



# Northumberland County Council

TYNEDALE LOCAL AREA COUNCIL  
10 December 2019

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## REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED PUBLIC BRIDLEWAY NO 22 PARISH OF CORBRIDGE

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

### **Purpose of report**

In this report, the Council is asked to give consideration to all the relevant evidence gathered in support and rebuttal of a proposal to upgrade to public bridleway existing Parish of Corbridge Public Footpath No 22 from the U8093 road north of Lauder Grange in a westerly direction for a distance of 1370 metres over Ladycutter Lane, then in a general southerly and south-easterly direction to join the U8096 road 110 metres south-west of West Farm.

### **Recommendation**

**It is recommended that the Council agree that:**

**In the light of the evidence submitted it appears that public bridleway rights have not, on the balance of probability, been proven to exist over the route.**

### **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 provisions which apply to adding and upgrading a public right of way on the Definitive Map and Statement based on historical

documentary evidence is Section 53(3)(c)(ii) of the Wildlife and Countryside Act, 1981, which requires the County Council (as Surveying Authority) to modify the Definitive Map and Statement following:

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

“that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description;”

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

## **2.0 PUBLIC EVIDENCE**

- 2.1 In December 2017, Susan Rogers of Glanton, Alnwick submitted an application to amend the Definitive Map and Statement by upgrading to public bridleway existing Parish of Corbridge Public Footpath No 22 from a point marked R on the U8093 road 170 metres north of Lauder Grange in a westerly direction for a distance of 1370 metres over Ladycutter Lane to a point south of High Town, then in a general southerly and south-easterly direction for a distance of 1360 metres to a point marked S on the U8096 road 110 metres south-west of West Farm.
- 2.2 The application is supported by historical evidence including Greenwood’s County Map of 1828, the 1841 Tithe Award for the township of Corbridge, the 1851 Tithe Award for the township of Dilston, the 1<sup>st</sup> Edition O.S. 25” plan of 1866 with the accompanying Book of Reference, the 2<sup>nd</sup> Edition O.S. 6” plan of 1898, the 1910 Finance Act records and the 3<sup>rd</sup> Edition O.S. 6” plan of 1924.
- 2.3 The application was also accompanied by the following submission:

### **Snokoehill**

#### **The route**

“1. The route follows the line of FP 513/022 in Corbridge Parish. It can be seen on OS Explorer OL 43.

“2. It starts at GR NY 991631 (A) on the minor road, the U8093, south of Corbridge. It tracks southwest and south, ending at GR NY 980617 (D) on the U8096, southwest of Temperley Grange.

“3. Along Ladycutter’s Lane, which is the first part of the route, the surface is tarmac, serving as access to a number of private houses. In spite of being shown on the current OS as a ‘yellow road’, it is not shown as a publicly maintainable road on the county’s List of Streets.

“4. Just east of West Fell, the track changes to an unsealed stone surface. This type of surface is found as it passes alongside and through Snokeohill Plantation. In the two fields south of the plantation, it follows the field edge with a grass surface with some evidence on the ground of the line of the old road.

“5. Its width is approximately 5 metres, except in the fields where it is fenced only on one side.

## **Documentary evidence**

### **1. 1828 Greenwood’s map of Northumberland**

The complete length of the alleged route is shown on this early map of Northumberland. It is shown as being fenced for it’s full length and according to the key is classified as a ‘cross road’, that is a minor road connecting two roads of greater importance.

*See extract*

### **2. 1841 Tithe award for the township of Corbridge**

**DT 114L**

“The tithe plan shows the alleged route branching off ‘Dipton Road’ and labelled ‘from Dilston’ at its west end where it meets the township boundary. Please note that this plan is not aligned to north.

*See extract*

### **3. 1851 Tithe award for the township of Dilston**

**DT 133S**

“The alleged route, from point (B) where it enters this township to point (D) where it joins the tarmac road near West Farm, is shown in brown indicating that the land is not subject to tithes. All the existing public roads in the area are shown in the same manner so it would appear that this route is in the same category.

*See extracts*

### **4. 1866 OS 1<sup>st</sup> ed. scale 1:2,500, the 25” OS Book of Reference for Corbridge Parish**

**sheets XCV/9 & XCIV/12**

“On this early edition of the OS, the alleged route is shown from (A) - (B) to be in the parish of Corbridge, township of Corbridge. The plot number for this section is 353.

From (B) - (D), it is shown to be in the parish of Corbridge, township of Dilston. While it is in an enclosed lane passing along the west side of Snokoehill Plantation and into the first field to the south where it was fenced on both sides

at that time, it is in plot 179. For the first unfenced section (C) - (D) across a single field to the road, it is in plot 217.

The land use of these plots, as described in the Book of Reference for Corbridge parish are:

Township of Corbridge	Plot 353	Public road (Ladycutter's Lane)
Township of Dilston	Plot 179	Public road
	Plot 217	Rough pasture

*See extract*

#### **5. 1898 OS 2<sup>nd</sup> ed. Scale 1:10,560, the 6" sheets XCV SW & XIV SE**

The alleged route can be seen following the same route on the OS 2<sup>nd</sup> edition as it did on the 1<sup>st</sup> edition.

*See extract*

#### **6. OS 1<sup>st</sup> & 2<sup>nd</sup> eds from the National Library of Scotland website**

The alleged route is highlighted in yellow on the extracts from this website.

*See extracts*

#### **7. 1910 Finance Act Plan sheets NRO XCV/9 & XCIV/12**

"On sheet XCV/9 the first part of Ladycutters Lane is shown as a 'white road', indicated by there being a broken brace within plot 369. This shows that although the lane passes through plot 369, the owner of that plot does not own the lane itself and therefore would not be liable should any development tax that might become due. This suggests that the lane is a public road.

The rest of the route is shown on sheer XCIV/12. This is made up of the remainder of Ladycutters Lane which continues as a 'white road'. At the township boundary (B), the route passes into plot 709 for the rest of its length being braced with adjacent fields.

In the **Field book for the parish of Corbridge, ref NRO 2000/20** on page 53, which is the section covering Dilston Township, plot 709 is listed as belonging to Lord Allendale, with J. Little as the occupier. There is **deduction of £85 for 'ROW or user'**.

This indicates that a route with public rights crosses this plot, thus providing a deduction from any development tax that might be due.

*See extract*

#### **8. 1924 OS 3<sup>rd</sup> ed. Scale 1:10,560, the 6"**

The extract from this edition shows the route unchanged from the first edition of the 1860s.

## **Conclusion**

The evidence listed above suggests that a public route has existed since the 19th century. The additional user evidence shows that it has continued to be used for the last 20 years without objection or obstruction. Please can you investigate whether this public footpath should be upgraded to a public bridleway?"

### **3. LANDOWNER EVIDENCE**

3.1 By email dated 28<sup>th</sup> March 2018, Robert Kane of Roecliffe responded with the following comments.

- i) "I corresponded with your colleague regarding the status of Ladycutter Lane in 2012/13. I believe the attached letter is his final correspondence on the matter.
- ii) "After receiving this letter, I referred the matter to a Q.C. for his opinion via Stephen Dagg a solicitor with the law firm Dickinson Dees. I didn't pursue the matter any further after receiving the Q.C.'s opinion as he reached the same conclusion as your colleague - Ladycutter lane is a private right of way, albeit with a large class of users.
- iii) "It appears that the Inclosure Award may have set this route out for use by a defined (albeit large) group of people rather than by the public at large. If so, then lots of local people (perhaps with few of them knowing it) may have a private right to use the route, as opposed to there being a general public right of way.
- iv) "I also attach the Corbridge Common Inclosure Map, as it clearly shows the 'second element' of the claimed bridleway to be the 'Slaley Foot Road. So clearly I do not agree with the claimed bridleway status of the route, part of the route being a private road, the other part being a 'Foot Road', neither being a bridle path.
- v) "I hope this assists your report and would like sight of the report and any evidence put forward to support the claimed Bridleway, although I think the Enclosure Map showing the Slaley Foot Road, in 1779 pre-dating any of the evidence listed in your letter clearly demonstrates this is not a Bridleway.
- vi) "If it were a Bridleway there would be walkers, cyclists and horses sharing what is in parts a very narrow footpath on a steep hill, personally, I think it does raise public safety issues, although I suspect these are not within your remit."

3.2 By email dated 10<sup>th</sup> April 2018, Nick Snowden of Ravenstone Lodge responded with the following comments.

- i) "I live in Ravenstone Lodge, Ladycutter Lane, Corbridge. This property is 200 yards along the lane west from Prospect Hill. [2cm from point R on the map you sent out].
- ii) "I wish to object to this becoming a public bridleway for several reasons. Ladycutter Lane is a private lane, not certain who actually owns it but the road surface is maintained by the homeowners who live along it. It has been noticed that more damage is done by horses with metal shoes than rolling rubber car tyres. [Particularly in warmer weather when the tarmac is soft.] So if this was made an official bridleway, more horses would cause an increase in costly damage done to the road surface.
- iii) "If this did become an official bridleway, would the council adopt it and be responsible for repairs etc.?
- iv) "Also the path/track heading south from High Town, west side of Snokoe Hill plantation is an absolute quagmire in places, as is the track where it leaves Ladycutter Lane, just north of West Fell House. Horse and cycle traffic is going to make this situation much worse.
- v) "My house is right on the lane the windows of our living room are a couple of feet from the road, so the increased horse, cycle and foot traffic impacts on our privacy.
- vi) "Overall, I am against this being upgraded to a public bridleway, mainly because of the road surface damage issue....however...if the council were to adopt the lane, I would be more enthusiastic about it or at least a little less negative about the bridleway"

3.3 By email dated 28<sup>th</sup> June 2018, Martin Bingham of Dykehead responded with the following comments.

- i) "We at Dykehead are happy to support the upgrade of the current public footpath that runs along Ladycutter Lane to a Bridleway.
- ii) "I have attached a scan of the map you sent and have outlined the boundary of Dykehead on it so that you can see the extent of our ownership (as requested).
- iii) "Our only reservations would be that lane itself is not well maintained and has some nice potholes along it which could constitute a danger to users if they were unaware of them. Any extra support to maintain the lane is always welcome.
- iv) "The lane is used by the occupiers of the houses along the lane and this does mean cars and other support vehicles as well as construction vehicles when needed. The lane does have some limited lines of sight which means all users have to be mindful of what they may be coming up on round the next corner.

- v) "There are also limited points along the lane where horses and vehicles could pass each other with quite long gaps to have to reverse along sometimes, again something that users just need to be mindful of.
- vi) "I hope this information is useful and look forward to hearing the outcome of the application in due course"

#### **4. CONSULTATIONS**

- 4.1 In March 2018, the County Council carried out a consultation with the Parish Council, known owners and occupiers of the land and the local representatives of the "prescribed and local organisations" listed in the Council's "Code of Practice on Consultation for Public Path Orders".
- 4.2 By letter in March 2018 the County Access & Bridleways Officer for the British Horse Society responded to the consultation with the following comments:

"Ladycutter Lane which extends westwards from R is a normal tarmac road providing access to a number of properties. Beyond the last house it becomes a well defined earth track across fields and through woods, the remnants of the old hedge line can be seen. This application is supported by evidence going back to the 19th century. The route is already sometimes ridden by horse riders."

#### **5. DOCUMENTARY EVIDENCE**

- 5.1 A search has been made, relating to historical evidence and the following copies are enclosed for consideration.

1769      Armstrong's County Map

There is no evidence of a track over the claimed route.

1779      Corbridge South Common Inclosure Award

The section of the claimed route within the Inclosure Award is set out as Dilston Dikeheads Road. There is also evidence of a track over part of the western section of the alleged route annotated as Slaley Foot Road and the Foot Road to Fell Top Well.

1820      Fryer's County Map

There is evidence of a track over the east - west section of the claimed route between Hightown and the U8093 road'.

1827      Cary's Map

There is no evidence of a track over the claimed route.

- 1828      Greenwood's County Map
- There is evidence of a track over the entire length of the claimed route.
- 1841      Corbridge Tithe Award
- There is evidence of an enclosed track leaving Dipton Road following the alignment of the claimed route into Dilston township. In the middle section the track in part is only bounded on the southern side. Where it leaves the township of Corbridge the track is annotated 'From Dilston'.
- 1851      Dilston Tithe Award
- There is evidence of a track (coloured ochre) over the entire length of the claimed route within Dilston township.
- c1860      1<sup>st</sup> Edition O.S. Map: Scale 1:2,500 & Book of Reference (Applicant's Plan)
- There is evidence of a track over the entire length of the claimed route.
- The enclosed track from the U8093 road heading west over Ladycutter Lane to High Town and southerly to the north, west & south of Snokoehill Plantation is annotated with the numbers 353 & 179 and identified in the accompanying Book of Reference as 'Public road'. The extreme southern section of the route linking to the U8096 road is shown as an unenclosed track through an arable field, but this track is linked with a brace, to the enclosed track numbered 179 (Public road).
- 1865      1<sup>st</sup> Edition O.S. Map: Scale 1:10,560
- There is evidence of a track over the claimed route with the east - west section identified as Ladycutters Lane.
- 1898      2<sup>nd</sup> Edition O.S. Map: Scale 1:10,560
- There is evidence of a track over the claimed route with the east - west section identified as Ladycutters Lane.
- 1924      3<sup>rd</sup> Edition O.S. Map: Scale 1:10,560
- There is evidence of a track over the claimed route with the east - west section identified as Ladycutters Lane.
- 1952      Provisional Edition O.S. Map: Scale 1:10,560
- There is evidence of a track over the claimed route with the east - west section identified as Ladycutters Lane.



1954      Survey & Draft Definitive Maps

There is evidence of a track over the claimed route which on the survey plan is identified as part footpath and part Carriage Road Bridleway (CRB) and numbered 133. On the subsequent 'draft' map the whole length of the path is identified as a footpath, while the accompanying schedule recognises that the path is 'an awarded road'.

5.2      Corbridge Common Inclosure Award 1779

“and we do hereby also order direct and award that the said two roads last herein before by us set out and appointed referred respectively Dilston Dikeheads Road and Millstone Quarry Road shall at all times hereafter be and continue eighteen foot of a size in breadth thereof respectively. And that it shall and maybe lawful to and for all and every person and persons interested in this division their tenants or farmers occupiers of any of the allotments to herein after set out and awarded to pass and repass at all times hereafter in through and along the same respectively on foot and on horseback and with horses carts and with all manner of carriages and to drive cattle and all other things whatsoever in through and along the same respectively at their free wills and pleasure.”

**6.      SITE INVESTIGATION**

6.1      A site inspection is scheduled prior to the Council meeting.

**7.      COMMENTS RECEIVED ON THE DRAFT REPORT**

7.1      In October 2019, a draft copy of the report was circulated to the applicant and known owners / occupiers of the land who responded to the consultation.

**8.      DISCUSSION**

8.1      Section 53(3)(c)(ii) of the Wildlife and Countryside Act 1981, requires the County Council to modify the Definitive Map when evidence is discovered which, when considered with all other relevant evidence available to them shows:

that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description;

8.2      When considering an application or 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 conclusive 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 Fryer's, Cary's and Greenwood's Maps all depict a track over the full length of the alleged route. It is recognised that the purpose of the maps was to depict commercial travel routes throughout the County and therefore the use of such would likely be more than just foot traffic.
- 8.5 All of the Ordnance Survey plans from c1860 to the plan in 1952 depict a track over the full length of the claimed route, although the extreme western field section is missing from the 1898 plan. It is noted that from 1865 the east - west section of the route is identified as 'Ladycutters Lane. The majority of the plans also show the route enclosed as far as the 'Old Quarry'. The 'Book of Reference' for the first edition map c1860 describes the entire length of the claimed path as a 'Public road'.
- 8.6 The information relating to the 1910 Finance Act is useful with regard to the land ownership. The fact that parts of the route are excluded from the plots suggests that they are public and that fact there is a financial deduction for public rights of way is also pertinent but the deduction could be relating existing Public Footpath No 22.
- 8.7 The most important evidence relating to the route is the Corbridge Common Inclosure Award. An Inclosure Award is conclusive evidence to the details contained therein and unless there are any legal orders to remove those rights any public ways set out in the Inclosure award will still exist in the present day regardless of whether those routes physically exist on the ground. It is a fact that the east - west section of the claimed route was set out as Dikeheads Road and it is also a fact that at least part of the north - south section of the claimed route is annotated on the accompanying plan as a 'Foot Road' What is considered important is the class of user attributed to the route as detailed in para 5.2. It is clearly not set out as a 'Public Carriage Road', the commissioners are specific as to the users of the route referring to those people that have an interest in the division, an occupier of an allotment or one of their invitees. Albeit, this may refer to a considerable number of people, mainly within the township of Corbridge, it is not the public at large and is not considered a through route for travellers wishing to use this route rather than the alternative road to the east, avoiding Millstone Quarry.
- 8.8 The cumulative evidence would suggest that historically a track existed over the alleged route however, members must be satisfied that on the balance of probabilities, the public use of the route would have been more than just a footpath and that the 'public at large' rather than an identified and specific group of people were using the route, as of right. Most applications are determined using the lower level 'reasonably alleged' test. This current application might satisfy such a test. However, because this alleged bridleway route is already recorded as a public footpath, members must be satisfied that

any bridleway/restricted byway rights exist after applying the higher level 'balance of probability' test.

- 8.9 It is accepted that there is no 'user-evidence' in support of the alleged public bridleway although there is anecdotal evidence that the route has, in the past, had some limited use by horse riders. The concerns regarding the damage to the surface of the path and increased maintenance of the route, whilst understandable are not considered relevant in determining what public rights exist over the route.
- 8.10 In the light of the evidence submitted, it appears that the historical evidence is insufficient to demonstrate that on the balance of probabilities public bridleway or public vehicular rights have been proven to exist.

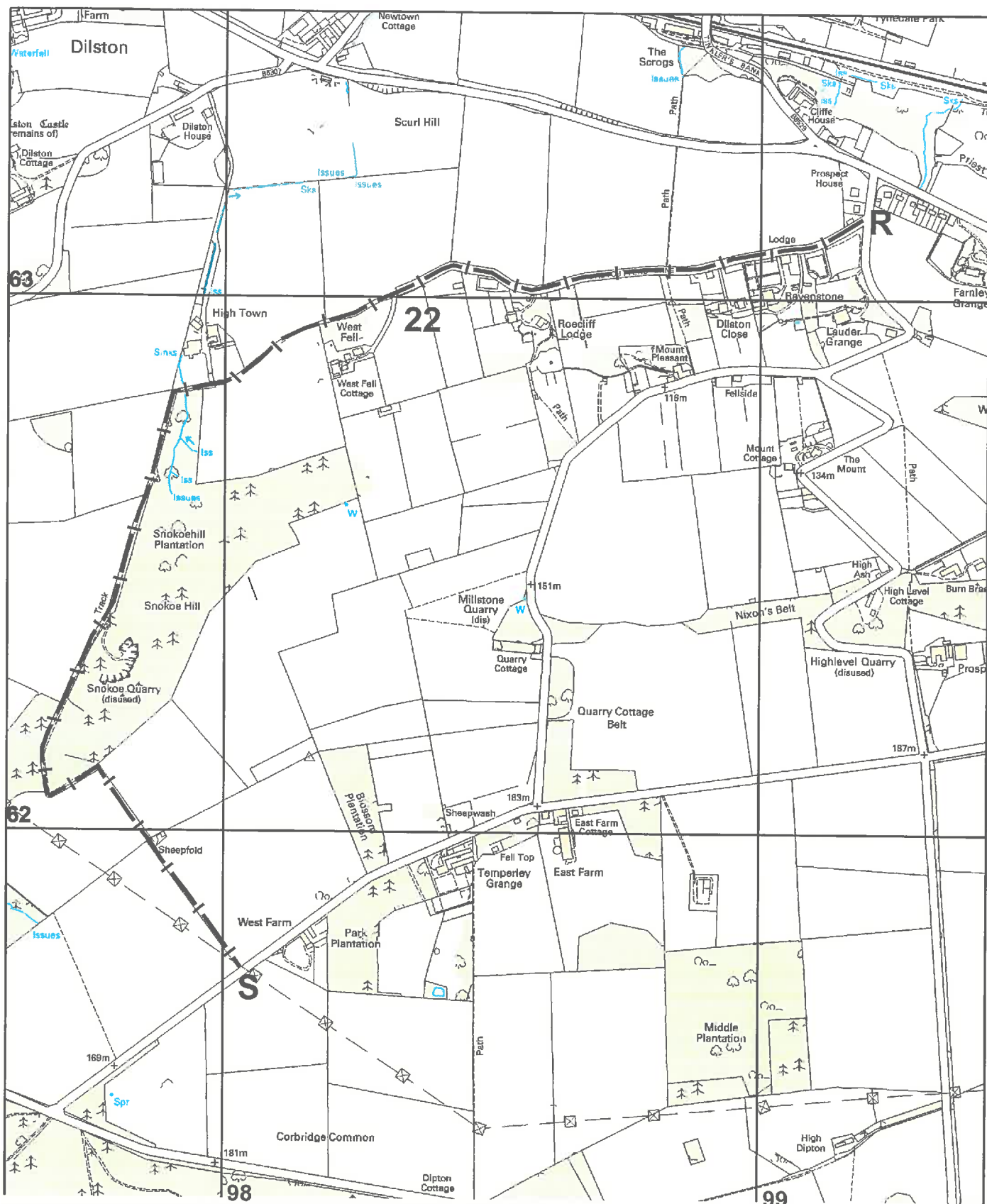
## **9. CONCLUSION**

- 9.1 In the light of the evidence submitted it appears that public bridleway rights have not, on the balance of probability, been proven to exist over the route.

## **BACKGROUND PAPERS**

Local Services Group File E/13/22z

Report Author      John McErlane – Definitive Map Officer  
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[John.McErlane@northumberland.gov.uk](mailto:John.McErlane@northumberland.gov.uk)



**Northumberland**

Northumberland County Council

Infrastructure Records  
Local Services

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## Wildlife and Countryside Act 1981 Public Rights of Way



Alleged Public Bridleway

Former District(s)

Tynedale

Parish(es)

Corbridge

Scale

1:10,000

Def. Map No.

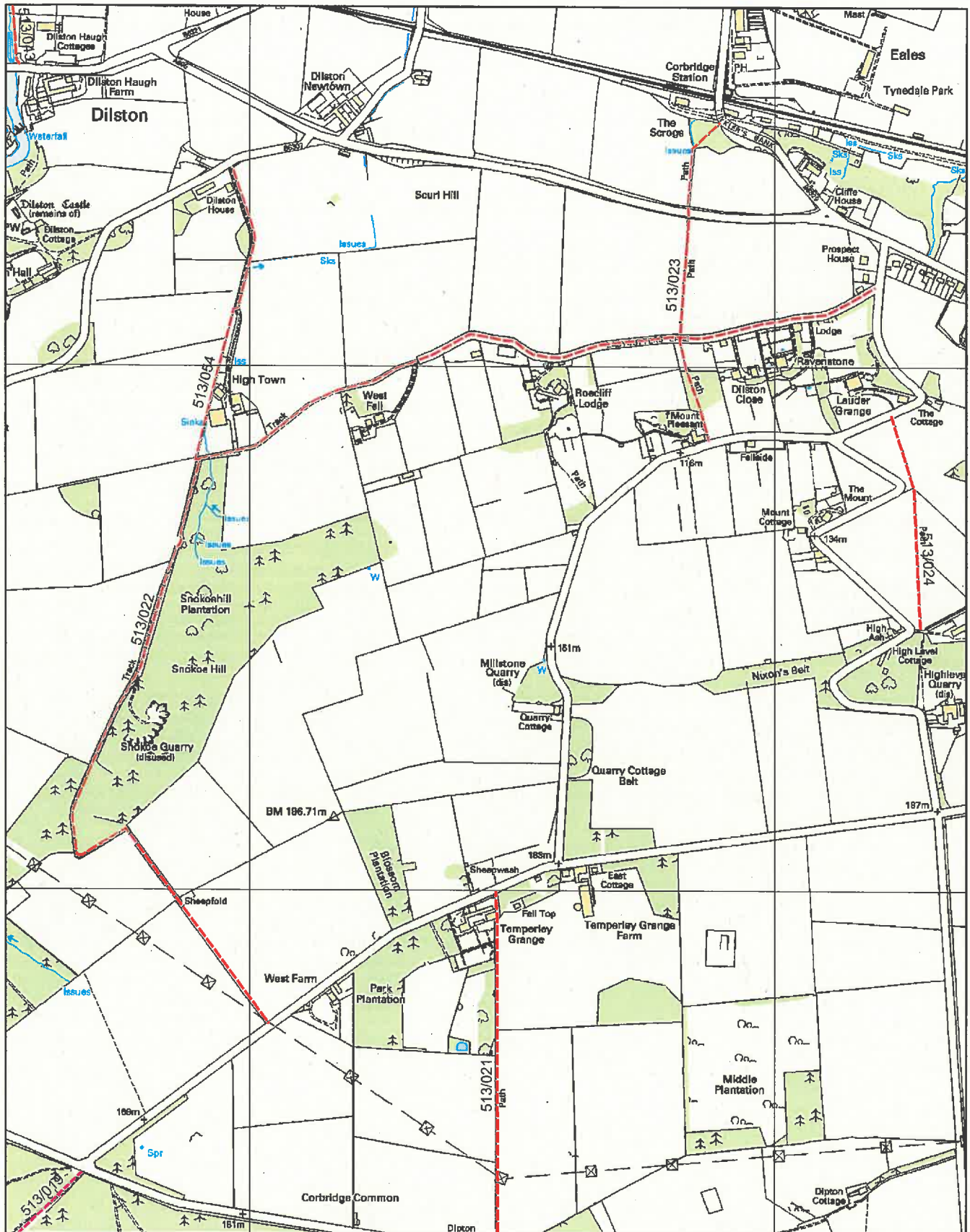
209

O.S. Map

NY 96 SE

Date

March 2018



  
**Northumberland**  
 County Council

Contact: John McErlane  
 Tel: 01670 624136  
 Email: John.McErlane@northumberland.gov.uk

### Legend

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

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

Scale: 1:10,000

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## PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III  
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLANDCERTIFICATE OF SERVICE OF NOTICE OF  
APPLICATION FOR MODIFICATION ORDERFormer Borough/District TYNEDALEParish CORBRIDGETo: Asset & Infrastructure Manager  
Local Services Group  
Northumberland County Council  
County Hall  
Morpeth  
NE61 2EFI/We SUSAN ROGERS (Name)of ROSENALLIS, WEST TURNPIKE, CLANTON (Address)ALNWICK, NE66 4AN

hereby certify that the requirements of Paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with, and each of the following landowners and occupiers affected by the claim have been notified.

Name	Address
CHARLES BEAUMONT	Swallowship House, Fellside, Hexham, NE46 1RJ
David Alty	Woodlands.co.uk, Greenside Farm Cottage, Hallbankgate, Brampton, Cumbria, CA8 2PX
Mr Vassallo	Lander Grange, Ladycatter Lane, Corbridge, NE45 5R
Mr & Mrs T. Laybourne	The Dovecote, " " " "
Mr & Mrs N. Snowden	Ravenstone Lodge, " " " " 51
Mr & Mrs M. Squires	Ravenstone, " " " " NE45 5R
Mr & Mrs D. Parker	Silster Close, " " " " "
The occupiers (tenants)	Dunroamin, " " " " "
Ian Marsden (owner)	Woodside, Sandy Bank, Riding Mill, NE44 6H
Mr & Mrs Oliver	Roccliff Lodge, Ladycatter Lane, Corbridge, NE45 5R
Robert Kane	Roccliff, " " " " "
Martin Bingham	Dykehead, " " " " "
The occupiers	West Fell, " " " " "

Dated 28 Dec 2017 Signed Susan P Rogers

## 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 TYNEDALE  
 Parish CORBRIDGE Rights of Way No. FP 513/022  
 (on Definitive Map)

To: Asset & Infrastructure Manager  
 Northumberland County Council  
 County Hall  
 Morpeth  
 Northumberland  
 NE61 2EF

I/We SUSAN ROGERS (Name)  
 of ROSENALLIS, WEST TURNPIKE, CLANTON, (Address)  
ALNWICK, NE66 4AN

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:-

1. Adding the (footpath) (bridleway) (restricted byway) (byway open to all traffic) (*Delete whichever is inapplicable*)  
 from .....  
 to .....
2. (Upgrading) (~~downgrading~~) to a (footpath) (bridleway) (~~restricted byway~~) (~~byway open to all traffic~~) the (footpath) (bridleway) (~~restricted byway~~) (~~byway open to all traffic~~) (*Delete whichever is inapplicable*)  
 from CRM991 631 junction with the U8093  
 to CRM991 617 junction with the U8096
3. Deleting the (footpath) (bridleway) (restricted byway) (byway open to all traffic) (*Delete whichever is inapplicable*)  
 from .....  
 to .....
4. (Varying) (adding to) the particulars relating to the (footpath) (bridleway) (restricted byway) (byway open to all traffic) (*Delete whichever is inapplicable*)  
 from .....  
 to .....

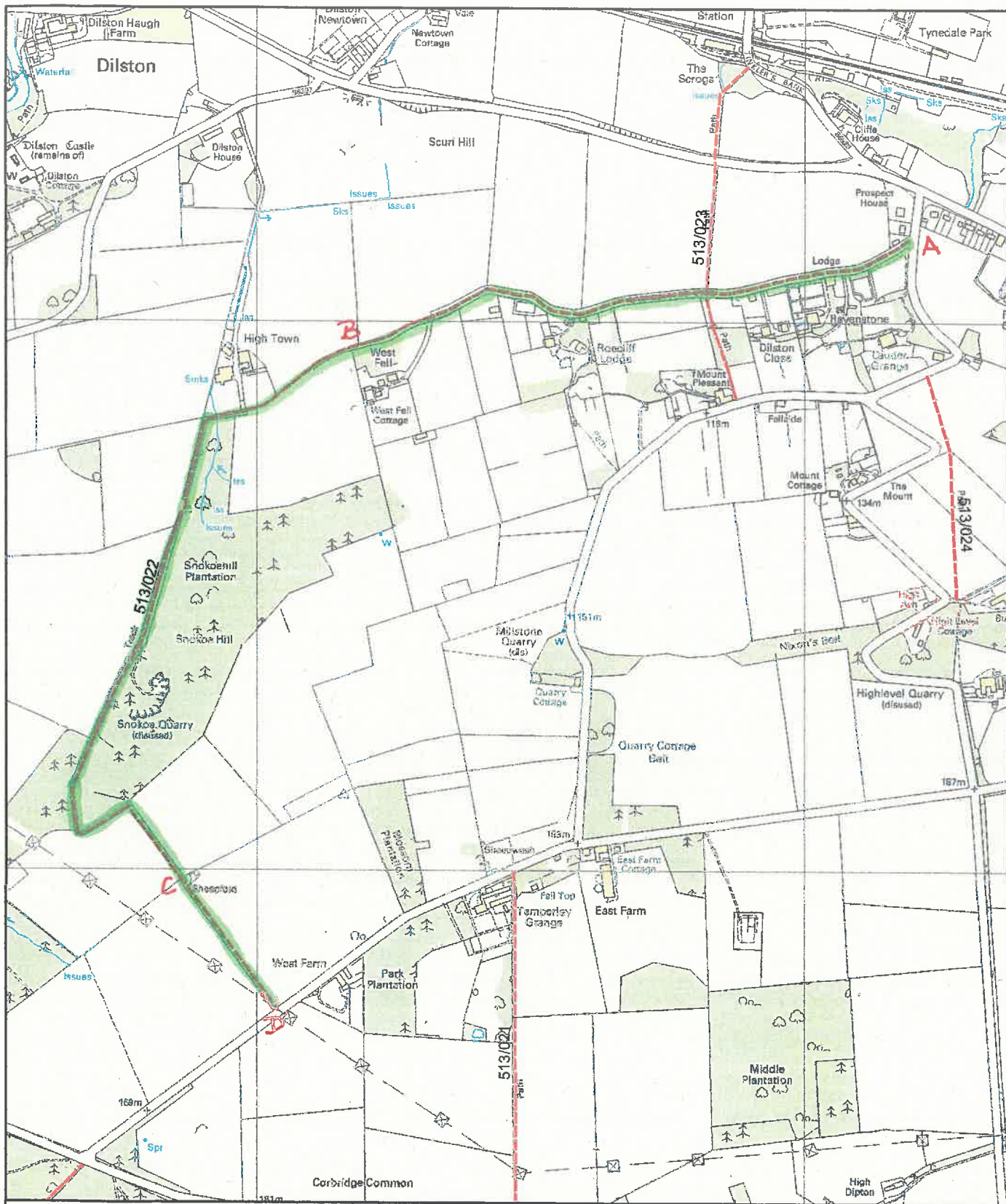
by providing that .....  
 as shown on the plan attached.

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

Dated 28<sup>th</sup> Dec 2017 Signed Susan P Rogers

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 2½" to 1 mile, but 6" to 1 mile (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  
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## Wildlife & Countryside Act, 1981



Claimed Public Right of Way

Former District	Tynedale	Parish	Corbridge	Scale	1:10,000
Def. Map. No.		O.S. Map		Date	



## Snokoehill

### The route

1. The route follows the line of FP 513/022 in Corbridge Parish. It can be seen on OS Explorer OL 43.
2. It starts at GR NY 991631 (A) on the minor road, the U 8093, south of Corbridge. It tracks southwest and south, ending at GR NY 980617 (D) on the U8096, southwest of Temperley Grange.
3. Along Ladycutter's Lane, which is the first part of the route, the surface is tarmac, serving as access to a number of private houses. In spite of being shown on the current OS as a 'yellow road', it is not shown as a publicly maintainable road on the county's List of Streets.
4. Just east of West Fell, the track changes to an unsealed stone surface. This type of surface is found as it passes alongside and through Snokoehill Plantation. In the two fields south of the plantation, it follows the field edge with a grass surface with some evidence on the ground of the line of the old road.
5. Its width is approximately 5 metres, except in the fields where it is fenced only on one side.

### Documentary evidence

#### 1. 1828 Greenwood's map of Northumberland

The complete length of the alleged route is shown on this early map of Northumberland. It is shown as being fenced for its full length and according to the key is classified as a 'cross road', that is a minor road connecting two roads of greater importance.

*See extract*

#### 2. 1841 Tithe award for the township of Corbridge

**DT 114L**

The tithe plan shows the alleged route branching off 'Dipton Road' and labelled 'from Dilston' at its west end where it meets the township boundary

Please note that this plan is not aligned to north.

*See extract*

#### 3. 1851 Tithe award for the township of Dilston

**DT 133S**

The alleged route, from point (B) where it enters this township to point (D) where it joins the tarmac road near West Farm, is shown in brown indicating that the land is not subject to tithes. All the existing public roads in the area are shown in the same manner so it would appear that this route is in the same category.

*See extract*

**4. 1866 OS 1<sup>st</sup> ed. scale 1:2,500, the 25"**

**sheets XCV/9 & XCIV/12**

**OS Book of Reference for Corbridge Parish**

On this early edition of the OS, the alleged route is shown from (A) – (B) to be in the parish of Corbridge, township of Corbridge. The plot number for this section is 353.

From (B) – (D), it is shown to be in the parish of Corbridge, township of Dilston. While it is in an enclosed lane passing along the west side of Snokoehill Plantation and into the first field to the south where it was fenced on both sides at that time, it is in plot 179. For the final unfenced section (C) – (D) across a single field to the road, it is in plot 217.

The land use of these plots, as described in the Book of Reference for Corbridge parish, are:

Township of Corbridge	Plot 353	<b>Public road (Ladycutter's Lane)</b>
Township of Dilston	Plot 179	<b>Public road</b>
	Plot 217	Rough pasture

*See extracts*

**5. 1898 OS 2<sup>nd</sup> ed. scale 1:10,560, the 6"**

**sheets XCV SW & XIV SE**

The alleged route can be seen following the same route on the OS 2<sup>nd</sup> edition as it did on the 1<sup>st</sup> edition.

*See extract*

**6. OS 1<sup>st</sup> & 2<sup>nd</sup> eds from the National Library of Scotland website**

The alleged route is highlighted in yellow on the extracts from this website.

*See extracts*

**7. 1910 Finance Act plan**

**sheets NRO XCV/9 & XCIV/12**

On sheet XCV/9 the first part of Ladycutters Lane is shown as a 'white road', indicated by there being a broken brace within plot 369. This shows that although the lane passes through plot 369, the owner of that plot does not own the lane itself and therefore would not be liable should any development tax that might become due. This suggests that the lane is a public road.

The rest of the route is shown on sheet XCIV/12. This is made up of the remainder of Ladycutters Lane which continues as a 'white road'. At the township boundary (B), the route passes into plot 709 for the rest of its length being braced with adjacent fields.

In the **Field book for the parish of Corbridge**, ref **NRO 2000/20** on page 53, which is the section covering Dilston Township, plot 709 is listed as belonging to Lord Allendale, with J.Little as the occupier. There is **deduction of £85 for 'ROW or user'**.

This indicates that a route with public rights crosses this plot, thus providing a deduction from any development tax that might become due.

*See extract*

**8. 1924 OS 3<sup>rd</sup> ed. Scale 1:10,560, the 6"**

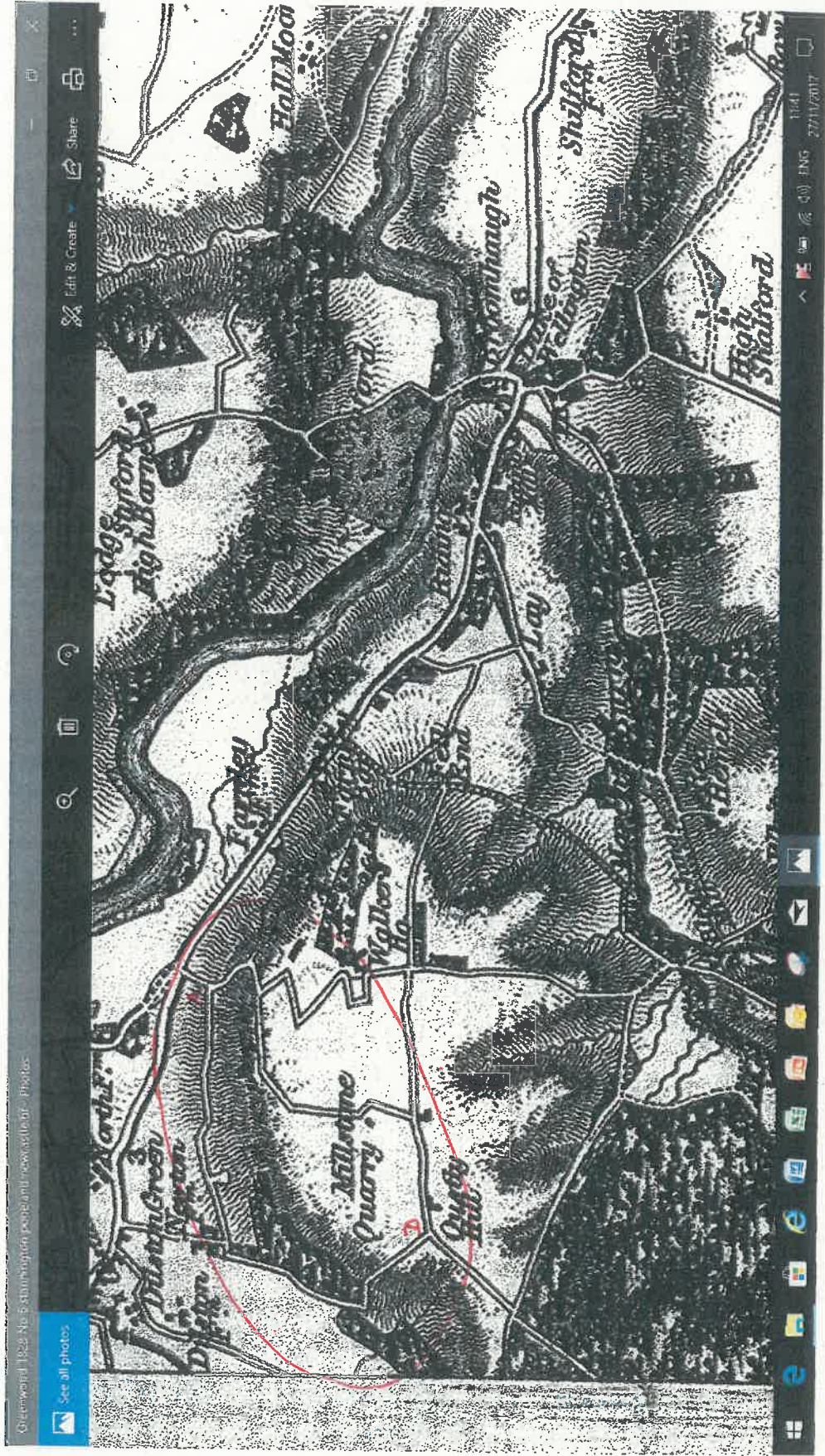
The extract from this edition shows the route unchanged from the first edition of the 1860s.

**Conclusion**

The evidence listed above suggests that a public route has existed since the 19<sup>th</sup> century. The additional user evidence shows that it has continued to be used for the last 20 years without objection or obstruction. Please can you investigate whether this public footpath should be upgraded to a public bridleway?

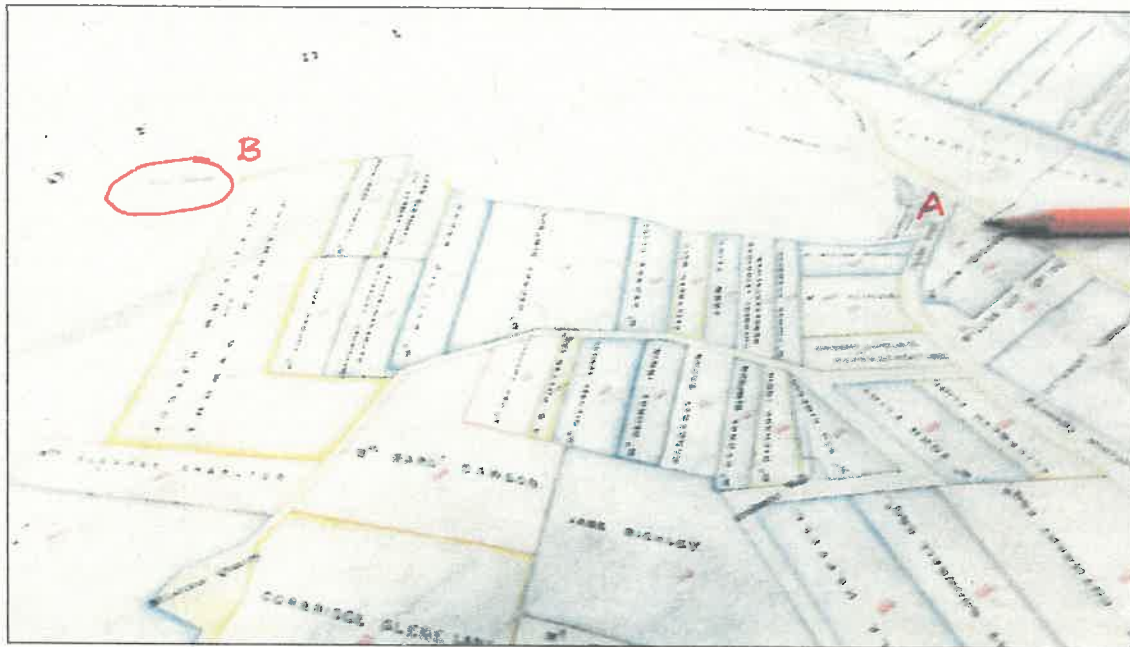
Sent to NCC December 2017

1828 Greenwood's map of Northumberland

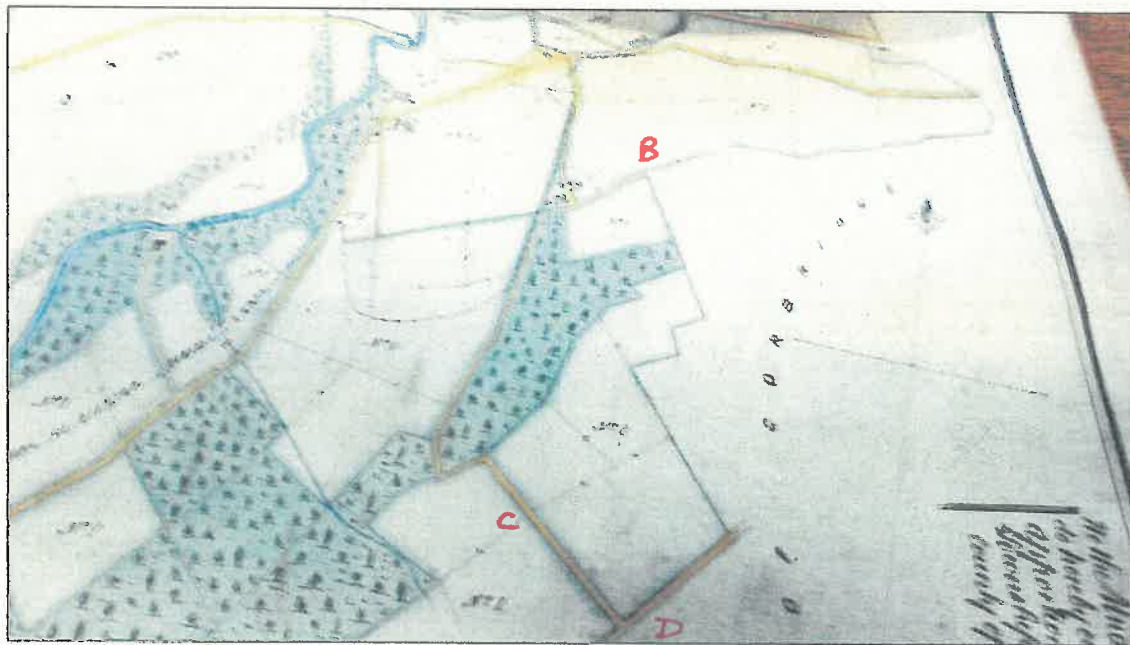




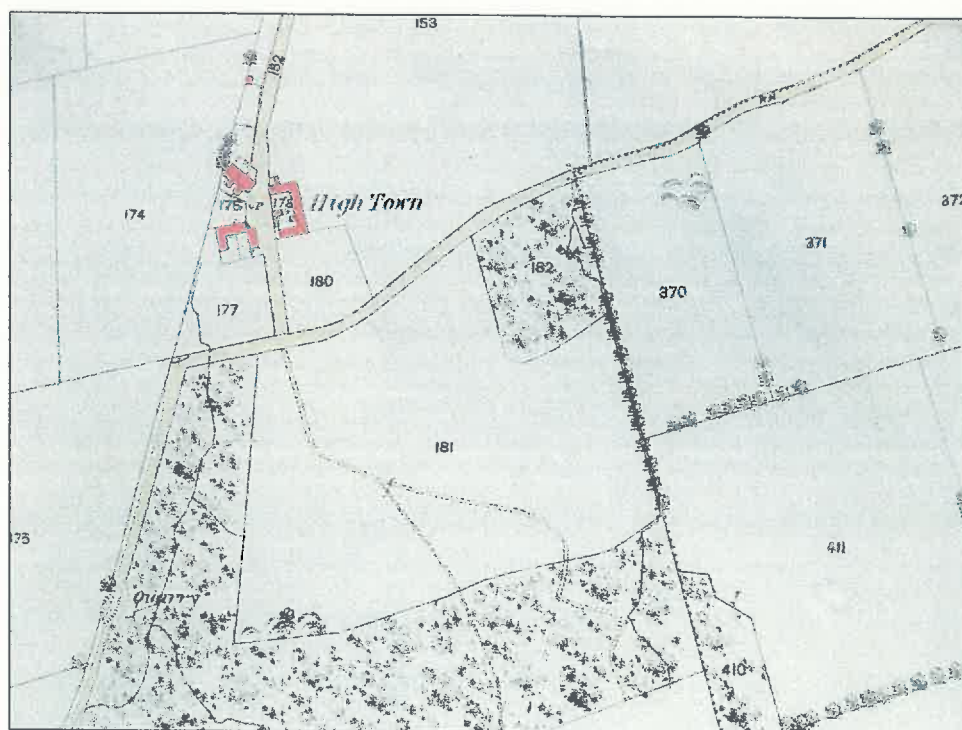
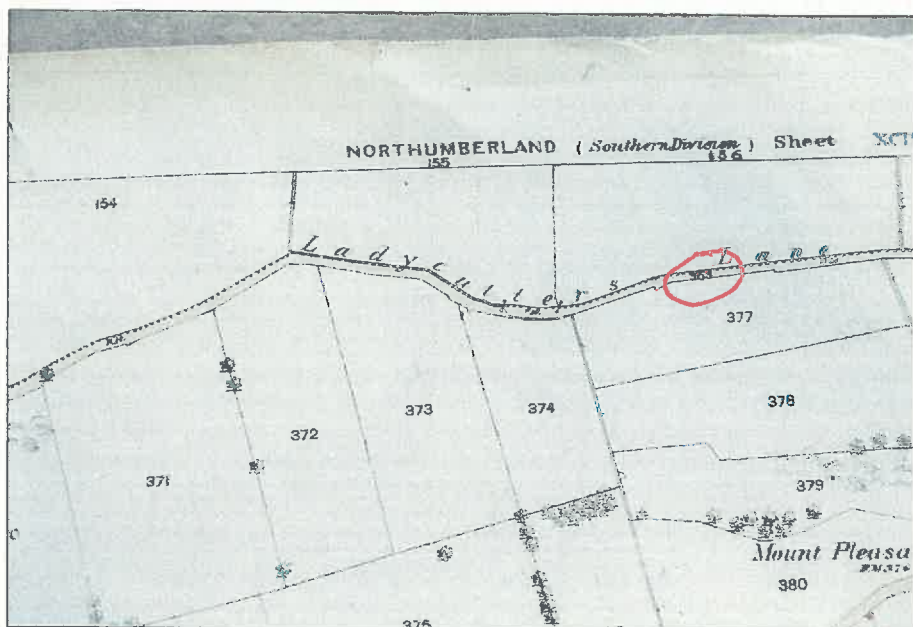
### 1841 Tithe award for the township of Corbridge

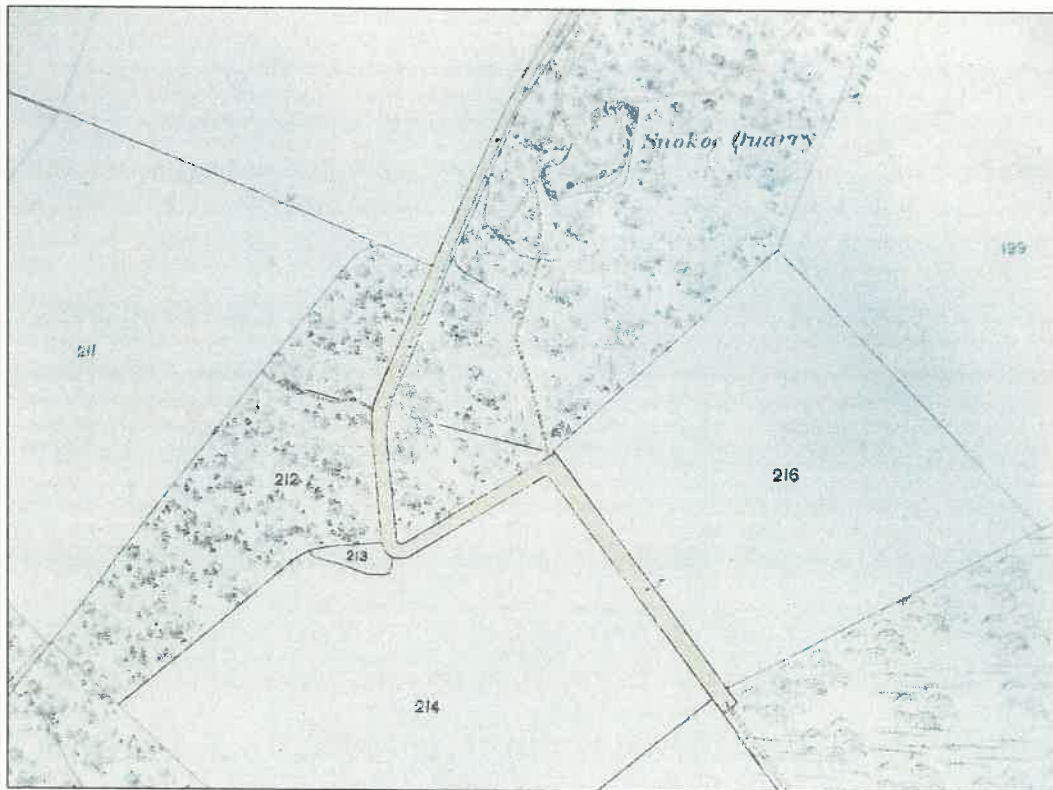
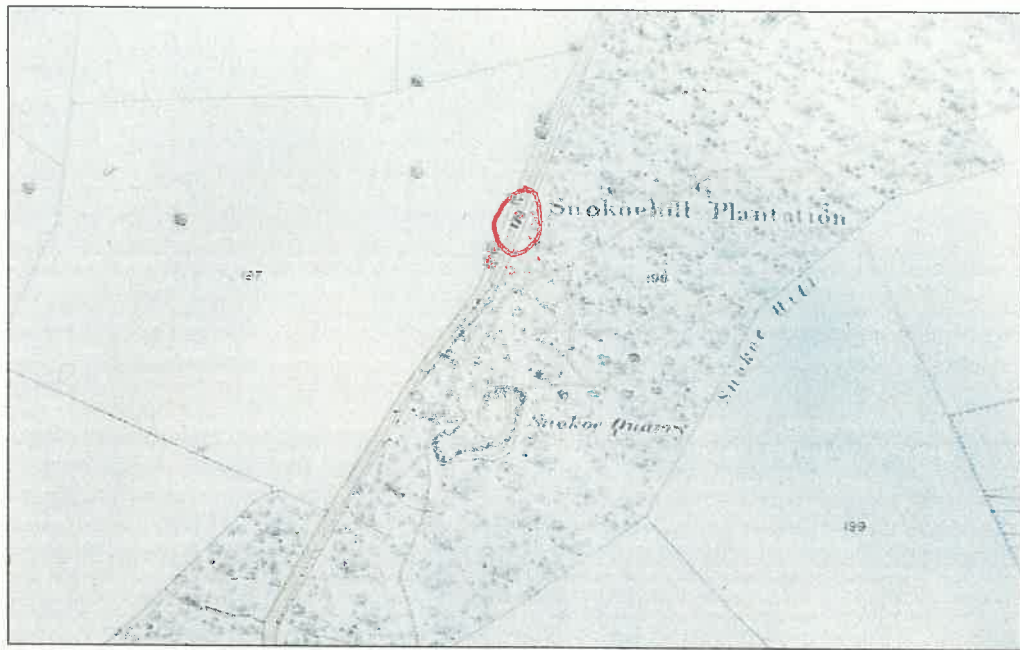


### 1851 Tithe award for the township of Dilston



1866 OS 1<sup>st</sup> edition, scale 1:2,500, the 25"







PARISH OF CORBRIDGE

No. in Plan	Area in Acres	Description	No. in Plan	Area in Acres	Description
303	171.845	Brought forward.	347	1952.624	Brought forward.
304	2.300	Pasture, &c. (Hawthorn Green).	348	633	Orchard.
305	8.255	Arable.	349	610	Arable.
306	12.055	Arable.	350	6.973	Pasture, &c.
307	25.250	Arable, &c. (Slade Hill).	351	4.533	Arable.
308	13.534	Arable.	352	3.504	Pasture.
309	9.087	Rough pasture, &c.	353	3.926	Wood.
310	711	Pasture.	354	1.942	Public road (Ladgate Lane Lane).
311	2.808	Orchard.	355	2.192	Arable.
312	1.240	Arable.	356	4.412	Public road, &c.
313	3.613	Rough pasture, &c.	357	6.139	Arable.
314	6.651	Rough pasture, &c.	358	3.197	Arable.
315	26.029	Rough pasture (Maiden Green).	359	9.245	Arable.
316	6.717	Pasture, &c.	360	6.028	Public road.
317	19.134	Arable, &c.	361	4.801	Arable.
318	8.686	Arable, &c.	362	11.506	Arable.
319	16.637	Arable.	363	19.889	Arable, &c.
320	7.216	Arable.	364	10.163	Newcastle & Canale Railway.
321	26.150	Pasture (Thornborough Haugh).	365	9.746	Arable.
322	15.369	Pasture, &c. (Bleed).	366	10.639	Arable.
323	657	Pasture, &c. (Gallow Hill).	367	9.472	Arable.
324	582	Wood.	368	7.509	Arable.
325	4.421	Private road.	369	3.004	Wood.
326	156	Houses, yards, gardens, &c. (Station Inn, &c.).	370	1.085	Wood.
327	4.641	Arable.	371	.022	Pasture, &c.
328	1.238	Arable.	372	3.966	Pasture, &c.
329	2.947	Garden, &c.	373	6.095	Arable.
330	4.303	Arable.	374	3.712	Arable.
331	5.213	Arable.	375	3.820	Arable.
332	4.611	Arable.	376	2.186	Arable.
333	1.987	Arable.	377	4.199	Arable.
			378	2.827	Arable.
			379	2.973	Arable.
			380	3.564	Pasture, &c.
			381	0.858	Pasture, &c.

PARISH OF CORBRIDGE

Description

No. in Plan	Area in Acres	Description	No. in Plan	Area in Acres	Description
382	109.776	Brought forward.	423	1.089	Houses, yards, gardens, &c. (Corbridgefell).
383	2.178	Pasture, &c.	424	2.478	Pasture.
384	2.022	Pasture.	425	1.878	Pasture.
385	1.930	Gardens, &c.			
386	1.665	Arable.			
387	4.636	Arable.			
388	6.958	Arable, &c.			
389	12.400	Houses, yards, gardens, &c. (Parbley).			
390	612	Pasture, &c.			
391	970	Wood, &c.			
392	394	Arable.			
393	13.380	Rough pasture.			
394	6.034	Arable.			
395	6.299	Pasture, &c.			
396	1.313	Pasture, &c.			
397	7.113	Wood.			
398	643	Arable, &c.			
399	8.711	Arable.			
400	7.310	Wood.			
401	886	Pasture.			
402	8.629	Wood.			
403	9.248	Arable.			
404	4.150	Arable.			
405	12.062	Pasture, &c.			
406	1.411	Pasture.			
407	1.473	Arable.			
408	1.123	Arable, &c.			
409	2.995	Pasture.			
410	1.177	Houses, yards, gardens, &c. (Corbridgefell).			
411	308	Pasture.			
412	1.089	Pasture.			
413	2.478	Pasture.			
414	1.878	Pasture.			



## PARISH OF CORBRIDGE

70

No. in List	Acres Area	Description	No. in List	Acres Area	Description
143	1135.012	Gravel, forward	185	1131.487	Gravel, forward
144	17.513	Swamp (Leads Water)	186	6.078	Arable, &c.
145	1.013	Wood	187	15.131	Arable, &c.
146	13.293	Wood, &c.	188	61.200	Wood, &c. (Houses)
147	1.740	Houses, yards, gardens, &c. (Hall Farm).	189	8.707	Arable, &c.
148	10.418	Pasture, &c.	190	11.513	Arable, &c.
149	8.706	Arable	191	11.186	Arable
150	1.233	Houses, yards, gardens, &c. (Dissent Hall).	192	9.527	Arable, &c.
151	3.520	Arable	193	4.74	Gravel road
152	2.151	Arable	194	9.070	Arable, &c.
153	837	Pasture road	195	7.911	Arable, &c.
154	34.040	Arable, &c.	196	3.70	Wood
155	13.872	Arable, &c.	197	8.094	Pasture, &c.
156	13.270	Arable	198	22.506	Arable, &c.
157	15.472	Arable	199	35.890	Wood, &c. (Swamp, &c.)
158	14.519	Arable, &c.	200	14.335	Arable
159	42.300	Arable, &c.	201	9.841	Arable
160	12.610	Arable	202	8.572	Arable
161	478	Water	203	2.201	Wood, &c.
162	12.090	Wood, &c.	204	2.20	Wood, &c.
163	1.11	Houses, garden, &c.	205	16.908	Wood, &c.
164	231	Gravel	206	15.706	Rough pasture, &c.
165	380	Houses, &c. (Dissent Paper Mill).	207	12.022	Arable, &c.
166	12.930	Pasture, &c. (East Hough).	208	235	Wood, &c.
167	4.020	Arable, &c.	209	16.709	Rough pasture, &c.
168	153	Houses, gardens, &c.	210	31.982	Wood, &c.
169	4.472	Arable, &c.	211	19.313	Wood, &c.
170	18.290	Arable, &c.	212	15.108	Arable, &c.
171	6.223	Arable	213	6.669	Wood, &c.
172	11.031	Arable	214	146	Garden
173	6.183	Arable	215	12.586	Pasture
174	5.873	Arable	216	18.313	Pasture
175	5.913	Arable	217	9.246	Arable
176	7.717	Arable	218	31.119	Rough pasture, &c.
177	867	Houses, yards, gardens, &c.	219	76.239	Rough pasture, &c.
178	878	Pasture, &c.	220	13.967	Wood, &c. (Swamp, &c.)
179	199	Houses, yards, &c. (High Town).	221	74.896	Wood
180	4.111	Public road	222	19.600	Arable
181	837	Pasture	223	8.712	Public road
182	11.751	Pasture, &c.	224	3.343	Public road, &c.
183	1.818	Wood, &c.			
184	18.441	Wood, &c. (Swallow- ship Wood).			
185	5.476	Arable			
186	1404.167	Carried forward			

## RECAPITULATION

1818-236  
45-702  
9-708  
56-031

Area of the Township  
of Dilton, exclusive  
of the detached por-  
tions

## TOWNSHIP OF DILTON

(DETACHED, No. 1)

15-202 Arable (Hales Field)

15-202  
Area of the Township  
of Dilton (Detached  
No. 1)

## TOWNSHIP OF DILTON

(DETACHED, No. 2)

117-838 Wood, &c. (Dilton  
Wood—part of)

117-838  
Area of the Township  
of Dilton (Detached  
No. 2)

## RECAPITULATION FOR THE

## TOWNSHIP

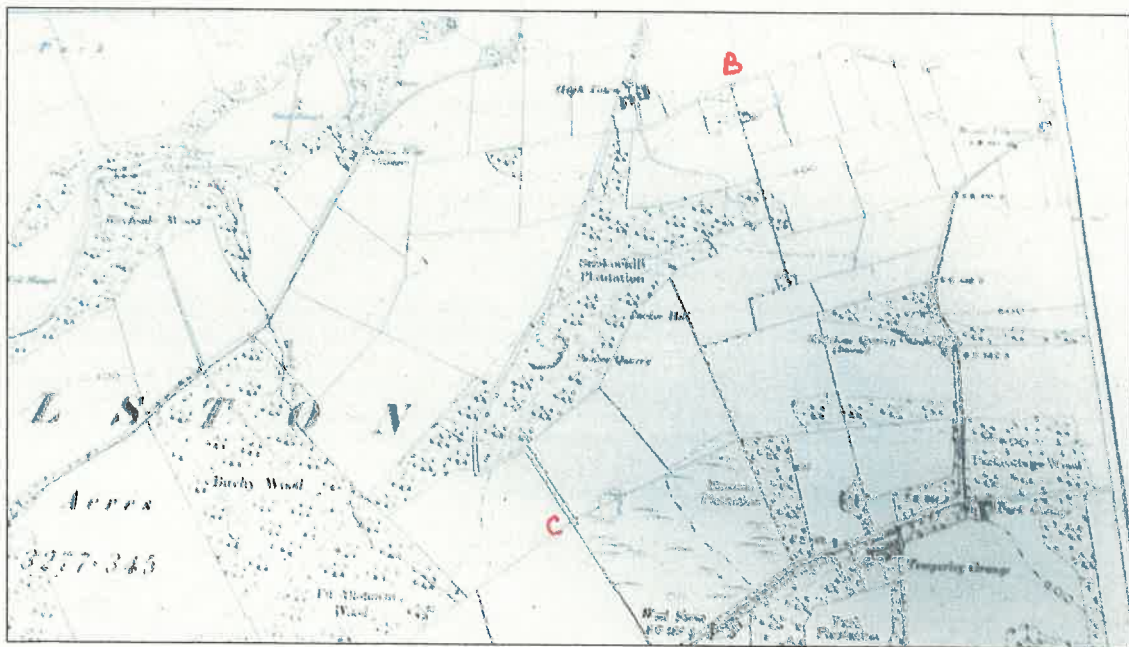
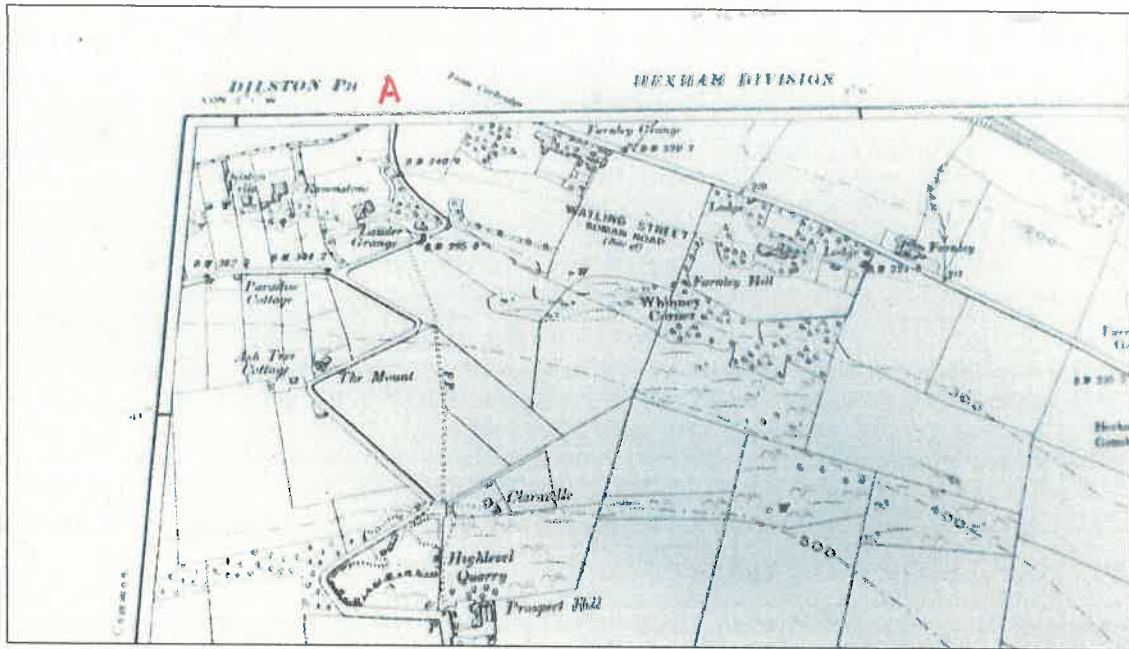
2111-276  
45-702  
9-708  
56-031

Land.  
Public roads.  
Railway.  
Water.

2223-017

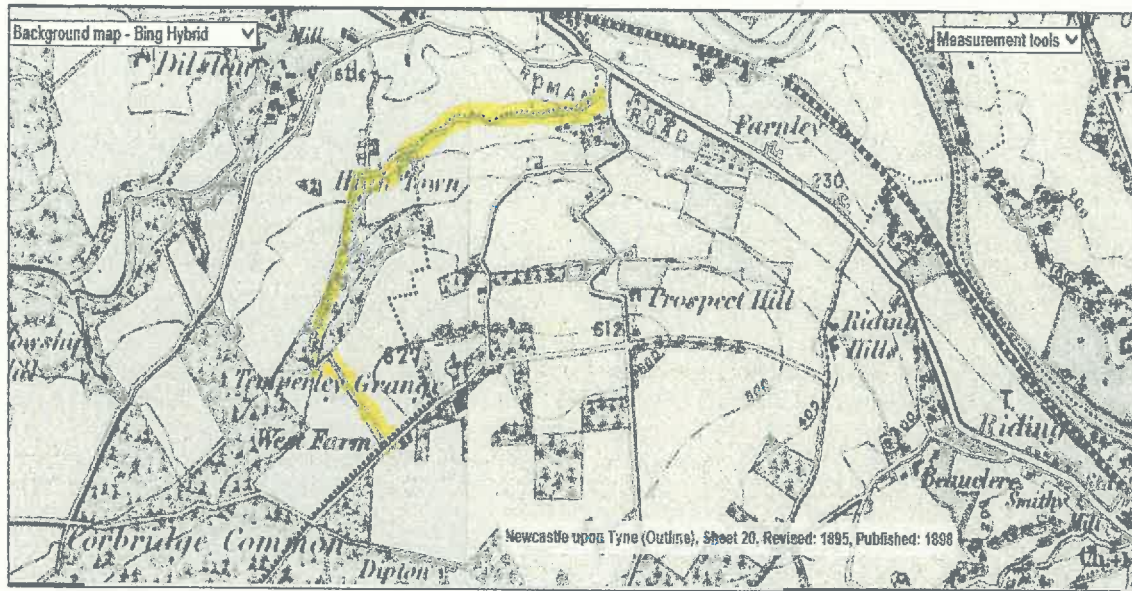
Total area of the Town-  
ship of Dilton.

1898 OS 2<sup>nd</sup> edition. Scale 1:10,560, the 6"





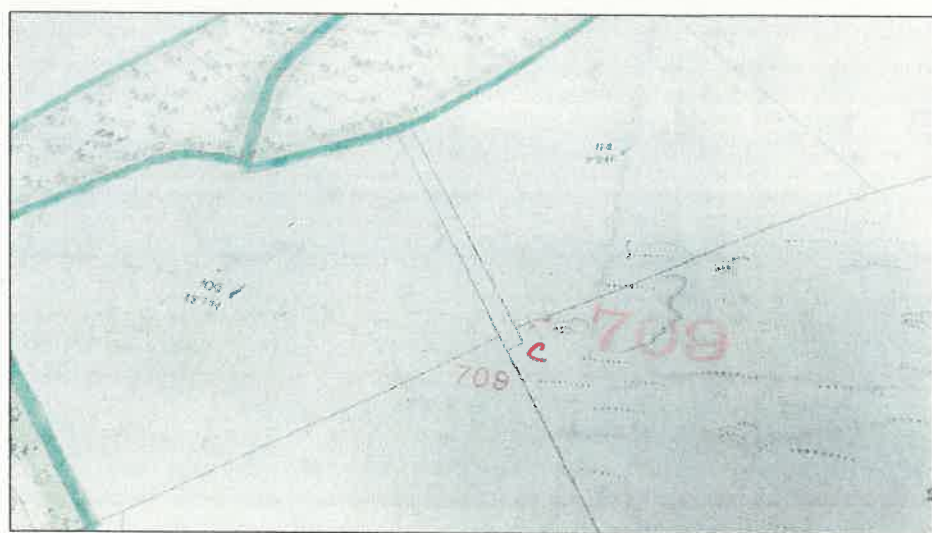
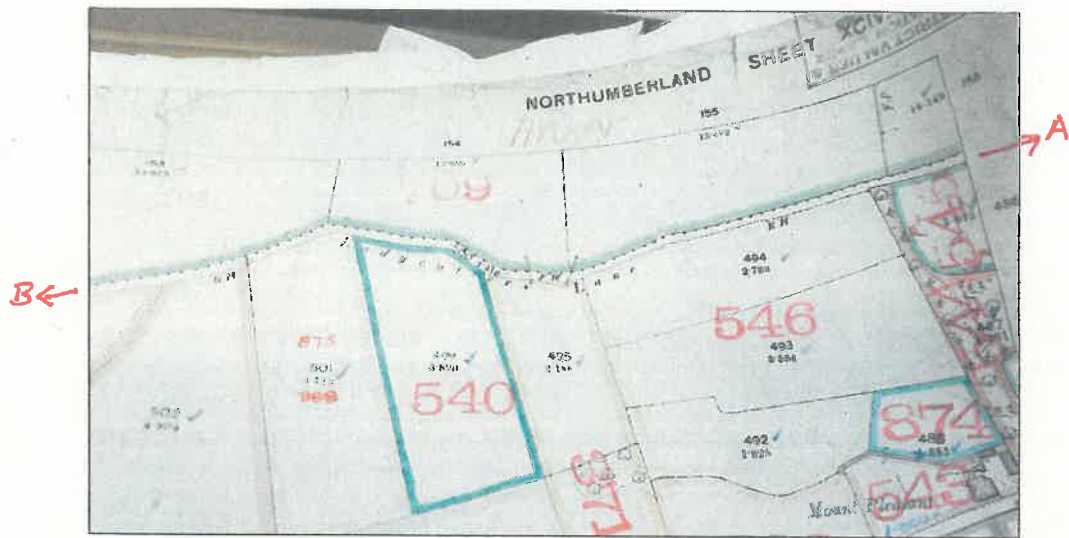
1895 OS 1<sup>st</sup> ed revised from the National Library of Scotland website

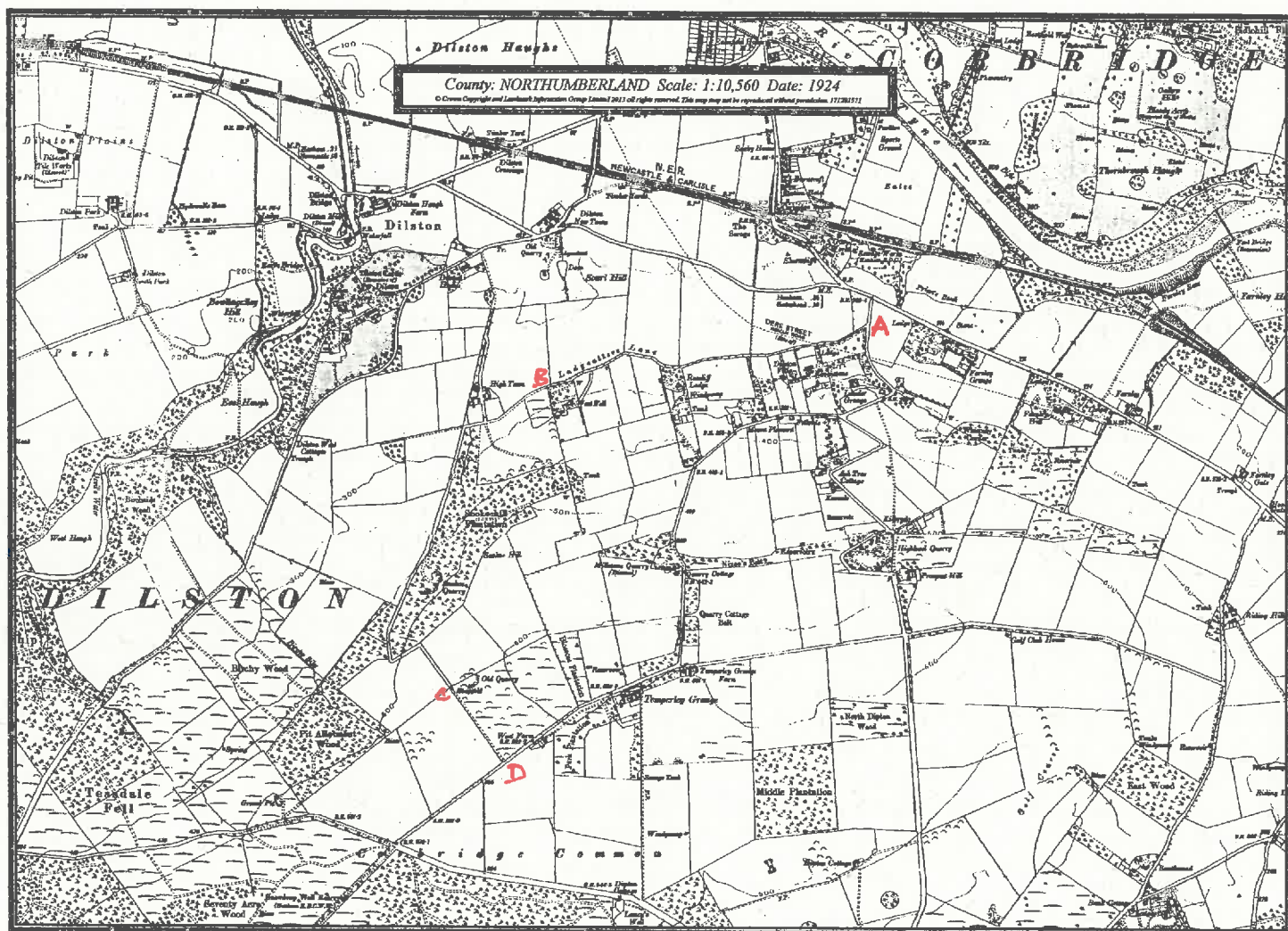


1898 OS 2<sup>nd</sup> ed from the National Library of Scotland website



# 1910 Finance Act Plan









*Wind Mills*.....



*Turnpike Roads*.....



*Country Roads*.....



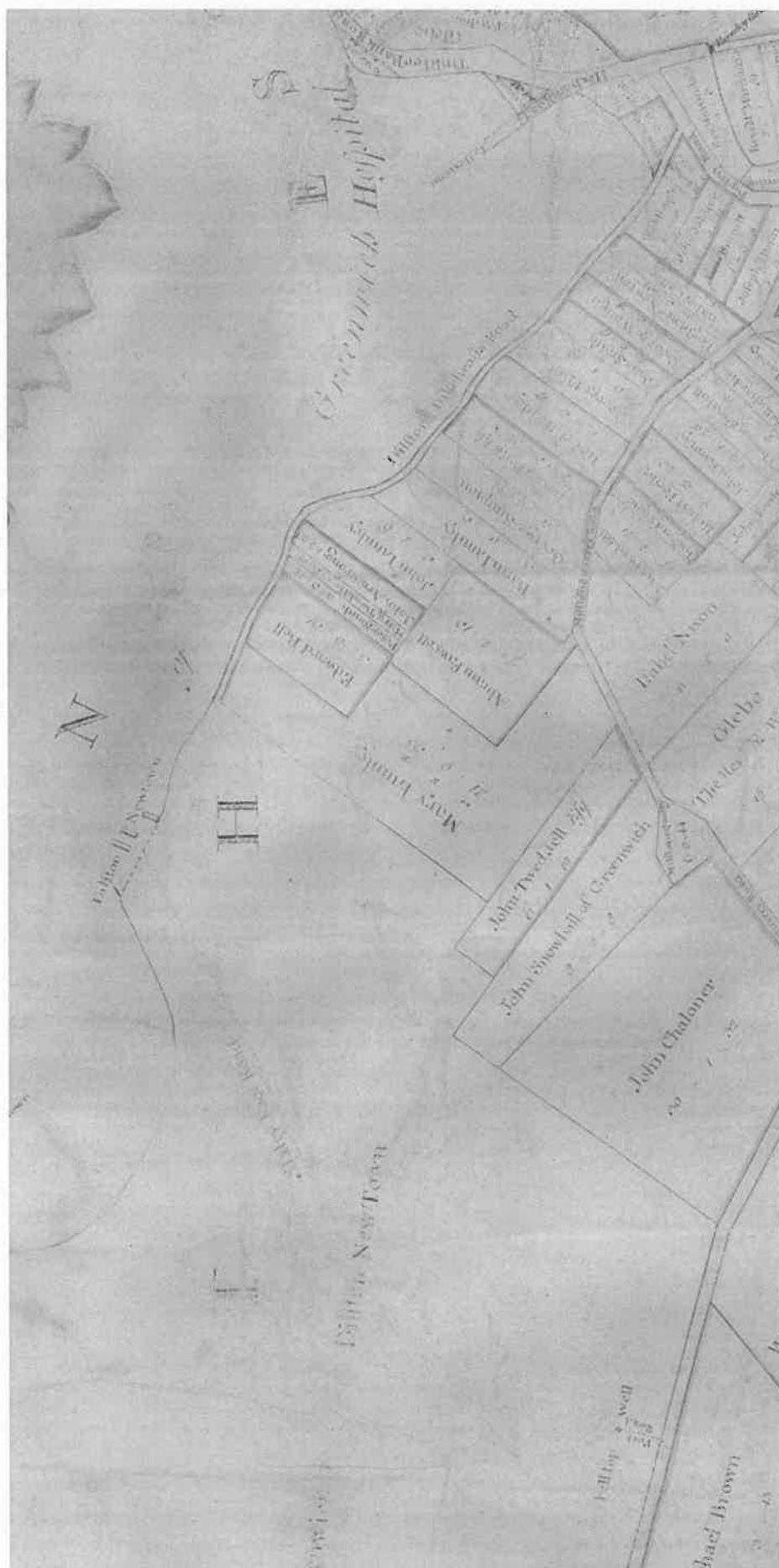
*Roman Roads*.....



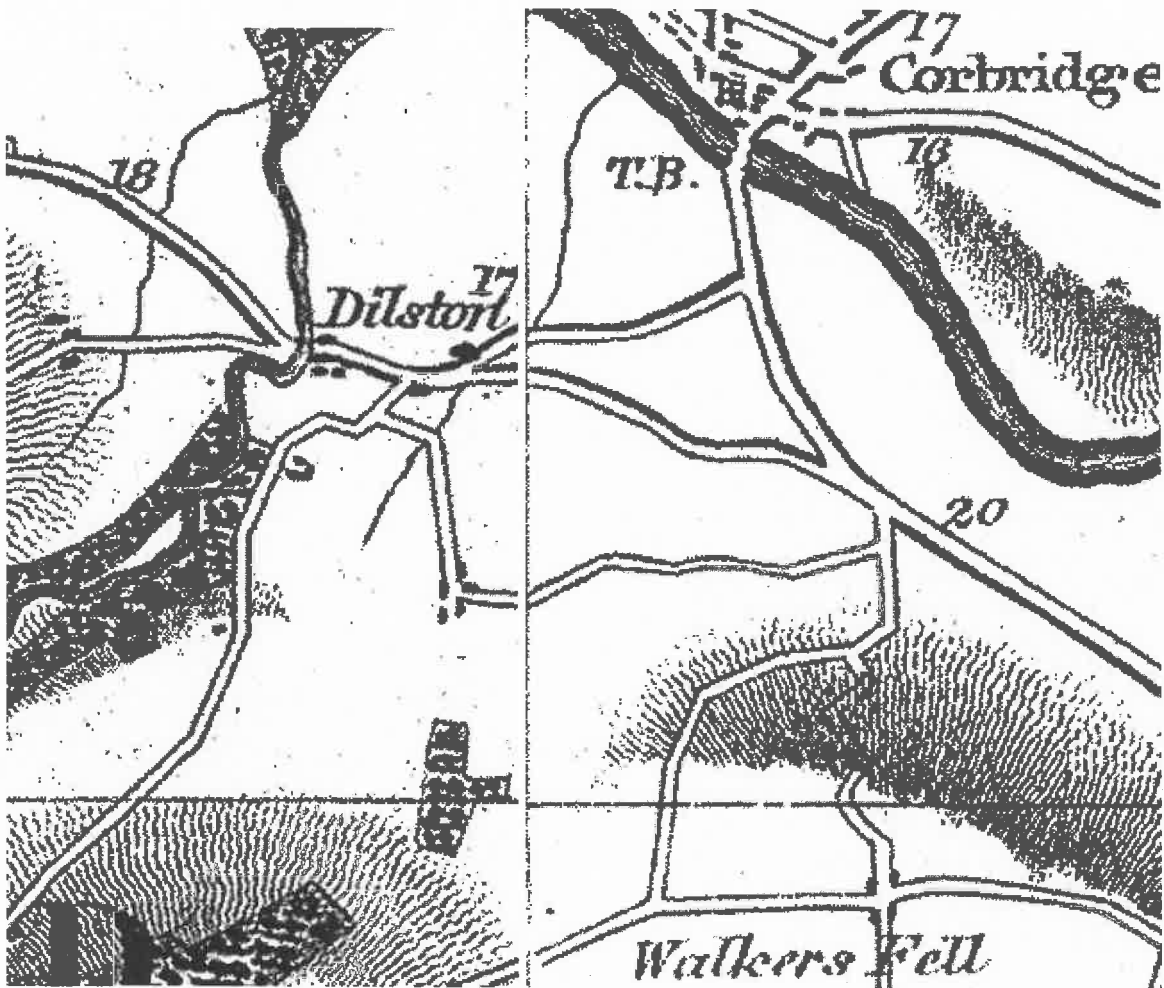
*Roman Stations and Camps*



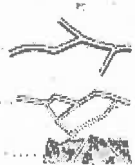
## FARNLEY AND THE SOUTH COMMON CORBRIDGE FELL INCLOSURE 1779



FRYER'S COUNTY MAP  
1820

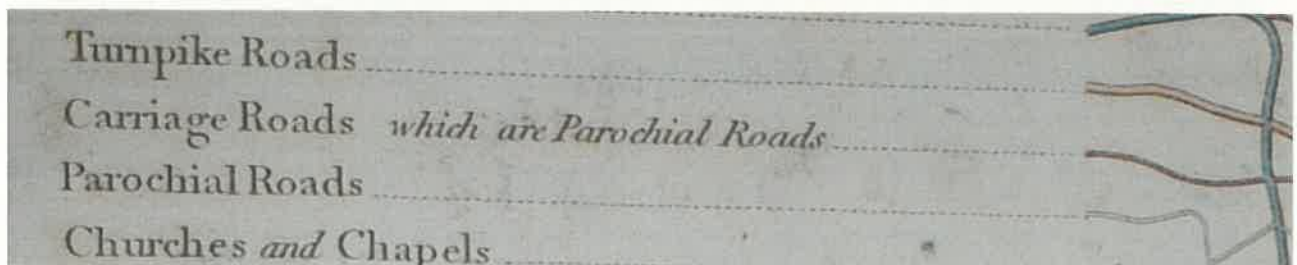


*Turnpike Roads* .....  
*Other Roads* .....  
*Parks and Pleasure Grounds* .....





**CARY'S COUNTY MAP**  
1827



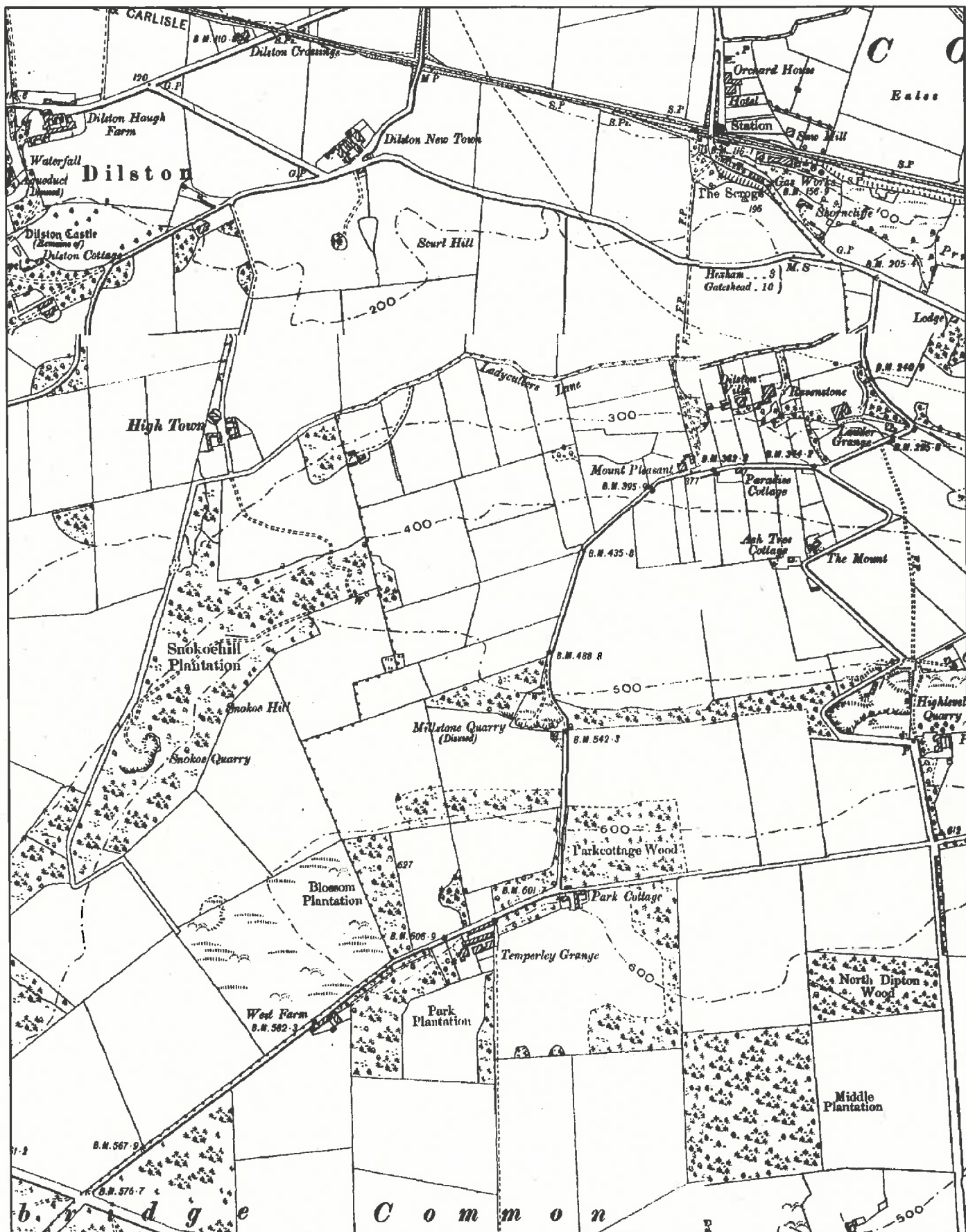
GREENWOOD'S COUNTY MAP  
1828



to Parliament  
Turnpike Roads & Toll Bars  
Cross Roads  
Churches & Chapels





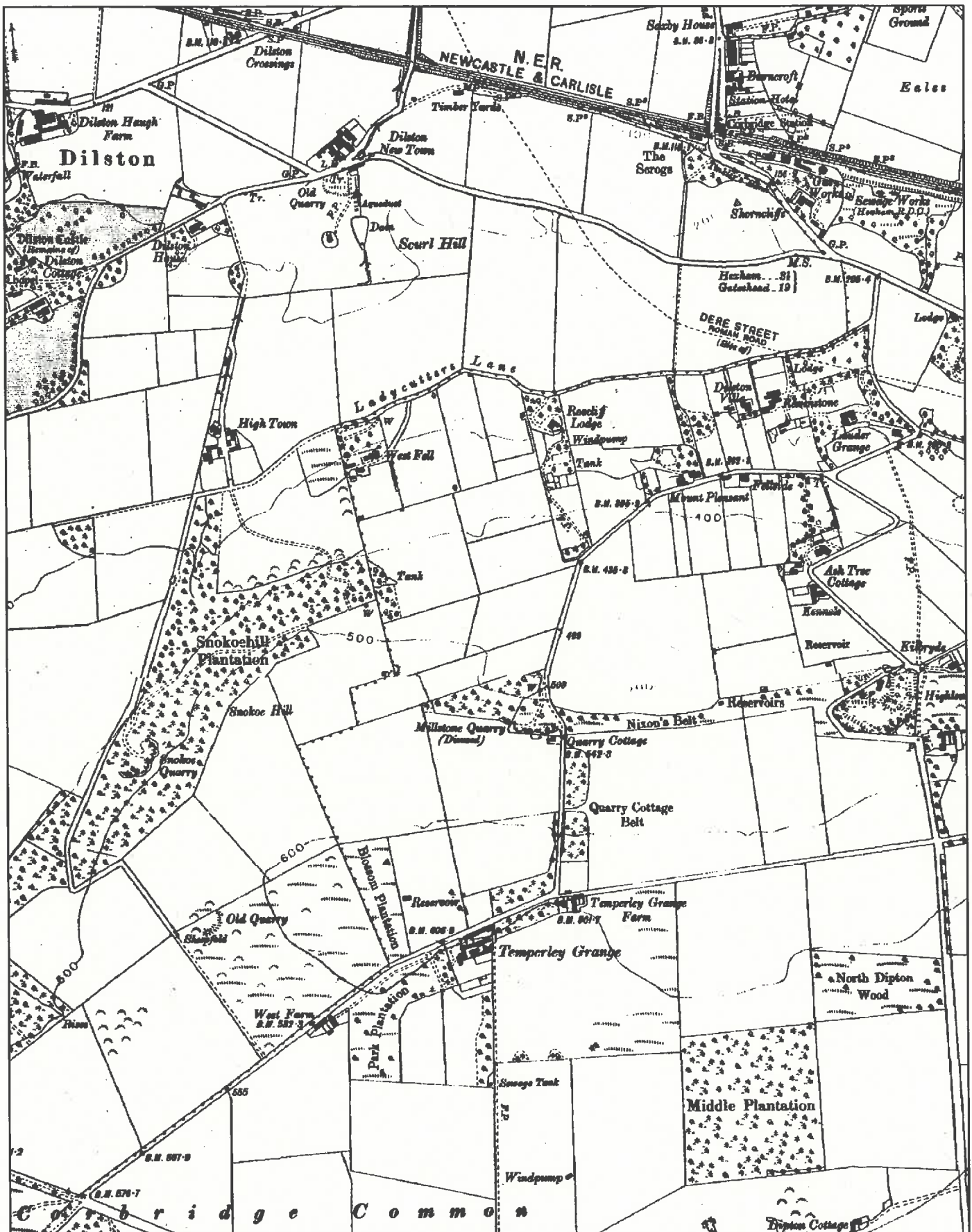


Northumberland  
County Council

Contact: John McErlane  
Tel: 01670 624136  
Email: [John.McErlane@northumberland.gov.uk](mailto:John.McErlane@northumberland.gov.uk)

## Ordnance Survey Plan 1898

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Northumberland  
County Council

# Ordnance Survey Plan 1924

Contact: John McErlane  
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Email: [John.McErlane@northumberland.gov.uk](mailto:John.McErlane@northumberland.gov.uk)

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NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.  
SCHEDULE ACCOMPANYING SURVEY MAPS.Parish of CORBRIDGE. in the Rural District of HEXHAM.Borough }  
Urban District } of \_\_\_\_\_  
(Delete whichever is inapplicable).

1. Number of highway on Map 133. 2. Kind of Path (i.e., F.P., B.R.) C.R.B. and F.P.  
THE PROSPECT HILL ROAD 100 Yds.  
 3. Starts at SOUTH OF CORBRIDGE RIDING MILL RD THE PARISH BOUNDARY  
AT WEST FELL.  
 4. Name of Path (if any) LADYCUTTER  
 5. Is the Path well defined? YES  
 6. Is the Path metalled? If so, define length PARTLY 8/10 ft.  
 7. If its width can be stated, insert here 8/10 ft.  
 8. What is the present condition of the path, stiles, etc.?  
 9. Is it subject to being ploughed out? NO.  
 10. Details of any notice boards, direction signs or warning signs against trespassers, stating their location, wording on them, their condition and date of erection, if known  
NONE  
 11. Grounds for believing the path to be public (if known), e.g. "Awarded," "Repaired at Public Expense" (with date) or "mentioned in Minutes of Parish Council" or any other evidence such as that of an old inhabitant  
AWARDED.  
 12. Have persons been prevented using the highway? NO.  
 13. Give particulars of any obstructions OBSTRUCTION (RAILS) AT  
PARISH BOUNDARY at West Fell.  
 14. Names of owners of freehold and previous owners, if known, for past 30 years  
LORD ALLENDALE & OTHERS.  
 15. What maps have been consulted, and where are they deposited?  
As in Page No. 1.  
 16. What records have been consulted, and where are they deposited?  
As in Page No. 1.  
 17. Any other relevant information This is an awarded road & is  
metalled westwards as far as Gileston Villa. Thence  
ash to West Fell gate, and then a footpath to  
the boundary.

Surveyed by	Address	Dates of Survey
W. G. Ferry. Mrs C. H. John. Trust's Commr.	Corbridge	1st August, 1951

Important:—Sheet No. of Map on which  
Highway is shown

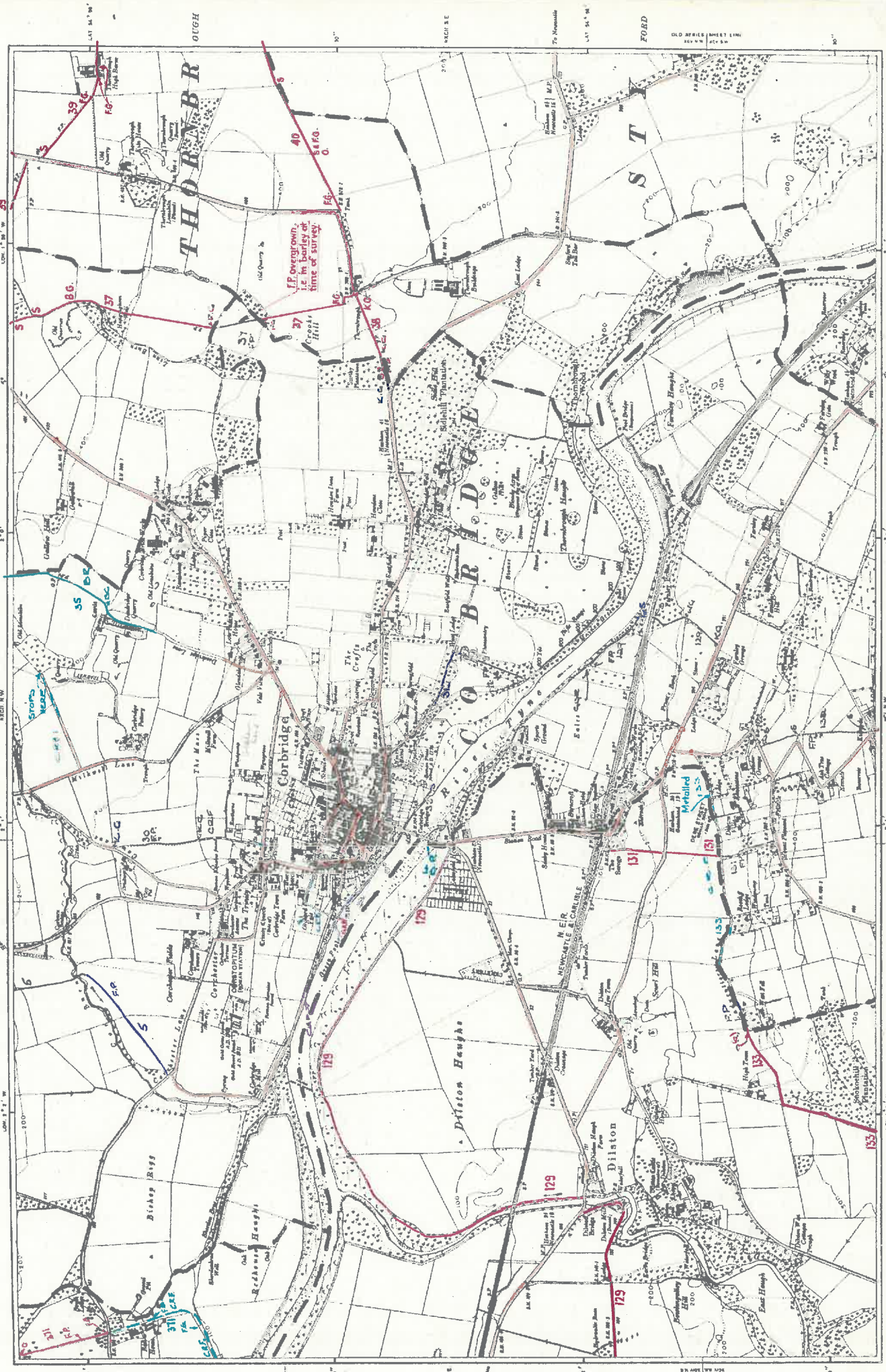
255 1 14 192514.2.



EDITION OF 1924.

O.S.T. No.1050  
NORTHUMBERLAND. [NEW SERIES] SHEET No. CII. S.W.

HEXHAM DIVISION OLD SERIES SHEET LINE  
HEXHAM UNION & R.D.  
ATDON PH.

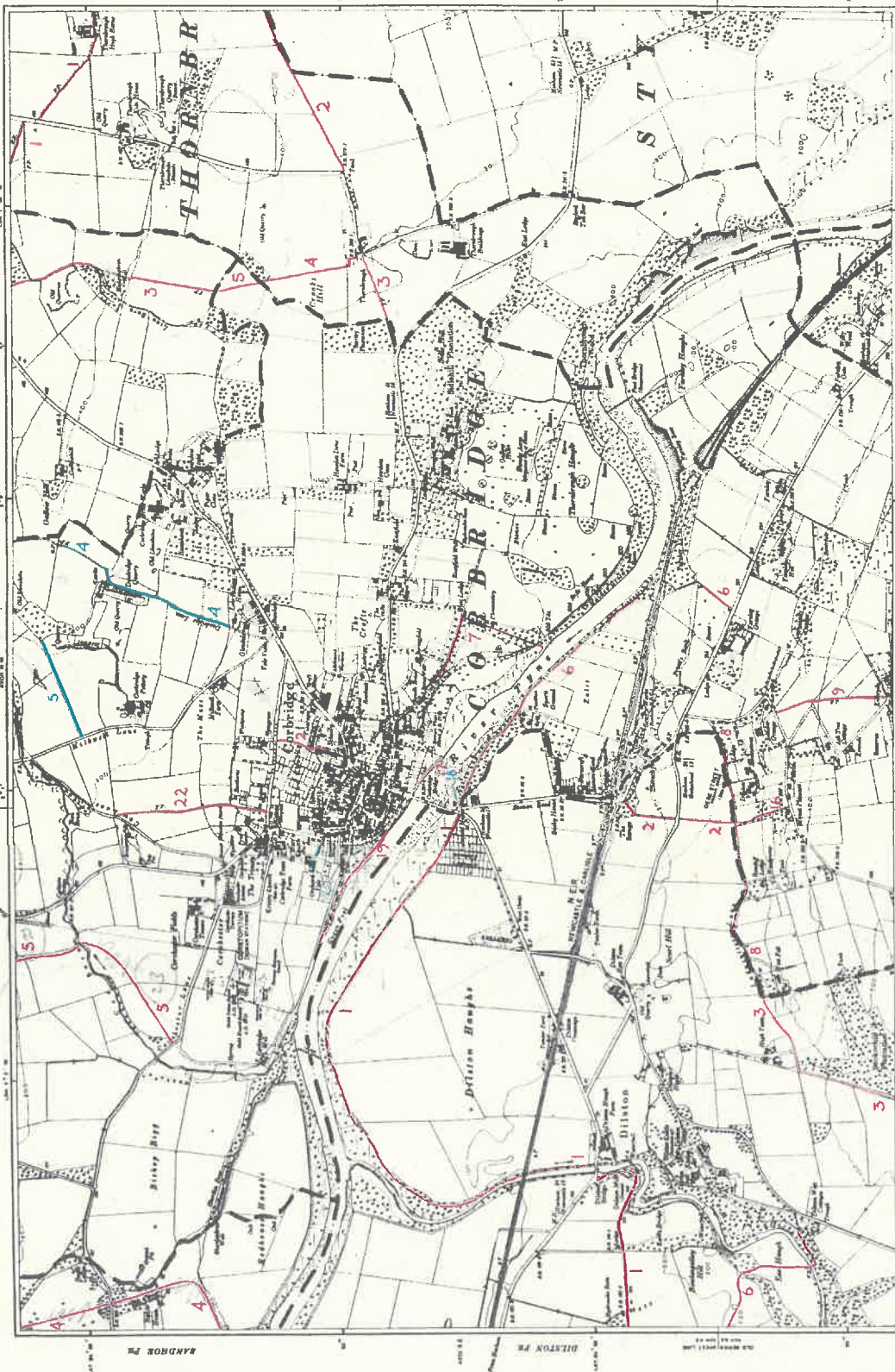


Survey

THUMBERLAND COUNTY COUNCIL, NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949. PART IV.—PUBLIC RIGHTS OF WAY.

MAP [N.C.C.]





NORTHUMBERLAND COUNTY COUNCIL,

PARISH of HEXHAM in the

Rural District of HEXHAM

HEXHAM of

HEXHAM of

HEXHAM of

HEXHAM of

HEXHAM of

HEXHAM of

HEXHAM of

HEXHAM of

HEXHAM of

# NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949. PART IV.—PUBLIC RIGHTS OF WAY.

SYMBOLS TO BE USED IN MAKING MAPS. (MARK SYMBOLS IN CAPITALS)

EXAMPLES

Mark

Kind of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

Meaning of Path

OBSTRUCTIONS, NOTICE BOARDS, DIVERSIONS

Obstruction

Notice Board

Barbed Wire

Former course of path (dashed or dotted)

Notes

(1) Show Public, etc. in solid black line.

(2) Show Public, etc. in solid black line.

(3) Show Public, etc. in solid black line.

(4) Show Public, etc. in solid black line.

(5) Show Public, etc. in solid black line.

(6) Show Public, etc. in solid black line.

(7) Show Public, etc. in solid black line.

(8) Show Public, etc. in solid black line.

(9) Show Public, etc. in solid black line.

(10) Show Public, etc. in solid black line.

(11) Show Public, etc. in solid black line.

(12) Show Public, etc. in solid black line.

(13) Show Public, etc. in solid black line.

MAP No. W. 92 SW. 30

Address

Date

Signature

Chairman Clerk

Position of person signing

Chairman Clerk

Position of person signing

Chairman Clerk

Position of person signing

Chairman Clerk

Position of person signing

Chairman Clerk

Position of person signing

Chairman Clerk

Position of person signing

Chairman Clerk

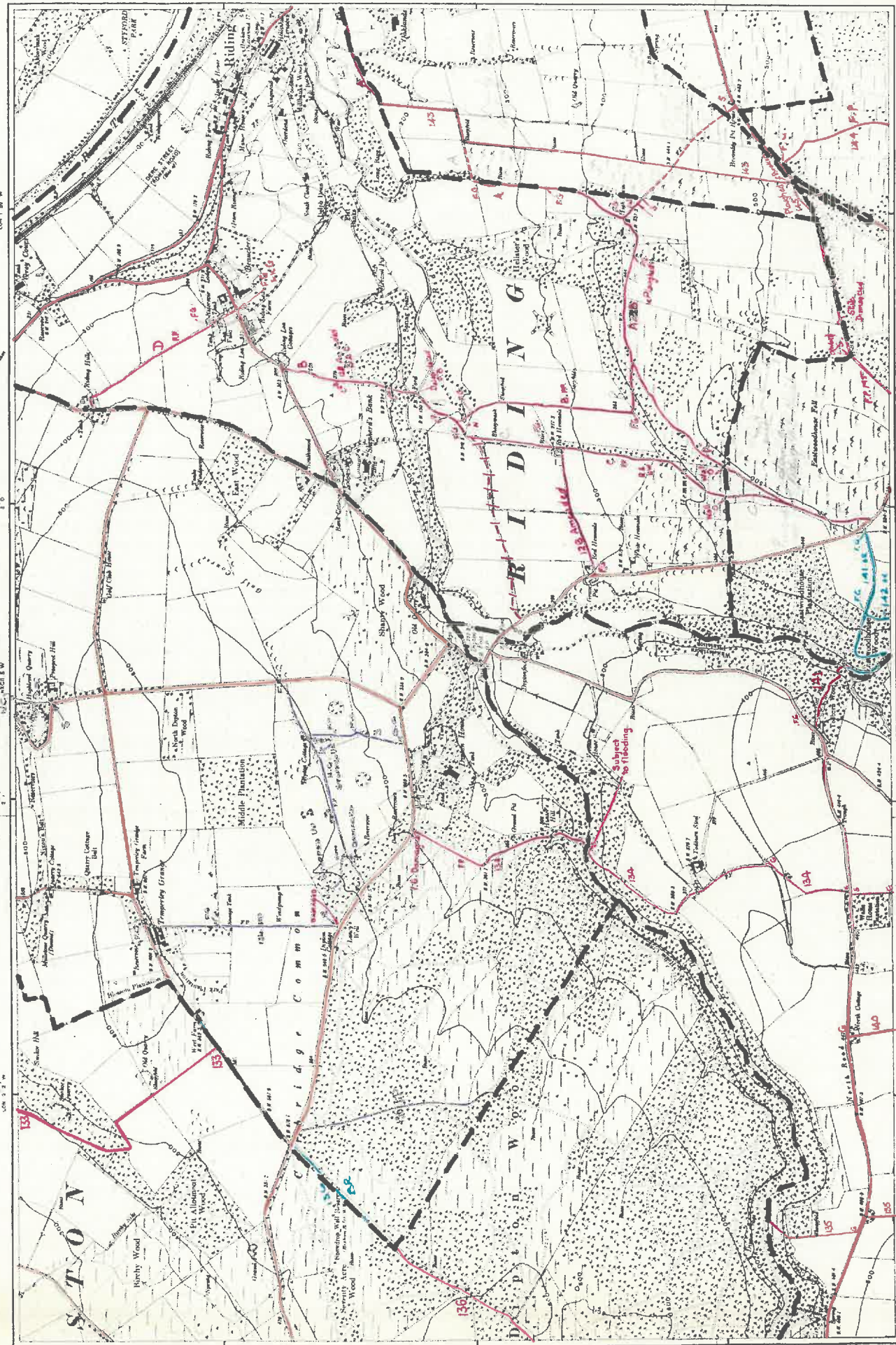
Position of person signing

Chairman Clerk

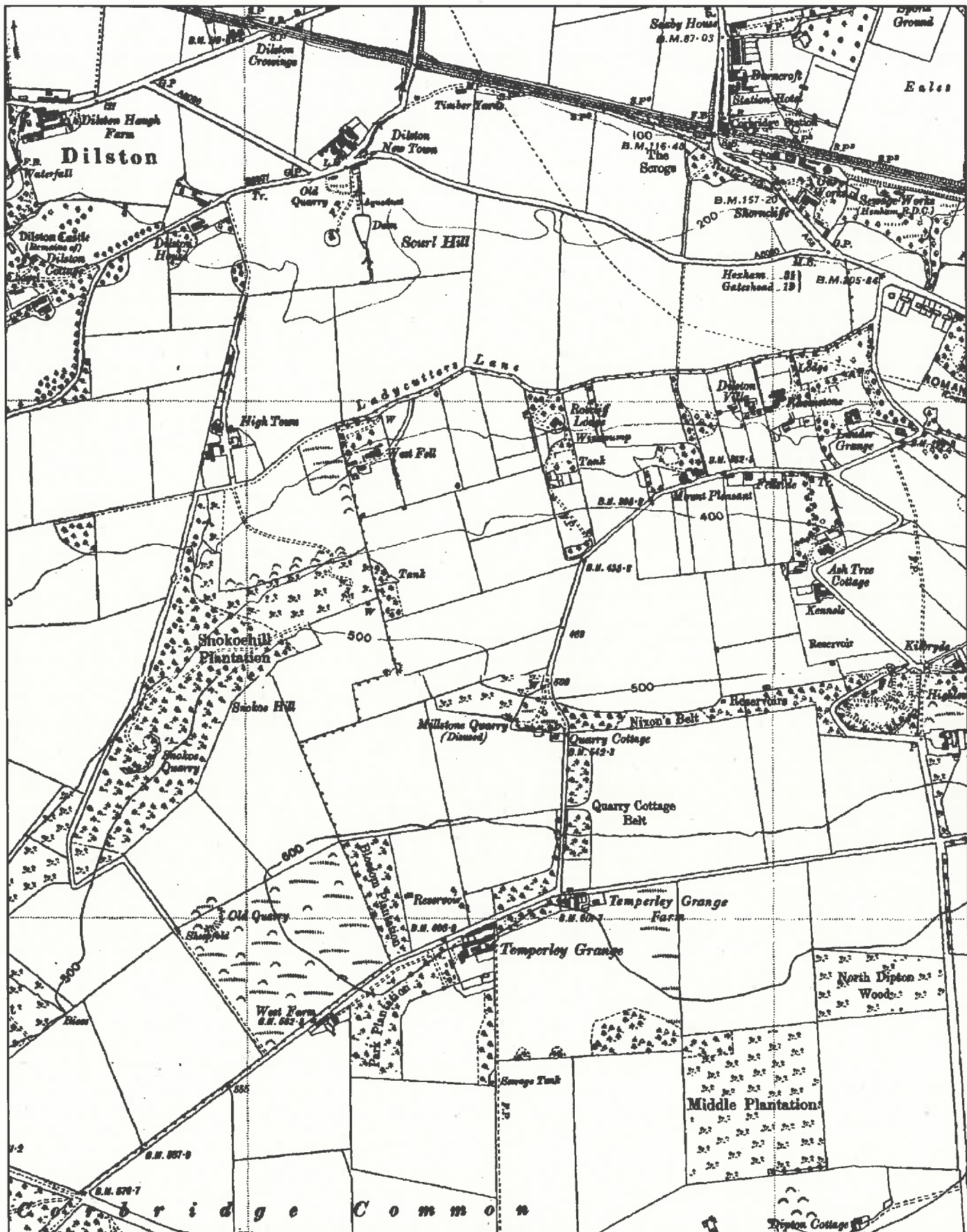
Position of person signing

Chairman Clerk









Northumberland  
County Council

Contact: John McErlane  
Tel: 01670 624136  
Email: John.McErlane@northumberland.gov.uk

## Ordnance Survey Plan 1952

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