

RIGHTS OF WAY COMMITTEE

11 July 2017

PUBLIC RIGHTS OF WAY

DEFINITIVE MAP MODIFICATION ORDER (No 11) 2016 DEFINITIVE MAP MODIFICATION ORDER (No 14) 2016

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 for its views on the action now thought appropriate in determining the above mentioned Orders.

Recommendations

It is recommended that the Committee agree that these Orders no longer need to be referred to the Secretary of State for determination, and should be confirmed by the County Council as unopposed Orders.

1.0 Background

- 1.1 These Orders both attracted 1 letter of objection. At its meetings in September and November 2016, the Rights of Way Committee considered reports regarding these Orders and the objections, and resolved that the Orders, together with the objections be submitted to the Secretary of State for determination, accompanied by a recommendation that the Orders be confirmed as made.
- 1.2 By email, on 23 June 2017, the Northumberland Estates withdrew their objections to both these Orders.
- 1.3 When resolving that these Orders be submitted to the Secretary of State, accompanied by a recommendation that they be confirmed as made, the Rights of Way Committee had agreed with the report conclusions that on a balance of probabilities, public motor vehicular rights (in the case of DMMO (No 11) 2016) and public bridleway rights (in the case of DMMO (No 14) 2016) did exist. It is not, therefore, proposed to re-examine the evidence for these routes a third time.

Wildlife and Countryside Act 1981

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

The Northumberland County Council

Definitive Map Modification Order (No 11) 2016

Byways Open to All Traffic Nos 18 and 44 (Parishes of Denwick & Eglington)

This Order is made by Northumberland County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Definitive Map and Statement of Public Rights of Way for the County of Northumberland require modification in consequence of the occurrence of events specified in Section 53(3)(c)(i), namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic.

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

1. For the purposes of this Order the relevant date is 1 April 2016.
2. The Definitive Map and Statement of Public Rights of Way for the County of Northumberland shall be modified as described in the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Northumberland County Council Definitive Map Modification Order (No 11) 2016.

Definitive Map Modification Order (No 11) 2016

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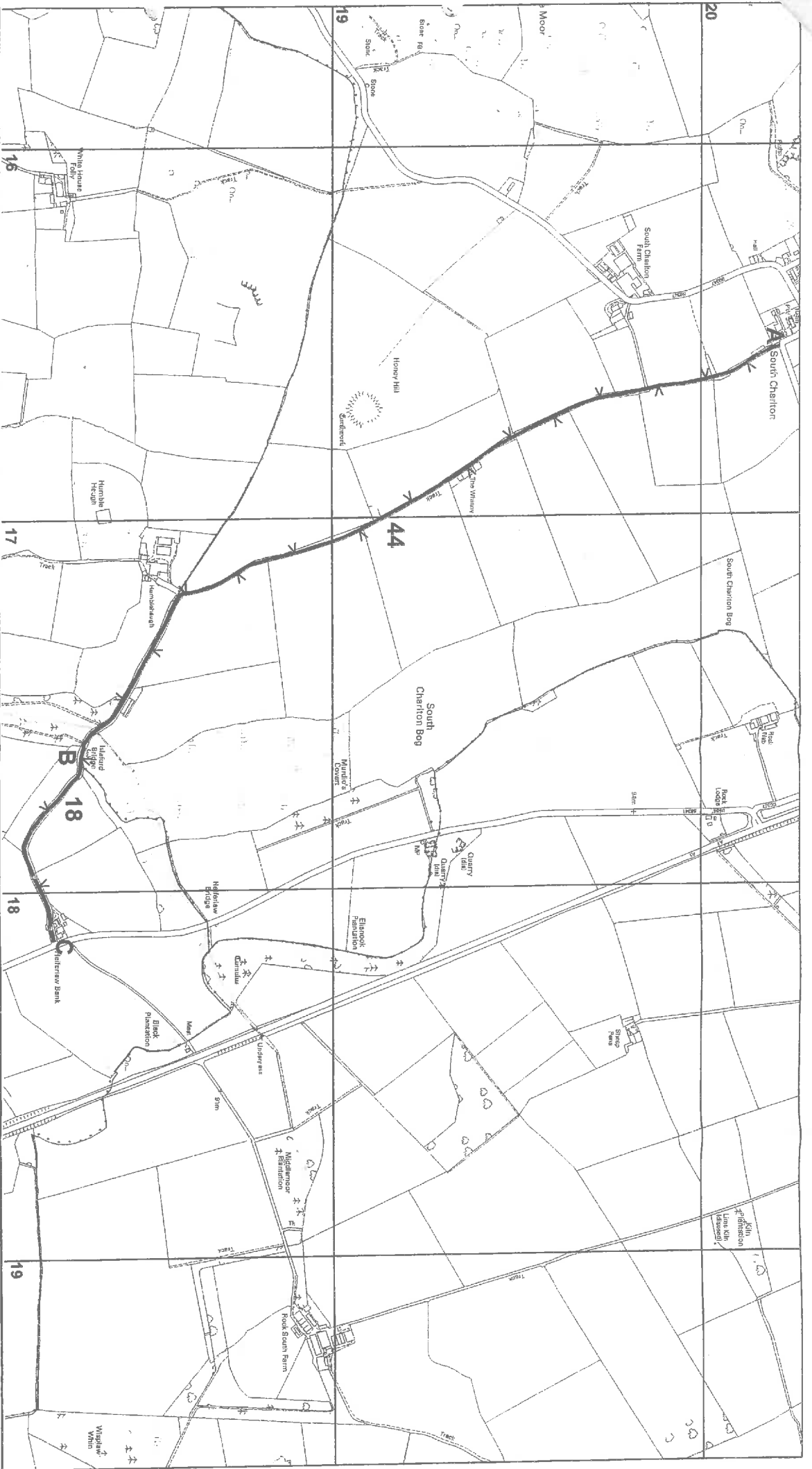
Parish	Path No.	Modification	OS Map Nos.	Def Map Nos.
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Former Alnwick District

Denwick	BOAT 18	Addition	NU 11 NE	58
Eglington	BOAT 44	Addition	NU 11NE / 12SE	58 / 49

metres. There is a brief 8 metre wide pinch point at the bend, then the 10 metre wide byway proceeds in a south-easterly direction for a distance of 290 metres. Thereafter as a 7 to 8 metre wide byway in a south-easterly direction for a distance of 125 metres.

Thereafter as a 6 metre wide byway continuing in a south-easterly direction for a further 35 metres. Thereafter as a 5 metre wide byway, in a south-easterly direction for a distance of 265 metres, then southerly direction for a distance of 515 metres. Thereafter as a 5 to 7 metre wide byway in a south-easterly direction for a distance of 315 metres. Thereafter as a 3.8 to 10 (mainly 7 to 10) metre wide byway in a south-easterly direction for a distance of 185 metres, having crossed the White House Burn by the Islaford Bridge. Thereafter as a 5.4 to 6 metre wide byway, in an easterly direction for a distance of 60 metres to join Byway Open to All Traffic No 18 in the Parish of Denwick, 105 metres east of the Islaford Bridge.



NORTHUMBERLAND

Northumberland County Council

Infrastructure
Local Services

County Hall Morpeth Northumberland
Telephone 0845 600 6400 NE61 2EF

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Wildlife and Countryside Act, 1981

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

The Northumberland County Council

Modification Order (No. 11) 2016

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



O.S. Map NU 12 SE/ NU 11 NE

Definitive Map No. 49/58

Scale: 1/10,000

Former Districts/ Alnwick

Parishes) Eglingham/
Derwick

Date: February 2016

IN WITNESS whereof the Common Seal of the County Council of Northumberland was hereunto affixed on the 2nd day of May 2016

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

N.J. Hanson

Duly Authorised Officer



Wildlife and Countryside Act 1981

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

The Northumberland County Council

Definitive Map Modification Order (No 14) 2016

Public Bridleway No 32 (Parish of Adderstone with Lucker)

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

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

1. For the purposes of this Order the relevant date is 1 April 2016.
2. The Definitive Map and Statement of Public Rights of Way for the County of Northumberland shall be modified as described in the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Northumberland County Council Definitive Map Modification Order (No 14) 2016.

Definitive Map Modification Order (No 14) 2016

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Parish	Path No.	Modification	OS Map Nos.	Def Map Nos.
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Former Berwick-upon-Tweed Borough

Adderstone	BR 32	Addition	NU 13 SE	32
Bamburgh	BR 18	Statement amended	NU 13 SE	32

Definitive Map Modification Order (No 14) 2016

Description of Modification to Definitive Map and Statement

Former Berwick-upon-Tweed Borough

Adderstone **Bridleway No 32** **(NU 13 SE)**

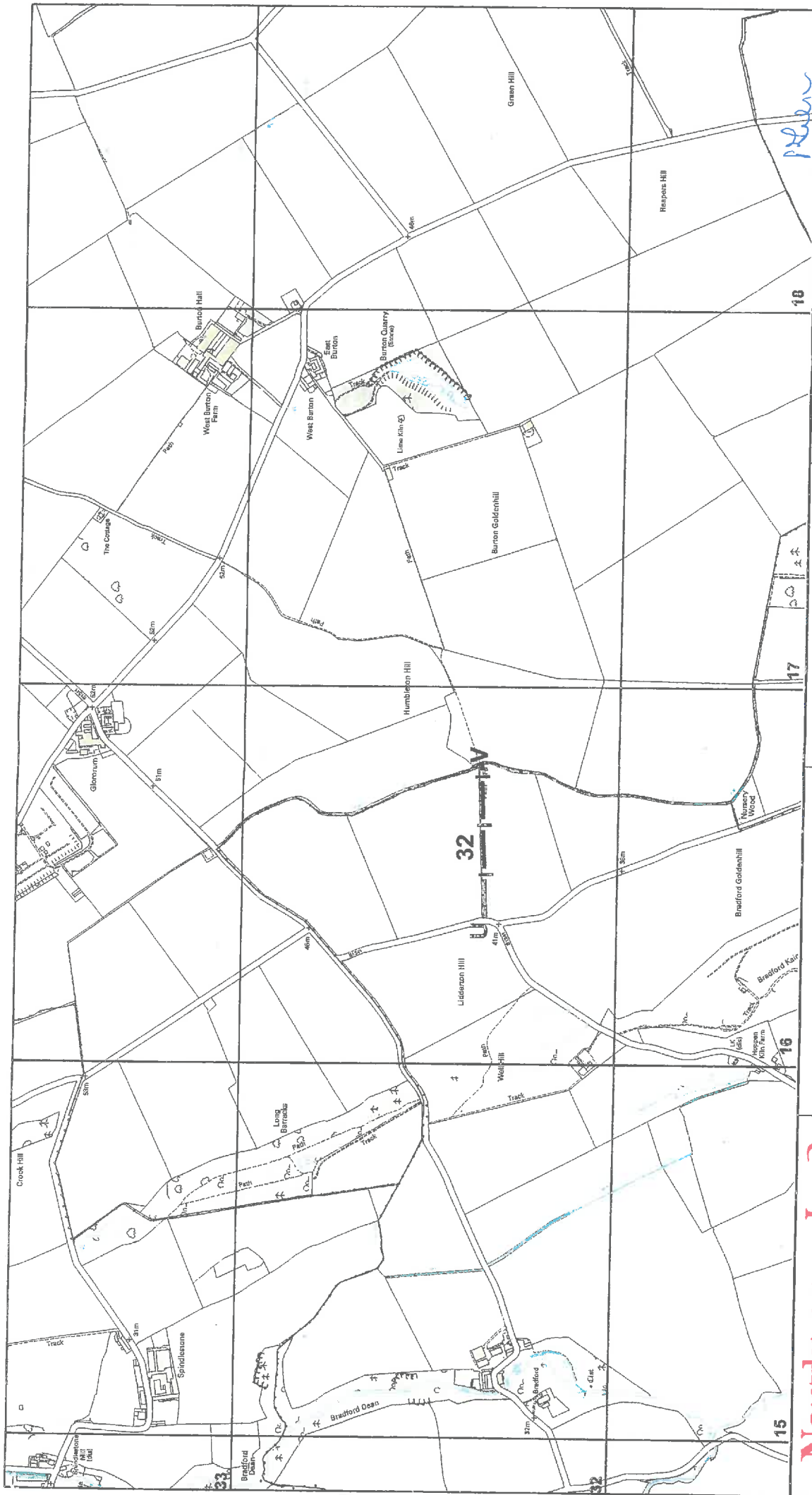
Part I Map: Adding thereto a public bridleway, from a point marked V, on existing Public Bridleway No 18 in the Parish of Bamburgh, 970 metres south of Glororum, in a westerly direction for a distance of 410 metres, to a point marked U, on the B1341 road, 1110 metres east of Bradford.

Part II Statement: To be prepared as follows:
As a 3 metre wide bridleway, from existing Public Bridleway No 18 in the Parish of Bamburgh, at a small wooden bridge over the Crackerpool Burn, 970 metres south of Glororum, in a westerly direction for a distance of 410 metres, to join the B1341 road, 1110 metres east of Bradford.

Bamburgh **Bridleway No 18** **(NU 13 SE)**

Part I Map: The map is not affected.

Part II Statement: To be amended as follows:
From the Budle - Elford road, opposite its junction with Bridleway No 14, in a south-westerly direction by Humbleton Hill to join Public Bridleway No 32 in the Parish of Adderstone with Lucker, 970 metres south of Glororum.



Northumberland
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Wildlife and Countryside Act, 1981

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

The Northumberland County Council

Modification Order (No. 14) 2016

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

O.S. Map NU 13 SE
 Former District(s) Berwick

Definitive Map No 32
 Parish(es)
 Adderstone with Lucker

Scale: 1/10,000
 Date: February 2016

IN WITNESS whereof the Common Seal of the County Council of Northumberland was hereunto affixed on the 20th day of June 2016

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

Peter Lee



15379

Duly Authorised Officer