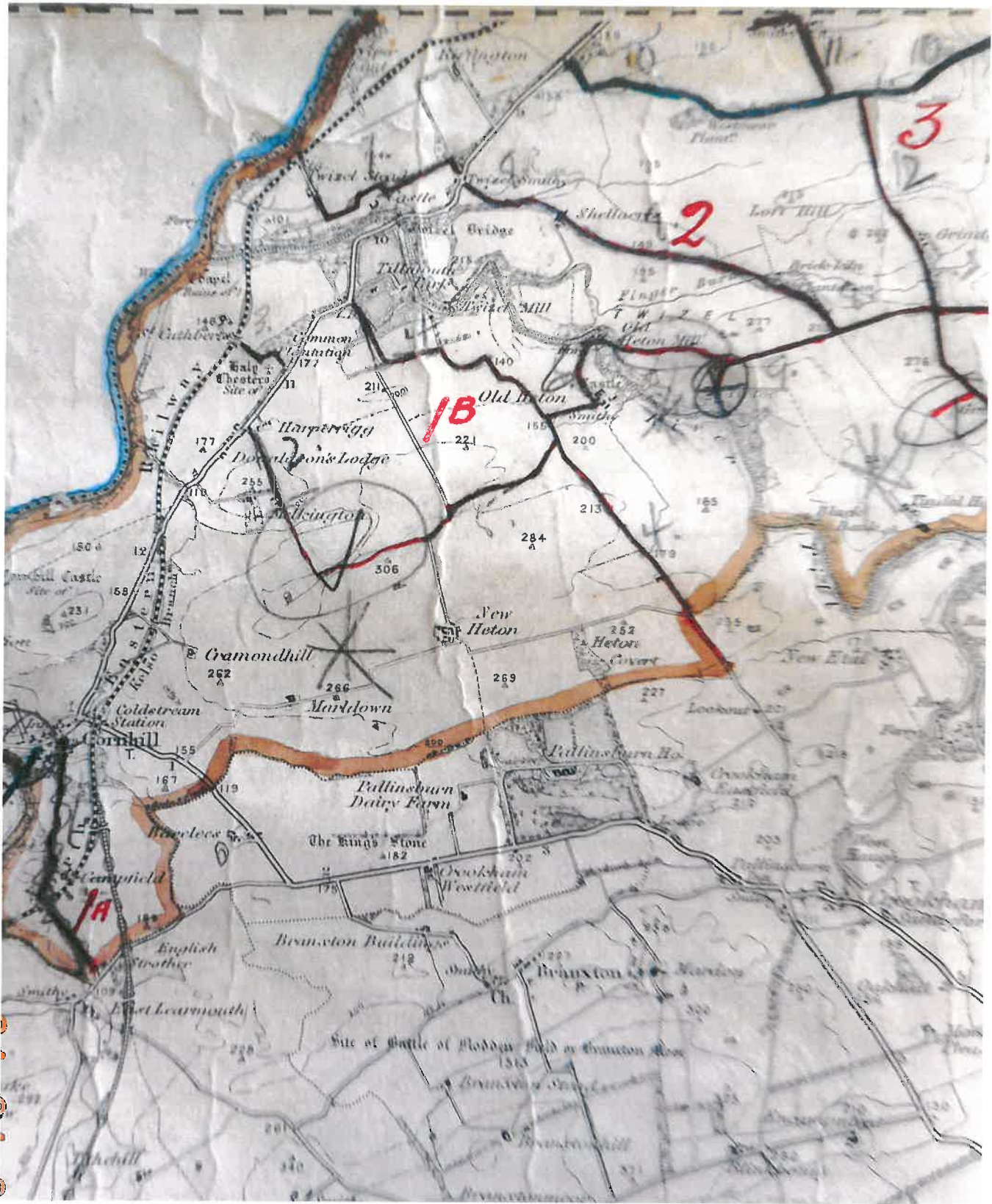


Finance Act 1910 Plan



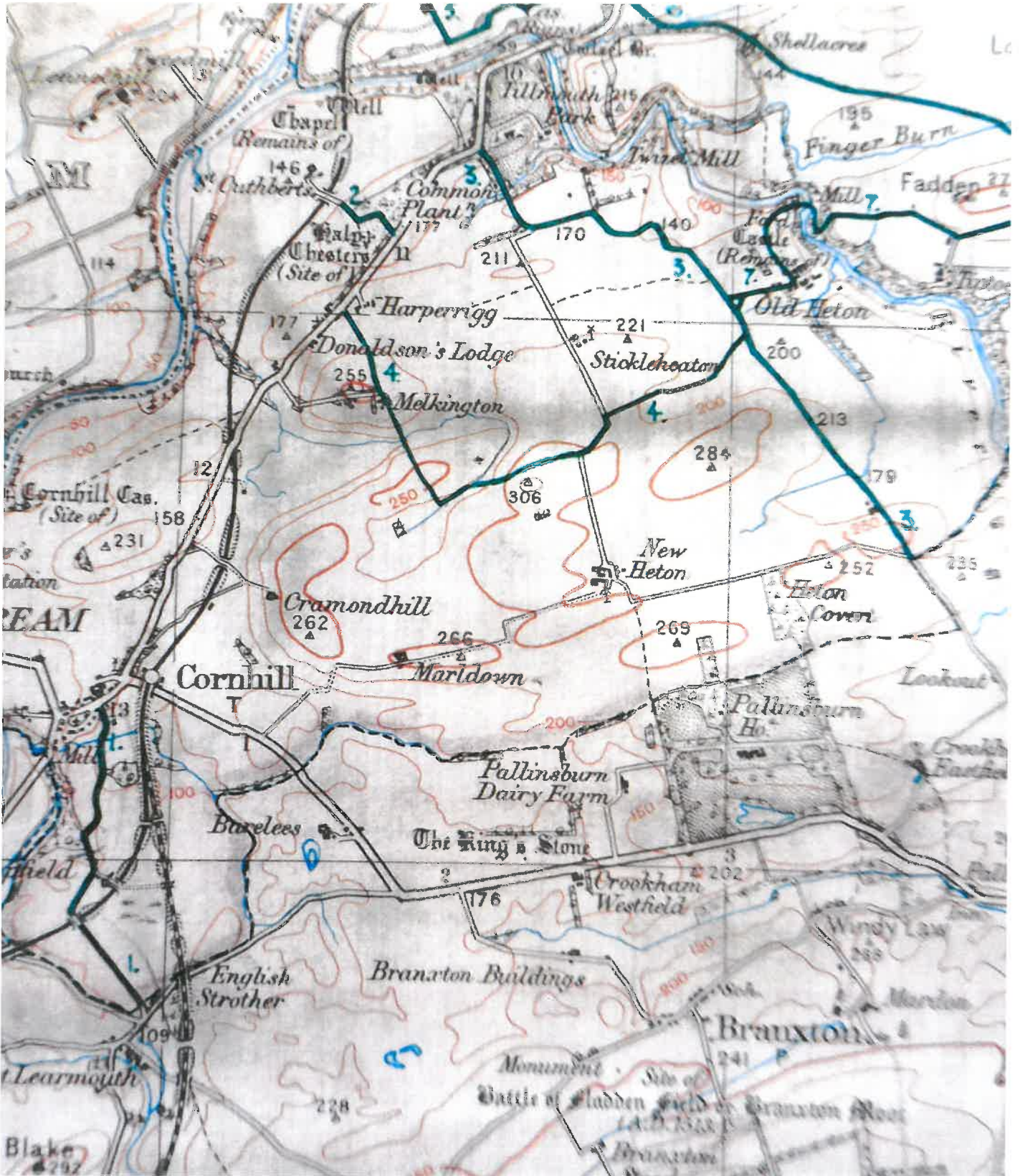


Norham & Islandshires RDC Handover Map 1932



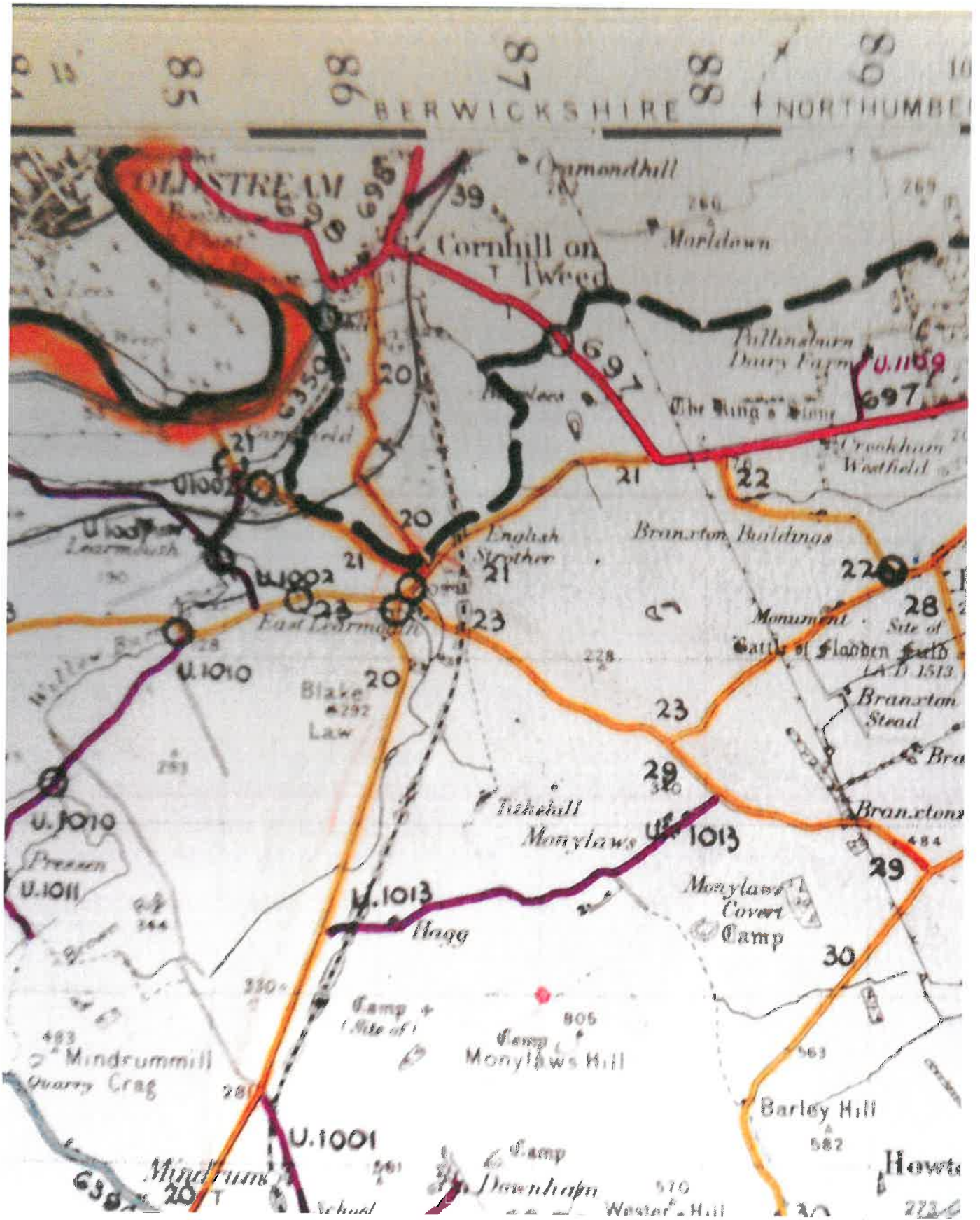
Reproduced plan is not to scale

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

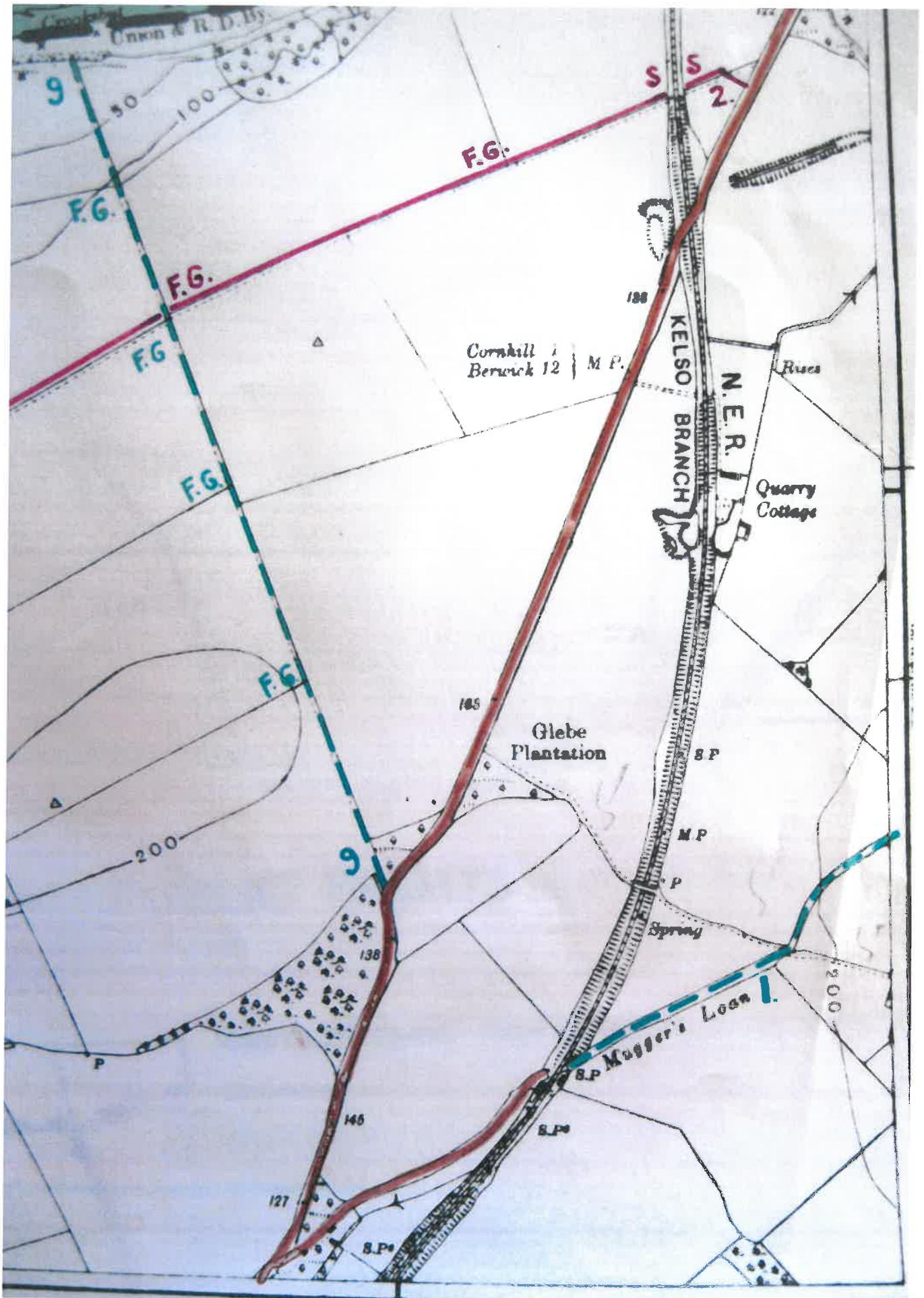


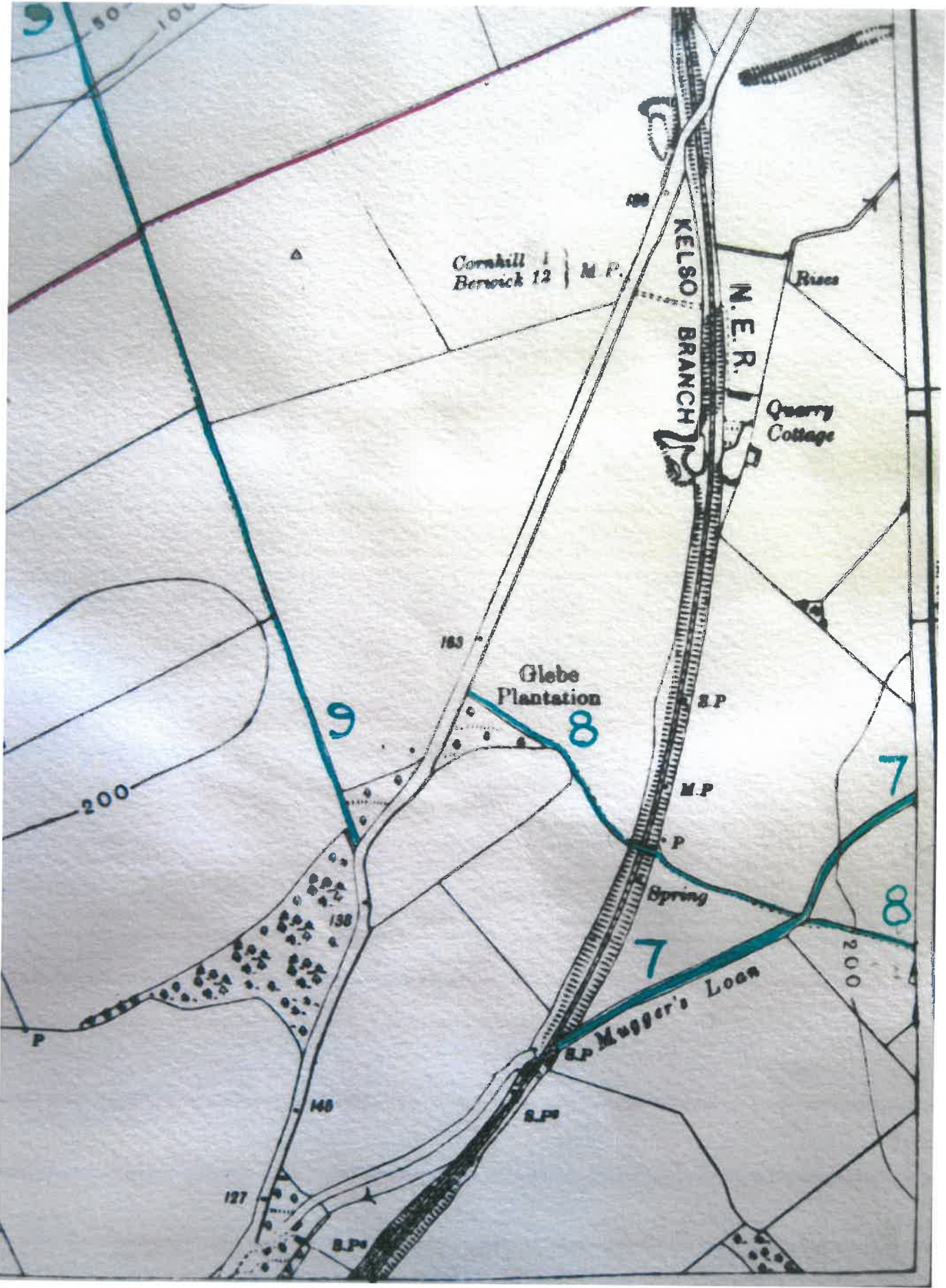
Reproduced plan is not to scale

Extract from the Council's 1951 Highways Map

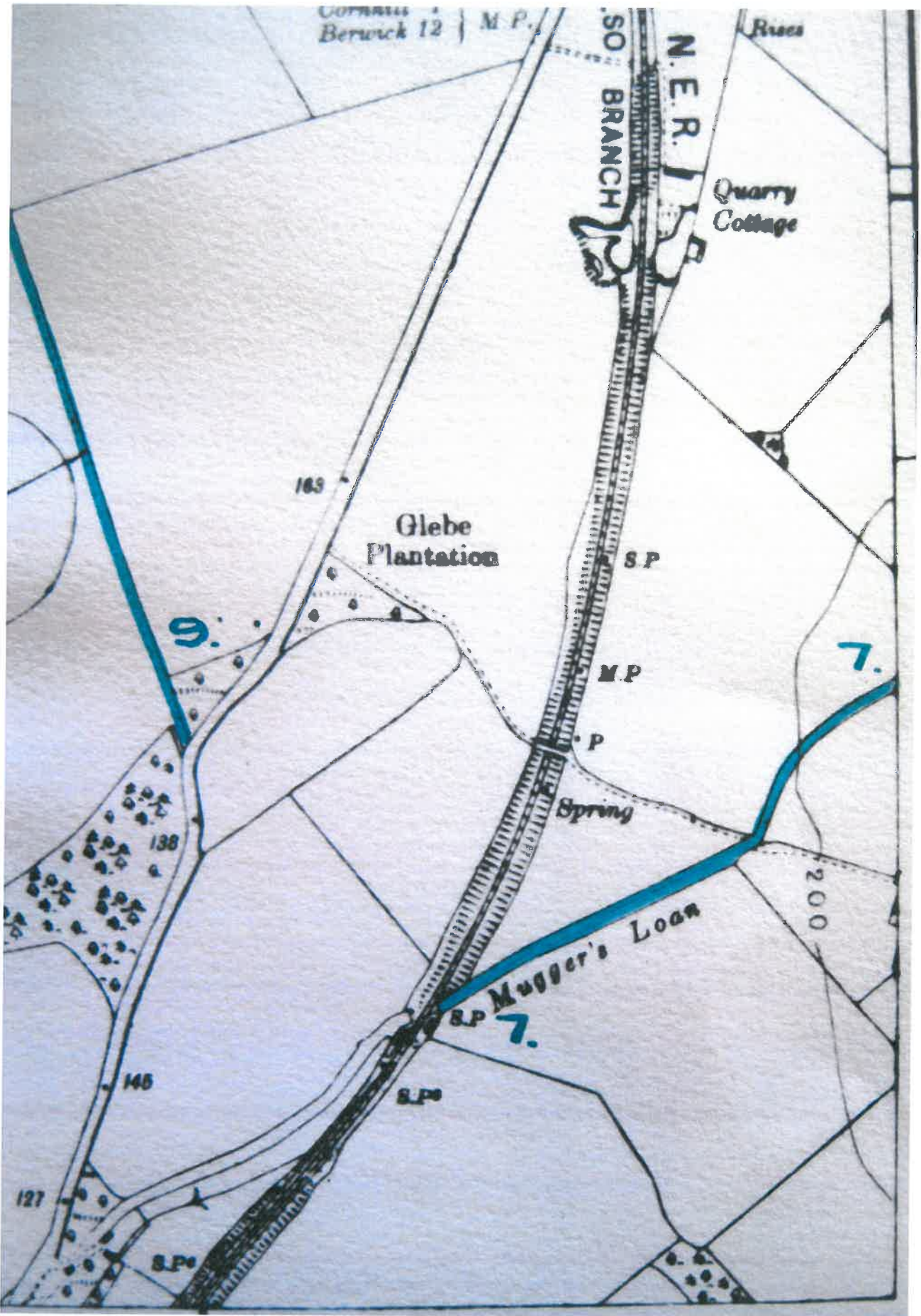


Survey Map





Provisional Map



1958 County Road Schedule

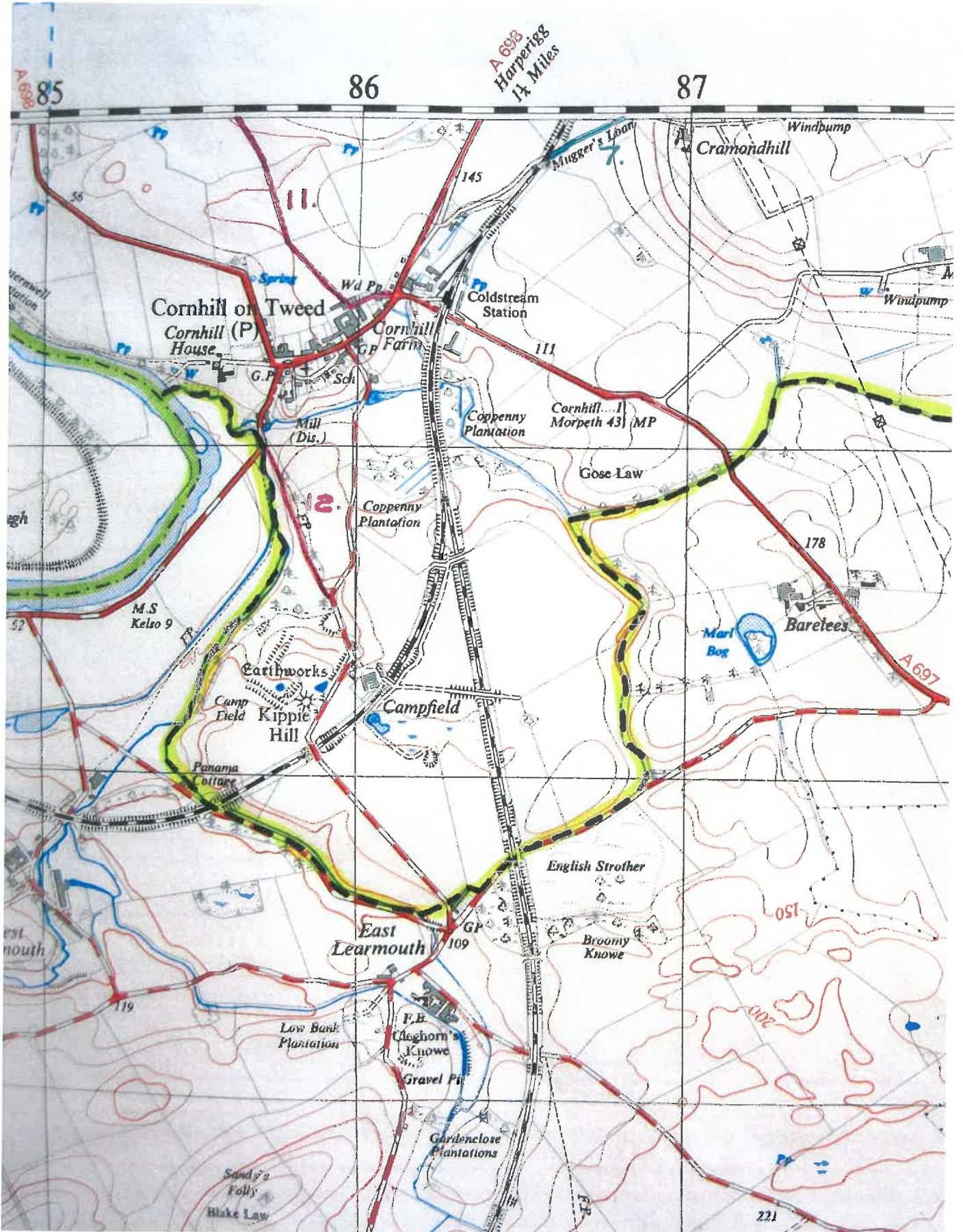
BERWICK DIVISION

UNCLASSIFIED ROADS IN NORHAM AND ISLANDSHIRES RURAL DISTRICT

Brought forward 41.17 miles

U.37	Roads on Holy Island	From H.M.M.O.T. at Chare Ends to Marygate From the Green via Marygate and Popple Well to the Castle. From Marygate via Coombs Farm to Bridgewell From Chare Road to Coombs Road past R.C. Chapel The Green from School to 17 feet north of Vicarage south wall. Church Lane Prior Lane Crossgate Lane Fenkle Street. St Guthberts Turnstile, Market Place to the south boundary of Menor House Tripping Chare Market Place Footpath	801 yds. 1153 yds. 451 yds. 155 yds. 226 yds. 61 yds. 89 yds. 107 yds. 129 yds. 177 yds. 33 yds. 175 yds. 190 yds. 50 yds.	
U.38	Shoreswood	From C.3 at junction with C.4 255 yards south	2.16	
U.39	Mogger's Loan	From A.698 to Railway Crossing at Cramond Hill	0.14	
U.40	Norham Council Housing Estate	Roads in Norham and Islandshires Rural District Council Housing Estate at Norham.	0.17	
U.41	East Ord North Council Housing Estate	Hillcrest, East Ord.	0.27	
U.42	St. Peter's Terrace and Cheviot Terrace, Scremerston	From A.1. opposite St. Peter's Church, Scremerston 298½ yards.	0.06	
U.43	St. Guthbert's Square, Norham	From U.8 south and west for 185 yards including cul-de-sac 56 yards and footpath to U.8 39 yards (verges are not adopted)	0.17	
U.44	The Croft, Horncliffe	From U.10, 107 yards from its junction with C.2. south westerly for 58 yards.	0.137	
			0.033	
			<hr/>	
			41.310 Miles	
			<hr/>	
			Forward	

Original Definitive Map



NORTHUMBERLAND COUNTY COUNCIL.

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

PUBLIC RIGHTS OF WAY - STATEMENT.

1. Borough
Urban District
Rural District **NORHAM & ISLANDSHIRES**

2. Parish **CORNHILL-ON-TWEED**

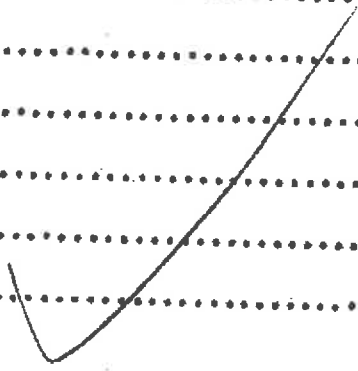
3. Number of Footpath on Map **7.**

4. Name of Path **MUGGERS LOAN**

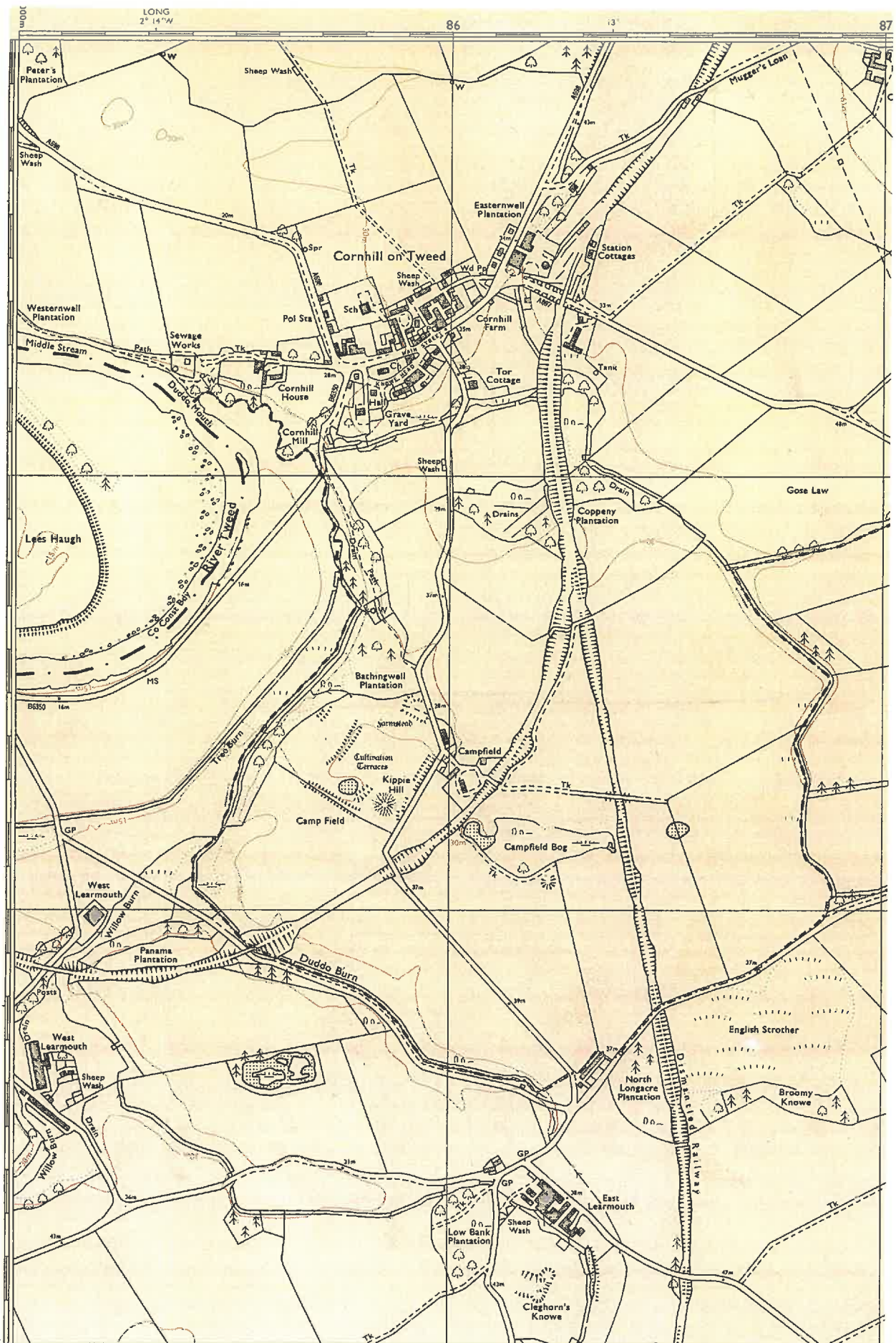
5. Kind of Path (i.e. FP/BR) **B.R. width 8 to 12 feet**

6. General Description of Path **From the Public road at the North**
..... **Eastern Railway (Kelsco Branch) in a North Easterly direction to the**
..... **Public road about 560 yards South of East Melkington.**
.....
.....
.....

7. Other relevant information
.....
.....
.....
.....
.....
.....

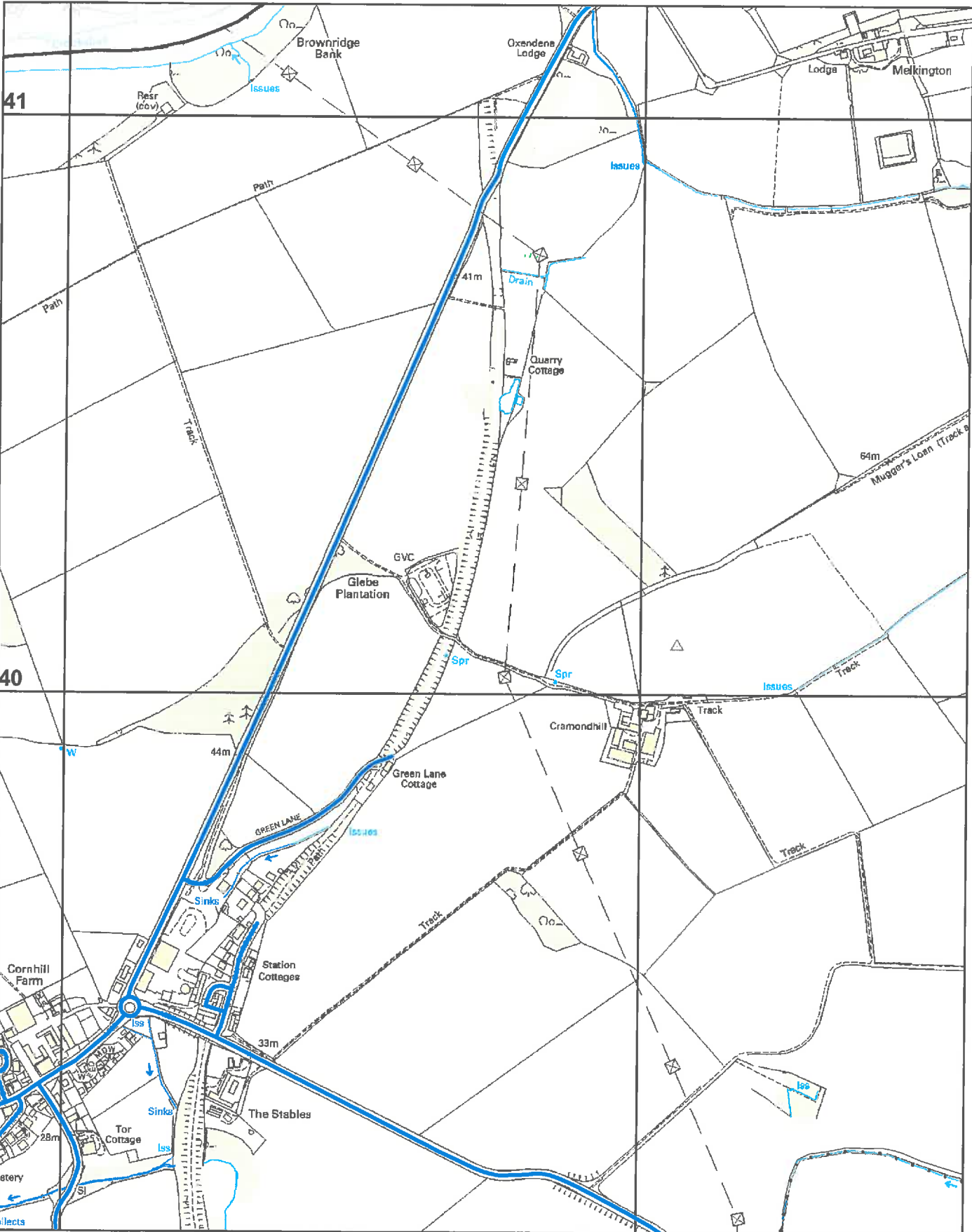


1:10,000 O.S. Map
1972



1974 County Road Schedule

Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Total Mileage	
U.37	Holy Island Roads.	<p>From C.16 at Beal Shore (NU.080427) eastwards via Causeway and Chare Ends to Marygate (NU.126419).</p> <p>From the Green via Marygate and Popple Well to the Castle.</p> <p>From Marygate via Coombs Farm to Bridgewell.</p> <p>From Chare Road to Coombs Farm Past R.C. Chapel.</p> <p>The Green from School to 17 feet north of Vicarage south Wall.</p> <p>Church Lane.</p> <p>Prior Lane.</p> <p>Crossgate Lane.</p> <p>Fenkle Street.</p> <p>St. Cuthbert's.</p> <p>Turnstile, Market Place, to the south boundary of Manor House.</p> <p>Tripping Chare.</p> <p>Market Place.</p> <p>Footpath (50 yds.)</p>	Wooler Division	<p>6,134 yds.</p> <p>1,153 yds.</p> <p>451 yds.</p> <p>155 yds.</p> <p>226 yds.</p> <p>61 yds.</p> <p>89 yds.</p> <p>107 yds.</p> <p>129 yds.</p> <p>177 yds.</p> <p>33 yds.</p> <p>175 yds.</p> <p>190 yds.</p>		5.16
U.38	Shoreswood. (See also U.50)	From C.8 nearly opposite junction with C.4 (NT.956466) for 255 yds. southwards.	Wooler Division		0.14	
U.39	Mugger's Loan.	From A.698 just north of Cornhill (NT.863396) north-eastwards to railway crossing at Cramond Hill. (NT.865398).	Wooler Division		0.17	
U.40	Norham Council Housing Estate (See also U.3, U.43 and U.55).	Roads in Council Housing Estate at Norham - including Marmion Way; a continuation eastwards of South Back Lane for 115 yards. (NT.904498).	Wooler Division		0.33	
U.41	East Ord North Council Housing Estate. (See also U45, U46, U47 & U57)	Hillcrest, East Ord. (NT.980516)	Berwick District		0.06	
U.42	St. Peter's Terrace and Cheviot Terrace, Scremerston. (See also U.48)	From A.1 opposite St. Peter's Church, Scremerston, 298½ yds. (NU.004493)	Berwick District		0.17	



Northumberland
Northumberland County Council

**Network Management
Information System**

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

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Drn:	Date:	Scale:
AB	May 2017	1:10,000

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

Road Number	Description	Length - Metres
U37		
	U37 X-ROADS TO U37 FENKLE STREET	56
	U37 GREEN TO U37 X-ROADS CROSSGAT	91
	U37 CHURCH LANE TO U37 MARYGATE	144
	U37 SCHOOL TO END OF SURFACE VICAR	211
	U37 SANDHAM TO U37 THE GREENHOLY I	245
	U37 SANDHAM TO LINDISFARNE CASTLE	811
	U37 MARY GATE TO END SURFACE BRIDG	426
	U37 TO U37 SANDHAM LANEHOLY ISLAND	150
	30MPH (N) TO U37 MARYGATE	284
	SNOOK ACCESS TO 30MPH HOLY IS(N)	2,433
	C16 JCT BEAL TO THE SNOOK ACCESS	2,903
	U37 VICARAGE TO STH BDY OF MANOR H	145
	U37 FENKLE TO U37 CASTLE ROAD HOLY I	166
	<i>Total length for U37</i>	8,425
U38		
	C8 JCT TO SHORESDEAN	239
	<i>Total length for U38</i>	239
U39		
	A698 JCT TO CRAMOND HILL RAILWAYCR	439
	<i>Total length for U39</i>	439
U4		
	C19 JCT TO U3 JCT	3,130
	<i>Total length for U4</i>	3,130
U40		
	B6470 JCT TO SOUTH BACK LANE NORHA	318
	SOUTH BACK LANE NORHAM	115
	SOUTH BACK LANE NORHAM	115