

Public Document Pack



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Nichola Turnbull

Email: nichola.turnbull@northumberland.gov.uk

Tel direct: 01670 622617

Date: 30 March 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **TYNEDALE LOCAL AREA COUNCIL** to be held in **CEREMONY ROOM - HEXHAM HOUSE** on **TUESDAY, 11 APRIL 2023** at **4.00 PM**.

Yours faithfully

Dr Helen Paterson
Chief Executive

To Tynedale Local Area Council members as follows:-

T Cessford (Chair), D Kennedy (Vice-Chair), A Scott (Vice-Chair (Planning)), A Dale, S Fairless-Aitken, C Horncastle, JI Hutchinson, N Morphet, N Oliver, J Riddle, A Sharp, G Stewart and H Waddell



Dr Helen Paterson, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
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www.northumberland.gov.uk



AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. APOLOGIES FOR ABSENCE

2. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a) Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b) Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c) Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d) Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.
- e) Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

RIGHTS OF WAY

- 3. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY** (Pages 1 - 126)
ALLEGED PUBLIC FOOTPATH NO. 48
PARISH OF CHOLLERTON

The Local Area Council is asked to give consideration to all the relevant evidence gathered in support and in rebuttal of the existence of public footpath rights over a route between the 'Coal Road' (C218 road), to the entrance of the recreation ground, approximately 25 metres east of 4 Bracken Hill.

- 4. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY** (Pages 127 - 180)
ALLEGED PUBLIC BRIDLEWAY NO. 31
PARISH OF KIRKWHELPINGTON

The Local Area Council is asked to give consideration to all the relevant evidence gathered in support and rebuttal of the existence of public bridleway rights over a route from the existing northern end of Public Bridleway No. 31, north of Kirkwhelpington, in a north-westerly direction to join the C195 road north of Middle Whitehill.

- 5. DATE OF NEXT MEETING**

The next meeting will be held on Tuesday 9 May 2023.

- 6. URGENT BUSINESS**

To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussed or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):			
Are you intending to withdraw from the meeting?		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body

	<p>where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* ‘director’ includes a member of the committee of management of an industrial and provident society.

* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - i. exercising functions of a public nature
 - ii. any body directed to charitable purposes or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)



Northumberland County Council

TYNEDALE LOCAL AREA COUNCIL
11 April 2023

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

ALLEGED PUBLIC FOOTPATH No 48 PARISH OF CHOLLERTON

Report of the Executive Director of Local Services
Cabinet Member: Councillor Jeff Watson, Healthy Lives

Purpose of report

In this report, the Tynedale Local Area Council is asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public footpath rights over a route between the 'Coal Road' (C218 road), to the entrance of the recreation ground, approximately 25 metres east of 4 Bracken Hill.

Recommendation

It is recommended that the Local Area Council agrees that:

- (i) there is sufficient evidence to indicate that public footpath rights have been reasonably alleged to exist over the route F-G;**
- (ii) the route be included in a future Definitive Map Modification Order as a public footpath.**

1.0 BACKGROUND

- 1.1 The relevant statutory provisions which apply to adding a public right of way to the Definitive Map and Statement based on 20 years user evidence are Sections 53(3)(b) and 53(3)(c)(i) of the Wildlife and Countryside Act, 1981, which require the County Council (as Surveying Authority) to modify the Definitive Map and Statement following:

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

or

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

which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way 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;" [s53(3)(c)(i)]

- 1.2 It is an unresolved question whether it is permissible to invoke section 53(3)(c)(i) in a case to which section 53(3)(b) applies. There is a case (Bagshaw), which is indirect authority to the effect that in any case of deemed dedication reliance on paragraph (c)(i) is perfectly acceptable. Members are therefore invited to apply the lower test.
- 1.3 Section 31 of the Highways Act 1980 (HA80) provides for the presumption of dedication of a public right of way following 20 years continuous use. Sub-section (1) states:

“Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.”
- 1.4 It is necessary to show that there has been uninterrupted use, as of right, by the public over a period of 20 years or more. ‘As of right’ means openly, not secretly, not by force and not by permission. The public must have used the way without hindrance (e.g. objections, verbal / written warnings, etc.) or permission from the landowner or his agents. The 20 year period may be shown at any time in the past and is generally taken to run backwards from the date when the use of the path was first “brought into question”, whether by a notice or otherwise.
- 1.5 The Local Area Council must consider whether there is sufficient evidence to allege that the presumption is raised. The standard of proof is the civil one that is the balance of probabilities. Members must weigh up the evidence and if, on balance, it is reasonable to allege that there is a public right of way, then the presumption is raised. The onus is then on the landowner to show evidence that there was no intention on their part to dedicate.
- 1.6 Such evidence may consist of notices or barriers, or by the locking of the way on one day in the year, and drawing this to the attention of the public, or by the deposit of a Declaration under section 31(6) HA80 to the effect that no additional ways (other than any specifically indicated in the Declaration) have been dedicated as highways since the date of the deposit.
- 1.7 All the relevant statutory provisions and competing rights and interests have been considered in making this report. The recommendation is in accordance with the law and proportionate, having regard to individuals’ rights and the public interest.

2.0 PUBLIC EVIDENCE

- 2.1 In October 2019, Chollerton Parish Council made a formal application in support of a public footpath from the ‘Coal Road’ (C218 road), in an easterly

direction to an entrance to the recreation ground, approximately 25 metres east of 4 Bracken Hill.

- 2.2 The proposal is supported by user evidence from 14 local people, 13 of whom claim to have used the route on foot for periods in excess of 20 years.

3. LANDOWNER EVIDENCE

- 3.1 There is no landowner evidence at this stage.

4. CONSULTATION

- 4.1 In January 2021, 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”. One reply was received and is included below.
- 4.2 By email, in March 2021, the British Horse Society responded to the consultation indicating that it had no comments to make about this particular proposal.

5. DOCUMENTARY EVIDENCE

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

1842 Gunnerton Tithe Award:

There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48.

c.1860 Ordnance Survey Map: Scale 1:2500

There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48.

c.1860 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48.

1897 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48.

Finance Act 1910 plan

There is clear evidence of path/ track over the route of alleged Footpath No 48 and is shown as being separated from the surrounding land by coloured boundaries, which is good evidence of public highway rights.

1922 Ordnance Survey Map: Scale 1:2500

There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48.

1925 Ordnance Survey Map: Scale 1:10,560
There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48.

1957 Ordnance Survey Map: Scale 1:10,560
There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48.

Survey Map: Scale 1:10,560

There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48 on the base map used, though this route is not identified for inclusion as a public right of way.

Draft Map: Scale 1:10,560

As with the Survey Map, there is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48 on the base map used, though this route is not identified for inclusion as a public right of way.

Provisional Map: Scale 1:10,560

As with the Survey and Draft Maps, there is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48 on the base map used, though this route is not identified for inclusion as a public right of way.

Original Definitive Map: Scale 1:10,560

There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48 on the base map used. This route is not identified as a public right of way.

First Review Definitive Map: Scale 1:10,560

There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48 on the base map used. This route is not identified as a public right of way.

1987 Ordnance Survey Map: Scale 1:10,560
There is clear evidence of a path / track closely approximating to the route of alleged Footpath No 48.

6. SITE INVESTIGATION

6.1 From Point F, on the 'Coal Road' (C218 road), a 5.7 to 6.3 metre wide grass surface track proceeds in an easterly direction for a distance of 55 metres, and then a 7.2 metre wide grass surface track continues for a distance of 21 metres, to a point 8 metres south of 1 Hawthorn Terrace . Thereafter, a gravel track proceeds in a south-easterly direction on a less well-defined route for 22 metres to a Point marked G, approximately 25 metres east of 4 Bracken Hill.

7. COMMENTS RECEIVED ON THE DRAFT REPORT

7.1 In March 2023, a draft copy of the report was circulated to the applicant and those landowners / occupiers who responded to the initial consultation for their comments.

- 7.2 By email on 23 March 2023, Chollerton Parish Council responded with the following comments in relation to the draft report:

“Chollerton Parish Council met last night.

“At their meeting, they discussed the Review of the Definitive Map and Statement of Rights of Way correspondence relating to alleged Public Footpath No 48, between the Coal Road and Hawthorne Terrace (E/11/48z).

“The recommendation was that this route be approved as a footpath on the definitive map. It was AGREED that the PC would respond in support of the recommendation for this.”

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 Under Section 31 of the Highways Act 1980, a particular way may be presumed to be a highway if it can be shown that there has been twenty years uninterrupted use by the public, as a right of way, and that the landowners have not taken steps to rebut this presumed dedication during that twenty year period.
- 8.5 The proposal is supported by user evidence from 14 local people, all of whom claim to have used the route on foot for periods in excess of 20 years. The frequency of use ranges from daily through to once per year.
- 8.6 No rebuttal evidence has been supplied.
- 8.7 If the date the public’s right to use the alleged path was called into question is taken to be October 2019, the date the application was submitted, then 13 out of the 14 user evidence providers claim to have walked the path for the 20

year period prior to this date. The frequency and purpose of this use is considered to be sufficient to raise a presumption of dedication.

- 8.8 The historical map evidence would suggest that a path may have physically existed over the claimed route since at least the 1860s. Although a route existed, this does not mean it necessarily had any public rights over it at that time. Although the user evidence forms from older members of the public identify some use from the 1950s onwards, the period 1999 to 2019 would appear to be the relevant one for determining when a public footpath may have come into existence.
- 8.9 None of the evidence providers have acknowledged ever having been given permission to use the route, and none of them claim to have been prevented from using the route.
- 8.10 None of the evidence providers have acknowledged the existence of any 'private' signs, locked gates, or any other challenges of their right to use the route.
- 8.11 Based on the user evidence, and in the absence of any evidence of any acts of rebuttal prior to 2019, it would be appropriate to conclude that public footpath rights have been reasonably alleged to exist over the route.
- 8.12 Advice from the Planning Inspectorate in their 'consistency guidelines' states that it is important to have the correct width, where known, recorded in the definitive statement. The user evidence providers have identified a path width ranging from 6.5 to 7.5 metres. From measurements taken on my site visit, in January, the current width that physically exists on the ground would appear to be 5.7 to 7.2 metres. If the path is included in a future Definitive Map Modification Order, it would seem appropriate to identify the enclosed section with a width ranging from 5.7 to 7.2 metres as identified in paragraph 6.1 above. For the unenclosed most easterly 22 metres it is proposed to identify the route with a width of 3 metres, reflecting the width of the tarmac track.

9. CONCLUSION

- 9.1 In the light of the evidence submitted, it appears that there is sufficient evidence to justify that public footpath rights have been reasonably alleged to exist over the claimed route.

BACKGROUND PAPERS

Local Services Group File: E/11/48z

Report Author Zara Quinn – Definitive Map & Search Technical Officer
07542 318328
Zara.Quinn@Northumberland.gov.uk




Northumberland
 County Council

County Hall, Morpeth, NE61 2EF
 Contact: Highway Search Team
 Email: Highwaysearch@northumberland.gov.uk

Legend

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

Page 8

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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PARISH OF CHOLLERTON ALLEGED FOOTPATH NO 48

	1960	1970	1980	1990	2000	2010	2020	Frequency and Type of Use	Prevented from using the route?
D Phillips	[Shaded bar from 1960 to 2020]							Weekly on foot	No
S Dickinson	[Shaded bar from 1970 to 2020]							Daily on foot	No
G Dover	[Shaded bar from 1970 to 2020]							Weekly on foot	No
B Lowdon	[Shaded bar from 1980 to 2020]							Daily on foot	No
E Lowdon	[Shaded bar from 1980 to 2020]							Daily on foot	No
G Wright	[Shaded bar from 1980 to 2020]							Weekly on foot	No
Su Reay	[Shaded bar from 1980 to 2020]							Daily on foot	No
Sc Reay	[Shaded bar from 1980 to 2020]							Daily on foot	No
D Reay	[Shaded bar from 1980 to 2020]							Weekly on foot	No
J Phillips	[Shaded bar from 1990 to 2020]							Daily on foot	No
Mi Broadbent	[Shaded bar from 1990 to 2020]							Daily on foot	No
Ma Broadbent	[Shaded bar from 1990 to 2020]							Daily on foot	No
S Maurice	[Shaded bar from 2000 to 2020]							Weekly on foot	No
M Dickinson	[Shaded bar from 2000 to 2020]							Daily on foot	No

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

Parish CHOLLERTON

To: Infrastructure Records
Local Services Group
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

I/We CHOLLERTON PARISH COUNCIL (Name)

of 2 WARKWORTH COTTAGES (Address)

BARRASFORD HEXHAM WELLS LAAN

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

from Hawthorn Terrace Car Park

to Coal Road Highway

as shown on the plan attached.

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

List of Documents

Dated TR [Signature] Signed 4-10-19

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 1:10,000 scale (being the scale at which the Definitive Map is to be prepared and maintained) will normally be preferable.

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ELIZABETH HOWDON

Address 14 WEST CRESCENT

GUNNERTON, HEXHAM

NORTHUMBERLAND Postcode NE48 4AX

Year of Birth 1952

Have you lived at any other addresses during the time you have used the path or way? If so, please provide details and years [full addresses are not required]

YES WE LIVED IN 13 WEST CRESCENT

FOR 5 YEARS THEN 14 WEST CRESCENT

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
As a bridleway (public rights on foot and on horseback or bicycle)
As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
As a byway open to-all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

STARTING ON HIGHWAY ADJACENT TO WEST CRESCENT THEN THROUGH RECREATION GROUND (PLAYING FIELD) INTO CARPARK AT HAWTHORN ICE DOWN STEEP PATH (PROPOSED FOOTPATH) ONTO THE PUBLIC HIGHWAY (COAL ROAD) AT THE BOTTOM ADJACENT TO GUNNERTON BURN

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From DECEMBER 1979 To PRESENT DAY

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

NO

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

APPROX 7.5 METERS AT TOP
MIDWAY ~~7.5 METERS~~ 6.5 METERS

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

GRASS AND EARTH

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

No

How long were they in place?

b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

c. Other barriers [state what they were and location, how long they were in place and show on your map]

No

8. Did any of the above prevent you from using the application route?

No

Yes

N/A

If yes, please give details

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes

Don't know

No

If yes – state when and give details, including when they were present and mark their location on your map

10. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

ACCESS TO PLAYING FIELD, ALLOTMENT, WALKING DOG,
ACCESS TO BOTTLE BANK, 4 POST OFFICE & POST BOX
VISTING FRIENDS

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes N/A

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No Yes

If yes – please provide details

THE ATTACHED MAP CLEARLY SHOWS THE ROUTE IN DETAIL
AS DOES ORDNANCE SURVEY PATHFINDER SERIES WARK
SHEET NY 87/97 WHICH WOULD SUGGEST PUBLIC USE

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

FOOTPATH IS LOCALLY KNOWN AS "EPPIS BANK". IT HAS
BEEN USED AS A FOOTPATH FOR AS LONG AS I HAVE
LIVED IN GUNNERTON (40 YEAR) USED BY MY CHILDREN
AND GRANDCHILDREN AS IT AVOIDS A DANGEROUS CORNER
ON THE HIGHWAY

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?


No Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth): 

Print full name: ELIZABETH LOWDON

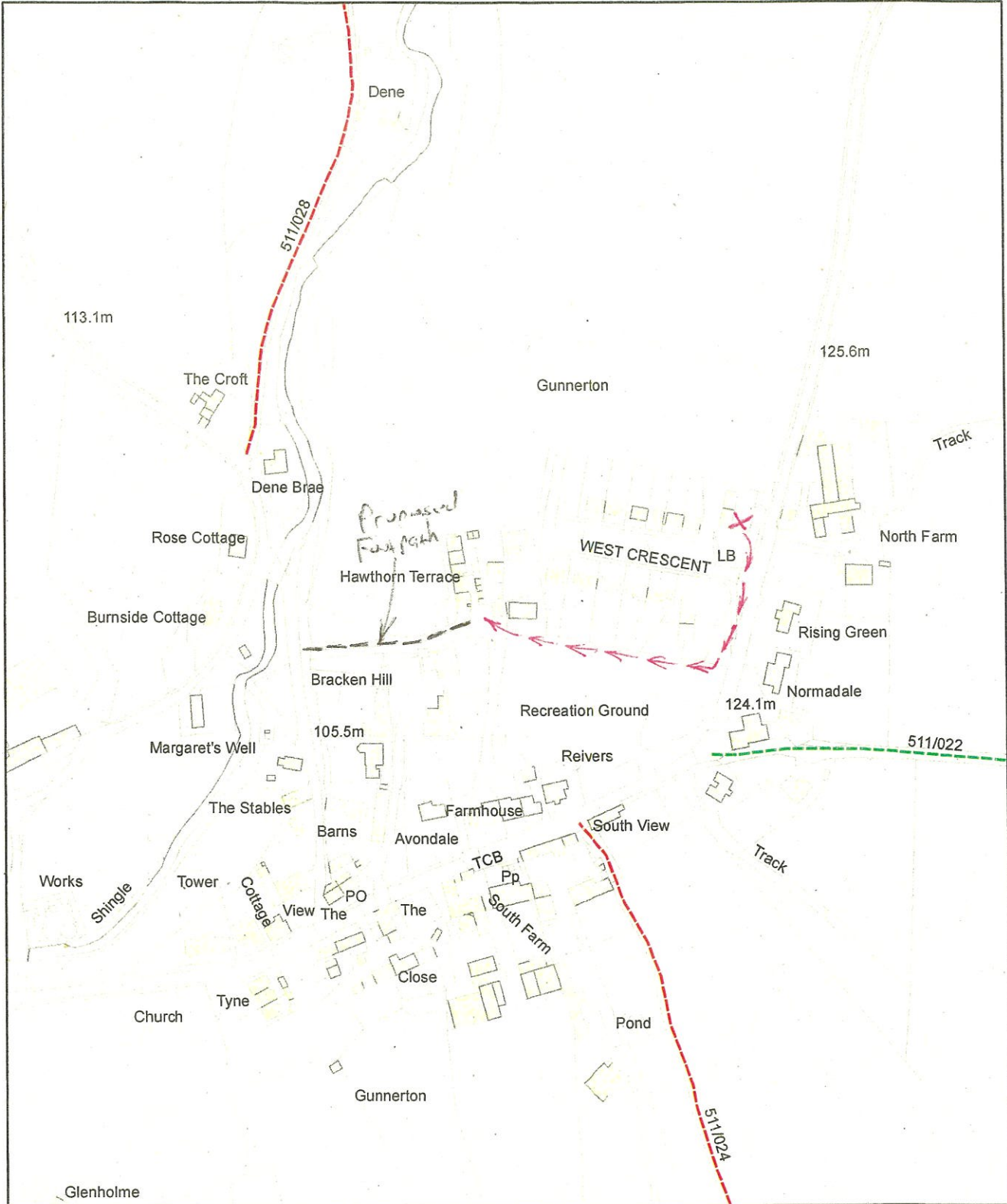
Date: 13th September, 2019.

You should keep a copy of the completed statement .

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.


[Redacted]

12/9/19




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

Wildlife & Countryside Act, 1981


 Claimed Public Right of Way

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Former District	Tynedale	Parish	Chollerton	Scale	NTS
Def. Map. No.	167	O.S. Map	NY97NW	Date	August 2019

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name SALLY DICKINSON

Address WHINHAVEN,

..... GUNNERTON,

..... HEXHAM Postcode NE4 8UD

Year of Birth 1965

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

..... 1, Hawthorn Terrace, Gunnerton, Hexham

..... 3 YEARS

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

..... Route is from West Crescent, down through

..... playing field, through Hawthorn Tee car park,

..... down Peppy's Bank and onto the coal

..... road.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1968 To 2019

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

TOP OF ROUTE - 7.5m

~~BASELINE~~ MIDDLE OF ROUTE - 6.5m

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

GRASS

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

NO

How long were they in place?

b. Gates [state locations, indicate whether locked – and when - and show on your map]

NO

c. Other barriers [state what they were and location, how long they were in place and show on your map]

NO

8. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes

Don't know

No

If yes – state when and give details, including when they were present and mark their location on your map

10. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

HAVE SEEN LOCAL PEOPLE USING ROUTE DAILY

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

Have used this route all my life ~~as~~ a way of getting from the bottom of the village to the top. I have dogs and it's an ideal way to keep off the main road in the village, which can occasionally be busy with large farm vehicles.

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No

Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):

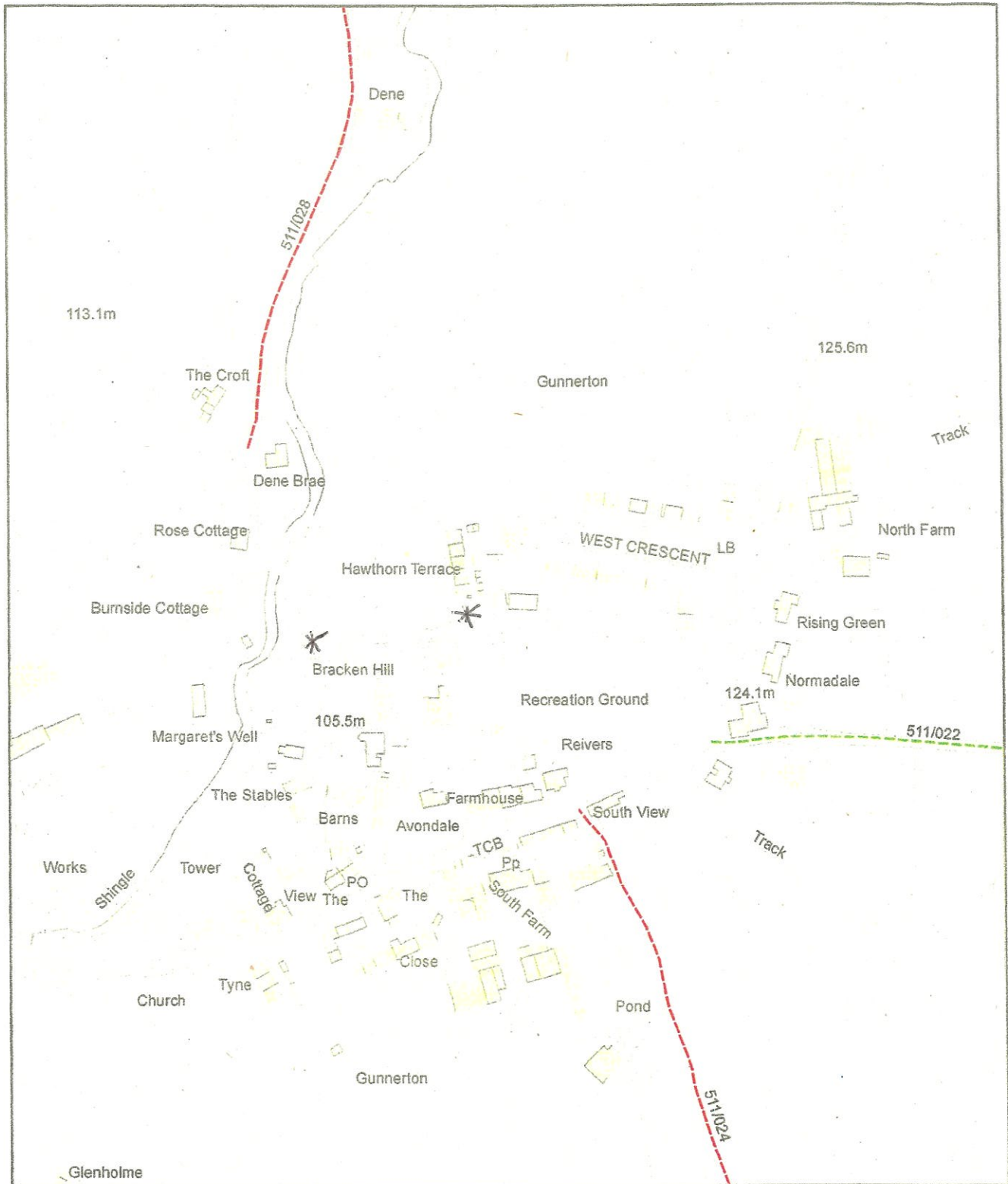



Print full name: SALLY DICKINSON

Date: 2nd sept 2019

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



 <p>Northumberland County Council</p> <p>Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400</p>	<h2>Wildlife & Countryside Act, 1981</h2> <p>————— Claimed Public Right of Way</p>			
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<p>Def. Map. No. 167</p>	<p>O.S. Map NY97NW</p>	<p>Date August 2019</p>		

[Redacted signature]

24-9-19

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ... Milly Dickenson

Address ... Winkhaven,

..... Cunnerton,

..... Hexham Postcode ... NE48 4ED

Year of Birth ... 1998

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

..... N/A

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

..... From west crescent, down through the playing field,

..... then cross over Hawthorn terrace car park down

..... Erpy's bank and onto the coal road.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From2001..... To2019.....

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....N/A.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other [I]						

4. Has the application route always followed the same course?

Yes Don't know No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

.....Top of Route => 7.5m.....

.....Middle of Route => 6.5m.....

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

.....Grass.....
.....

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

.....No.....

How long were they in place?

.....N/A.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

.....No.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

.....No.....

8. Did any of the above prevent you from using the application route?

No Yes

If yes, please give details

.....

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes Don't know No

If yes – state when and give details, including when they were present and mark their location on your map

.....

10. Have you seen other people using the application route whilst you have been using it?

No Yes

If yes, please provide any additional information about this

.....other people using the route.....

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

I have used the route all of my life to walk the dogs. This route prevents me from having to walk down the main village road with my dogs when it can sometimes get busy with cars/tractors.

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No Yes


20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):

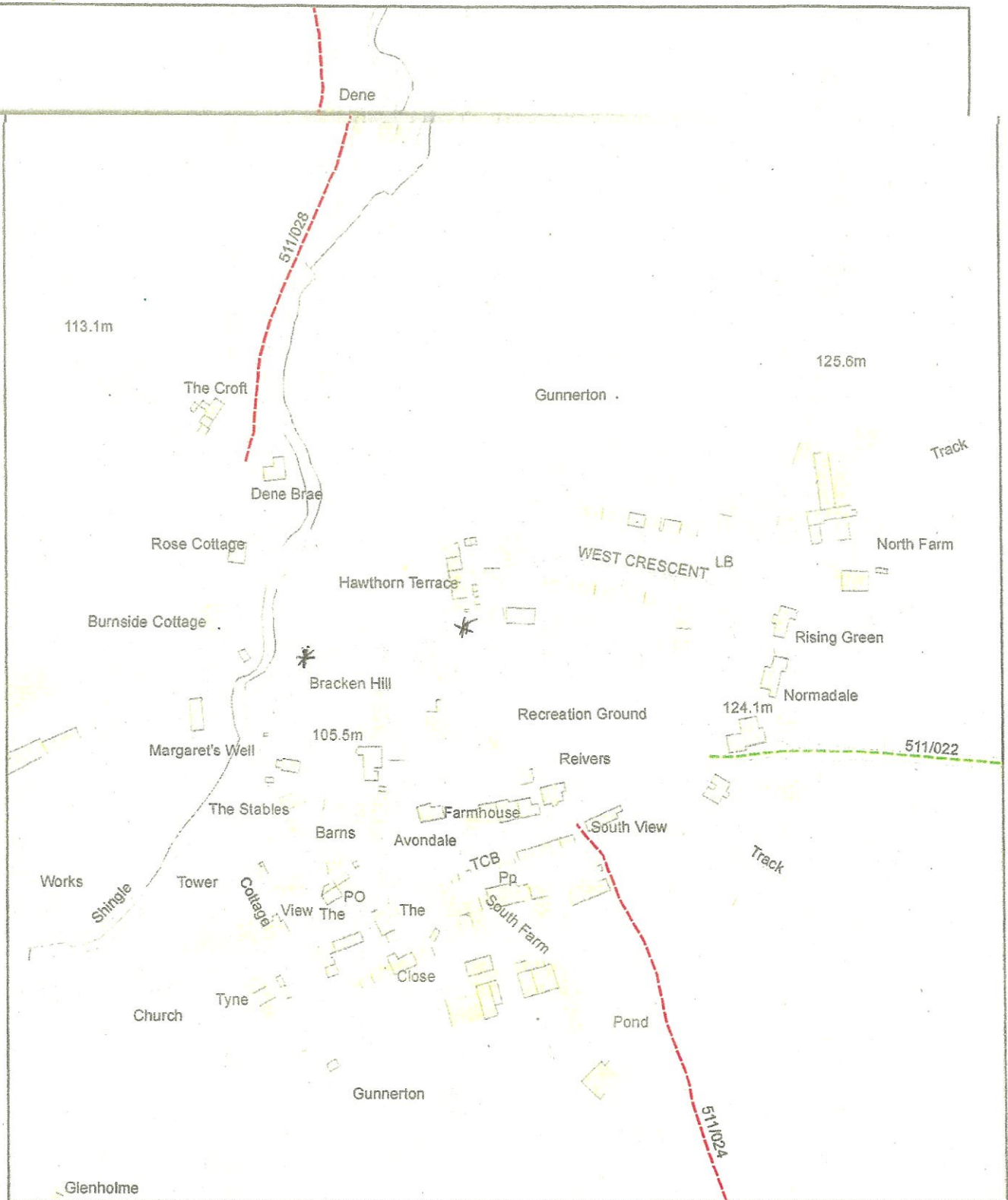




Print full name: *Milly Dickinson*

Date: *24/09/19*

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



 Northumberland County Council Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400	<h2>Wildlife & Countryside Act, 1981</h2>					
	 Claimed Public Right of Way					
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	Def. Map. No.	167	O.S. Map	NY97NW	Date	August 2019

[Handwritten signature]

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name DAVID REAY
Address THE STABLES GUNNERTON
HEXHAM
Postcode NE48 4EA
Year of Birth 30.7-1951

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
As a bridleway (public rights on foot and on horseback or bicycle)
As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

COAL ROAD UP EPPYS BANK ACROSS
PLAY FIELD TO LETTER BOX AT
WEST CRESENT

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1983 To 2019

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes Don't know No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

7.0 m

at

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

GRASS

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

NO

How long were they in place?

b. Gates [state locations, indicate whether locked – and when - and show on your map]

NO

c. Other barriers [state what they were and location, how long they were in place and show on your map]

8. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes

Don't know

No

If yes – state when and give details, including when they were present and mark their location on your map

10. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

KIDS COMING TO and FRO FROM
WEST CRESSENT OUT FOR A SAFE WALK

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

ITS A MUCH SAFER ROUTE FOR
EVERYONE PLUS CHILDREN GOING
FROM COAL ROAD TO WESTCRESENT
NO WORRY OF TRAFFIC

.....

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No

Yes

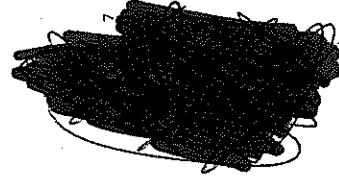
PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):

Print full name:

DAVID REAY

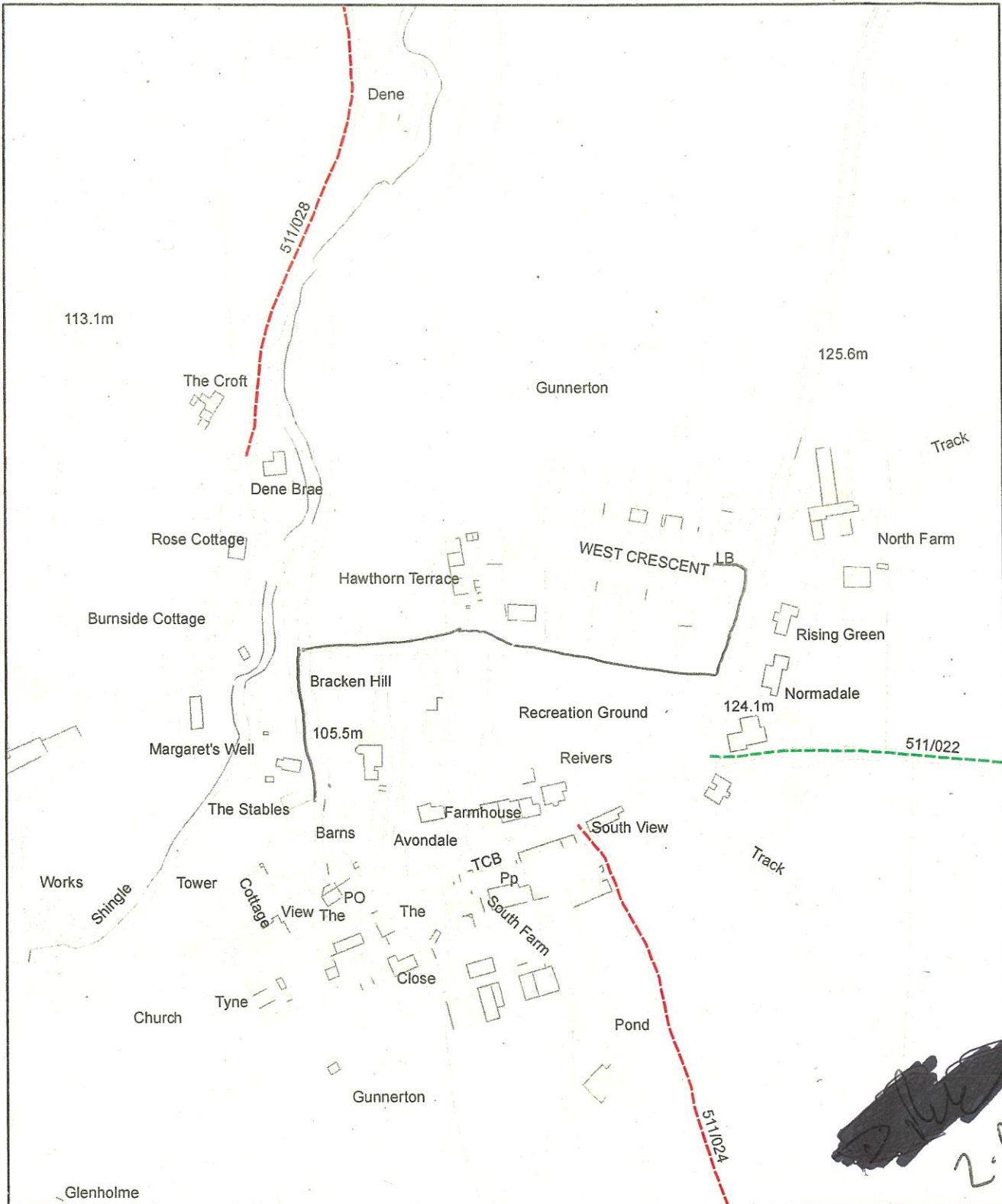




Date:

2.9.19

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



 <p>Northumberland County Council</p> <p>Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400</p>	<p align="center">Wildlife & Countryside Act, 1981</p> <p align="center">  Claimed Public Right of Way </p>		
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	<p>Def. Map. No. 167</p>	<p>O.S. Map NY97NW</p>	<p>Date August 2019</p>

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name MICHAEL BROADBENT

Address 1, HAWTHORN TERRACE, GUNNERTON,

..... HEXHAM, NORTHUMBERLAND

..... Postcode NE48 4EB

Year of Birth 1956

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

..... NO

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

..... OL 43 EXPLORER MAP Approx 905751 to 906751. The path, known as Eggs Bank

..... runs from the Coal Road up to Hawthorn Terrace and the Playing field, allowing

..... access to the main road through Gunnerton and onto other paths.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1991 To Present Day 2019

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes Don't know No

If no – how and when was the route altered?

.....

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

It is wider at the top, approx 7 metres and has a verge either side, with some wild flowers, a mixed hedge for the bottom half of the path. There are also some trees, eg. birch acer, approx 6.5 metres against ~~boundary~~ boundary wall.

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

Grassed

7. Have there ever been any of the following on the application route?

- a. Stiles [state locations and show on your map]

No

How long were they in place?

- b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

- c. Other barriers [state what they were and location, how long they were in place and show on your map]

No

8. Did any of the above prevent you from using the application route?

No

Yes *n/c*

If yes, please give details

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes

Don't know

No

If yes – state when and give details, including when they were present and mark their location on your map

10. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

Quite a few people from the village of all ages regularly. Used every day

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes *NSP*

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes

If yes – please provide details

..... It is marked as a track on the Ordnance Survey
..... Map Explorer OL43
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

I use it daily: I access the Coal Road adjacent to Gunner's Burn and then connect with the Public path marked 511/022 on your map, to Gunner's Fall & roads to Benschel Park or back to Gunner's. I also use it to access an allotment garden, marked on Land Registry as NP141799.

Our neighbour Cecil Meikle (died in 1939) told me he used the path as a child to get water from Hayswood's Well - on Gunner's Burn on the other side of a public road - this way before Hawthorn Terrace had its first water, so the path was used for that purpose as well, many many years ago.

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No

Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):

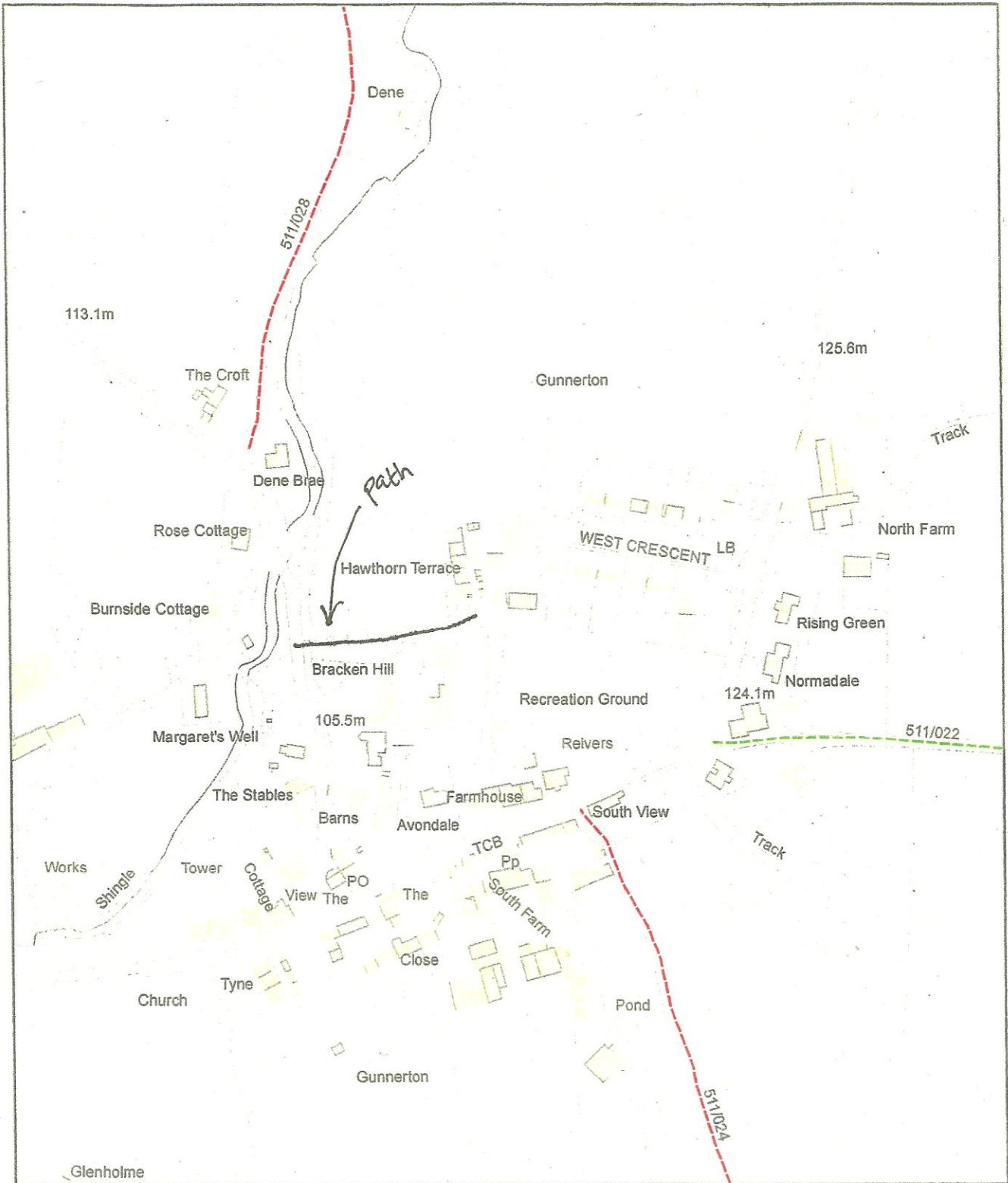


Print full name: **MICHAEL THOMAS BROADBENT**

Date: **28th August 2019**

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



Glenholme



Northumberland
County Council

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

Wildlife & Countryside Act, 1981

————— Claimed Public Right of Way

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Former District	Tynedale	Parish	Chollerton	Scale	NTS
Def. Map. No.	167	O.S. Map	NY97NW	Date	August 2019

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Maureen Broadbent

Address 1 Hawthorn TCE,

Gunnerton, Hexham.

Northumberland Postcode NE48 4EB

Year of Birth 1960

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

No.

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

From the car park in Hawthorn Terrace
down a steep bank to the Coal road, with
Bracken Hill Estate on the left. The
Coal road is adjacent to the Gunnerton Bur
and is the road to Birtley.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1991 To 2019 (present day.)

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No.

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	<input checked="" type="checkbox"/>					
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

.....

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

Approximately 7.5 metres at the top.
Midway to a boundary wall 6.5 metres.

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

Grass and earth.

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

No

How long were they in place?

b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

c. Other barriers [state what they were and location, how long they were in place and show on your map]

No

8. Did any of the above prevent you from using the application route? N/A.

No Yes

If yes, please give details

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes Don't know No

If yes – state when and give details, including when they were present and mark their location on your map

10. Have you seen other people using the application route whilst you have been using it?

No Yes

If yes, please provide any additional information about this

Children use the path a lot. Dog walkers every day. Some to access top part of village for varying purposes eg seeing friends, posting letters and connecting with other road and paths.

(10) continued.

From West Crescent, people use path to connect with the coal road ~~to Birtley~~ which links with other footpaths

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes N/A

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

Please see attached sheet.

.....
.....
.....
.....
.....

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?


No

Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):



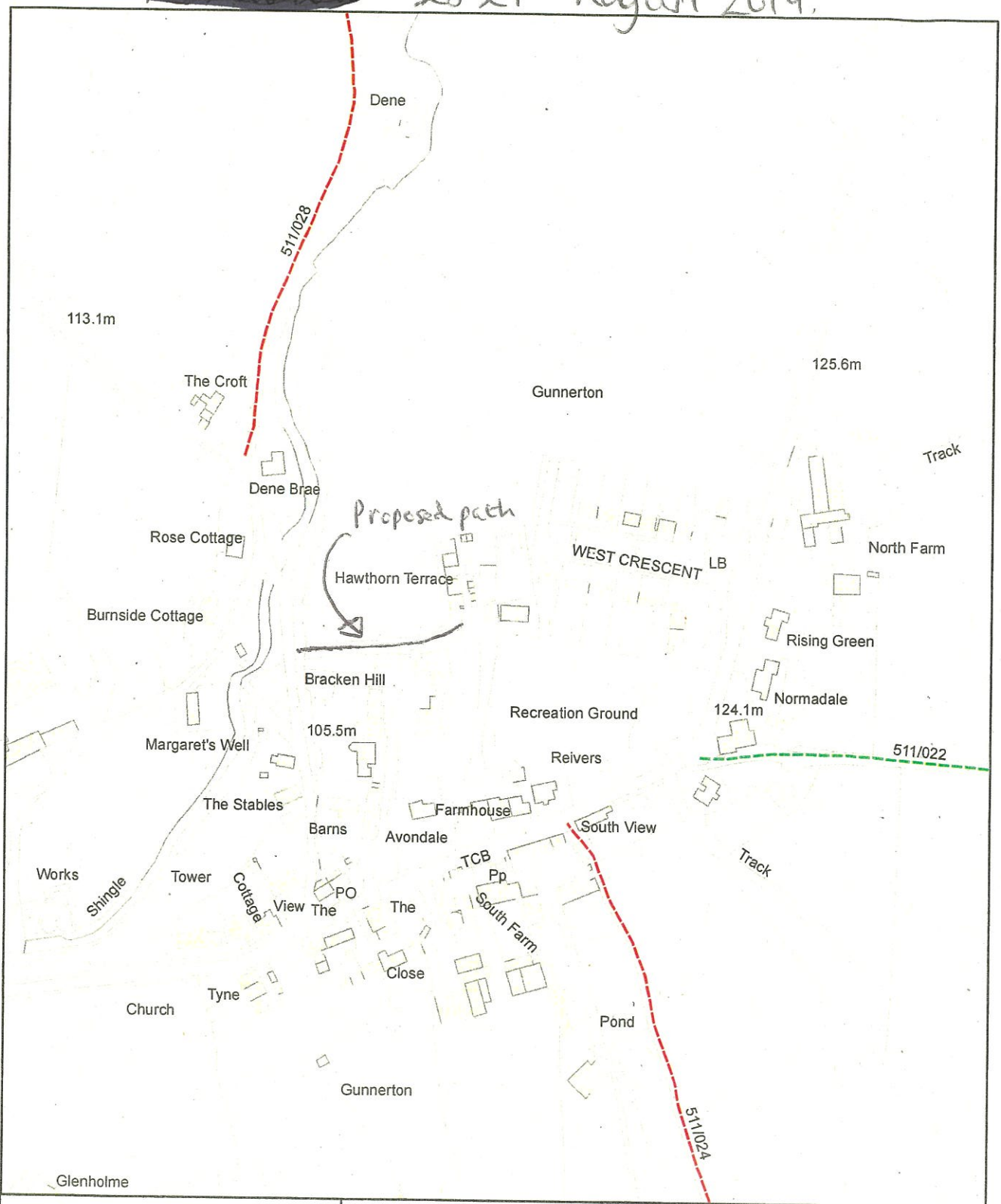
Print full name: *Maureen Broadbent*



Date: *27th August 2019.*

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

28 27th August 2019.



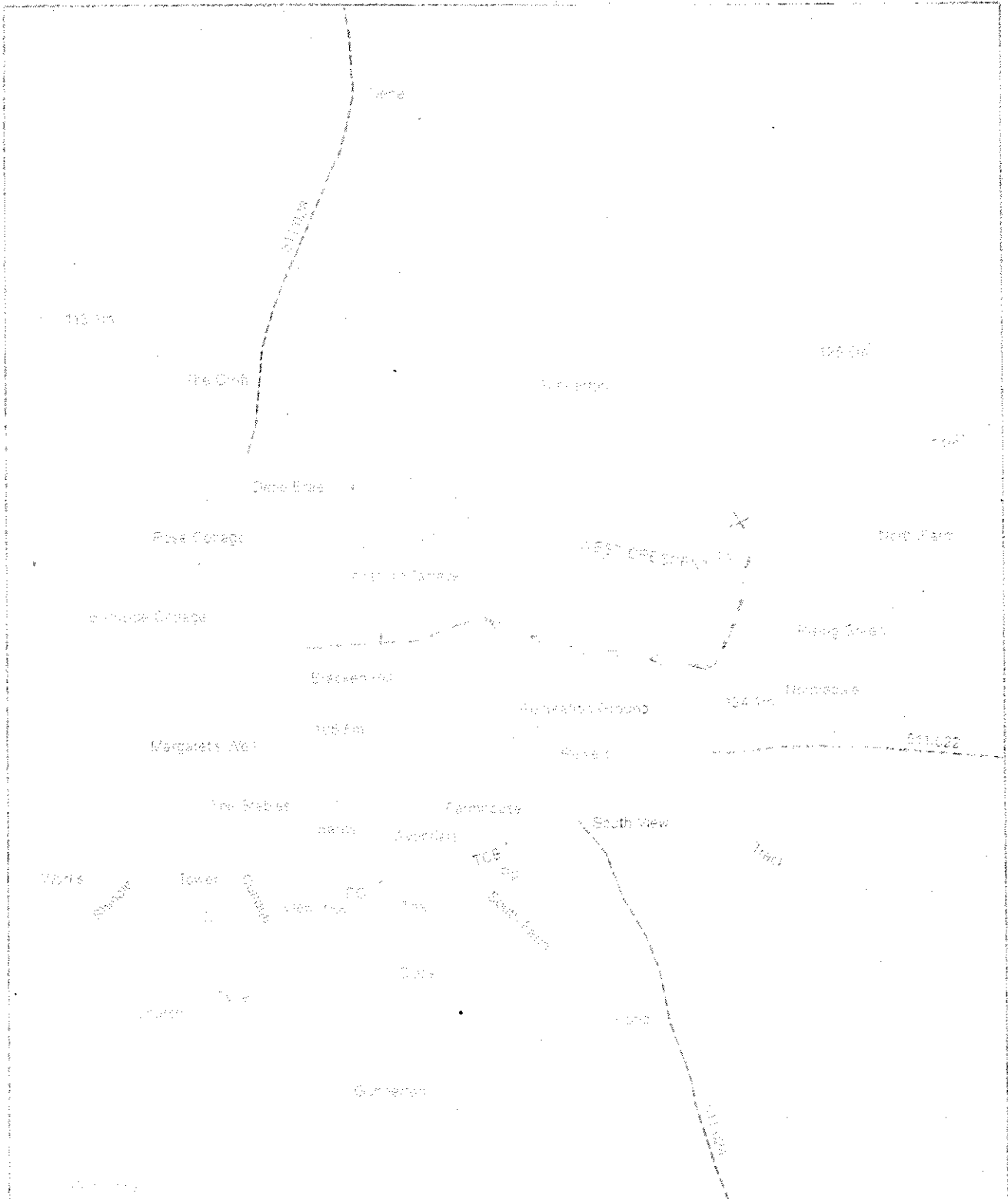
 Northumberland County Council Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400	Wildlife & Countryside Act, 1981  Claimed Public Right of Way		
	Former District	Parish	Scale
Def. Map. No.	O.S. Map	Date	
Tynedale	Chollerton	NTS	
167	NY97NW	August 2019	

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Question 18

- The footpath is locally known as Eppy's Bank.
- Older people in the village have told us that it was an old Drover's road. This suggests it has been used as a right of way for many years.
- Our neighbour, Cecil Meikle, who died in 1999 in his late seventies used the path, as did his father. Again this suggests long usage.
- The path is used to access roads, footpaths, as well as the Recreation ground.
- The width of the path should be preserved, ~~without~~
- I have observed a number of children over the years access the playing field and friends in West Crescent from the Croft, Rose Cottage, Burnside Cottage and Demesne Farm. The children use the path to avoid walking along the main road in Gannerton. The main road doesn't have a footpath all the way along it. Furthermore, the Coal road has no paved footpath. It is safer to use Eppy's bank, because it isn't used by vehicles.

~~XXXXXXXXXX~~
27th August 2019.



Northumberland

The Wildlife & Countryside Act, 1981
 has been made available as a free
 download from the British Library
 website. This version is for personal use only.

Wildlife & Countryside Act, 1981

Chapter 41: Right of Way

Item No	Title	Author	Date	Notes
1
2

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name SUSAN REAY
Address THE STABLES COAL ROAD
GUNNERTON
HEXHAM Postcode NE48 4EA
Year of Birth 26.10.50

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
As a bridleway (public rights on foot and on horseback or bicycle)
As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

FROM COAL ROAD, UP EPPYS BANK
ACROSS PLAYING FIELD TO WEST BRIDGE

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1983 To 2019

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

..... 7.0m

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

GRASS

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

NO

How long were they in place?

b. Gates [state locations, indicate whether locked – and when - and show on your map]

NO

c. Other barriers [state what they were and location, how long they were in place and show on your map]

NO

8. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes

Don't know

No

If yes – state when and give details, including when they were present and mark their location on your map

10. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

YES MY GRANDCHILDREN USE IT AS IT IS A MUCH SAFER ROUTE THAN GOING UP MAIN ROAD TO PLAY WITH THEIR FRIENDS AT THE CRESENT. SOMETIME THEY POST LETTERS FOR ME AND I KNOW THEY ARE SAFE AWAY FROM TRAFFIC

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No

Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):



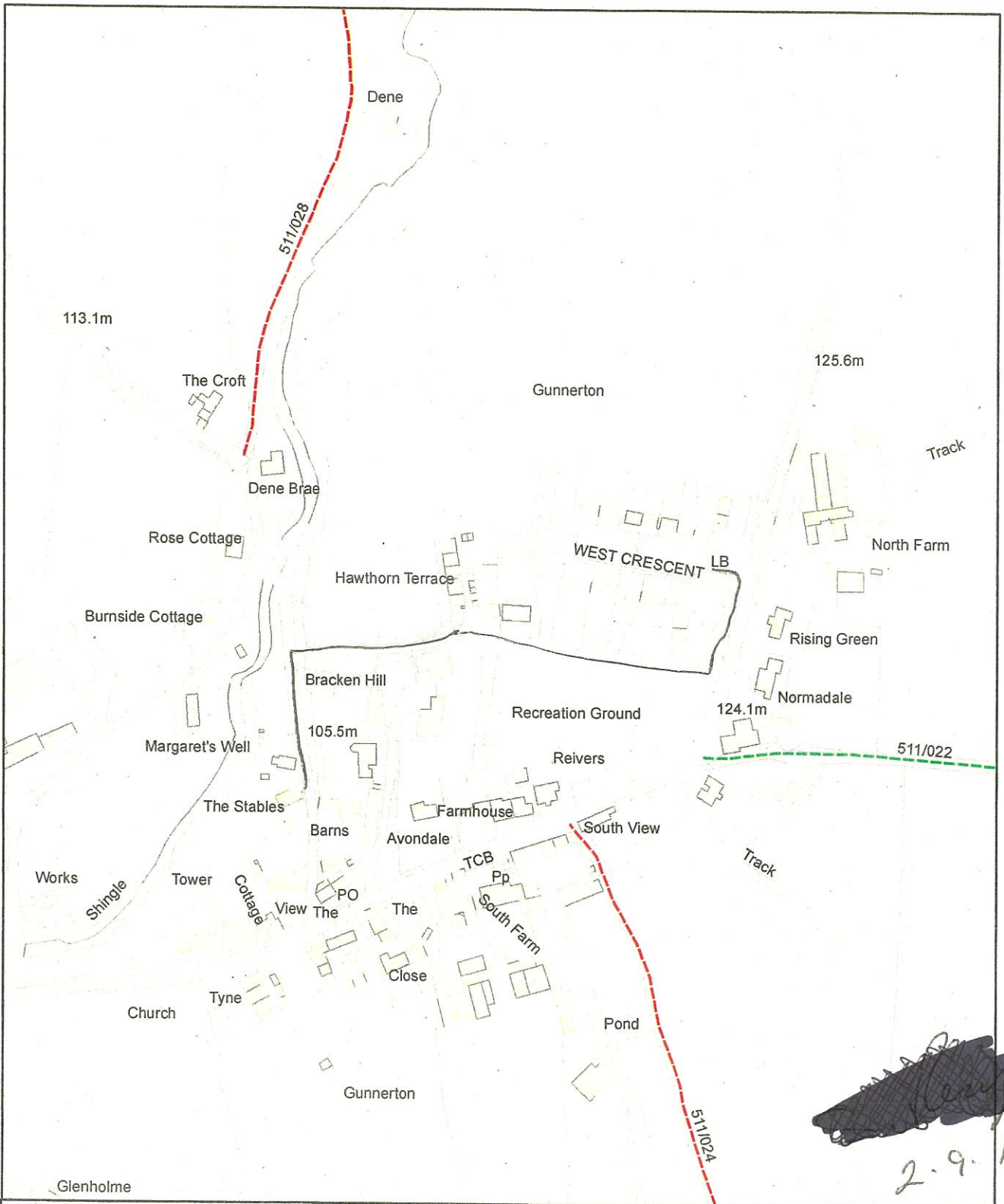
Print full name: SUSAN REAY

Date: 2-9-2019


You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

I HAVE USED EPPYS BANK FOR
60 YEARS VISITING MY GRANDPARENTS
IN WAYSIDE COTTAGE WHEN I WAS A
YOUNGSTER. ALWAYS TOLD TO USE
EPPYS BANK TO VISIT MY FRIEND
AT WEST CRESENT ALSO MY AUNT
AND UNCLE IN 1 WEST CRESENT.



2.9.19

 <p>Northumberland County Council</p> <p>Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400</p>	<h2>Wildlife & Countryside Act, 1981</h2> <p>————— Claimed Public Right of Way</p>		
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	<p>Def. Map. No. 167</p>	<p>O.S. Map NY97NW</p>	<p>Date August 2019</p>

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Jessica

Address 12 West Crescent Gunnerton

Hexham

Postcode NE48 4AX

Year of Birth 23/03/1983

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

21 Brierley Gardens Otterburn NE19 1HB
(Lived away from Gunnerton for 9 years for work)

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

The route begins at Hawthorne terrace
leading on to with access to the
Coal road

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1989 To 2019

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

only the years when I lived in Otterburn
between 2005 - 2008

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	<input checked="" type="checkbox"/>					
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes Don't know No

If no – how and when was the route altered?

.....
.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

7.5 mt top to 6.5 bottom

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

grass
.....
.....

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

NO
.....

How long were they in place?

.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

NO
.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

NO
.....

8. Did any of the above prevent you from using the application route?

No Yes

If yes, please give details

.....

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes Don't know No

If yes – state when and give details, including when they were present and mark their location on your map

.....

10. Have you seen other people using the application route whilst you have been using it?

No Yes

If yes, please provide any additional information about this

.....

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

I myself and my family for more than 4 generations that I knew of have been using this right of way for many different uses as a part of my family history and roots within the village it should remain this way an outside party who has no knowledge of the village or its community should not decide who uses this particular route

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):

Print full name



Jessica phillips

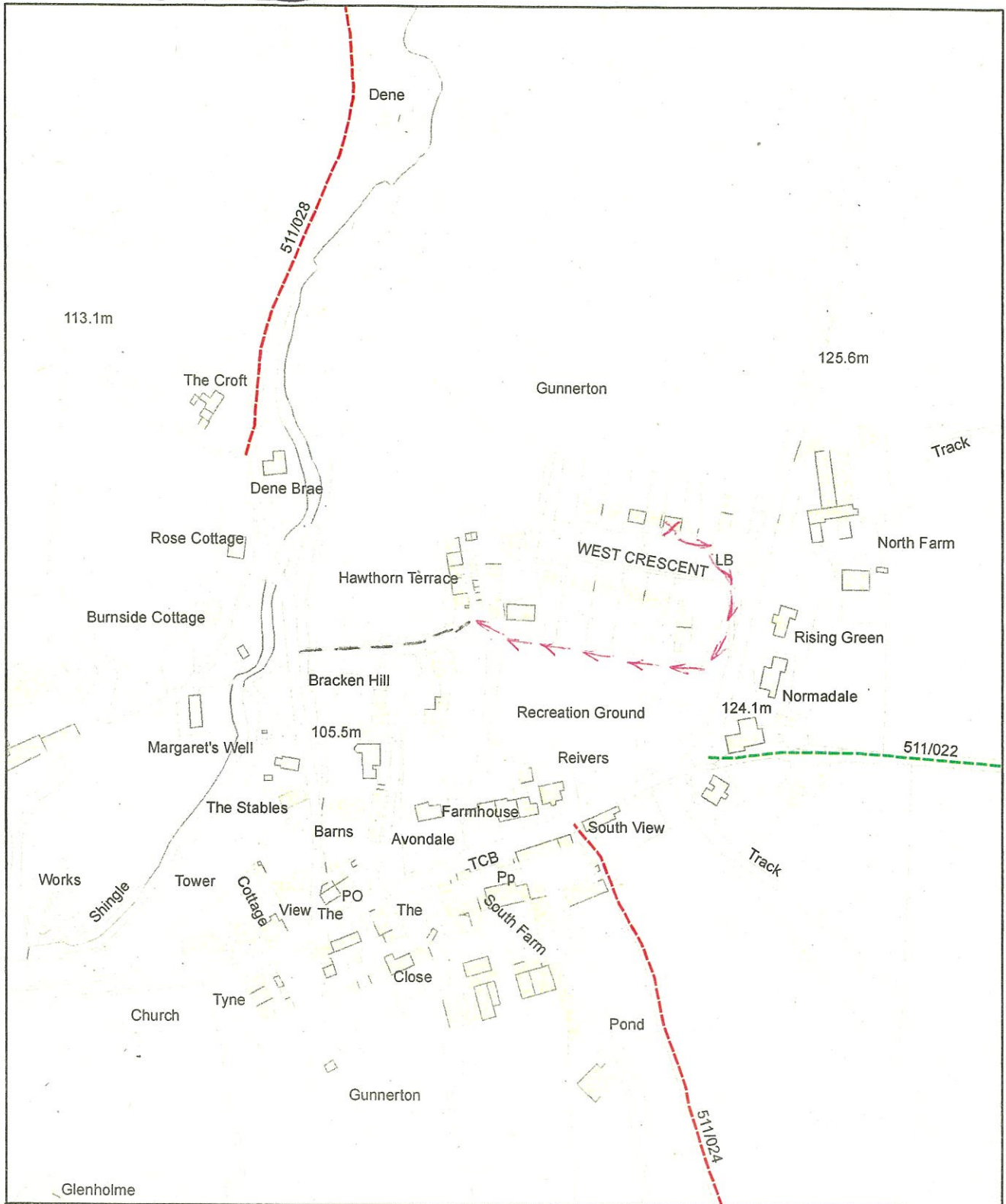
Date:


2/9/19.

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

~~1/10/19~~ 219119



 <p>Northumberland County Council</p> <p>Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400</p>	<h2>Wildlife & Countryside Act, 1981</h2> <p>————— Claimed Public Right of Way</p>		
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	<p>Def. Map. No. 167</p>	<p>O.S. Map NY97NW</p>	<p>Date August 2019</p>

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name BRUCE LONDON
Address 14 WEST CRESCENT
..... GUNNERTON, HEXHAM
..... NORTHUMBERLAND Postcode NE48 4AX
Year of Birth 1948

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

..... YES. Used to live at N°13 West Crescent
..... for 5 years then moved next door to N°14

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

..... Start on the highway adjacent to West Crescent,
..... through the recreation ground (playing field) into the
..... carpark at Hawthorn Terrace, down the steep
..... path (proposed footpath) and onto the public highway (Coal Road)
..... at the bottom adjacent to the Gunnerton Burn.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From December 1979 To Present Day

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No.

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes Don't know No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

Approx 7.5 meters at the top
Midway ~~at the~~ ~~bottom~~ 6.5 meters

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

Grass and Earth

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

No

How long were they in place?

b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

c. Other barriers [state what they were and location, how long they were in place and show on your map]

No

8. Did any of the above prevent you from using the application route?

No

Yes

N/A.

If yes, please give details

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes

Don't know

No

If yes – state when and give details, including when they were present and mark their location on your map

10. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

Access to recreation ground, access to allotment, walking dog
access to post office, post box, bottle bank, visiting
friends.

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes N/A.

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes

If yes – please provide details

.....
The attached map clearly shows the route in detail, as does Ordnance Survey Pathfinder Series Work Sheet NY 87/97 which would suggest public use.

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

.....
The footpath is locally known as "Eppy's Bank"
.....
Older people who have lived in the village most of their lives have said it was used as an old drovers road.
.....
This path has been used pre 1949. This path also avoids a dangerous corner on the highway which has no footpath.
.....
Answers to Question 10 also support this question.

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No

Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):

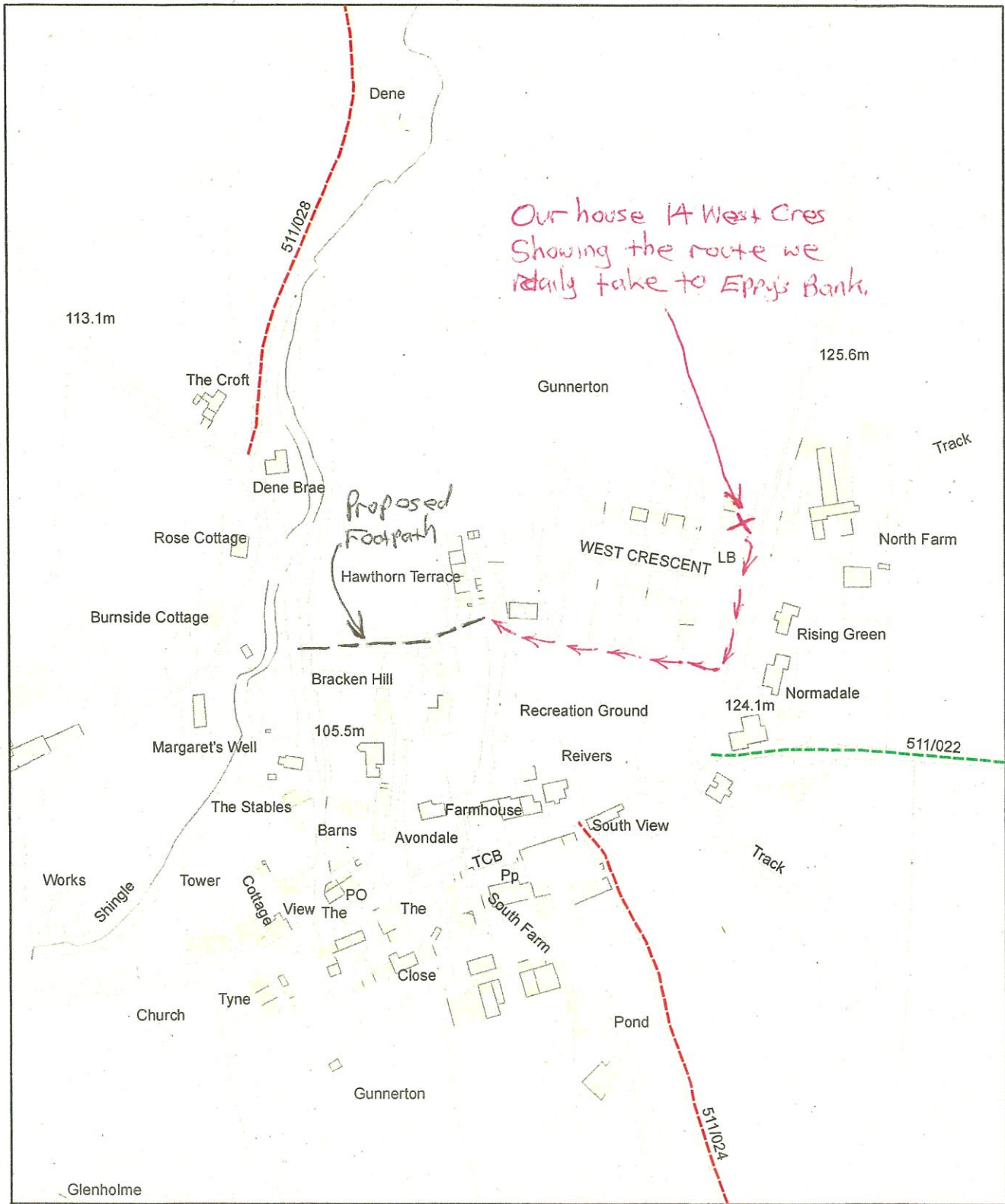


Print full name: **GEORGE BRUCE LOWDON**

Date: **1st September 2019**

You should keep a copy of the completed statement


Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



Our house is West Cres
Showing the route we
regularly take to Eppys Bank.

Proposed
Footpath

WEST CRESCENT LB

 <p>Northumberland County Council</p> <p>Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400</p>	<h2>Wildlife & Countryside Act, 1981</h2> <p>— Claimed Public Right of Way</p>			
<p><small>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License No. 100049048 (2013).</small></p>	<p>Former District Tynedale</p>	<p>Parish Chollerton</p>	<p>Scale NTS</p>	
	<p>Def. Map. No. 167</p>	<p>O.S. Map NY97NW</p>	<p>Date August 2019</p>	

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name GRAEME WRIGHT

Address 3 HAWTHORN TERRACE, GUNNERTON, HEXHAM

Postcode NE48 4EB

Year of Birth 1960

Have you lived at any other addresses during the time you have used the path or way? If so, please provide details and years [full addresses are not required]

NO

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
As a bridleway (public rights on foot and on horseback or bicycle)
As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

The route starts at the bottom of the hill approx 30m from the bridge on the 'Coal Road' leading to Birkley & Alox. It is a very steep grassy part which dissects garden plots and farm lane to the North and garden plots & bracken this development to the South. It varies in width from 6m at the bottom to approx 7m at the top where it emerges in parking area south of Hawthorn Terrace. It leads on to Gunnerton Playing Field with an exit point out onto main road at the beginning of Wear Crescent.

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

See attached map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1981 To to date (2019)

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes Don't know No

If no – how and when was the route altered?

N/A

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

The total width of the route from field walls & hedges is approx 7m at the top of path adjacent to Hawthorn Terrace car parking area & varies between 6.5m to 6m all the way down to it joining the "coal road". The cut walking path is down the centre of the route & measures approx 1.5m wide. I help my neighbours to cut & maintain this path.

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

The application route has grass bank sides and a well worn
cut grass central grass path.

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

No

How long were they in place?

N/A

b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

c. Other barriers [state what they were and location, how long they were in place and show on your map]

No

8. Did any of the above prevent you from using the application route?

No Yes

If yes, please give details

/

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes Don't know No

If yes – state when and give details, including when they were present and mark their location on your map

/

10. Have you seen other people using the application route whilst you have been using it?

No Yes

If yes, please provide any additional information about this

This route is used by village dog walkers, children going to playing field at the top of the bank and neighbours going to/from their garden plots.

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes, N/A.

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when.

[REDACTED]

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes
Verbal.

If yes - please provide details
from talking to former village residents in the village (now deceased) they told stories of using the route to ^{give} farm workers shortcuts between farms and how flocks of sheep were driven up & down the route to cross the bridge over the Gunnerton Burn, hence it's sometimes known as the 'drove road'.

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

Since coming to live in Gunnerton in 1981 I have used this path to access & cultivate a couple of garden allotment. This followed on from ^{houses} ~~plots~~ former owners had as access to these plots are off this route. The route is a safe way for villagers with their young children to access the play equipment & football posts on the village playing field at the top of the bank as the main village road is very busy with many cars parked on the footpaths. Local runners use the hill as part of their training and there are lots of dog walkers who use this route daily.

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No

Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):

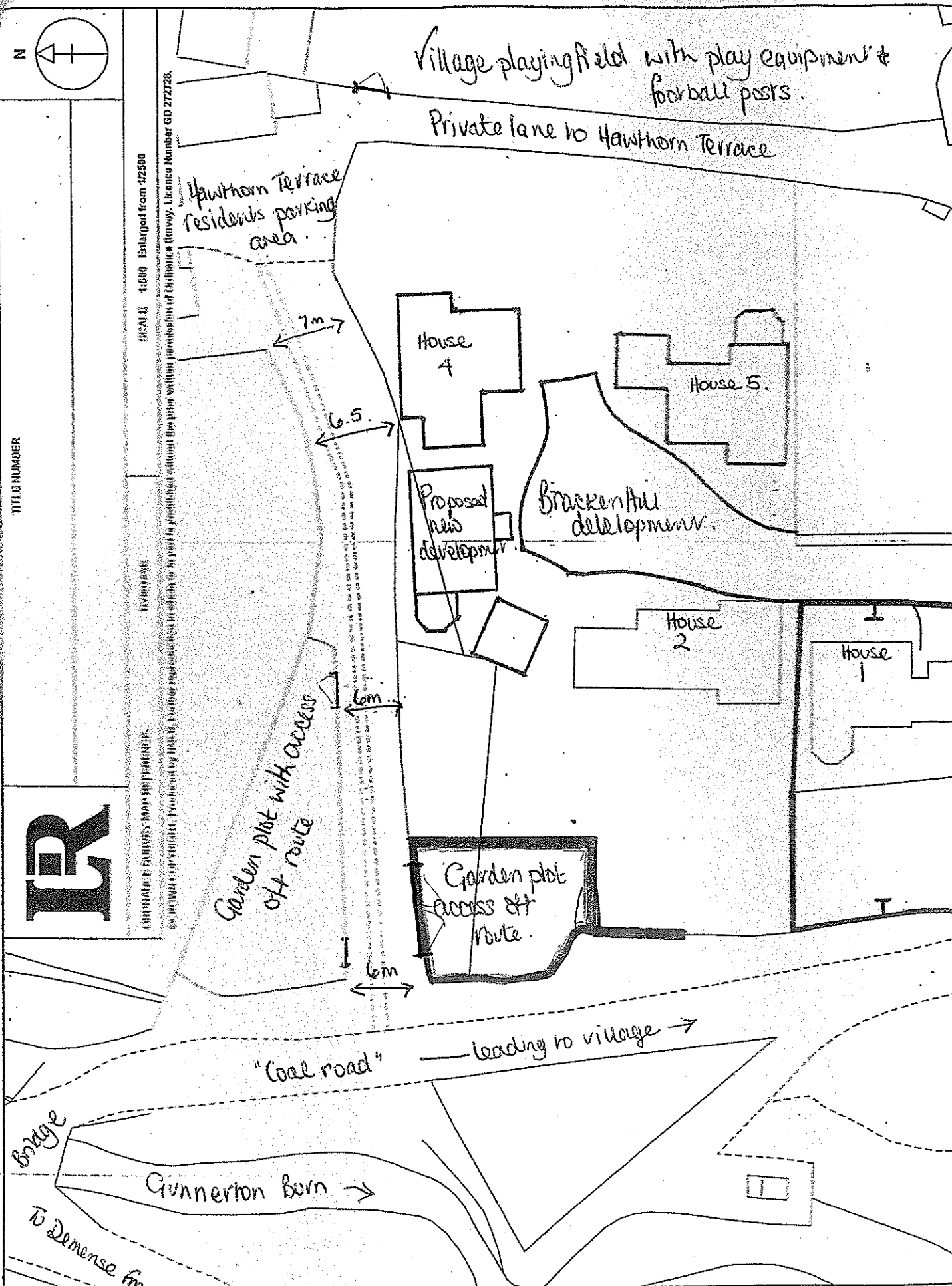


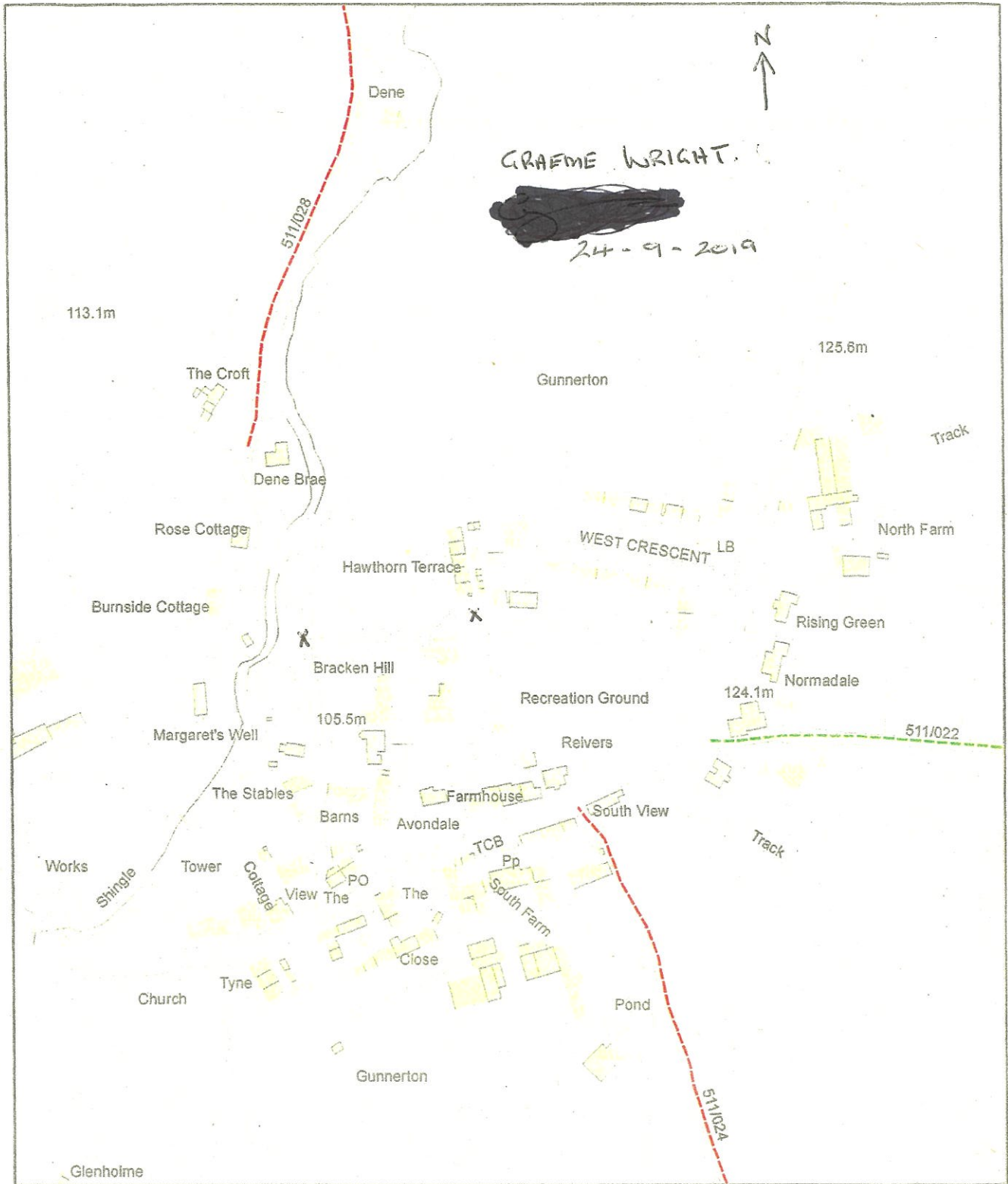
Print full name: GRAEME. WALTON WRIGHT.



Date: 16.9.19.

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.





 Northumberland County Council Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400	Wildlife & Countryside Act, 1981  Claimed Public Right of Way		
	Former District	Parish	Scale
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Def. Map. No.	O.S. Map	Date	
167	NY97NW	August 2019	

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Scott Reay

Address Greenhall House, Gunnerton,
Hexham, N'land

Postcode NE48 4AS

Year of Birth 05.03.1977

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

The Forge, Gunnerton - 1983

The Stables, Gunnerton - 2001

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

From Coal Road, then up Eppy's Bank,
then through Playing Field, then to
West Crescent to post letters and to use
bottle bank.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1983 To 2019

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

7.0 mtrs

.....

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

Grass

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

No

How long were they in place?

—

b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

c. Other barriers [state what they were and location, how long they were in place and show on your map]

No

8. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes

Don't know

No

If yes – state when and give details, including when they were present and mark their location on your map

10. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

children, families and friends

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

It is by far a safer route for our children to use, keeps them off the main road. I also used this route when I was a child.

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

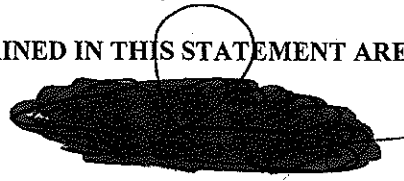
No

Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):

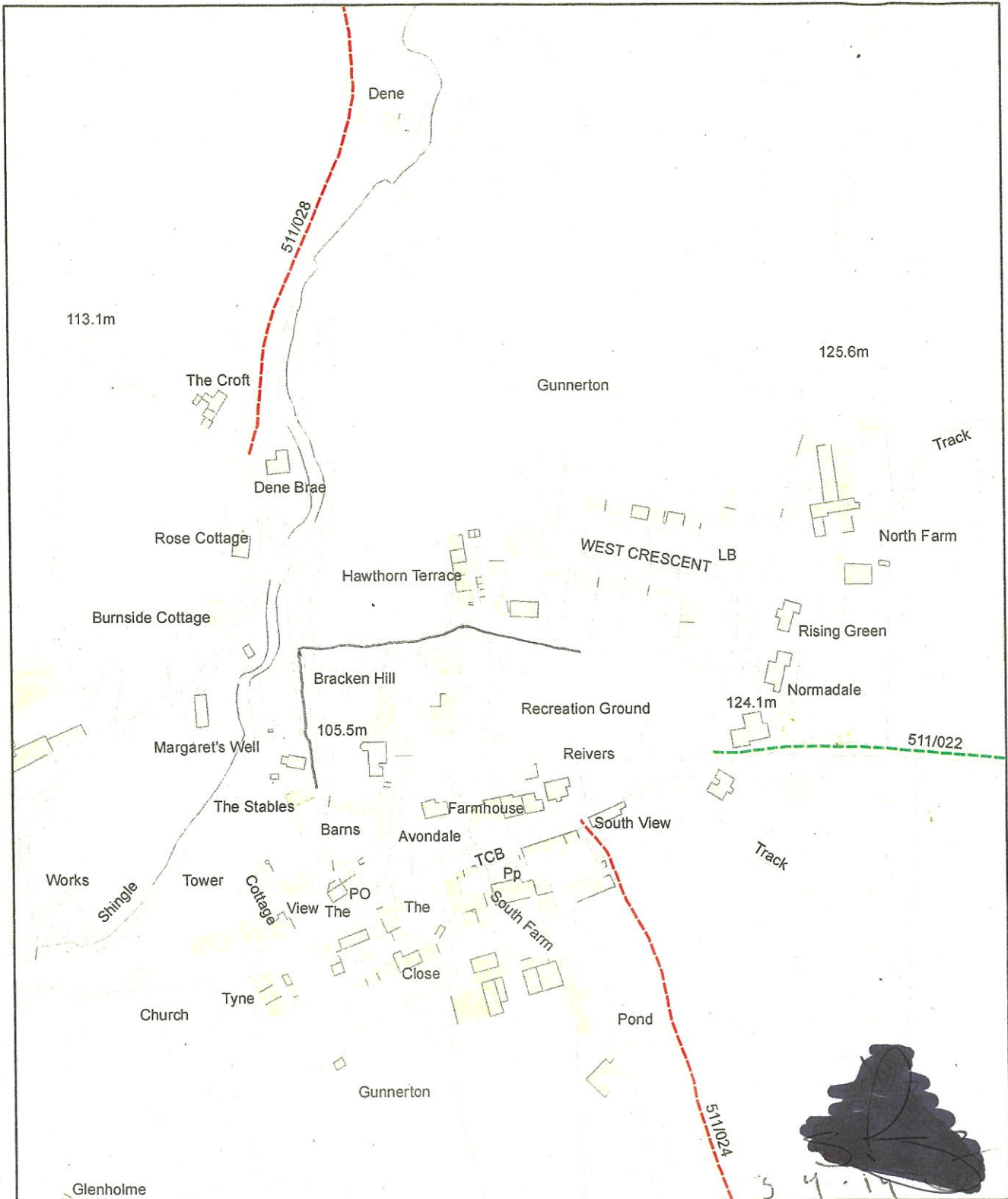
A blacked-out redaction covering the signature of the person making the statement.


Print full name: SCOTT REAY

Date: 3.9.19

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



 <p>Northumberland County Council</p> <p>Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400</p>	<p>Wildlife & Countryside Act, 1981</p> <p>————— Claimed Public Right of Way</p>		
<p><small>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License No. 100049048 (2013).</small></p>	<p>Former District Tynedale</p>	<p>Parish Chollerton</p>	<p>Scale NTS</p>
	<p>Def. Map. No. 167</p>	<p>O.S. Map NY97NW</p>	<p>Date August 2019</p>

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Sheila Maurice

Address North Farm Barns

Gunnerton

Hefham Postcode NE48 4EA

Year of Birth 1948

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

.....
.....

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

The path is between Hawthorn Tce.
and the Coal Road leading to Birtley

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1998 To 2019

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes Don't know No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

Top 7.5m, Middle 6.5m
Bottom approx

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

Grass, earth

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

No

How long were they in place?

/

b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

c. Other barriers [state what they were and location, how long they were in place and show on your map]

No

8. Did any of the above prevent you from using the application route?

No Yes

If yes, please give details

.....

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes Don't know No

If yes – state when and give details, including when they were present and mark their location on your map

.....

10. Have you seen other people using the application route whilst you have been using it?

No Yes

If yes, please provide any additional information about this

Many people, children, adults, dog walk etc,

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

This path has been used for many, many years by people in the village and beyond. It is a link in the village and I feel it should be registered as a public right of way.

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):



Print full name:

SHEILA MAURICE

Date:

29/8/2019

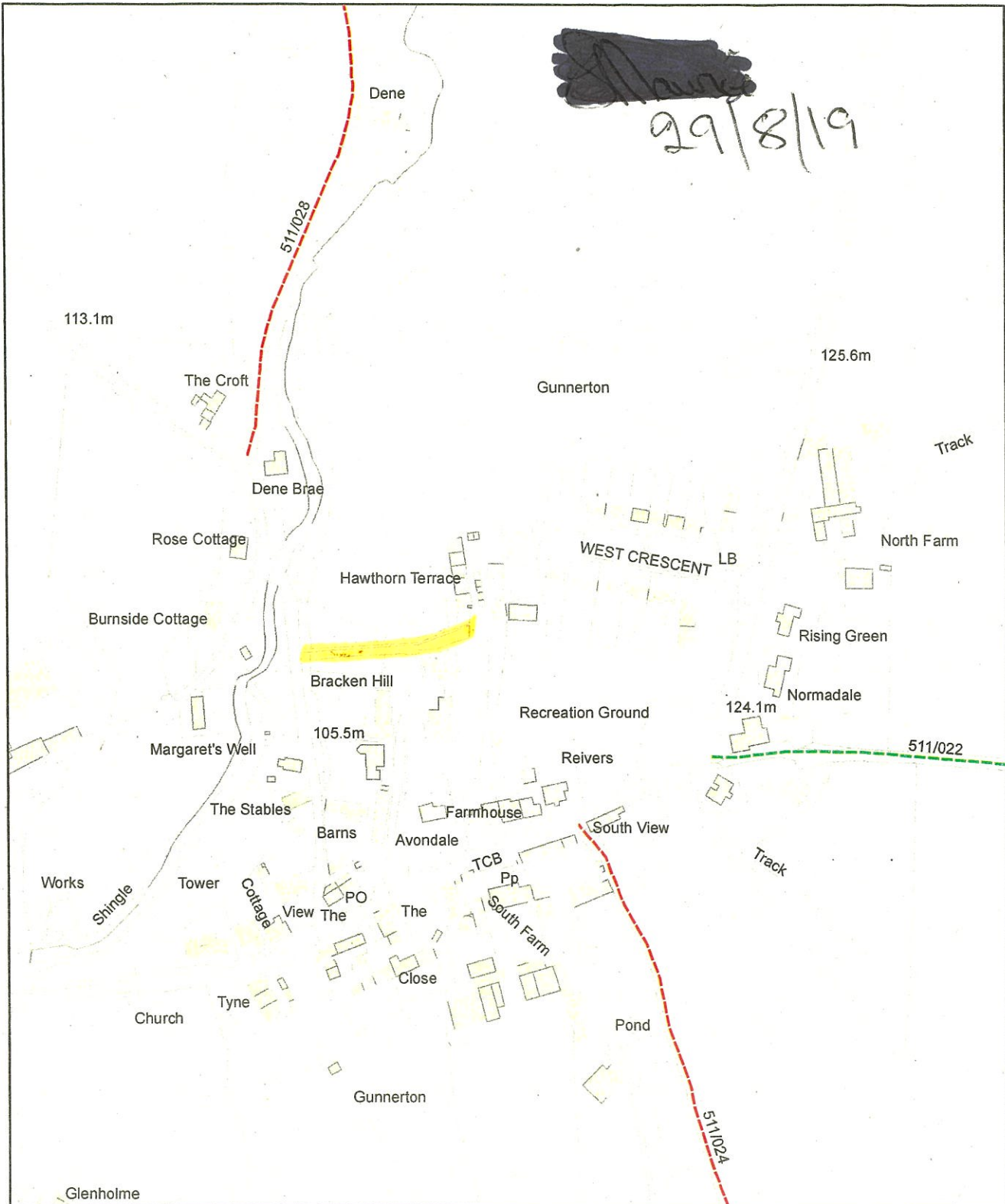
You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

path

~~Map~~

29/8/19




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

Wildlife & Countryside Act, 1981

————— Claimed Public Right of Way

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Former District	Tynedale	Parish	Chollerton	Scale	NTS
Def. Map. No.	167	O.S. Map	NY97NW	Date	August 2019

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name GEORGE DOVER

Address 9 WEST CRESCENT

..... GUNNERTON

..... HEXHAM Postcode NE 48 4AX

Year of Birth 1945

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

..... NO

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

..... FROM HAWTHORN TERRACE GUNNERTON TO

..... COAT ROAD GUNNERTON

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1969 To PRESENT

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

..... 7.5 metres at top to narrow to 6.5 metres

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

..... GRASS AND EARTH

7. Have there ever been any of the following on the application route?

- a. Stiles [state locations and show on your map]

..... NO

How long were they in place?

.....

- b. Gates [state locations, indicate whether locked – and when - and show on your map]

..... NO

- c. Other barriers [state what they were and location, how long they were in place and show on your map]

..... NO

8. Did any of the above prevent you from using the application route?

No Yes

If yes, please give details

.....

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes Don't know No

If yes – state when and give details, including when they were present and mark their location on your map

.....

10. Have you seen other people using the application route whilst you have been using it?

No Yes

If yes, please provide any additional information about this

..... SEVERAL VILLAGERS USE THE ROUTE

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

THIS IS A ROUTE MYSELF. AND MY FAMILY
HAVE USED FOR WALKS FOR THE PAST
50 YEARS.
.....
.....
.....

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes


20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No

Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

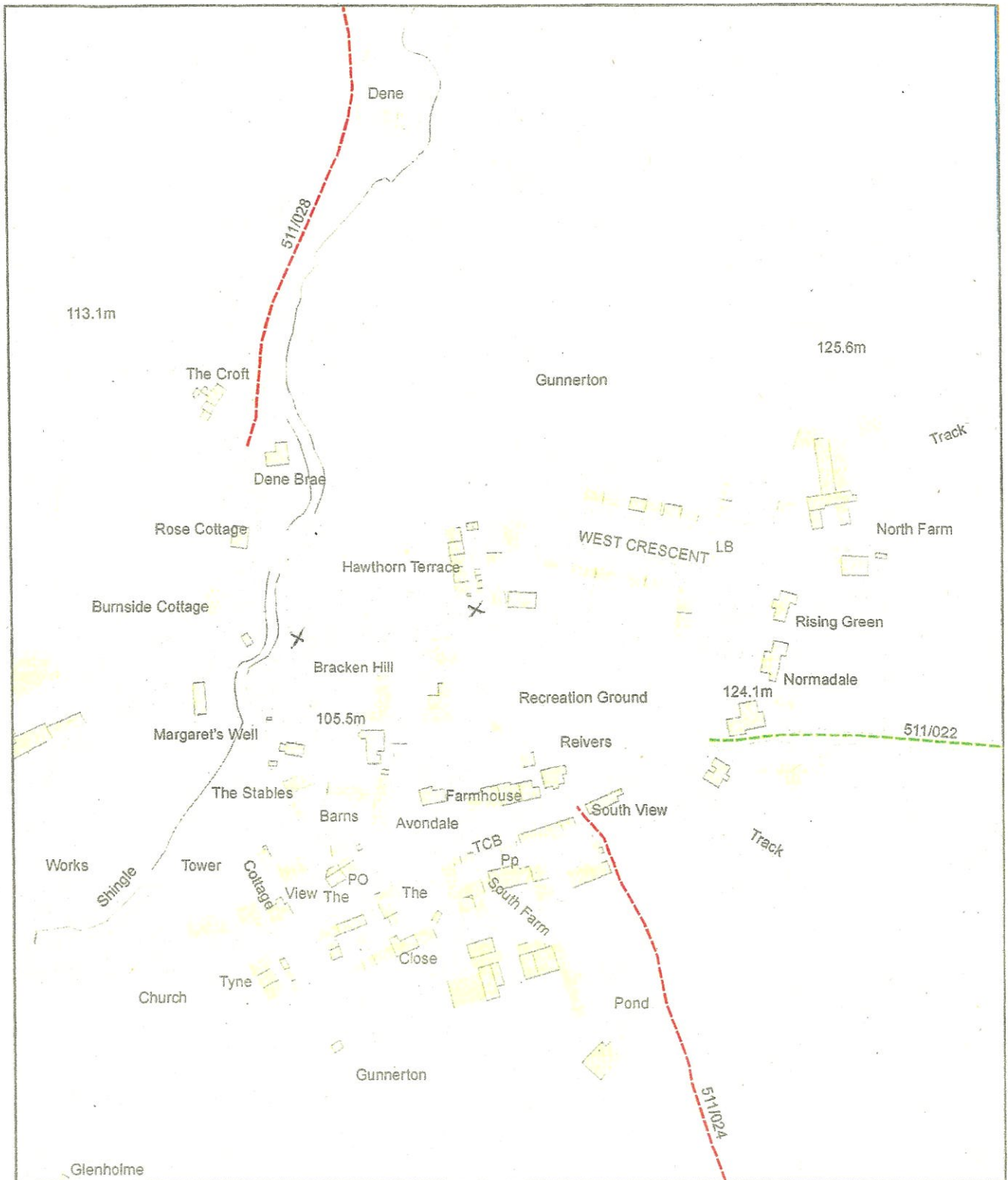
Signature (of the person making the statement of truth): 



Print full name: **GEORGE DOVER**

Date: **4-9-19**

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



 Northumberland County Council Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400	Wildlife & Countryside Act, 1981  Claimed Public Right of Way		
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	Def. Map. No. 167	O.S. Map NY97NW	Date August 2019

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Denise Phillips

Address 1, West Crescent, Gunnerton,
Hexham, Northumberland

..... Postcode NE48 4AX

Year of Birth 1950

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

..... W.R.N.S. from 1969 - 1979

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

..... The route starts from Hawthorn Terrace, down to
..... The "Coal Road"

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1953 To The Present

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

Only the Ten Years I was away in the W.R.N.S.
Even then I always used it when on leave.

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						
By pedal cycle						
By car						
Other []						

4. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

.....
.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

Approx. 7.5 m at the Top - 6.5 m at
middle to bottom

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

Grass and Earth

7. Have there ever been any of the following on the application route?

- a. Stiles [state locations and show on your map]

No

How long were they in place?

- b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

- c. Other barriers [state what they were and location, how long they were in place and show on your map]

.....

8. Did any of the above prevent you from using the application route?

No Yes

If yes, please give details

.....

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

Yes Don't know No

If yes – state when and give details, including when they were present and mark their location on your map

.....

10. Have you seen other people using the application route whilst you have been using it?

No Yes

If yes, please provide any additional information about this

We used to Sledge down it in winter time, children from the village through the decades, I have used it have cycled, sledged, walked and Run the route.

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No Yes

If yes, provide details and dates

.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No Yes

If yes,

a. From whom?

b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No Yes

If yes, by whom and when?

.....

14. Have you ever been stopped or turned back when using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

No Yes

If yes, please give details including when this happened

.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.)

No

Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

The Route in question has always been referred to as Eppy's Bank. I have for most of my life walked from West Crescent (situated on the main road through Gunnerton) through the playing field, passing over the carpark on Hawthorn Terrace down Eppy's Bank to the Coal Road. It has always afforded a safe passage avoiding the busy road through the village. (Separate sheet attached)

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

No

Yes

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

No

Yes

PART F: Statement of Truth
(all applicants must complete this Part)

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE

Signature (of the person making the statement of truth):

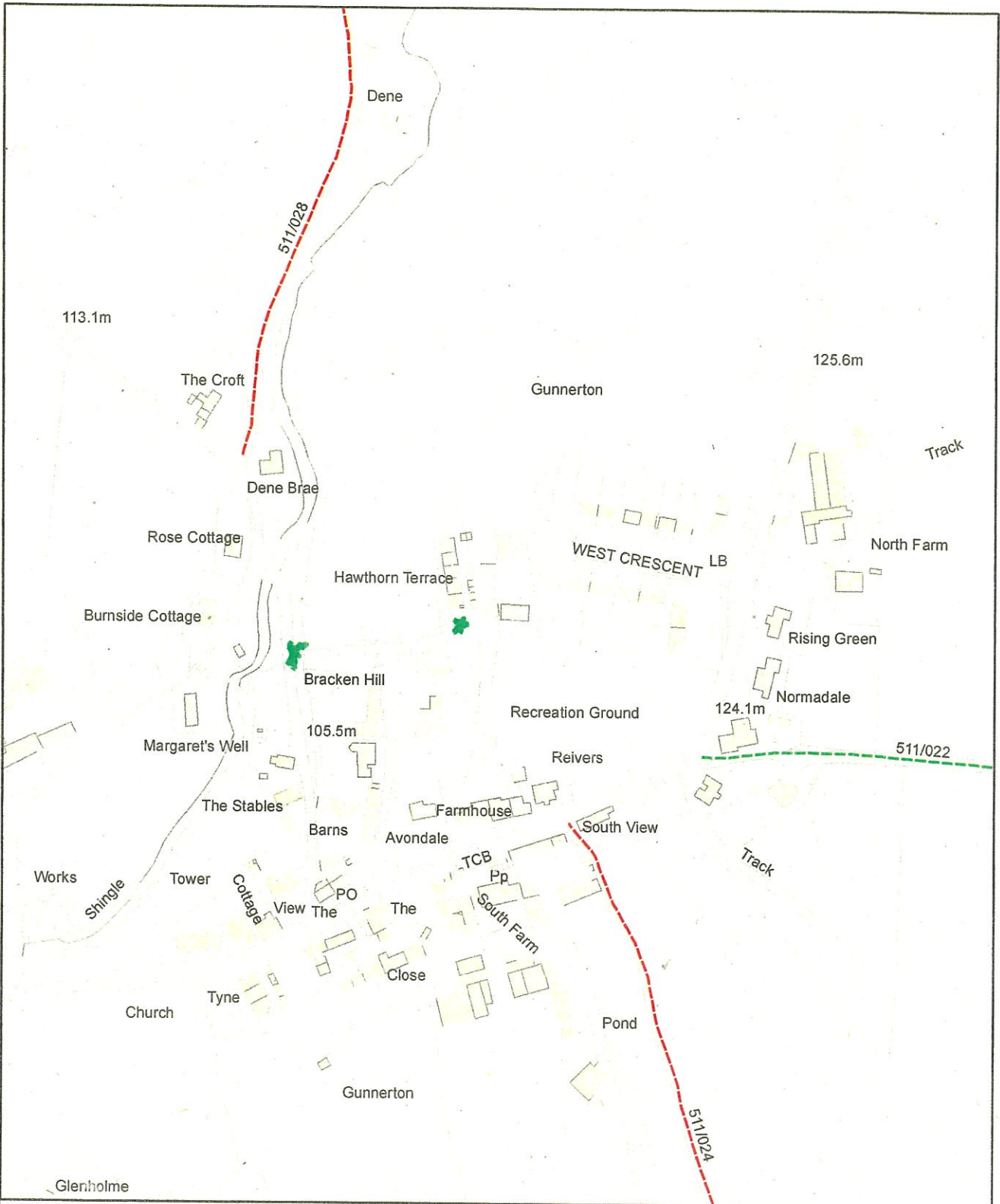




Print full name: DENISE PHILLIPS.

Date: 3-9-19.

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



 Northumberland County Council Infrastructure Records, Local Services County Hall Morpeth Northumberland NE61 2EF Telephone 0345 600 6400	Wildlife & Countryside Act, 1981  Claimed Public Right of Way					
	Former District	Tynedale	Parish	Chollerton	Scale	NTS
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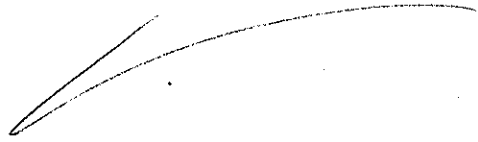
 *As marked on Map*
 Page 111


 31-8-19

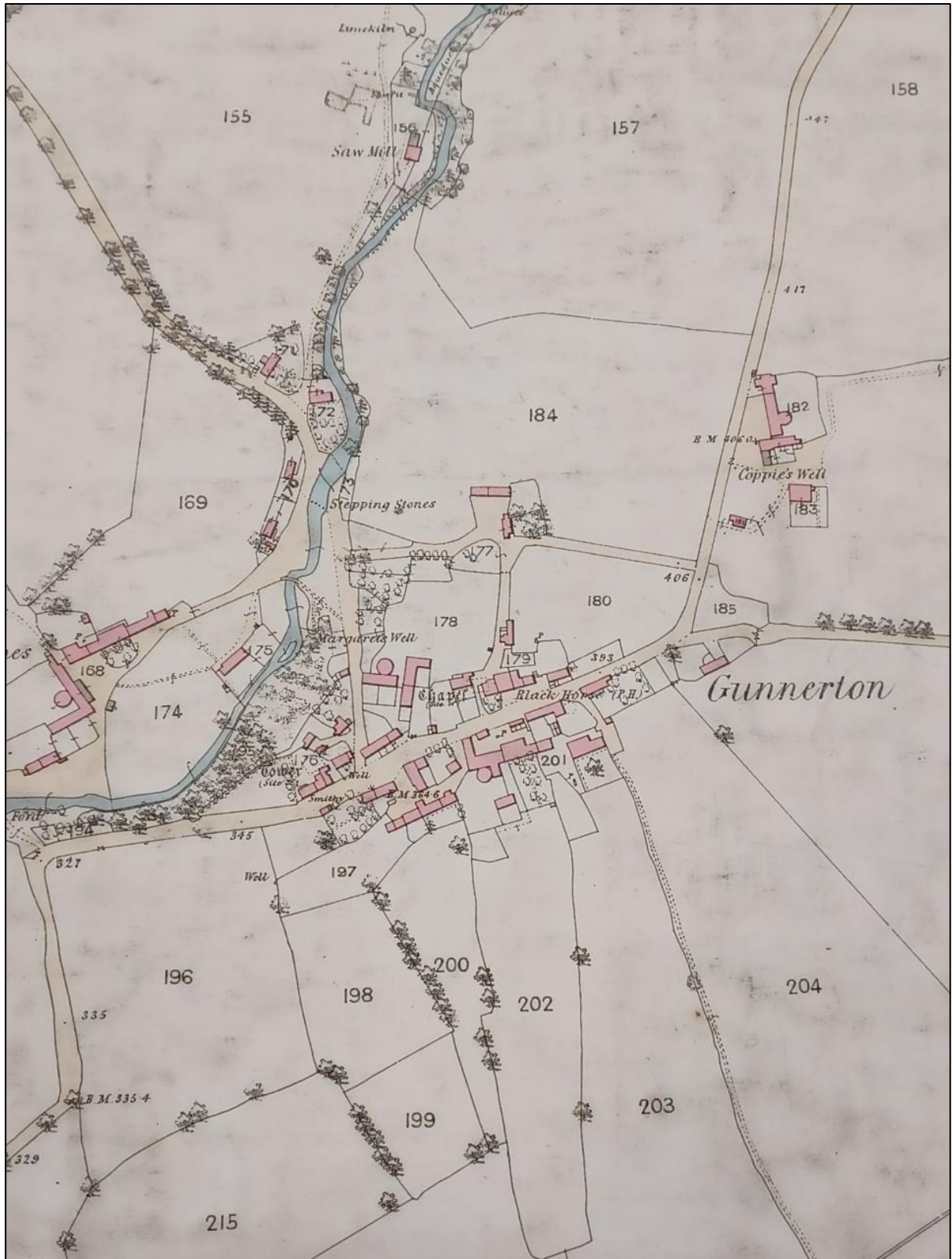
I walked with my dog and my family probably $\frac{3}{4}$ times per week. I have a poem of my late Grandmas who was born in 1880, and who lived in this local area and Gunnerton all of her life. The poem refers to "Rodgers Hill" where a "Gibbet" (Hangman's noose) once stood, - in the field to the right of Eppi's Bank and below Hawthorn Terrace, I can remember her relating stories about the procession of people coming up Eppi's Bank leading to the Gibbet on top of Rodgers Hill. I can also recall her telling us that "Eppi's Bank" was a section of the old Drovers Road which leads on up to Gunnerton Coag. In my opinion and other elderly Gunnerton residents Eppi's Bank is and always has been a Public right of passage housed

A.T.O

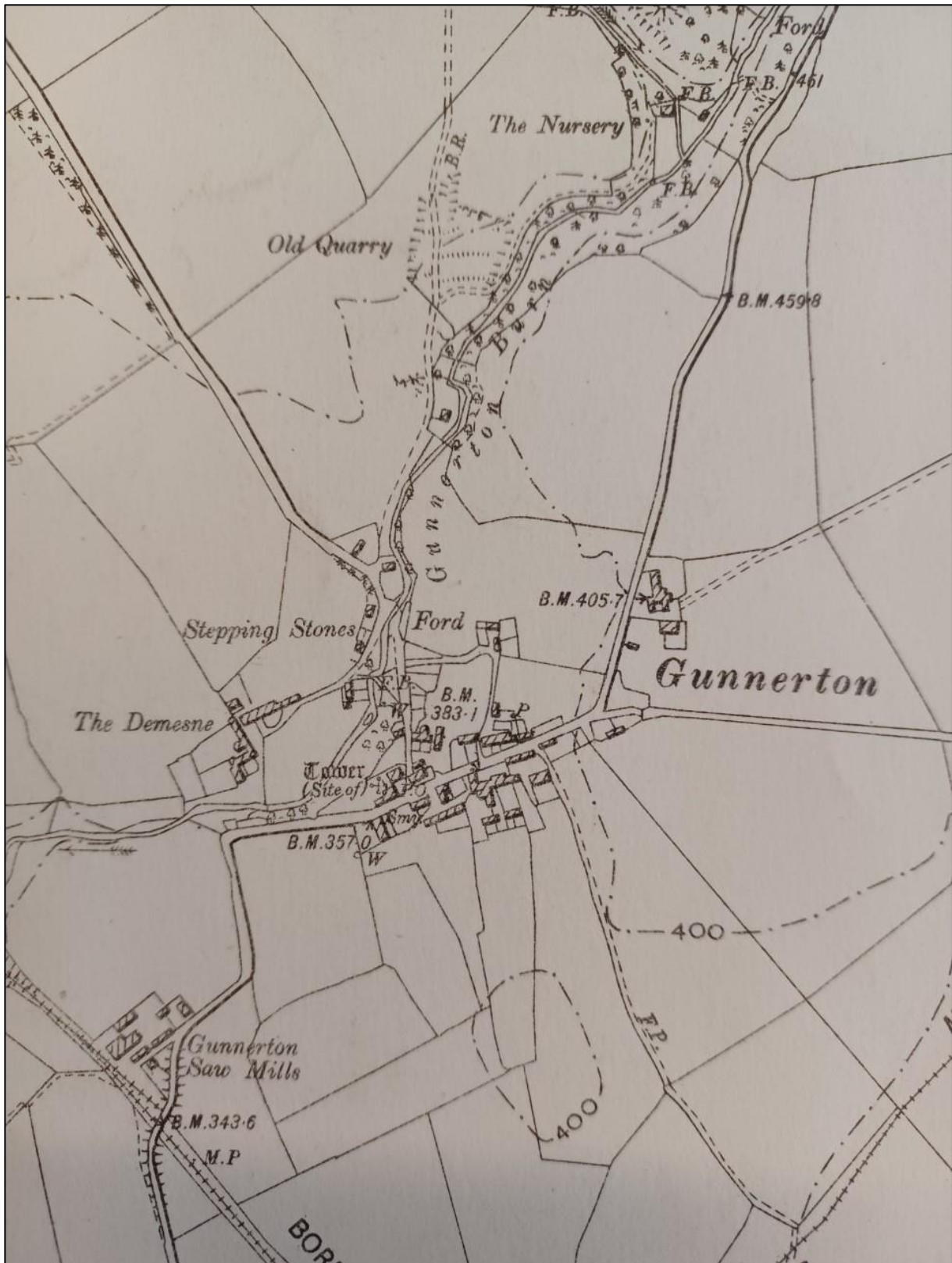
in a well documented Ancient
rural village of Gunnerton.



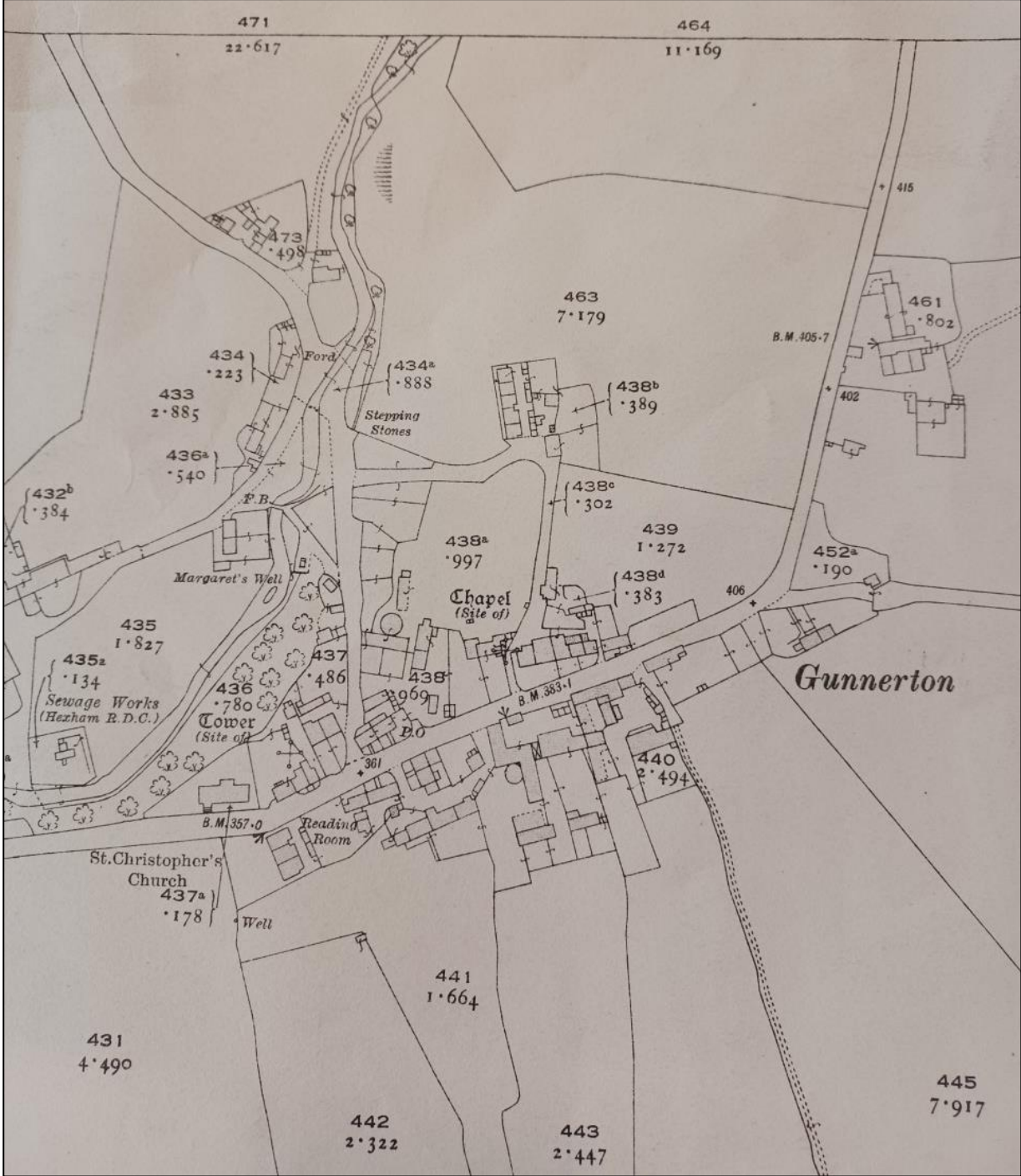


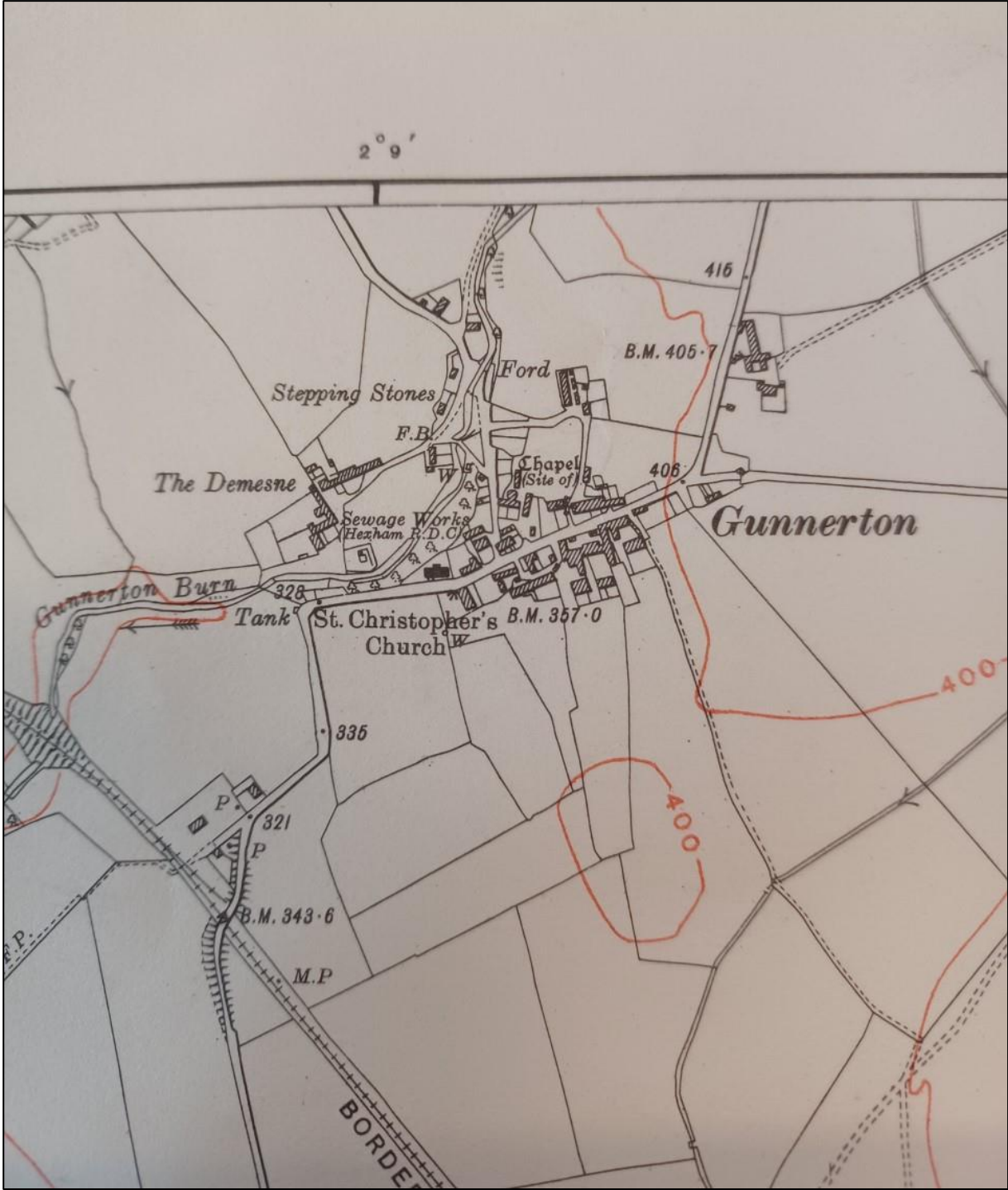


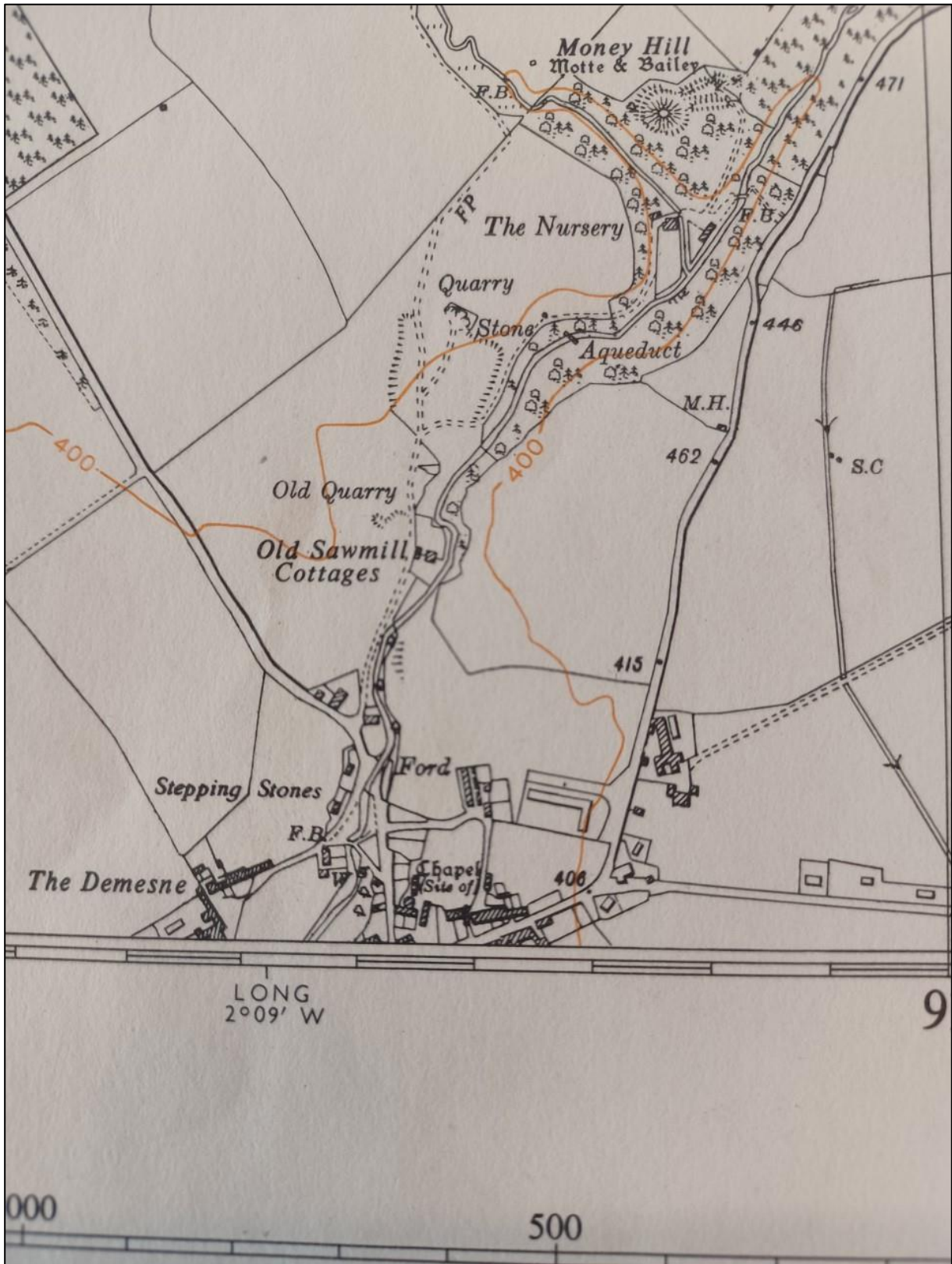


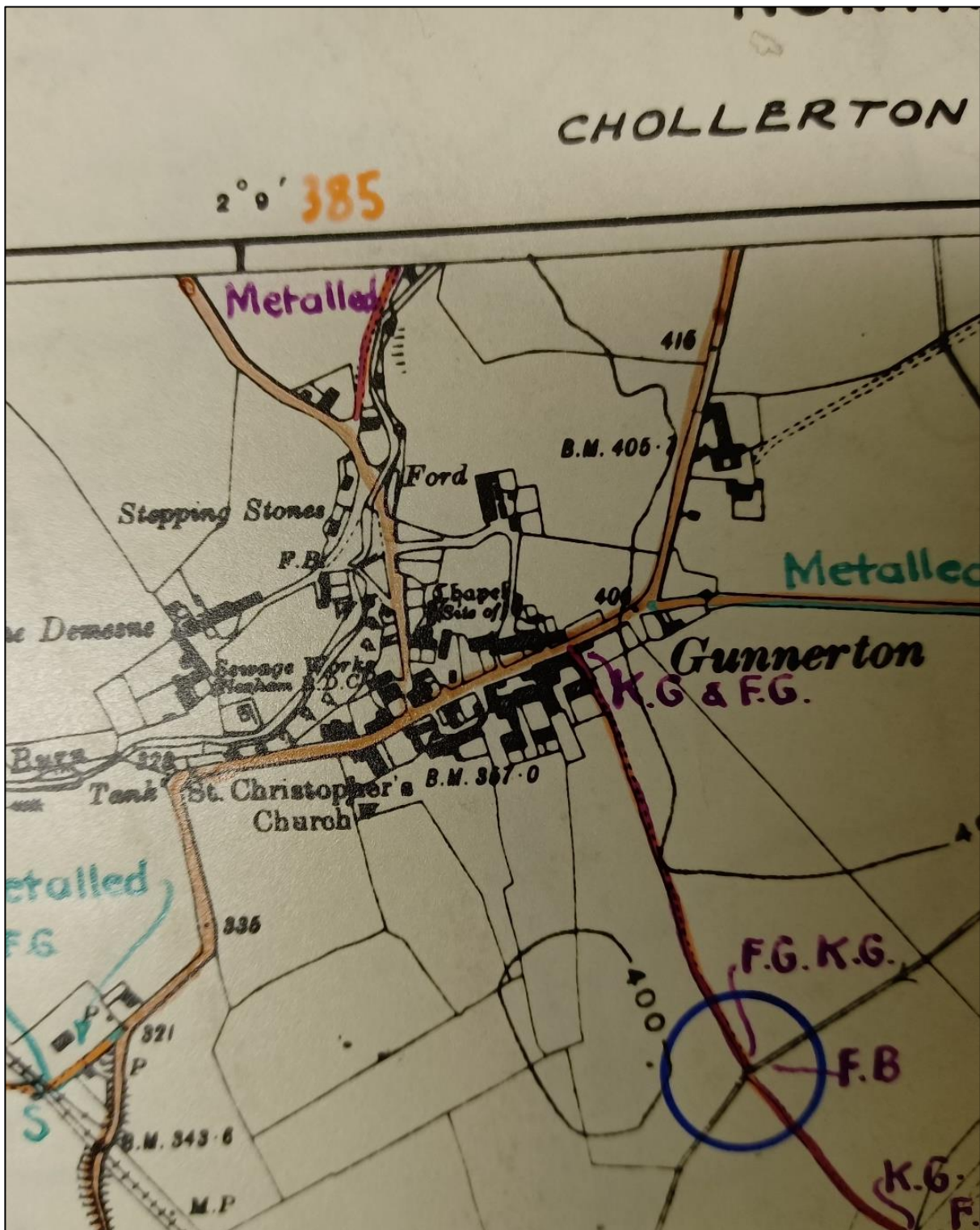


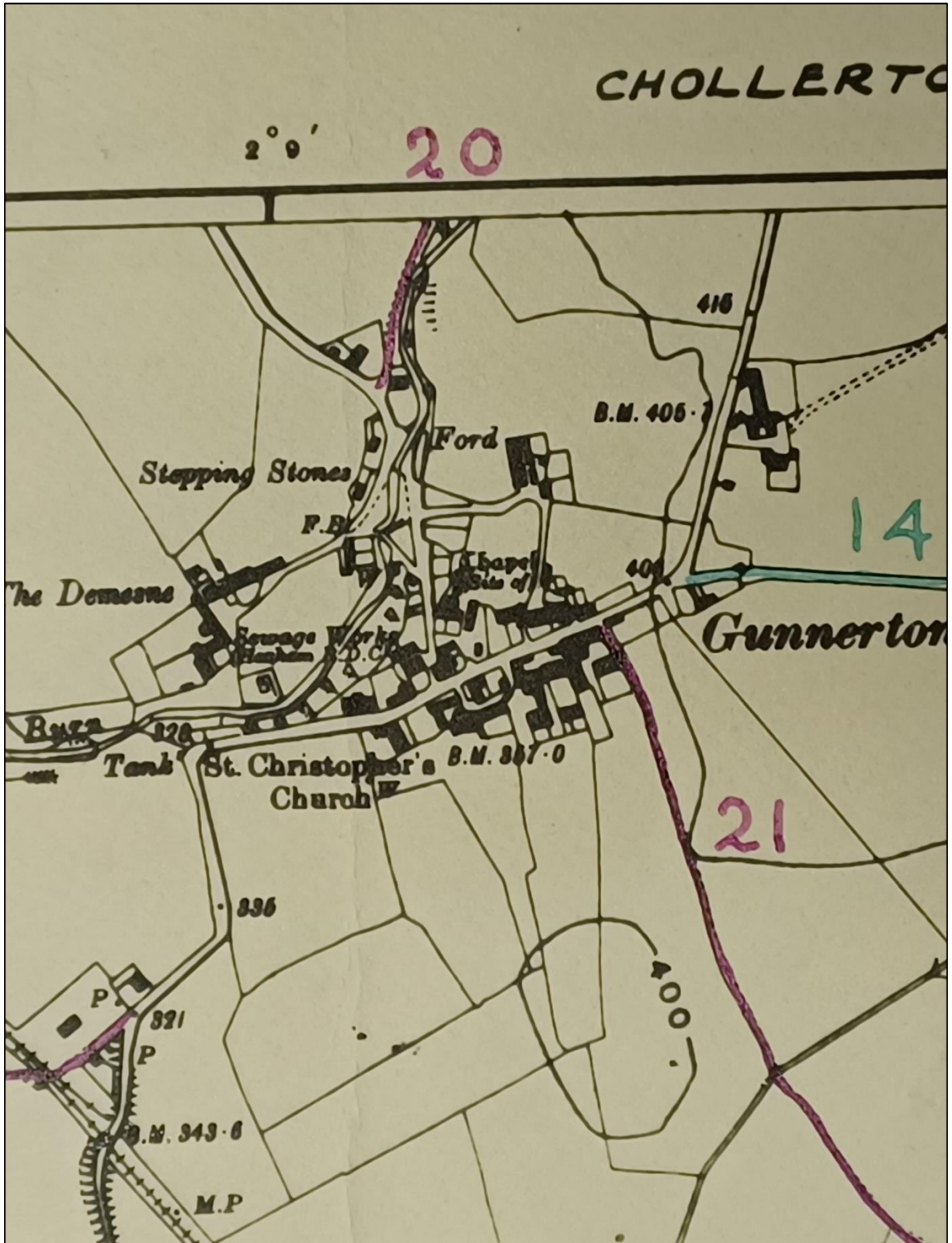


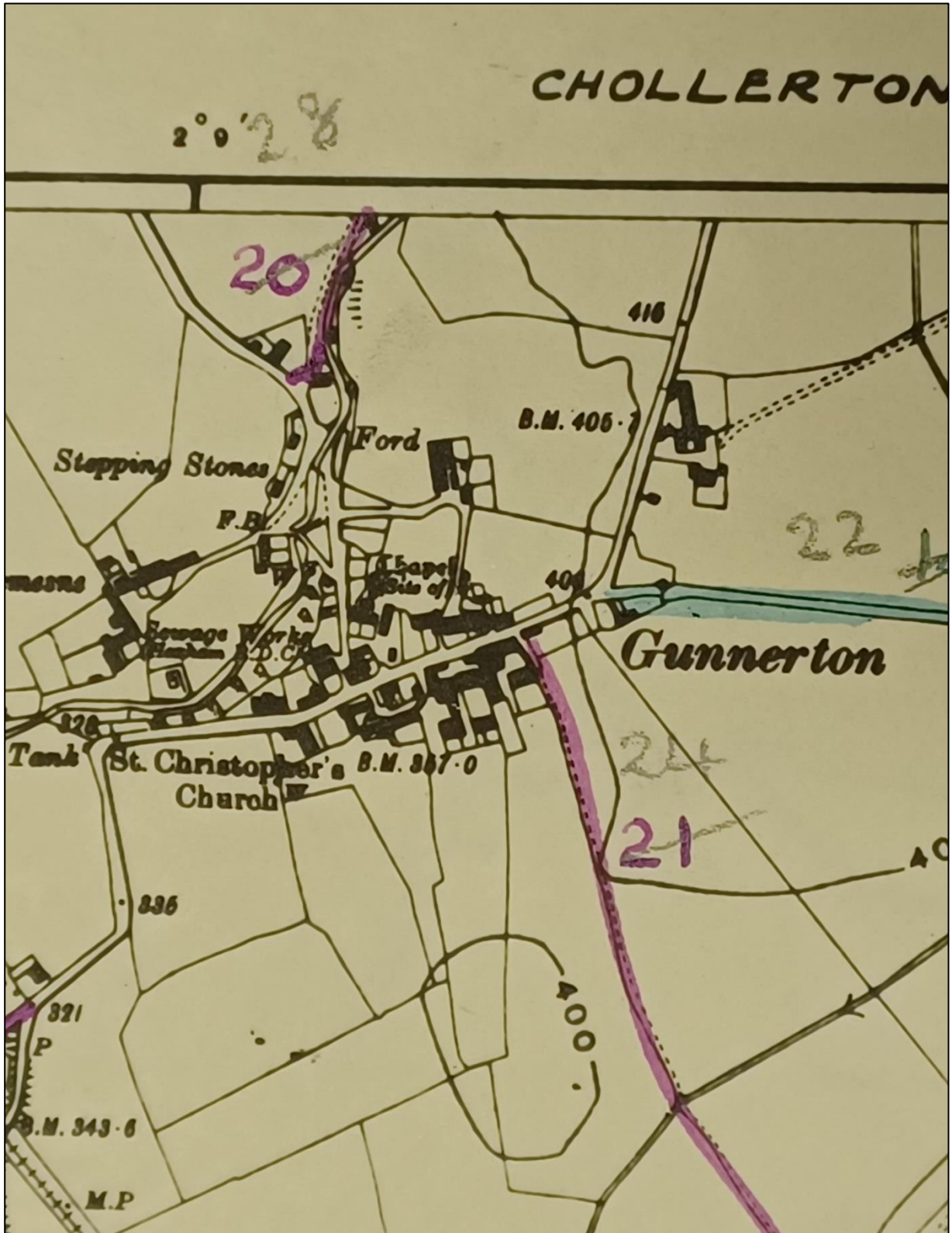


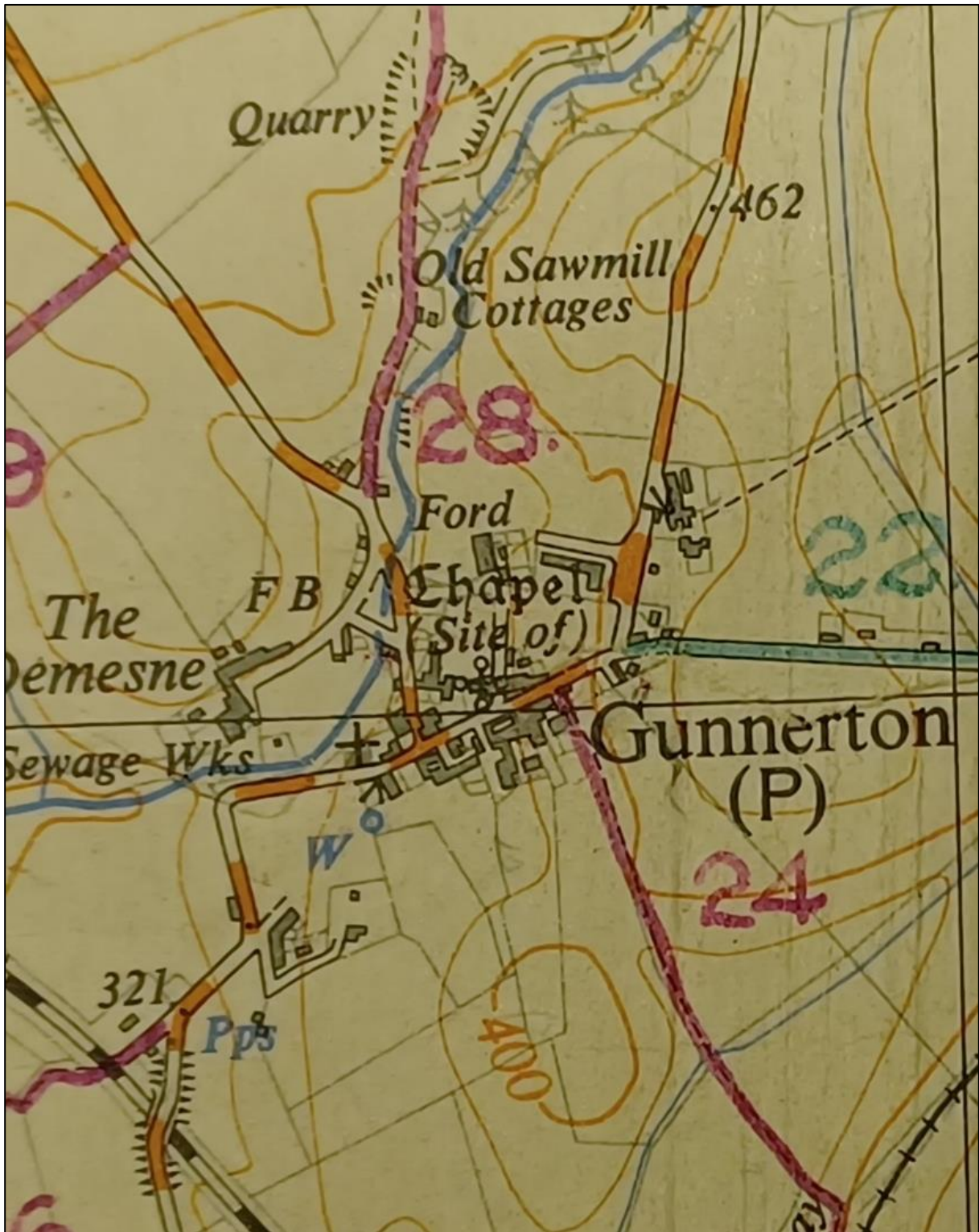


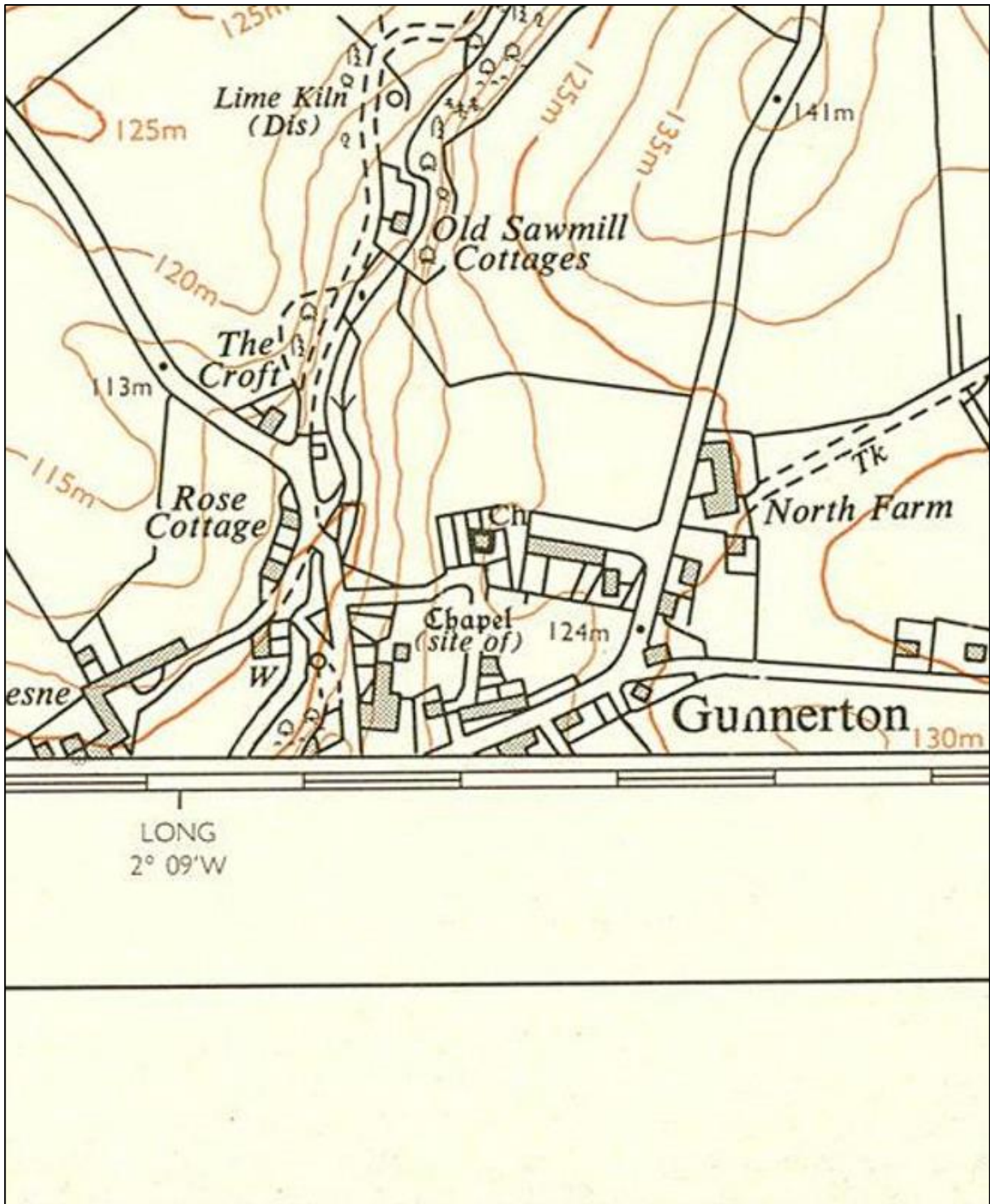














Northumberland
County Council

TYNEDALE LOCAL AREA COUNCIL

11 April 2023

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

**ALLEGED PUBLIC BRIDLEWAY No 31
PARISH OF KIRKWHELPINGTON**

Report of the Executive Director of Local Services
Cabinet Member: Councillor Jeff Watson, Healthy Lives

Purpose of report

In this report, the Tynedale Local Area Council is asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public bridleway rights over a route from the existing northern end of Public Bridleway No 31, north of Kirkwhelpington, in a north-westerly direction to join the C195 road north of Middle Whitehill.

Recommendation

It is recommended that the Local Area Council agrees that:

- (i) there is insufficient evidence to indicate that public bridleway rights have been reasonably alleged to exist over the route T-S;**
- (ii) there is sufficient evidence to indicate that public bridleway rights have been reasonably alleged to exist over the route T-X;**
- (iii) the T-X route be included in a future Definitive Map Modification Order as a public bridleway.**

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 June 2019, Diane Holmes of Ulgham made a formal application seeking to modify the Definitive Map of Public Rights of Way by adding a public bridleway over a route between the C195 road, north of Middle Whitehill, and the existing northern end of Public Bridleway No 31, north of Kirkwhelpington.
- 2.2 Ms Holmes supplied the following analysis of the evidence to accompany her application:

"The application route

"1. The route is in the parish of Kirkwhelpington. It would add a short unrecorded link from the north end of a recorded public bridleway, which is currently a dead end for no apparent reason.

"2. Its northernmost point is on the C 195 at GR NY993858. It goes in a south easterly direction to GR NY 996 855 where it meets the northern end of bridleway 530/031.

3. it is a largely unfenced stone track about 2-3 m wide. It is 285m long.

4. It can be seen on OS Explorer OL43.

See photographs showing its character

Documentary evidence

1. 1769 Armstrong's map of Northumberland

The application route is shown as part of the only route leading north from Kirk Whelpington. It leaves from the east end of the village as it does today and the name 'White Hill' is shown on this early map with the route passing close by. This shows that the through route from the village to the road from Knowesgate is one of considerable antiquity.

See extract

2. 1820 Fryer's map of Northumberland

The application route is also shown on this later map as an unfenced route as it is today, starting at the east end of Kirk Whelpington and ending close to Whitehill, which is labelled. By this time a route, currently a recorded bridleway, between the west end of the village and the Knowesgate road is also shown.

See extract

3. 1828 Greenwood's map of Northumberland

The application route is shown following the same line on this well known map too. The cartography is more accurate by this time as shown by the slight bend in the recorded route. This line shows up clearly on the ground too (see photograph).

These three county maps indicate routes that were available to the public who travelled in carriages. They were commercial maps created for the benefit of the landowning classes so the publishers could not afford to make any errors. The fact that the whole route from the village of Kirkwhelpington through to Knowesgate Road is shown on all three of these maps is strong evidence that it was well known as a public road at that time.

See extract

"4. 1844 Tithe plan for the township of Kirkwhelpington DT 280 M
Although tithe plans were produced in order to show the amount of tithe payable on each individual's land, it was also necessary for non-titheable land, ie non-productive land, to be shown as well. This included tracks and roads.

"On this plan, with the exception of the labelling of the new turnpike road, now the A696, and the road from Knowesgate labelled 'to Morpeth', there is no evidence that other tracks were public. However the fact that the two routes, shown on the earlier county maps are shown linking the village to the road 'to Morpeth' suggests that their public rights were recognised. The footpath leading north east from the application route is labelled as such (and is recorded on the current definitive map). This is further evidence that the public rights along the application route were recognised.

See extract

"5. 1863 1st ed OS scale 1:2,500 (25") sheet LXX/1

The route is shown to be in the parish and township of Kirkwhelpington. It is shown to pass through plot 43, this is where it ceases to have public rights today. Plot 43 is recorded as 'pasture &' in the relevant OS Book of Reference for this parish and township. This is the way that unfenced routes across pastureland are normally recorded. In this case it includes the area crossed by the recorded bridleway as well as the application route.

It can also be seen at a scale of 1:10,560 (6") on roll 12.

See extracts

"6. 1895 2nd ed OS scale 1:10,560 (6") sheets LXX NW and LXX SW

From this edition, it can be seen that a quarry was affecting the route was opened up between 1863 and 1895. In 1895 the historic route is shown continuing into the early quarry workings, with Middle Whitehill to the west as is the situation today.

"By looking at OS maps for this small area over time, one can see the influence of a working quarry on the application route. For most of the 19th century there was no quarry and the ancient route, as shown on the early county maps, continued northwards to meet the road from Knowesgate.

"From just before the turn of the century a quarry was developed and this will have impinged on or maybe even totally obstructed the public rights. No evidence of any formal extinguishment of them has been found.

"Over the following decades, the quarry expanded and then slowly declined with a route through the old workings eventually becoming clear again. By 1959, there is no evidence of the workings and the route is again clearly shown linking to the road.

"During the period in the early 1950s when the survey work was done by parish councils for the first draft of the definitive map, the presence of the quarry would have been well known and it could explain why no route was shown linking the bridleway to the road. Either it was accepted that it was not possible for the public to get through at the time or maybe the route used for extraction of material from the quarry was presumed to be a public road.

"Today all signs of the quarrying activity have disappeared and a well made through route can be clearly seen on the ground linking the current dead end public bridleway to the road from Knowesgate.
See extracts

"7. 1910 Finance Act Plan NRO 436/LXX/1

The application route is shown to be in hereditament 106, owned by the Rev RR Hedley and occupied by W Forster of Glebe Farm. No deduction for 'right of way or user' was claimed but then none was claimed for any of the plots in the relevant field book NRO 2000/22 even though there are many rights of way and unfenced county roads crossing the area. This situation is not unusual in Northumberland.

"Conclusion

From the evidence given above, it would appear that the application route is only a small section of a historic route. Most of this route is already recorded as a public bridleway. A possible explanation for this missing link is connected to the presence of quarry workings in the immediate area. These workings are now long gone and the restoration work has been completed. So a clear route exists on the ground linking the dead end bridleway to the road.

"Please can you consider the evidence in the hope that bridleway rights can be recorded to enable this ancient route from the village to link to the road to the north near Knowesgate as in days gone by?"

3. LANDOWNER EVIDENCE

- 3.1 By letter, dated 27 November 2019, the NFU responded to the consultation on behalf of Mr JJ Brown of East Whitehill Farm, stating:

"Further to the application for modification by Diane Holmes, in connection with the alleged bridal way we would like to confirm that having looked at all the maps supplied by our member, Mr JJ Brown of East Whitehill Farm we cannot agree with her evidence. We would request that the modification order be rejected as the application is based on incorrect information. The right of way to which Diane Holmes is referring runs to the east of the old site of East Whitehill Farm and the former quarry and not the west of the former quarry / farm site.

"We have also looked at the photographic evidence that she has supplied and are slightly concerned that the first photograph appears to have been taken from private land. If this is the case, there has been a trespass committed as the road is clearly marked as private with a locked gate at the end of the track onto the C195. This gate is clearly labelled with a private property sign confirming no public right of way. The track shown on the photograph is used as regular access by our member to the fields where he has his livestock. It has never been used as a footpath or right of way.

"We hope that you will take full account of the evidence sent to you by Mr Brown which we strongly believe confirms there isn't any right of way connecting to the C195. The footpath to the east of East Whitehill Farm travelling towards Mary Castle, is the one shown on the evidence provided by Diane Holmes."

3.2 By letter, dated 30 November 2019, Mr JJ Brown of East Whitehill Farm responded to the consultation, stating:

"Further to your letter dated the 17th of September 2019, I am submitting evidence to show that there is no public right of way from Points T to points S on the map sent by yourself to the main road C195 as stated by Diane Holmes of 3 Manor Farm, Ulgham in her notice for a modification order.

"Having looked at the evidence submitted from Diane Holmes with maps dated 1769, 1820 and 1828 they show the location of where East whitehill farm was previously situated. Looking at all the maps she has submitted as evidence it shows that the right of way passes East whitehill (old steading) to the east side directly towards Mary castle following the line of the footpath currently in existence.

"We are submitting three maps, one dated 1863, 1st edition OS, which shows the former location of East whitehill farm with a footpath ending at the farm steading but also showing a footpath running to the east of the farm towards Mary castle. We are also submitting a map edition of 1924 which clearly shows the bridal way finishing at the bottom end of the quarry but a footpath passing again to the east of the quarry towards Mary castle. In addition to that, we also supply a map which is the 1922 3rd edition OS, again showing the bridal way ending at the bottom of the quarry but a footpath travelling across the field to the east of the old farm steading again towards Mary castle.

"Finally, we supply you with a lease for the land and quarry between the Reverent Philip Ellis and Northumberland county council dated 6th of may 1897 which again shows the right of way terminating at the old steading of East whitehill **Page 13** of the maps we have submitted

show the right of way extend past the old East whitehill steading on the west side as suggested by Diane Holmes and then connecting to the main road C195.

"The current road into the field and the water filtration system was put in by Northumberland county council before surrender of the refuse site lease on 30th September 1997. This road was put in to provide private access for the county council to the water installation and for ourselves to access our land where we keep our farm animals. It has never been a right of way and was never intended to be a right of way.

"Further to this we would inform you that the current site of East whitehill farm is a new steading built in 1913 and was originally called the Glebe. It is important therefore that when looking at the maps given in evidence it must be understood that the footpath ran to the site of the original farm steading as seen in the maps submitted in evidence by Diane Holmes and by myself.

"In addition to the maps I am offering in evidence, I would like to point out that the gate from the main road (C195) to our private track has not been used for public access at any time. The first lease given to the council to start works in the quarry was the 7th march 1986 and the access has been padlocked everyday since that date. Therefore there has been no public access to the track and the padlocks can only be unlocked by the phone mast company, the county council and myself. "I would like to ask that you take full consideration of my evidence which I believe is clear and that the public right of way has never connected with the C195, and currently ends at the south gate (points T). there is clearly a footpath that runs to the east of the land in question, across fields towards Mary castle and we believe that this is the right of way shown in the evidence supplied by Diane Holmes.

"We also like to point out that a current bridleway exists, leaving Kirkwhelpington village and follows the line of the St Oswald way, which proceeds through west whitehill and terminates at the C195.

"I await confirmation that you have accepted my evidence and that the information that I have supplied to you is accurate and in good faith."

4. CONSULTATION

4.1 In September 2019, the Council carried out a consultation with the Parish Council, known owners and occupiers of the land, the local County Councillor and the local representatives of the "prescribed and local organisations" listed in the Council's "Code of Practice on Consultation for Public Path Orders". Two replies were received and are included below.

4.2 By email, in October 2019, the British Horse Society responded to the consultation, stating:

"Parish of Kirkwhelpington, alleged public bridleway 31
At present BW 31 is a dead end in the middle of a field. This is likely to have been an error made in the 1950s when the definitive map was being drafted. Its continuation northwards to join the next road exists

on the ground so it seems logical that it should be recorded on the definitive map.”

- 4.3 By email, on 4 December 2019, Kirkwhelpington Parish Council responded to the consultation, stating:

“Kirkwhelpington Parish Council wish to object to the above application.

“The Parish Council believe there has never been a public right of way through the quarry, and the applicant appears to have been confused by the change of names of the two farms; The Glebe, now known as East White Hill and the previous East White Hill situated inside the old Quarry.

“There are concerns that if a number of horse riders wanted to use the bridleway (if it were granted) where would they be parking their horse boxes? - the Parish Council regularly receive complaints about congested parking in the village, and horse boxes etc are much larger than the average family car.”

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 evidence of a “Country Road” over a route resembling both existing Bridleway No 31 and its alleged extension.

1820 Fryer's County Map

There is clear evidence of an “Other Road” over a route resembling both existing Bridleway No 31 and its alleged extension.

1827 Cary's Map

There is clear evidence of a “Parochial Road” over a route resembling both existing Bridleway No 31 and its alleged extension.

1828 Greenwood's County Map

There is clear evidence of a “Cross Road” over a route resembling both existing Bridleway No 31 and its alleged extension.

1844 Tithe Award (Township of Kirkwhelpington)

There is clear evidence of what appears to be an unenclosed road or track over the route of existing Bridleway No 31 and its alleged extension.

c.1860 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an unenclosed track / path along the route of existing Public Bridleway No 31, but not over the route of the alleged bridleway extension. A broadly parallel route, some 20 to 40 metres east of the alleged bridleway is depicted, but this stops at the former site of East Whitehill, which appears to have been situated some 30 to 40 metres east of the current masts.

c.1865 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an unenclosed track / path along the route of existing Public Bridleway No 31, but not over the route of the alleged bridleway extension. A broadly parallel route, some 20 to 40 metres east of the alleged bridleway is depicted, but this stops at the former site of East Whitehill, which appears to have been some 30 to 40 metres east of the current masts.

1897 Ordnance Survey Map: Scale 1:2500

As with the 1860s maps, there is clear evidence of an unenclosed track / path along the route of existing Public Bridleway No 31, but not over the route of the alleged bridleway extension. A broadly parallel route, some 20 to 40 metres east of the alleged bridleway is depicted and, unlike the 1860s maps, there is now a connection between East Whitehill and the C195 road. There is also, now, a quarry, on the line of most of the alleged Bridleway No 31 extension. Although existing Public Footpath No 30 (which connects with existing Bridleway No 31, south-east of Middle Whitehill) is labelled as a footpath ("FP"), existing Bridleway No 31 is not labelled, which suggests the Ordnance Survey surveyor believed the route was of a higher status. The alleged continuation isn't shown (it goes through a quarry).

1897-8 Ordnance Survey Map: Scale 1:10,560

This map shows broadly the same as the 1:2500 scale version, just at a smaller scale.

Finance Act 1910 plan

There is clear evidence of a path / track over the route of almost all of existing Public Bridleway No 31 on the Ordnance Survey base map. No 18. The enclosed southern end of the existing bridleway (at Kirkwhelpington village) is separated from the surrounding land by coloured boundaries. This is a good indication of public highway status. The remainder of the existing bridleway route, and the claimed extension through to the C195 road is not enclosed and therefore, unsurprisingly isn't separated from the surrounding land by coloured boundaries. Nor is it annotated with any remarks relating to its status.

1922 Ordnance Survey Map: Scale 1:2500

There is evidence of a track as far as Middle Whitehill (this is existing Bridleway No 31). There is no evidence of a path or track over the route of the alleged northerly extension to Bridleway No 31 (this goes

through a quarry). The quarry has expanded, easterly, to incorporate the track which previously connected East Whitehill to Bridleway No 31.

1924 Ordnance Survey Map: Scale 1:10,560

This map shows broadly the same as the 1:2500 scale version, just at a smaller scale.

c.1952 Definitive Map – original Survey Schedules & Map

Although existing Bridleway No 31 was identified for inclusion as a public bridleway, its alleged continuation, northwards beyond a field gate and through the quarry was not identified for inclusion.

Draft Map

Existing Bridleway No 31 was identified for inclusion as a public bridleway (numbered "9"). As with the Survey map, the claimed route was not identified for inclusion as a public right of way of any description.

Provisional Map

As with the Draft Map, existing Bridleway No 31 was identified for inclusion as a public bridleway (numbered "9"). Once again, the claimed route was not identified for inclusion as a public right of way of any description.

1962 Original Definitive Map and Statement

Existing Bridleway No 31 is clearly identified as a public bridleway. It begins at the southern boundary of the quarry and the Definitive Statement described the route "From the south end of the Quarry east of Middle Whitehill ...". No public rights are identified over the alleged bridleway extension. Existing Public Footpath No 30 is also shown and it proceeds north-easterly, towards Mary Castle, from a point roughly 150 metres south of the existing northern end of Bridleway No 31.

1957 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an unenclosed track / path over the existing bridleway route (though, now, it is labelled "FP"). There is now evidence of a track resembling the route of the alleged bridleway extension, through the quarry.

First Review Definitive Map

The situation with regard to existing Footpath No 30 and Bridleway No 31, and the alleged bridleway extension, remained the same as that shown on the original Definitive Map.

1980 Ordnance Survey Map: Scale 1:10,000

Neither the route of existing Bridleway No 31 nor that of existing Footpath No 30 are shown on the base map. A track resembling the

alleged Bridleway No 31 extension is, however, depicted, proceeding north-westerly, through the quarry to the C195 road.

6. SITE INVESTIGATION

6.1 Where existing Public Bridleway No 31 crosses the open pasture, it is largely undefined on the ground. On a field gate, south-east of (Middle) Whitehill, there is a small sign saying "Private No Public Right of Way". The existing public bridleway actually extends some 50 metres beyond this sign / gate. From the gate, existing bridleway No 31 follows a 2.5 metre wide stone / earth / grass surfaced track in a north-westerly direction for 50 metres. There is nothing on the ground to mark the actual point where the existing bridleway ends and the alleged bridleway begins. The alleged bridleway continuation follows the same 2.5 metre wide stone / earth / grass surfaced track through the former quarry for a distance of 185 metres, to another field gate. Beyond that field gate, the 2.5 metre wide track, within a 4.5 to 5.5 metre wide corridor, continues north-westerly for a further 65 metres to another field gate. The alleged bridleway continues north-westerly (initially over a track, but latterly over a wider tarmac splay) for a further 35 metres to join the C195 road 155 metres south of 'new' East White Hill.

7. COMMENTS RECEIVED ON THE DRAFT REPORT

- 7.1 In March 2023, a draft copy of the report was circulated to the applicant and those landowners / occupiers who responded to the initial consultation for their comments.
- 7.2 By email, on 21 March 2023, James Copeland of the NFU, responded stating:

"Further to your letter and draft report sent to our member Mr JJ Brown on 13 March 2023, and his conversations with yourself and the NFU, I hope you can help clarify the current position of the draft report. As he has explained, we note the conclusion that 'public bridleway rights have not been reasonably alleged to exist over the application route between points T and S' as submitted by the applicant and the parameters that have formed the basis of communication with our member since September 2019. However, our member was only informed on 13th March 2023, that you have now 'reasonably alleged to exist over a slightly different route, between points T and X'.

"Furthermore, the notification that 'given the obvious practical difficulties of re-establishing a bridleways on the T-X route' that you are recommending that the bridleway is diverted back to the dismissed alleged public bridleway route. He has also raised safety concerns in relation to the Northumberland County Council landfill site that this alleged route would cross, which I assume has been discussed with your waste team.

"For us to advise our member, we have asked our member to seek the deferral of this report going to the April 2023 Tynedale Local Area Council meeting and an extension to the deadline for additional information of the 27 March 2027. I believe he has already spoken with you, but he wasn't able to confirm if a deferral and extension has been

granted. Can you kindly confirm if our members request has been granted.”

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 Although Ms Holmes’ application only sought to record this route as a public bridleway, when determining this application, the Council must consider all the available evidence. It is sometimes the case that the evidence which is gathered may point to the existence of higher (or lower) public rights than those that were originally applied for.

8.4 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.

8.5 The route of existing Bridleway No 31, and its alleged extension to the C195 road, is readily identifiable on Armstrong’s, Fryer’s and Greenwood’s County Maps of 1769, 1820 and 1828 and on Cary’s Map of 1827. Whilst Armstrong’s map may not be sufficiently detailed for us to be able to say, with any great confidence, precisely where he had the route joining the C195 road, it is clear that the other three maps are all showing the route connecting at Whitehill, not Mary Castle, and there is no good reason to assume that Armstrong’s intention was to show something different from the other three. It is common for Armstrong’s, Fryer’s Cary’s and Greenwood’s maps to be presented as evidence in support of additional public rights. Where a route is shown on one or two of these maps, this is generally viewed as decent evidence in support of public highway rights (usually vehicular but, potentially, just bridleway). Where a route is depicted on all four maps the cumulative effect of this is considered to be particularly persuasive.

8.6 On the plans produced in association with the Finance Act of 1910, the enclosed southern end of existing Bridleway No 31 is shown as being separated from the surrounding land by coloured boundaries. This is a good indication that this part of the route was considered to be a public vehicular highway, at that time. The remainder of the Bridleway No 31 route and also the alleged extension were not shown as being separated from the.

surrounding land, though this is almost certainly because these sections weren't physically separated, crossing mostly open pasture.

- 8.7 The route of existing Public Bridleway No 31 has been consistently identified on Ordnance Survey maps between c.1860 and 1957. A route resembling that of the alleged Bridleway No 31 extension has only been shown on Ordnance Survey maps quite recently. In 1957, there was a route shown through the quarry, but it's not quite the same as the alleged bridleway route. The route shown on the 1980 Ordnance Survey map is similar, but nevertheless slightly different, immediately north-east of Middle Whitehill. The route depicted now, is a bit different again, staying closer to the western boundary line than previously. On the 1897 through to 1924 maps, the route of the alleged bridleway proceeds through a working quarry site and, unsurprisingly, no physical evidence of it is identified on these maps. On the 1897 OS map, a track which is a close match for the one shown on the pre-quarry 1860s OS maps, skirts the eastern boundary of the quarry to East Whitehill, then continues north-westerly to join the C195 road. On the 1860s OS maps, the short East Whitehill to C195 road link is, curiously, missing.
- 8.8 In the Kirkwhelpington Tithe Award, the existing bridleway route is clearly depicted as a track, as is a northerly continuation to the C195 road, which broadly follows the one identified on the 1860s and 1890s OS maps. A "Foot Road" branches off this track, following the route of existing Public Footpath No 30, to Mary Castle.
- 8.9 On the Survey maps produced in association with preparation of the first Definitive Map of Public Rights of Way, in the early 1950s, the existing route of Public Bridleway No 31, was identified terminating at a field gate, on the (then) quarry boundary. No continuation through, or around, the quarry was shown. On the accompanying Survey schedule, dated January 1953, the ground for believing this route to be public was given as "General use" and, lower down, "Local knowledge", but it was also indicated that the Tithe Map of 1844 was consulted. The existing Bridleway No 31 route remained identified as a cul-de-sac public bridleway through the Provisional and Definitive Map stages.
- 8.10 Both Mr Brown of East Whitehill and the NFU, supporting him, have suggested that the documentary evidence supplied by the applicant reflects the existing public footpath route between existing Bridleway No 31 and the C195 road at Mary Castle, rather than an additional bridleway route through the former quarry. They believe that the applicant may have been misled by the re-siting of East Whitehill Farm to the opposite side of the C195 road, in 1913. The disappearance of the old East Whitehill Farm at the quarry, and its re-emergence further to the north might have the potential to confuse the unwary, but I don't have any reason to believe that is the case in terms of this application. It is reasonably clear that the Tithe Award map of 1844 and the earlier OS maps show two routes. The main one continues north-westwards, to join the road at Whitehill and a more minor footpath offshoot proceeds more north-easterly to join the road at Mary Castle. Although the earlier Armstrong, Fryer, Cary and Greenwood maps only show one route, it clearly isn't the Mary Castle footpath one. Armstrong's, Fryer's, Cary's and Greenwood's maps typically show roads (and a small number of public bridleways), not public footpaths. Mr Brown has also supplied an extract of a lease between the Rev Philip Ellis and Northumberland County Council, dated 6 May 1897, which appears to relate to two small parcels of land west of the 'old' East Whitehill. This land appears to form part of the original quarry, as shown on the 1890s OS maps.

- 8.11 The other consultation responses were conflicting. The British Horse Society has noted that the existing Public Bridleway No 31 is an improbable cul-de-sac, ending in the middle of a field. They have suggested that since a continuation of this route does, in fact, exist on the ground, this continuation ought to be recognised as the logical extension of the existing bridleway. Whilst the comment regarding the improbability of the cul-de-sac is sound, cul-de-sacs can nevertheless exist, and it doesn't follow, given the extensive quarrying operations which have taken place, here, in the past, that the route which exists, now, is necessarily the same route that any public bridleway continuation may have followed, historically. The Parish Council does not believe there has ever been a right of way through the quarry. They also suggest that the applicant may have been confused by the farm name changes, and voice concerns that extending the bridleway might lead to additional horse boxes being parked in the village, making an existing congestion problem, there, even worse. Whilst concerns about parking are entirely understandable, and the existing parking problem may (but might not) be made worse by the outcome of this process, this matter isn't relevant when determining whether or not public rights exist over the claimed route.
- 8.12 Based on the historical map evidence available, it appears that, prior to the Otterburn Turnpike Road being constructed (presumably between 1828 (Greenwood) and 1842 - see the 1842 Tithe Award map), anyone wishing to travel northwards from Kirkwhelpington would have had to use either the route now recorded as Public Bridleway No 28 (through West Whitehill) or the route now recorded as Public Bridleway No 31 (passing to the east of Middle Whitehill). Both are shown on Fryer, Cary and Greenwood, though only the more easterly route appears to be shown on Armstrong. It appears almost certain that the route passing West Whitehill would have been a vehicular one. Possibly the one passing Middle Whitehill was of lesser importance (being no more than a public bridleway), in much the same way that the spur off this route (the footpath to Mary Castle) was of lesser importance, being a short cut for pedestrian traffic. When the turnpike road was constructed, the importance of the West Whitehill and Middle Whitehill routes is likely to have diminished, but the public's rights over them won't have changed, unless these were formally stopped up or diverted. Examining the Quarter Sessions indexes, I couldn't find any evidence that public rights were removed from the Middle Whitehill route. The route pre-dates the quarry. It seems that the earliest quarry operations didn't directly impact the through route (on the 1890s OS maps, the connection past 'old' East Whitehill still exists); but this wasn't the case later on. In more modern times, it has been possible for public highways to be temporarily closed to allow mineral extraction to take place. The public rights aren't removed, they still exist, but the right to use them is suspended. Possibly public rights were formally suspended in a similar fashion to allow the quarrying operations, or it could be that the path was closed more informally. With increasing motor vehicular use and a decline in horse drawn / ridden traffic, it's quite possible that a gradual expansion of the quarry may have gone largely unchallenged. Pedestrians would probably favour the shorter footpath link to Mary Castle anyway, because it offered a direct connection with (what is now) Footpath No 25 on the other side of the road. What remaining equestrian traffic there was, could still use (what is now) Public Bridleway No 28, further to the west.
- 8.13 It is not at all clear why Bridleway No 31 was identified as beginning at the southern boundary of the quarry, when the original Definitive Map was being prepared in the 1950s. Cul-de-sacs most commonly occur at parish

boundaries, where one parish has identified a route to their side of the boundary and the adjacent parish did not, but they can also be deliberate, ending at places of public resort, such as hill tops, the coast and river banks. The south side of a private quarry would not usually be considered a place of public resort. The applicant has suggested this situation might have come about because the track through the quarry was believed to be a public road. This is possible, but it seems unlikely, particularly if the quarry was still functioning and the way through it was physically blocked. I would suggest it is more likely that the bridleway was begun at this location because the local people responsible for identifying public rights of way were unclear of the route's status, and / or alignment through the quarry and were therefore, not unnaturally, reluctant to create difficulty or cause conflict by recommending a route that was unusable at that time. Of course, they could have tried to duck the issue altogether, by cheating and recording a single footpath between the east end of the village and Mary Castle, but it seems they were unwilling to do this, perhaps fully aware that higher rights did exist over part of this route and that it was entirely proper that these rights be recognised.

- 8.14 Significantly, though, if these public bridleway rights do exist, then they will exist on the route which existed before quarrying took place. This historical alignment does not appear to match the route applied for by Diane Holmes. Her application seeks to record public bridleway rights over the track which physically exists now. Mr Brown asserts (and I have no evidence to contradict him) that the gate south of Point S has been padlocked every day since March 1986, so it seems unlikely that any public bridleway rights could be successfully claimed over the T-S route on the basis of unchallenged user / presumed dedication (nor is the applicant apparently suggesting that they could be). The pre-quarry route identified on the Tithe Award plan, 1860s and 1890s Ordnance Survey maps follows a roughly 'parallel' alignment, slightly further to the east, and joining the C195 road some 85 metres east of Point S.
- 8.15 Advice from the Planning Inspectorate in their 'consistency guidelines' states that it is important to have the correct width, where known, recorded in the definitive statement. Where no width can be determined by documentary means (such as an Inclosure Award, Highway Order or dedication document), there is usually a boundary to boundary presumption for public highways. The historical line of the Bridleway No 31 extension no longer appears to exist on the ground, and the map evidence suggests that the route wasn't previously enclosed by boundaries anyway. On that basis, it is proposed that the bridleway be identified with the Council's standard default width of 3 metres (i.e. wide enough for two horses, travelling in opposite directions, to pass each other).
- 8.16 The NFU has advised Mr Brown that he should try to get determination of this application deferred, on the basis that the route which the Council is proposing is slightly different from the one which was originally proposed in Ms Holmes' June 2019 application, and he hasn't been given sufficient time to consider this alternative alignment. With respect, this isn't a matter which warrants a deferral. In determining any application, it is not at all uncommon for the balance of the evidence to show that public rights, if they do exist, are most likely on a different alignment and / or with a different status. This is all a normal part of the process. My recommendation that public bridleway rights have not been reasonably alleged to exist over the application route arises directly from my conclusion that the historical line of the public bridleway was

not the same as the route which is available now. Furthermore, if members do accept my recommendations then, as per paragraph 9.2, below, further dialogue with the landowner and wider consultations with other interested parties are already envisaged.

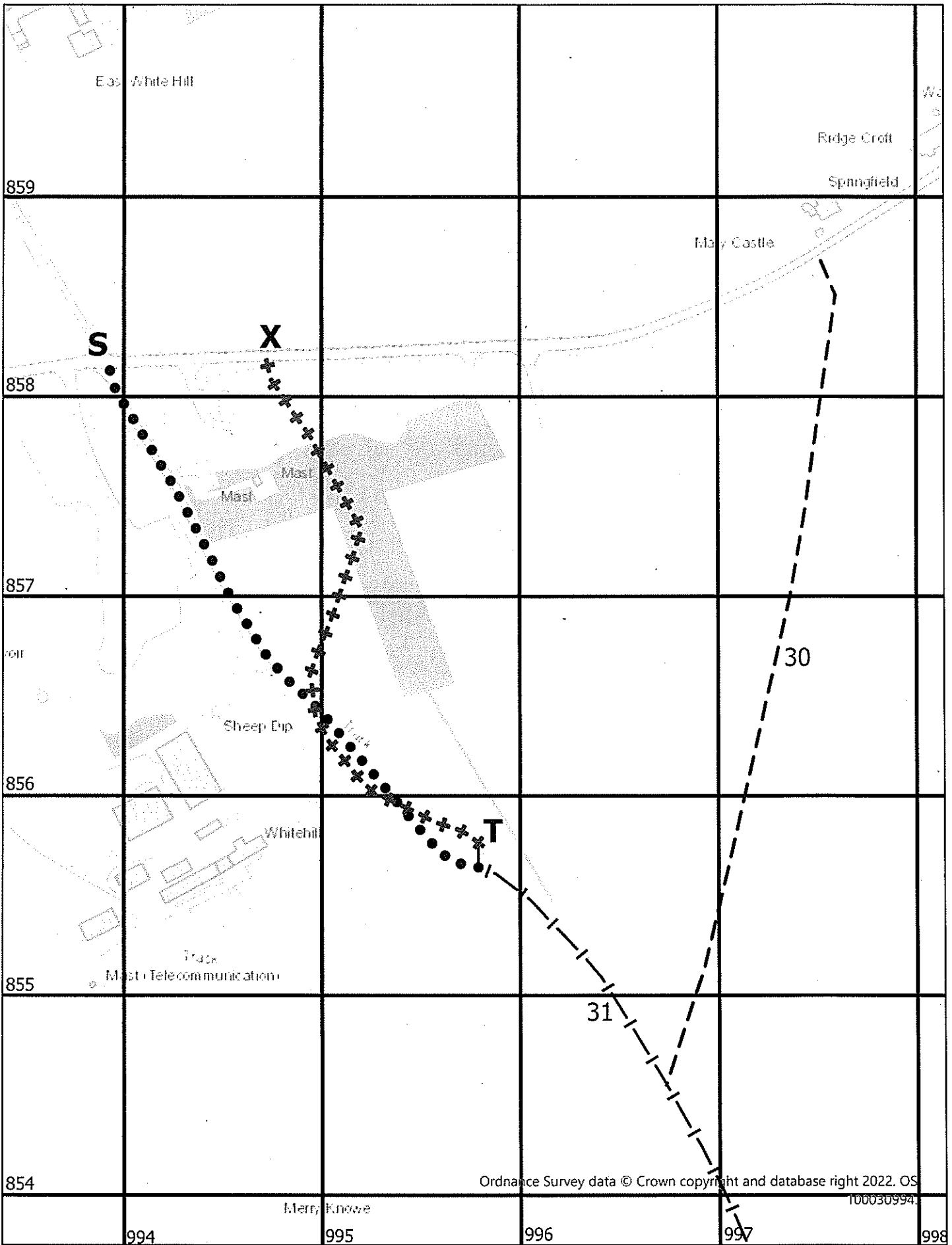
9. CONCLUSION

- 9.1 Based on the documentary evidence available, it appears that public bridleway rights have not been reasonably alleged to exist over the application route between points T and S, but have been reasonably alleged to exist over a slightly different route, between points T and X.
- 9.2 Given the obvious practical difficulties of re-establishing a bridleway on the T-X route, prior to including the route in any definitive map modification order, officers should explore the possibility of making a concurrent public path order (or orders) to divert the public bridleway onto the application route, through the quarry.

BACKGROUND PAPERS

Local Services Group File: E/30/31z

Report Author Alex Bell – Definitive Map Officer
(01670) 624133
Alex.Bell@Northumberland.gov.uk







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Northumberland
 County Council

County Hall, Morpeth, NE61 2EF
 Contact: Highway Search Team
 Email: Highwaysearch@northumberland.gov.uk

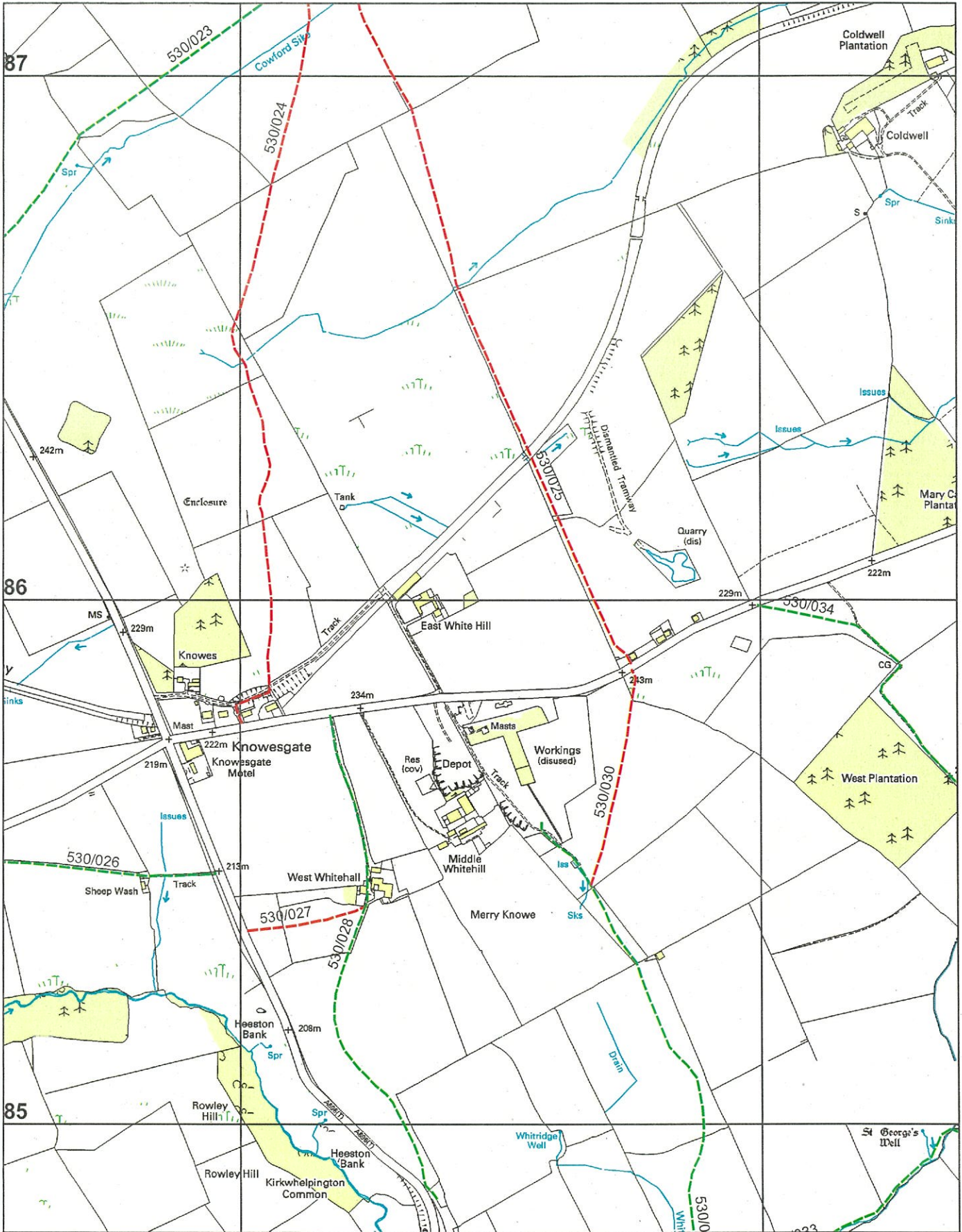
Legend

-  Existing Public Footpath
-  Existing Public Bridleway
-  Application Bridleway Route
-  Original Bridleway Route

Scale: 1: 2500

Page 149

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Northumberland
 County Council

Sustainable Transport
 Local Services

County Hall Morpeth Northumberland
 NE61 2EF Tel: 01670 533000

Legend

- Footpath
- Bridleway
- Restricted Byway
- Byway Open to All Traffic
- 1km Gridlines

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 NORTHUMBERLAND

APPLICATION FOR MODIFICATION ORDER

Former Borough/District

Parish Kirkwhelpington Rights of Way No.
(on Definitive Map)

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

I/We DIANE HOLMES (Name)
of 3 MANOR FARM, ULGHAM, MORPETH (Address)
NORTHUMBERLAND NE61 3RH

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 C 195 road at GR NY 993 858
to GR ^{NY} 996 855 where it meets B 6530/031

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
to

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)

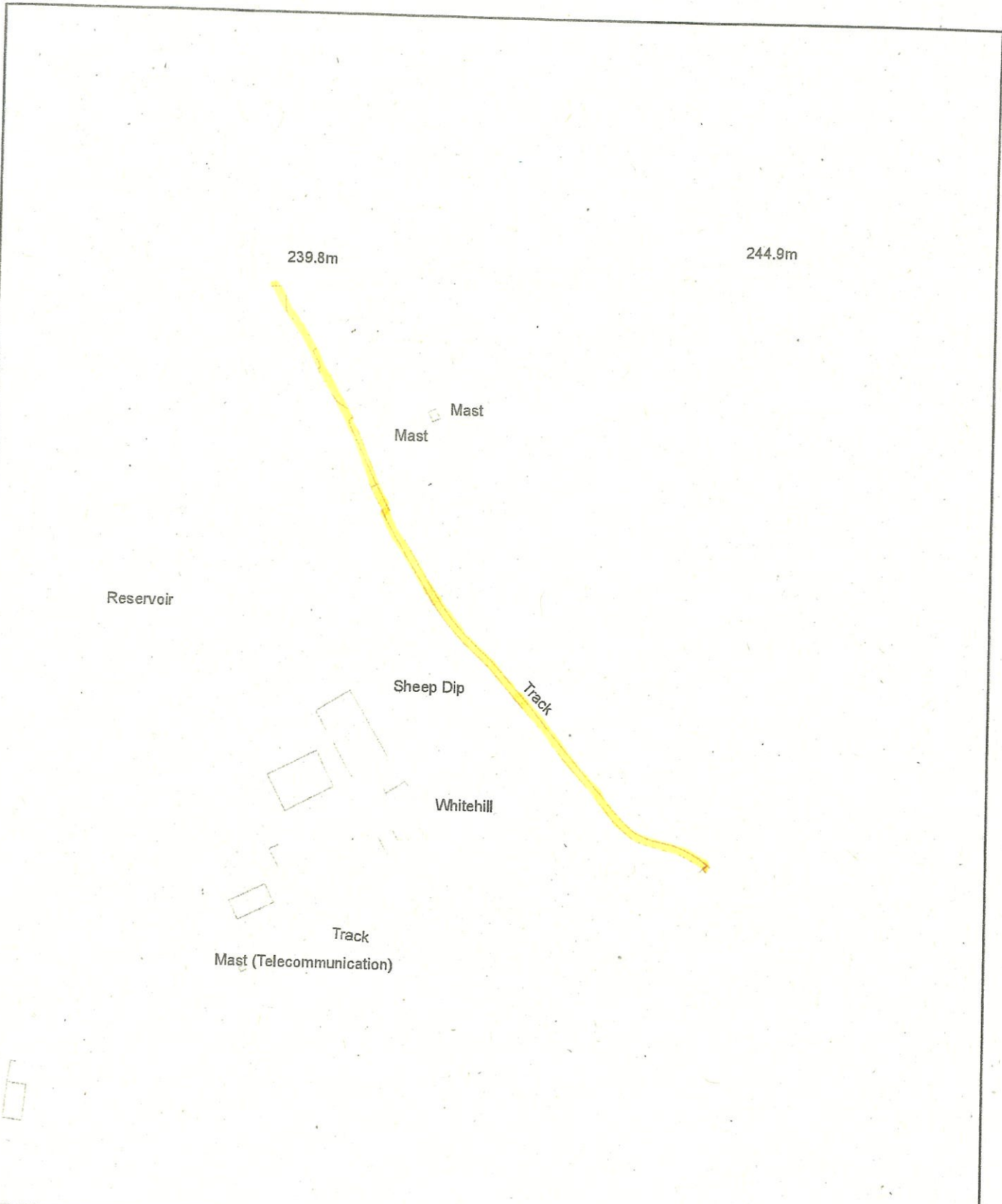
from
to

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 27th June '19 Signed Diane Holmes

NOTE: This application must be accompanied by a map showing the right(s) of way applied for. Legally such a map must be at a scale of not less than 2 1/2" to 1 mile, but 6" to 1 mile (being the scale at which the Definitive Map is to be prepared and maintained) will normally be preferable.



Northumberland
County Council

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

Wildlife & Countryside Act, 1981

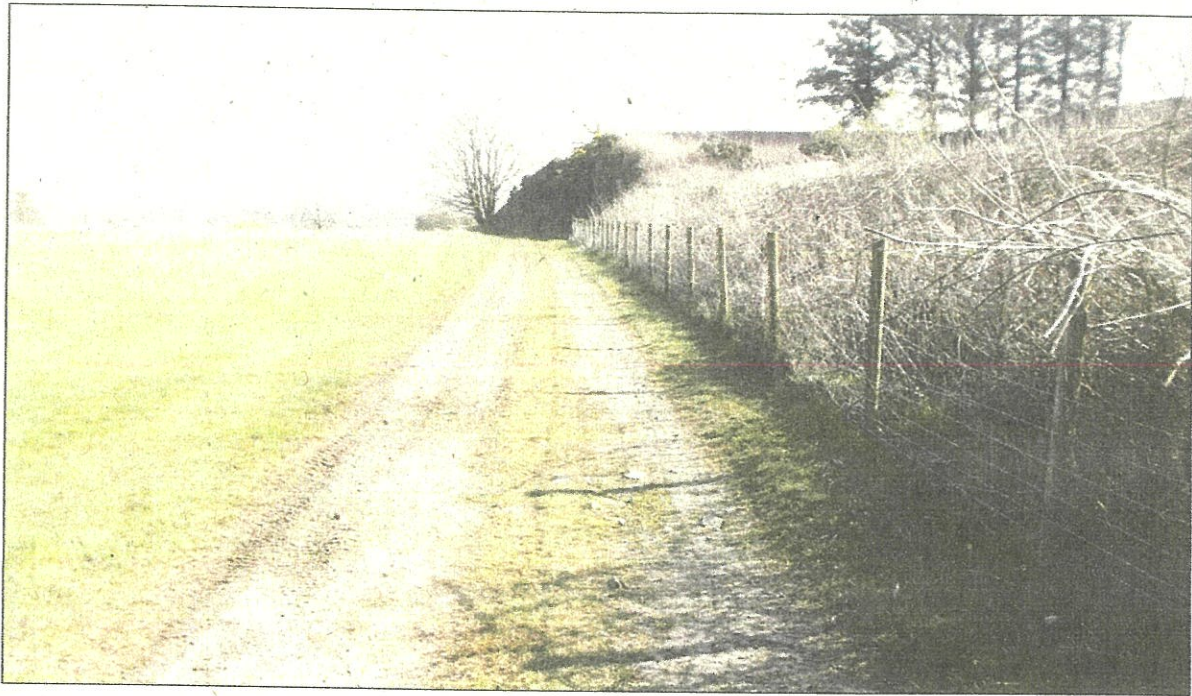


Claimed Public Right of Way

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Former District	Tynedale	Parish	Kirkwhelpington	Scale	NTS
Def. Map. No.	137	O.S. Map	NY98NE	Date	June 2019

Character of the route near Whitehill

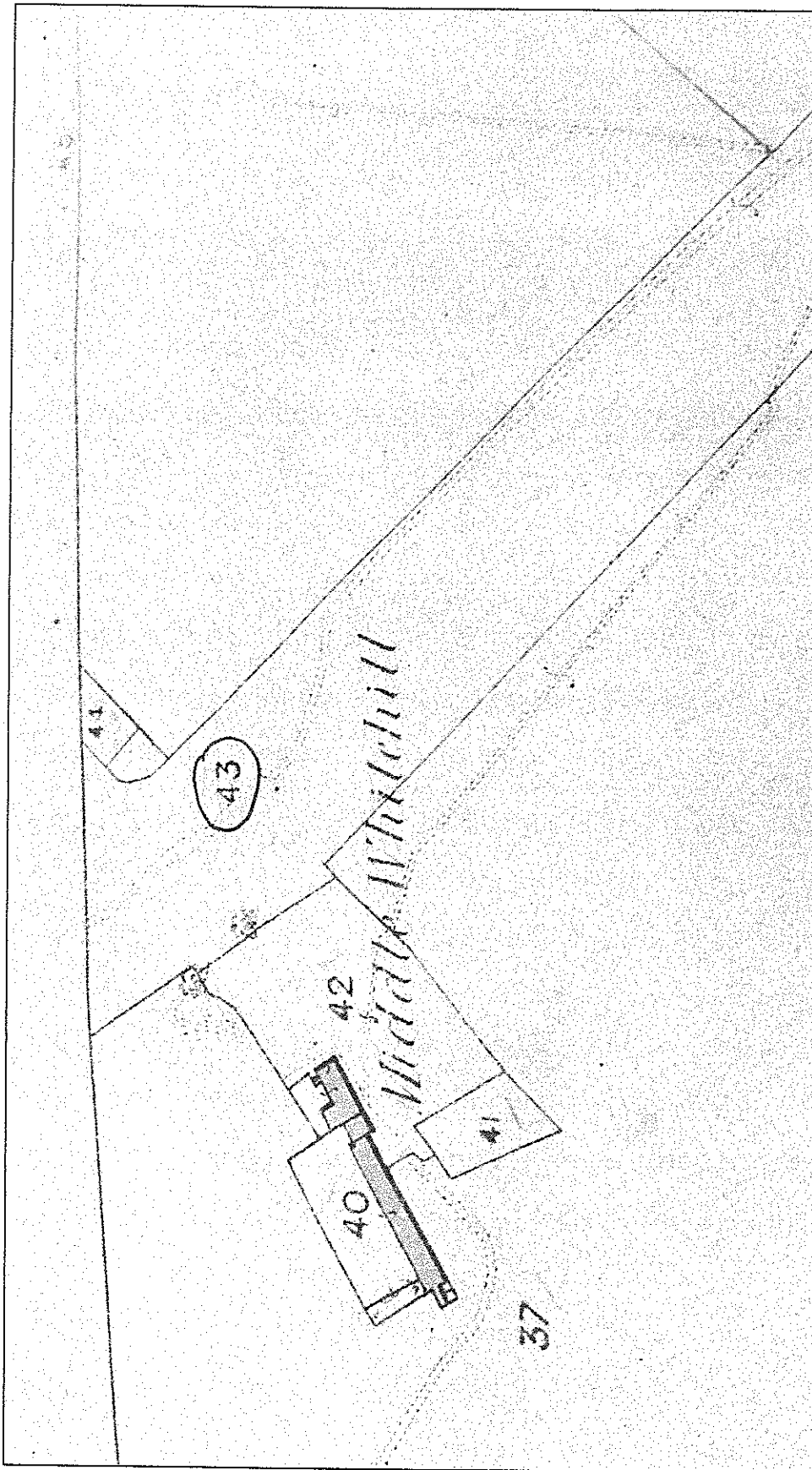


Looking south along the unrecorded section of the route from the road near Knowesgate



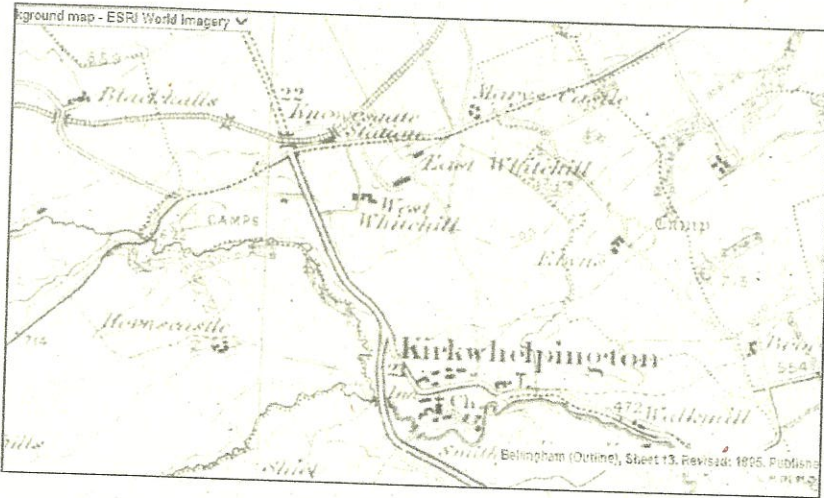
Looking south down the recorded bridleway section of this route

1863 OS 1st ed scale 1:2,500 (25")

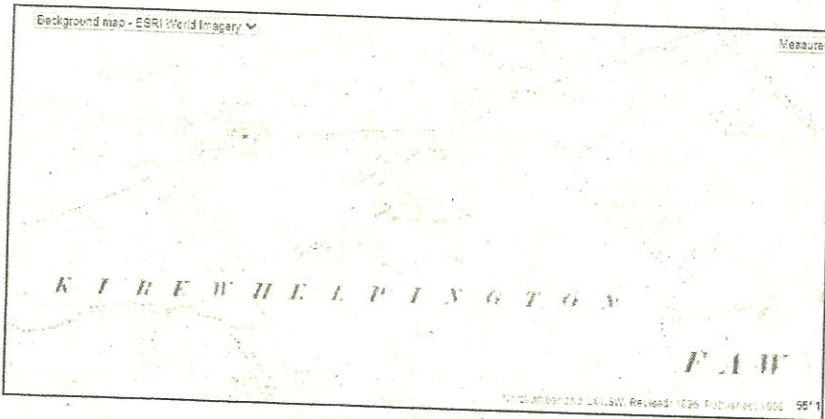


OS maps showing changes over time

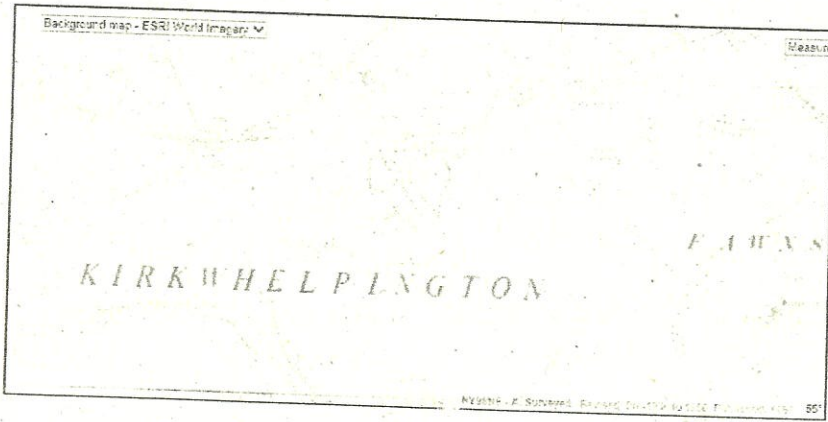
extracts from National Library of Scotland



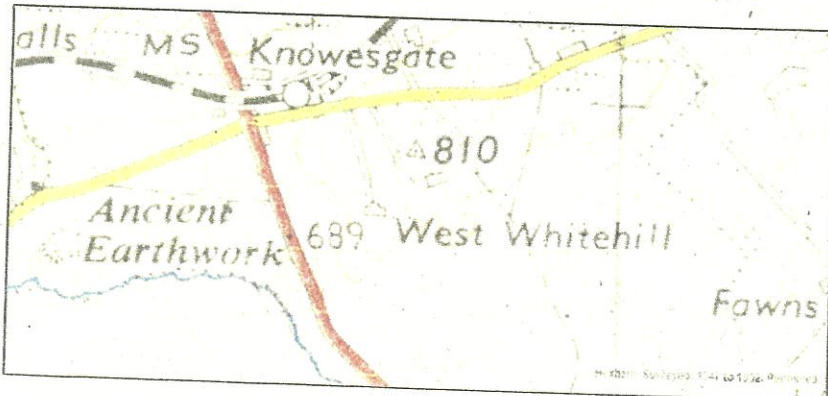
1895
Scale 1" to a mile



1896
Scale 6" to a mile

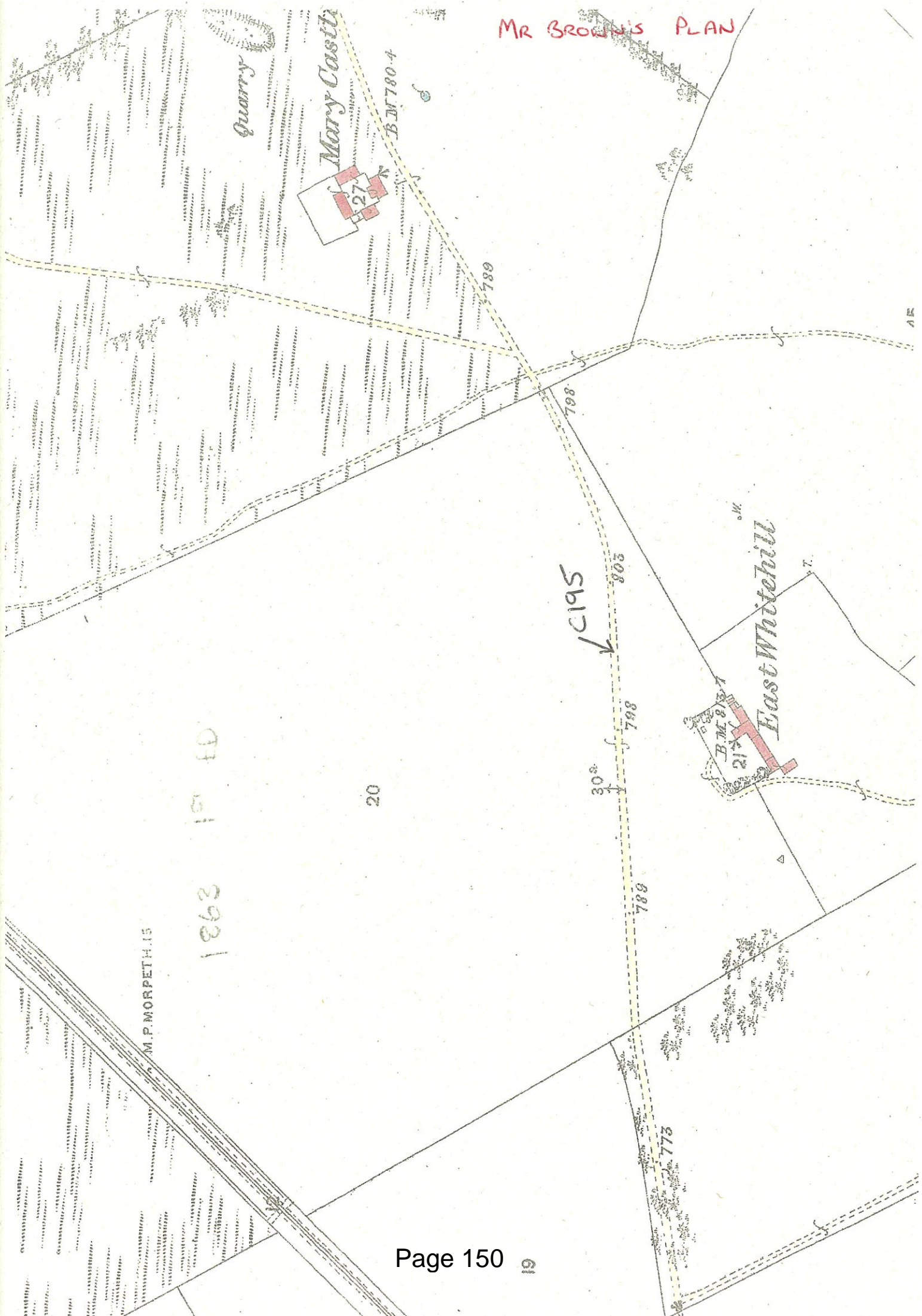


1957
Scale 6" to a mile



1959
Scale 2 1/2 " to a mile

MR BROWN'S PLAN

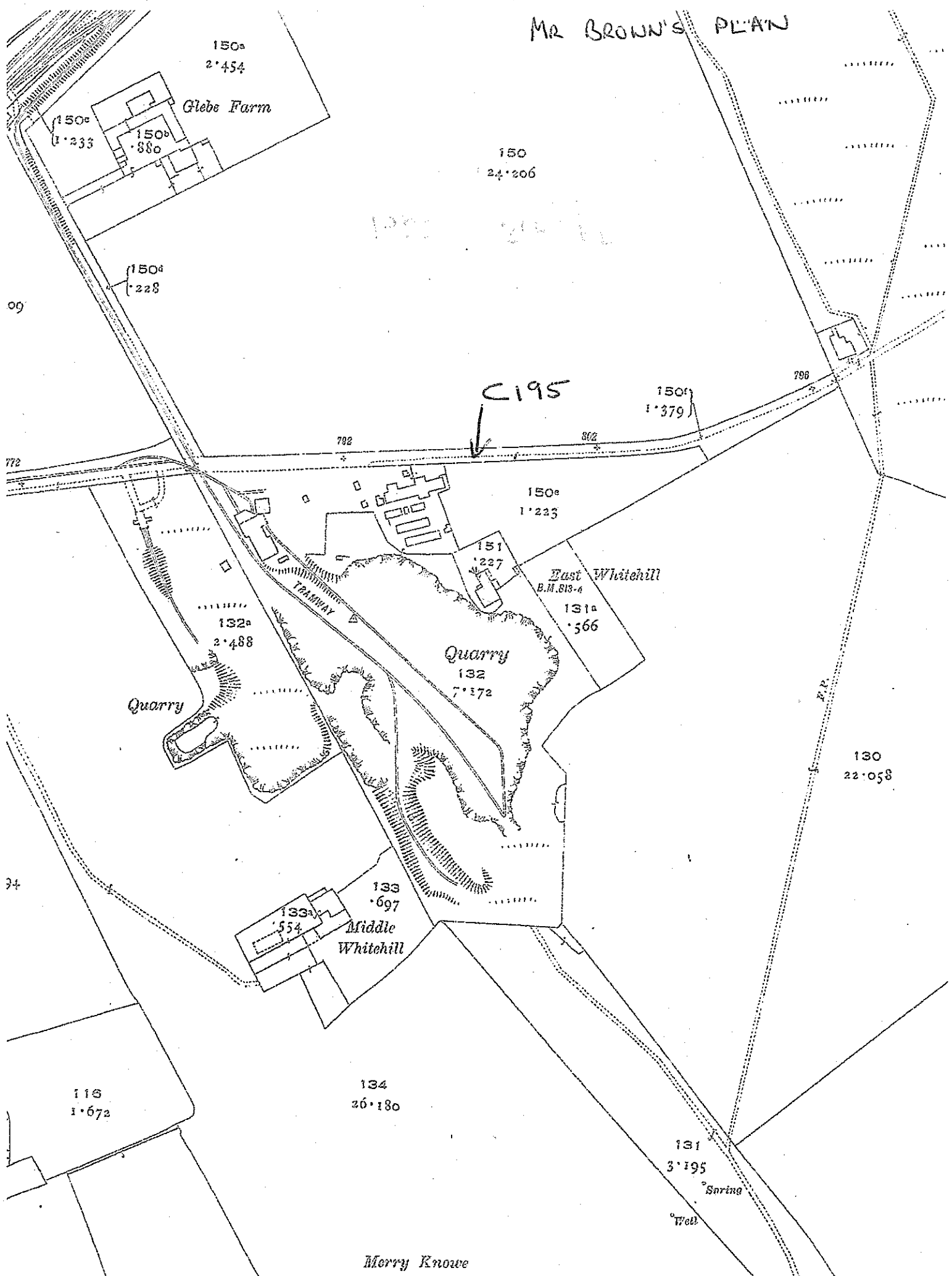


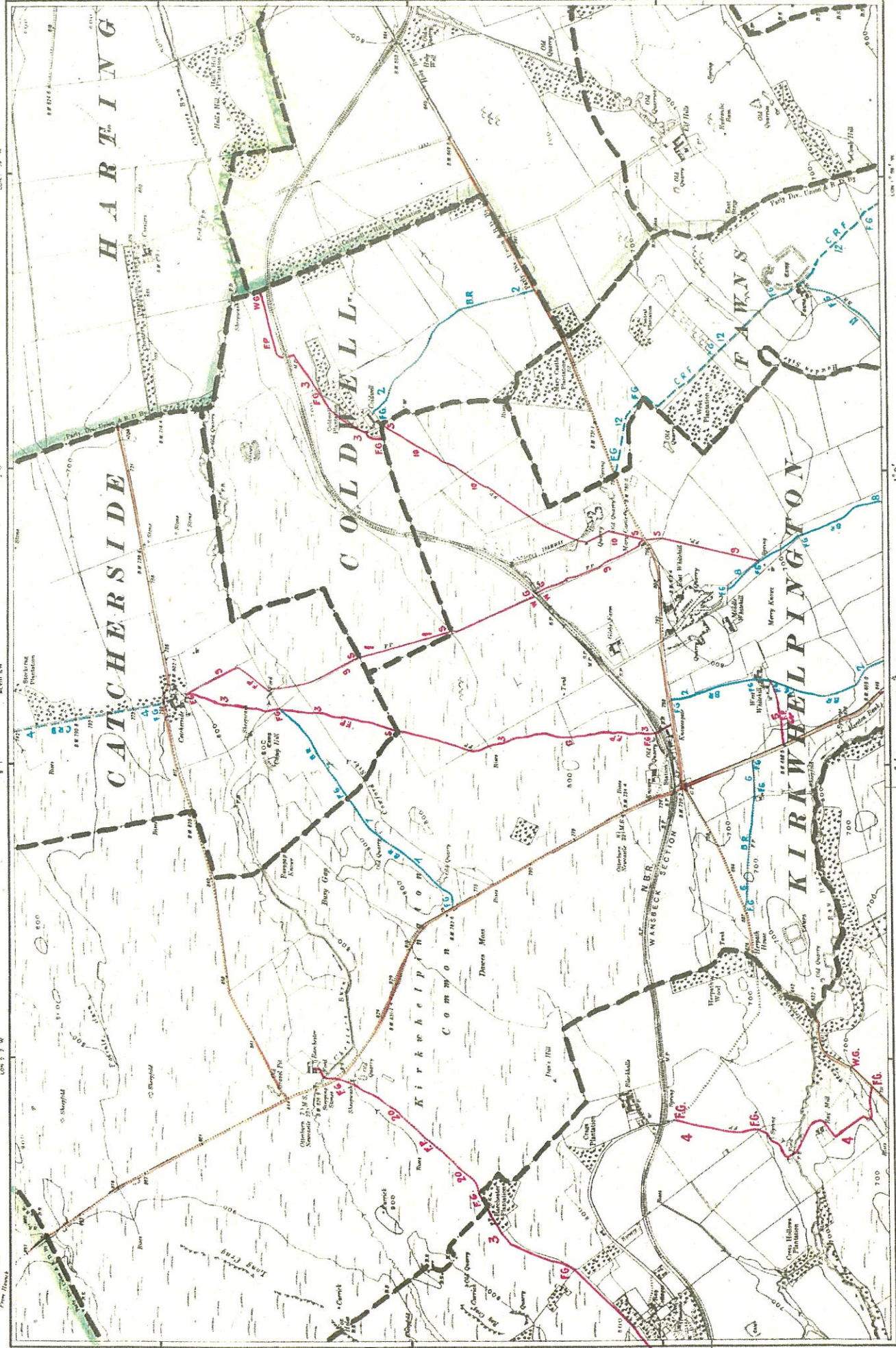
M.P. MORPETH 15

1863 19 FD

20

MR BROWN'S PLAN





DATED

1897.

KIRKWHELPINGTON VICARAGE.

THE REV. PHILIP ELLIS with the consents within mentioned.

TO

THE NORTHUMBERLAND COUNTY COUNCIL.

(DUPLICATE.)

Lease

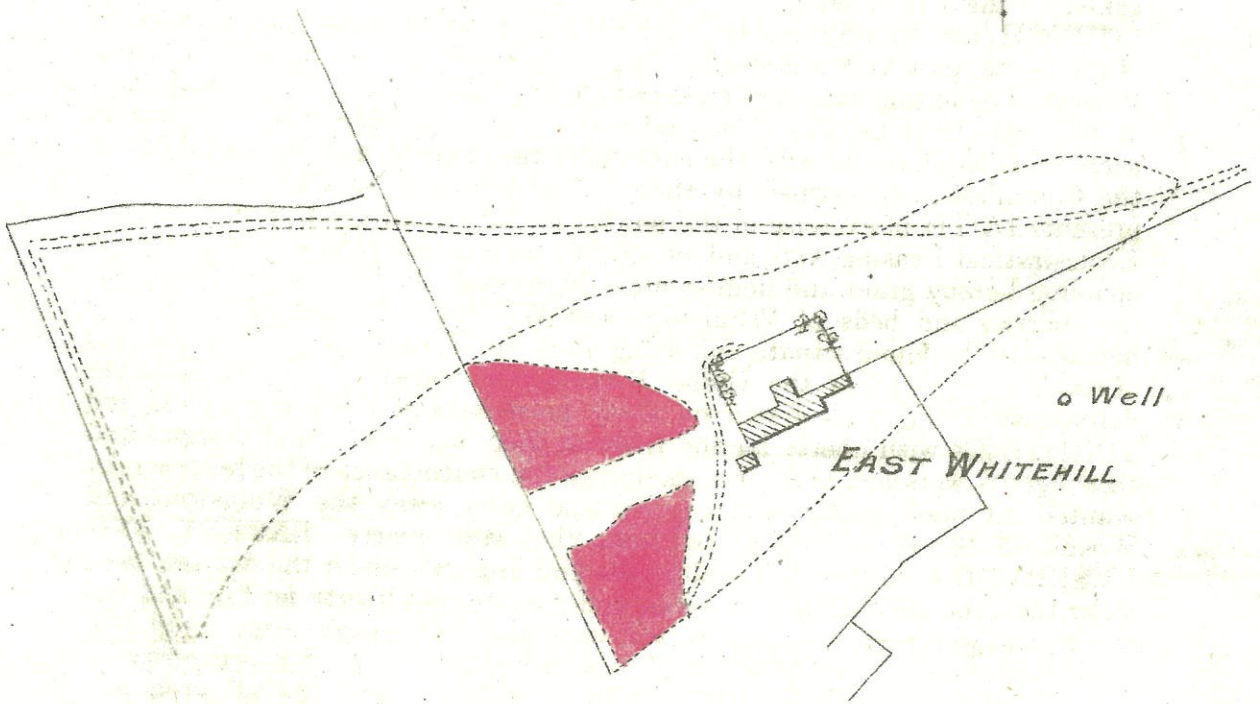
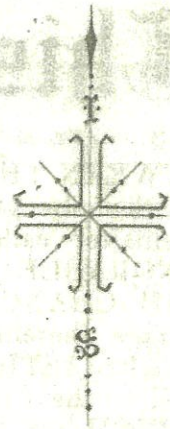
OF

Glebe Whinstone Quarry

MILLES, JENNINGS-WHITE & FOSTER,
S. Whitehall Place, S.W.



Plan referred to.

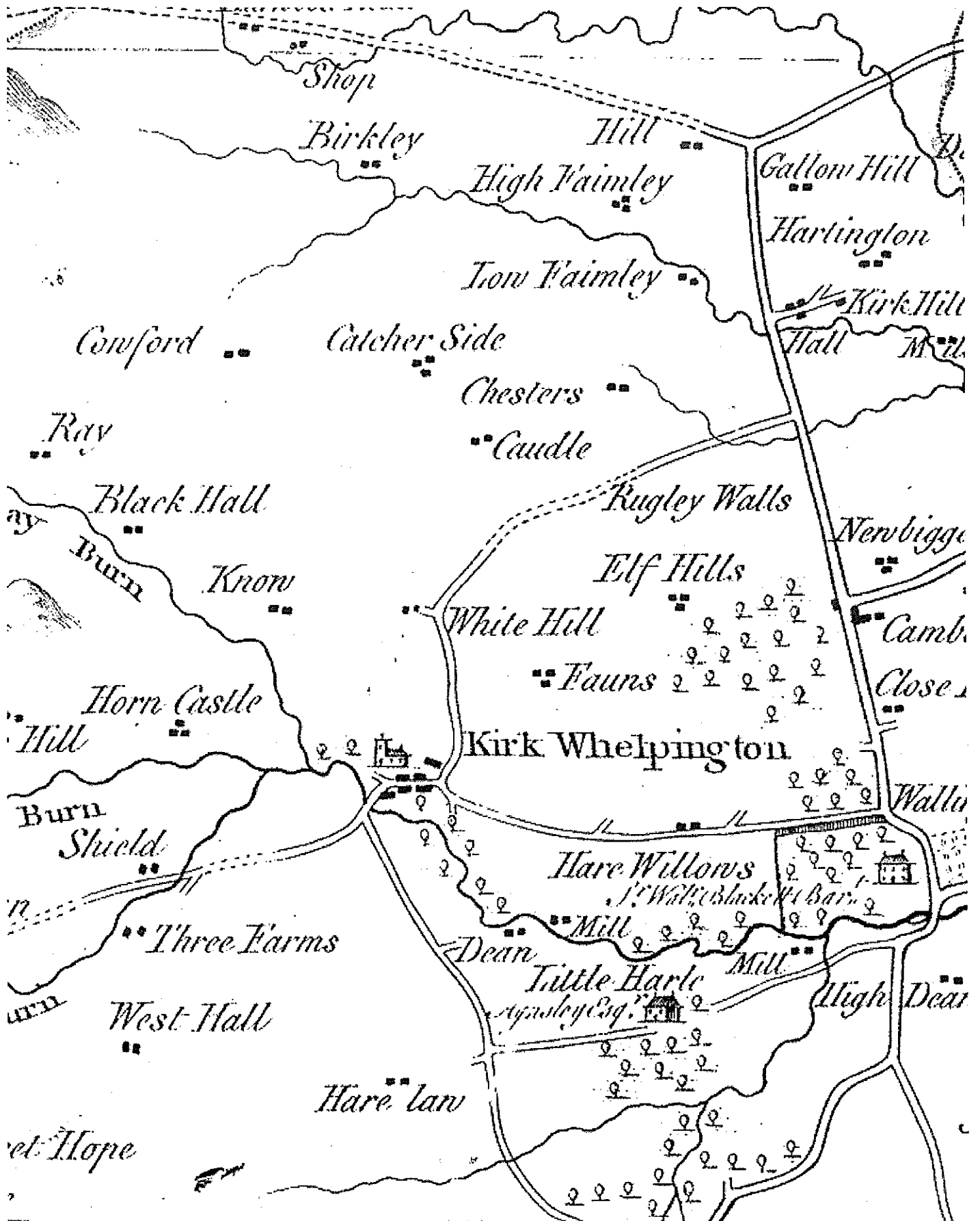


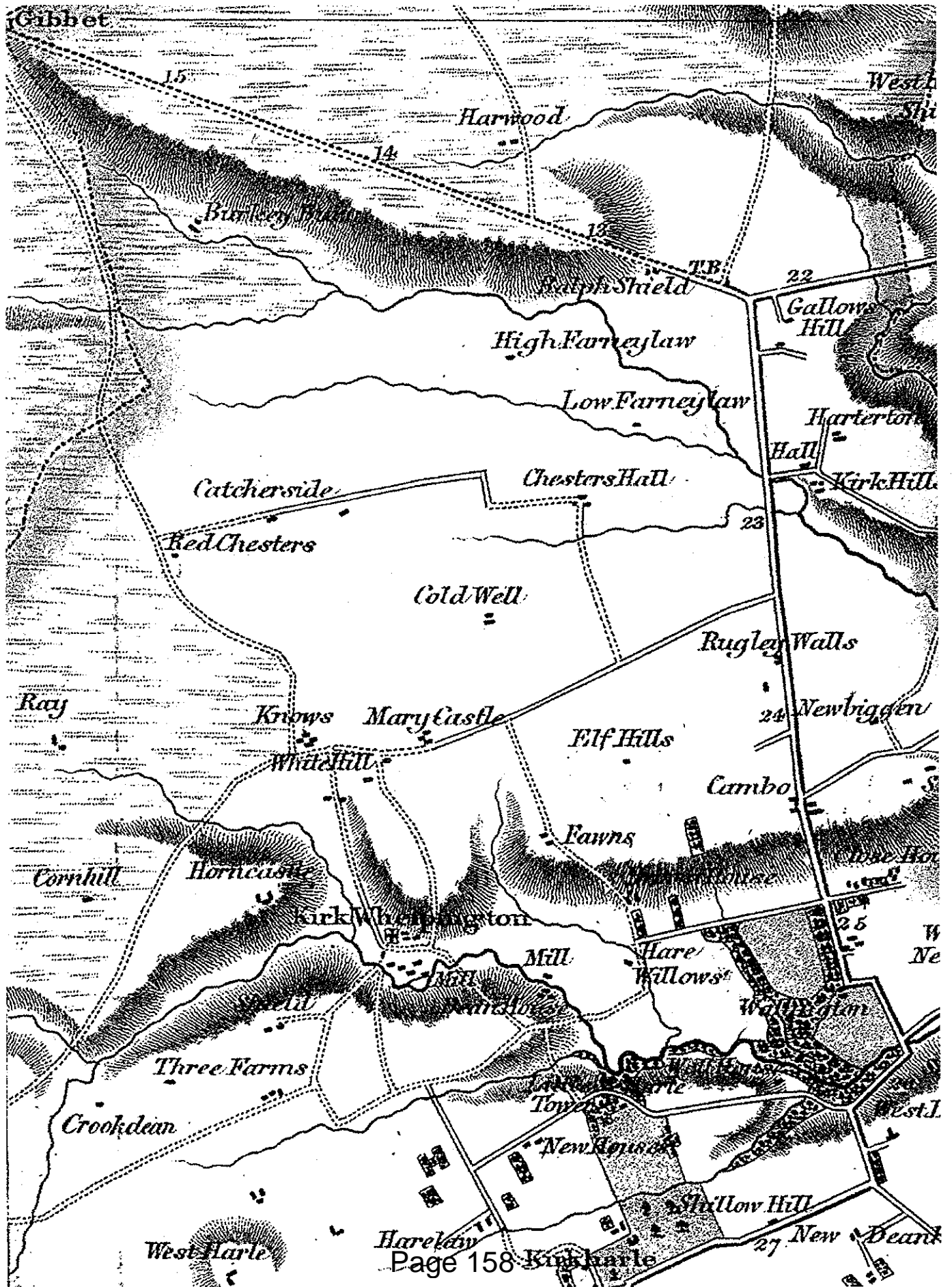
MR BROWN'S PHOTO



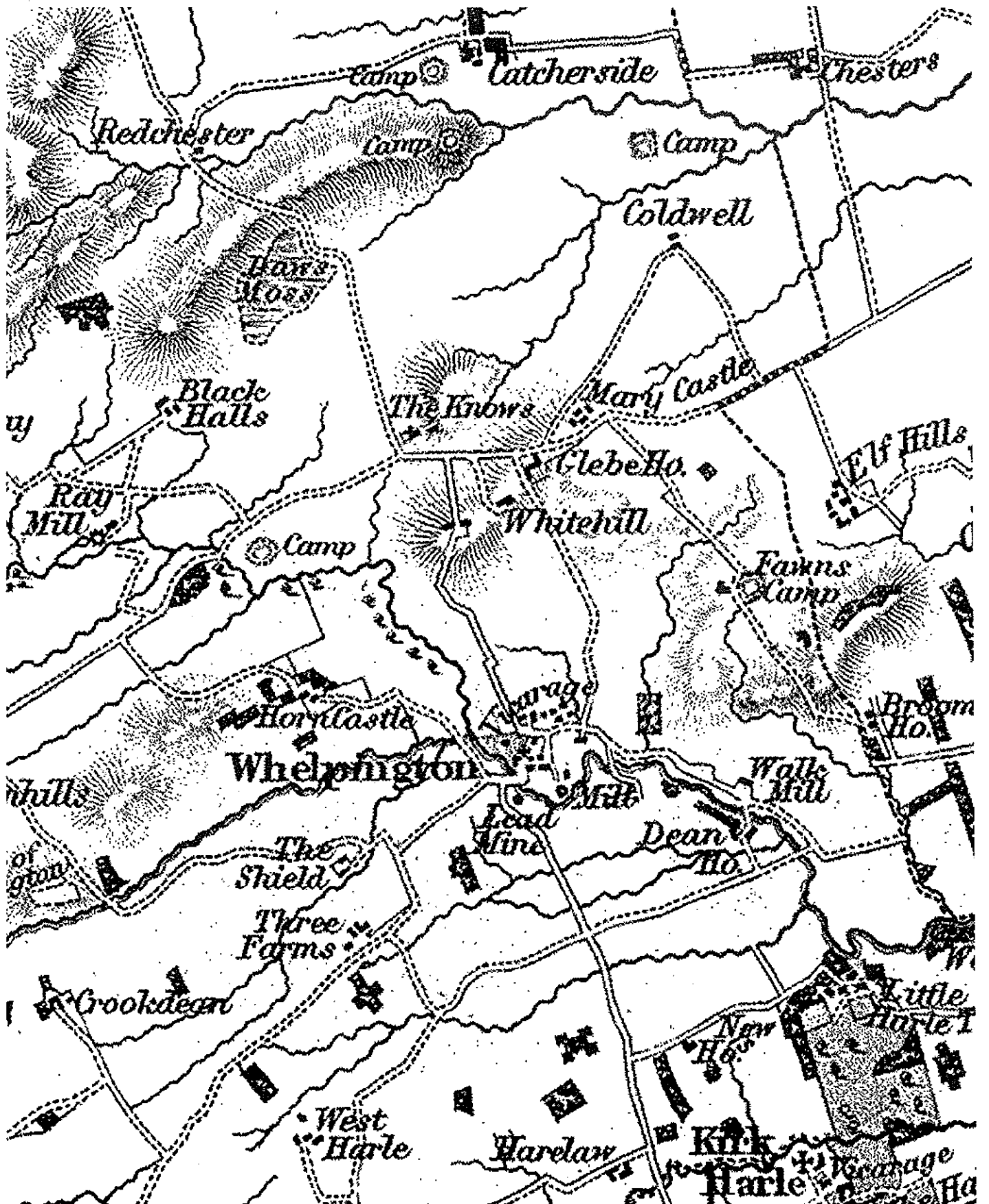
MR BROWN'S PHOTO



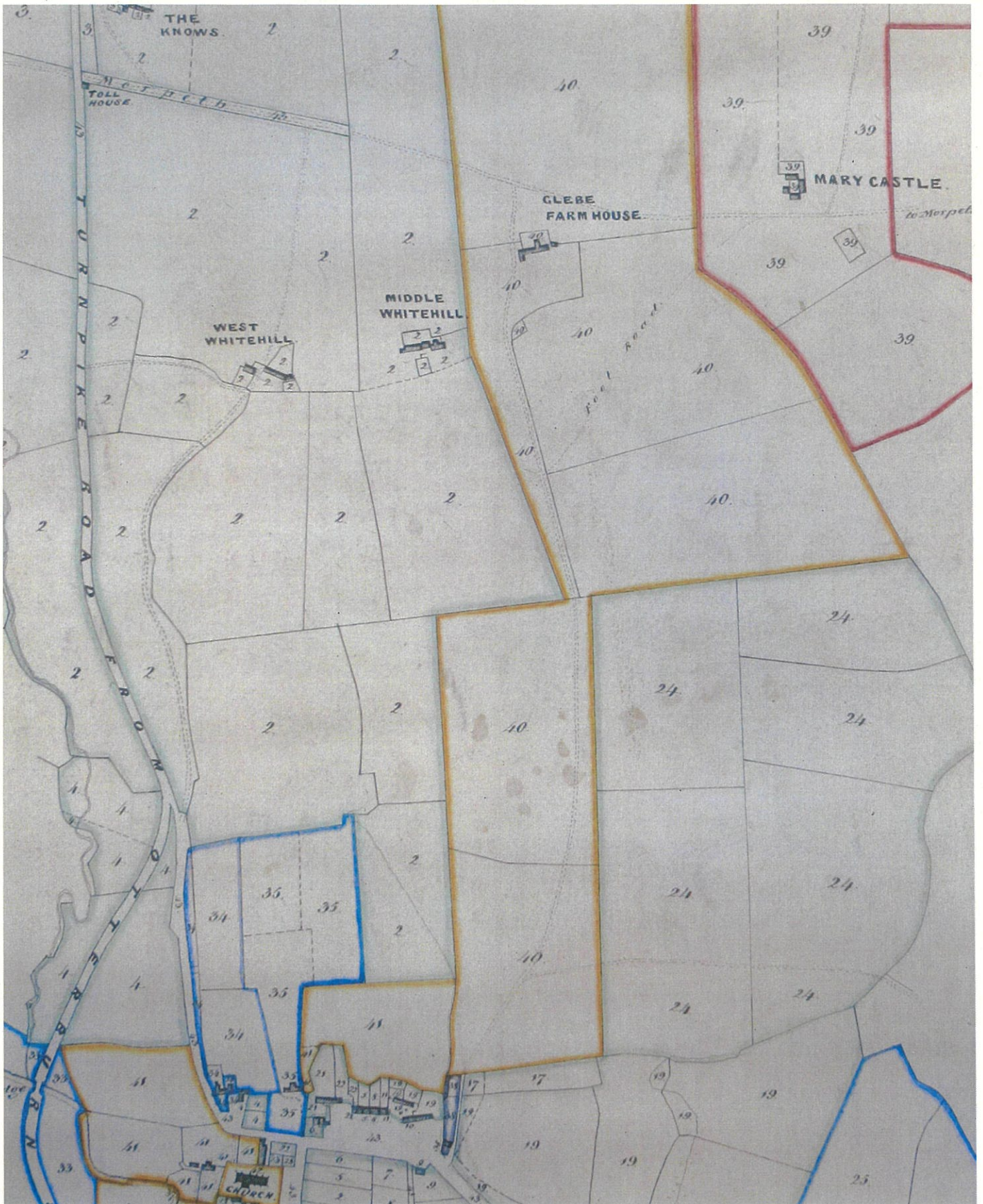




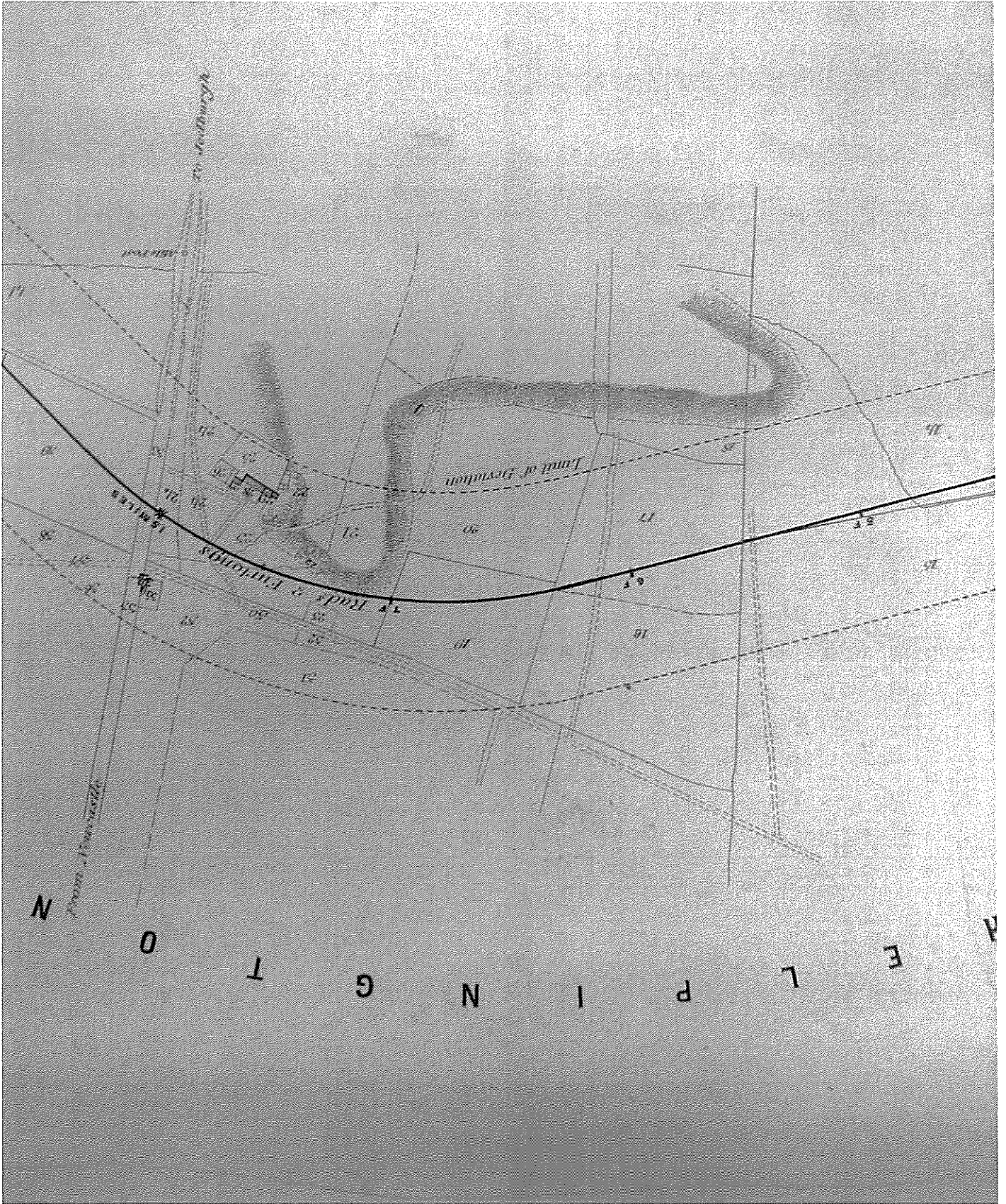




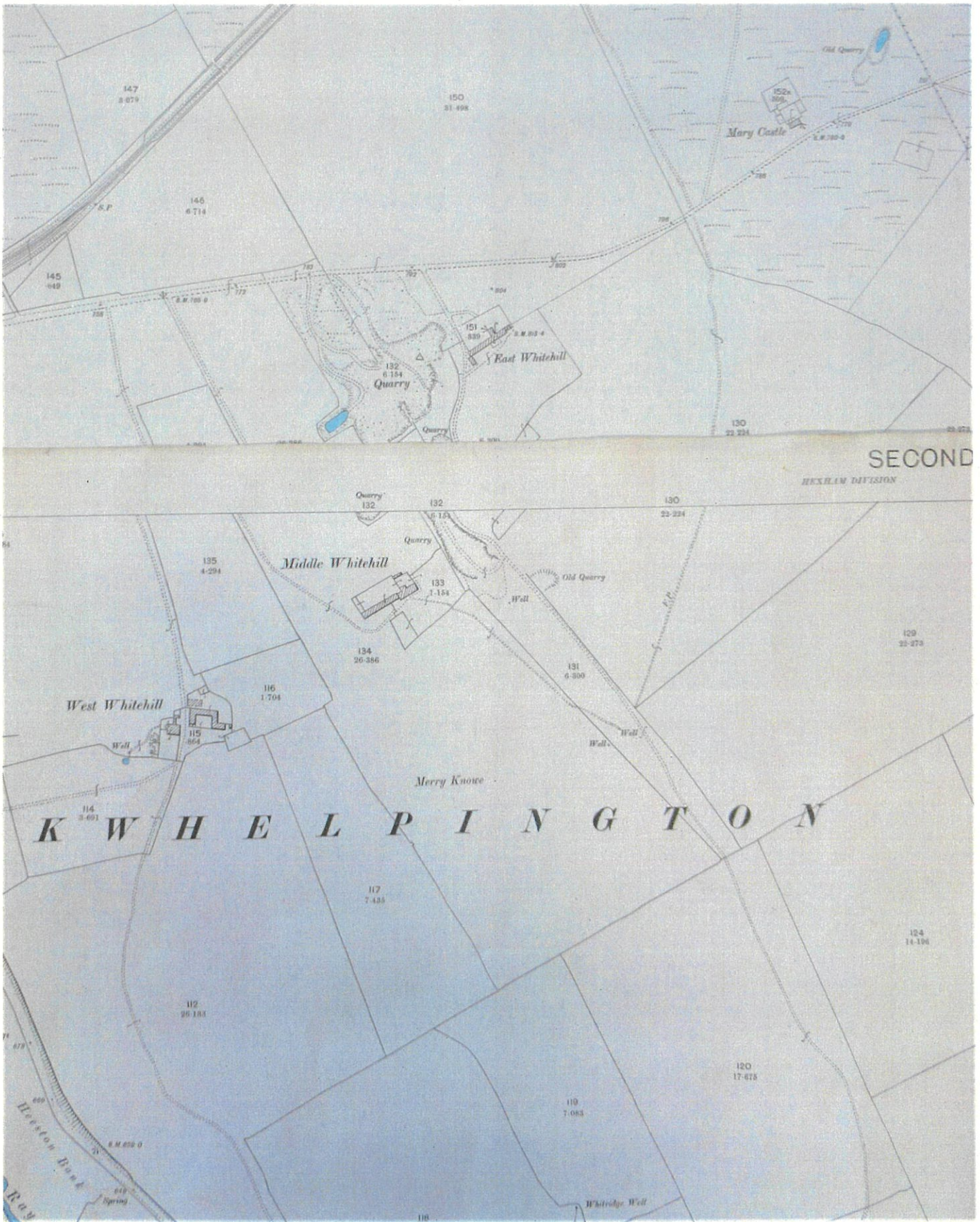
Kirkwhelpington Tithe Award
1842



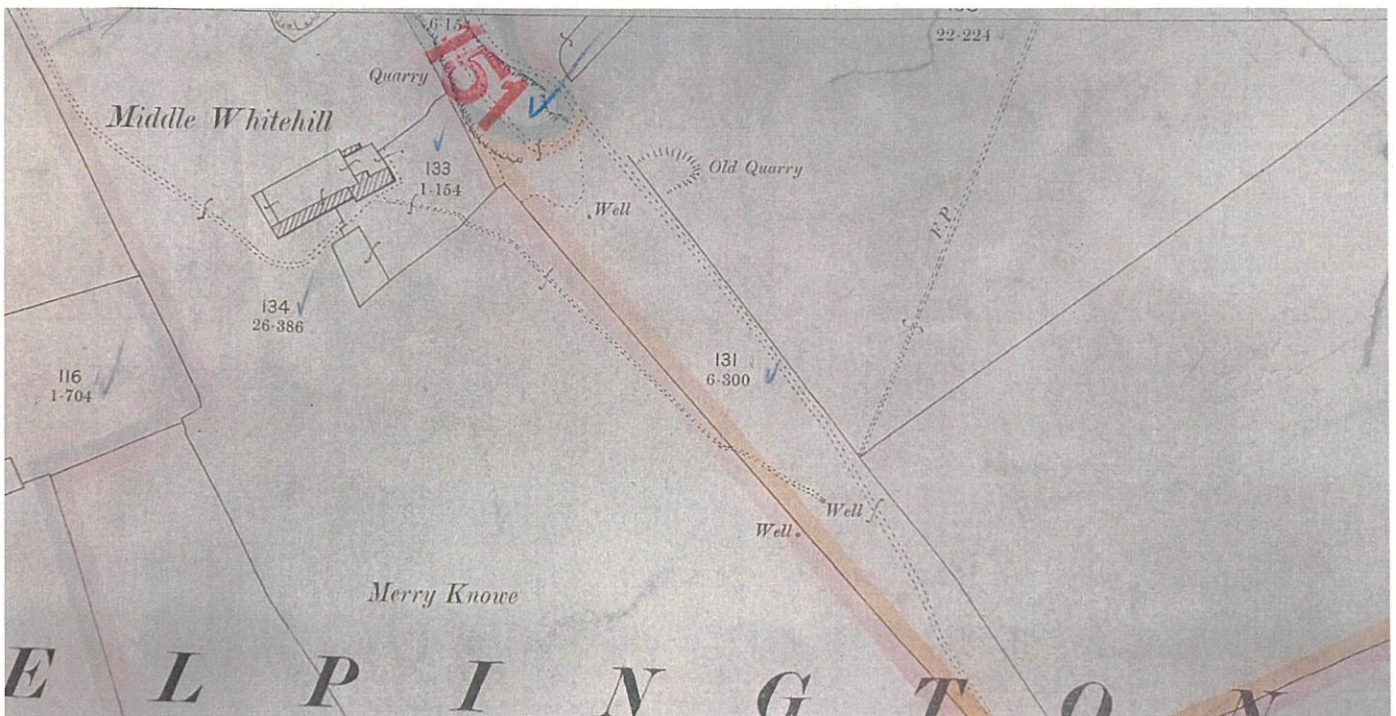
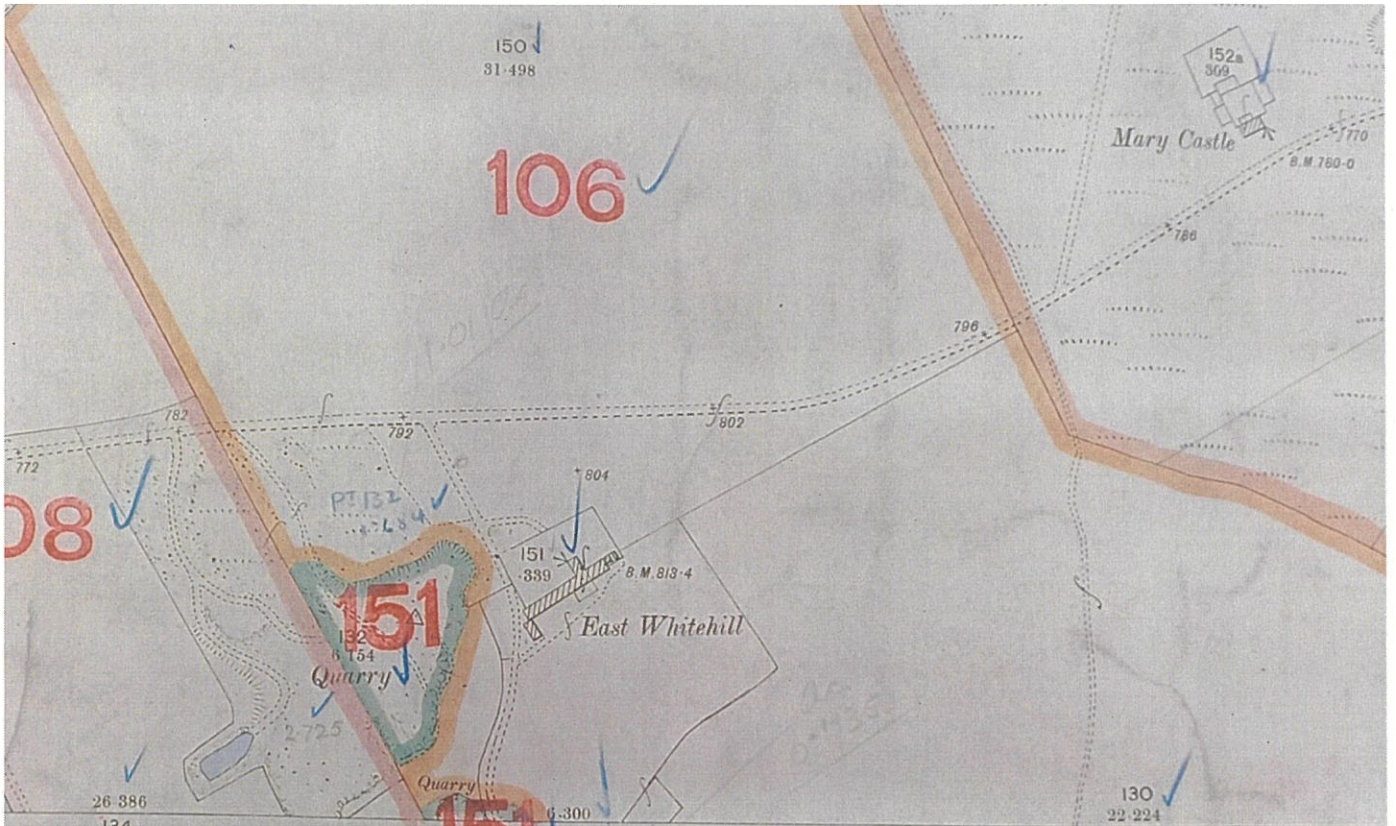
Wansbeck Railway
Deposited Plan
1858

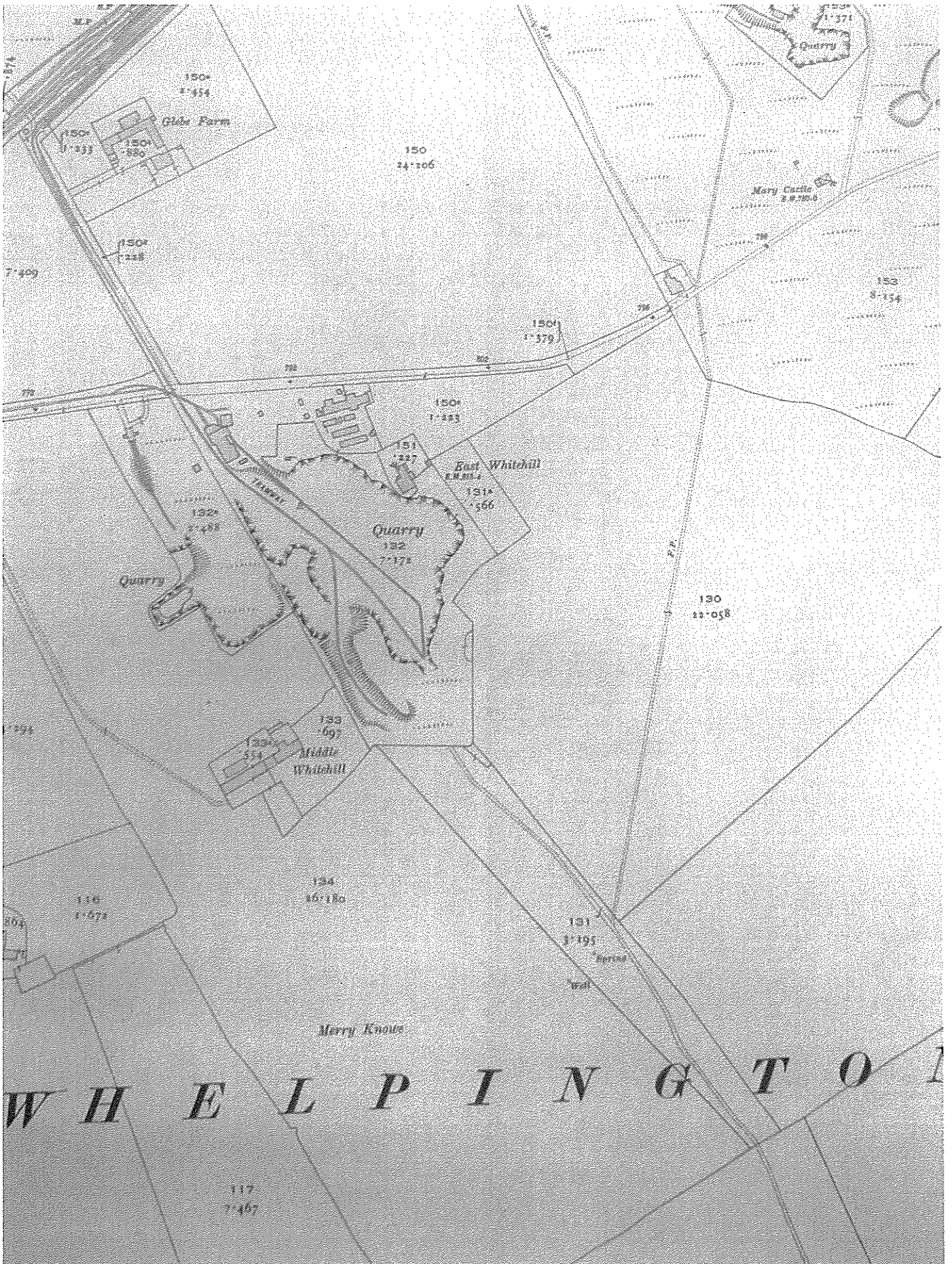














NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949. SCHEDULE ACCOMPANYING SURVEY MAPS.

Parish of Hickwhelpington in the Rural District of Bellingham

Borough }
Urban District } of _____
(Delete whichever is inapplicable).



- 1. Number of highway on Map 8
- 2. Kind of Path (i.e., F.P., B.R.) B.R.
- 3. Starts at Hickwhelpington to Marycastle Farm Road
- 4. Name of Path (if any) Quarry Path
- 5. Is the Path well defined? yes
- 6. Is the Path metalled? If so, define length part. 900'
- 7. If its width can be stated, insert here. 2'-4'
- 8. What is the present condition of the path, stiles, etc.? good
- 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
nil
- 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
general use
- 12. Have persons been prevented using the highway? no
- 13. Give particulars of any obstructions. none
- 14. Names of owners of freehold and previous owners, if known, for past 30 years.
J. Brown, Glete Farm
- 15. What maps have been consulted, and where are they deposited?
Title Map 1844
- 16. What records have been consulted, and where are they deposited?
local knowledge.
- 17. Any other relevant information
nil

Surveyed by	Address	Dates of Survey
<u>J. M. Henderson</u>	<u>Hickwhelpington</u>	<u>15 Jan '53</u>

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

<u>215</u>	<u>16</u>	<u>67SW/4</u>
<u>215</u>	<u>16</u>	<u>67NW/3</u>

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.
SCHEDULE ACCOMPANYING SURVEY MAPS.

Parish of Kirkwhelpington & Cateherside in the Rural District of Bellingham

Borough }
Urban District } of _____
(Delete whichever is inapplicable).

- 1. Number of highway on Map 9
- 2. Kind of Path (i.e., F.P., B.R.) F.P.
- 3. Starts at Spring below Hummergate Quarry to Cateherside
- 4. Name of Path (if any) none
- 5. Is the Path well defined? partly
- 6. Is the Path metalled? If so, define length no
- 7. If its width can be stated, insert here 12"
- 8. What is the present condition of the path, stiles, etc.? fair - bad walking
- 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 N.A.

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

local knowledge

12. Have persons been prevented using the highway? no

13. Give particulars of any obstructions none

14. Names of owners of freehold and previous owners, if known, for past 30 years

J. Brown, R. Brown - Swinburne, Major Yew, Sir Chas. Trevelyan

15. What maps have been consulted, and where are they deposited?

Litho Map 1844

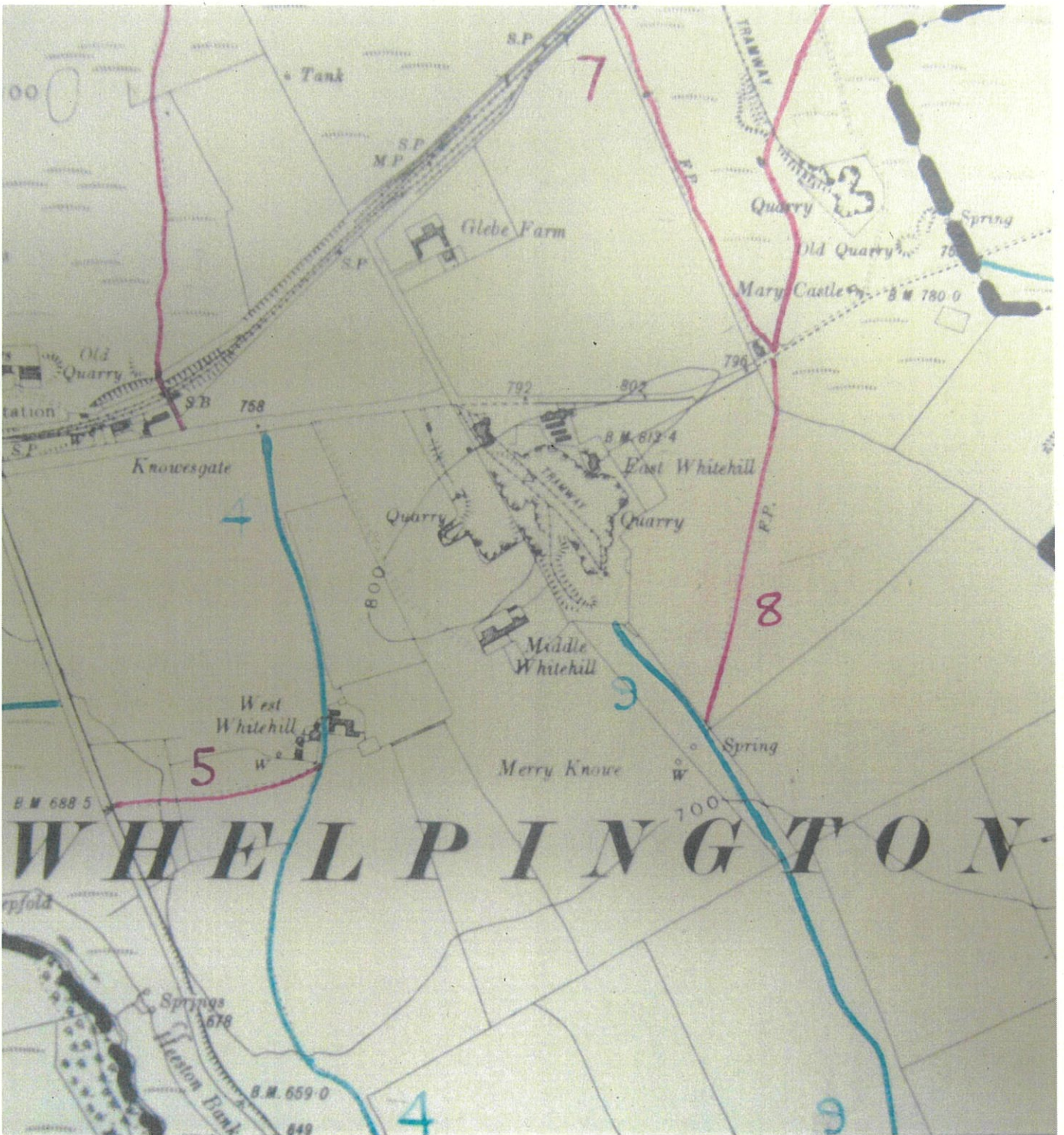
16. What records have been consulted, and where are they deposited?

local evidence

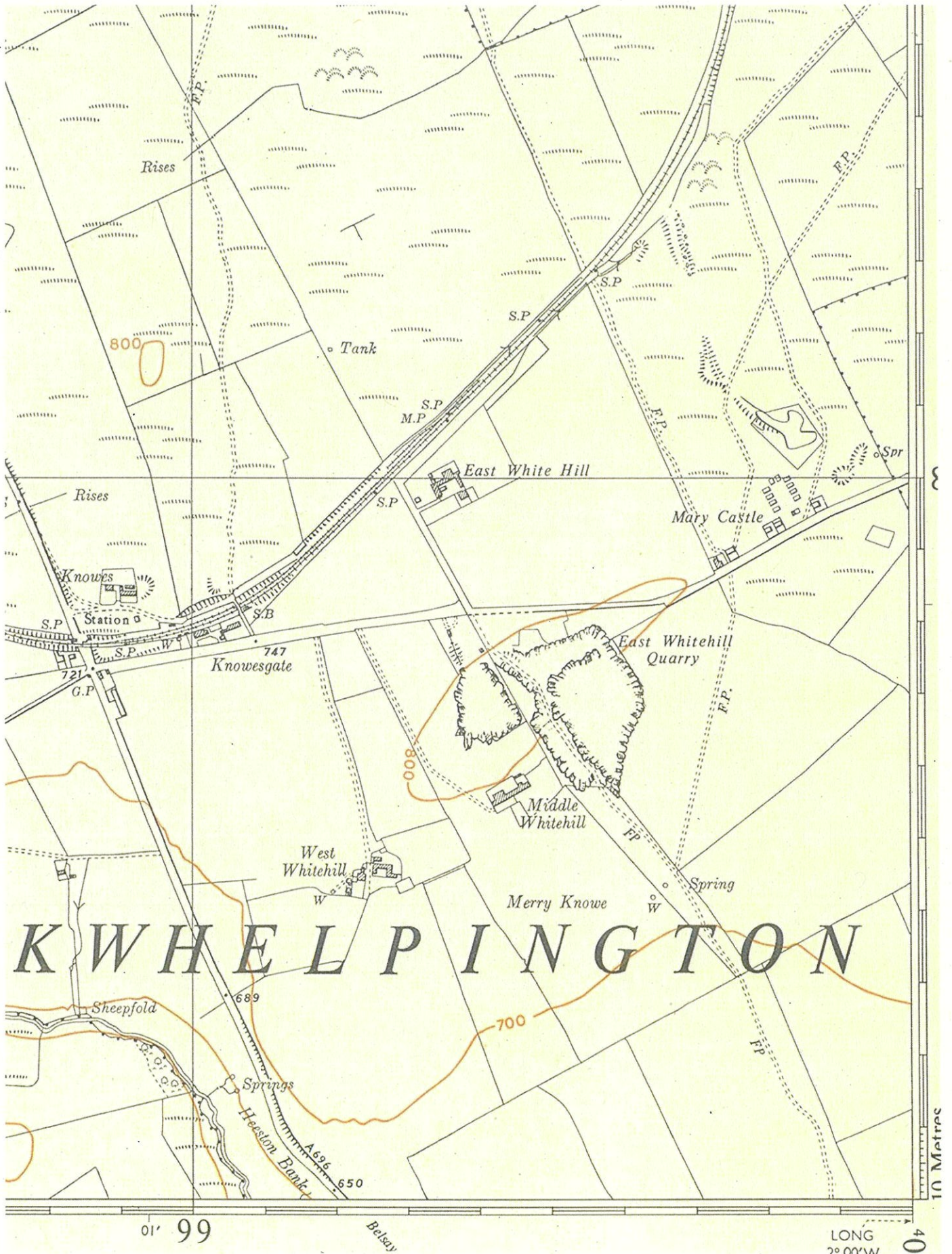
17. Any other relevant information

Surveyed by	Address	Dates of Survey
<u>J. A. Snowball</u>	<u>Kirkwhelpington</u>	<u>18 Jan '53</u>

Important:—Sheet No. of Map on which Highway is shown
215 | 16 | 67NW/3









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 **BELLINGHAM**

2. Parish **KIRKWHALPINGTON**

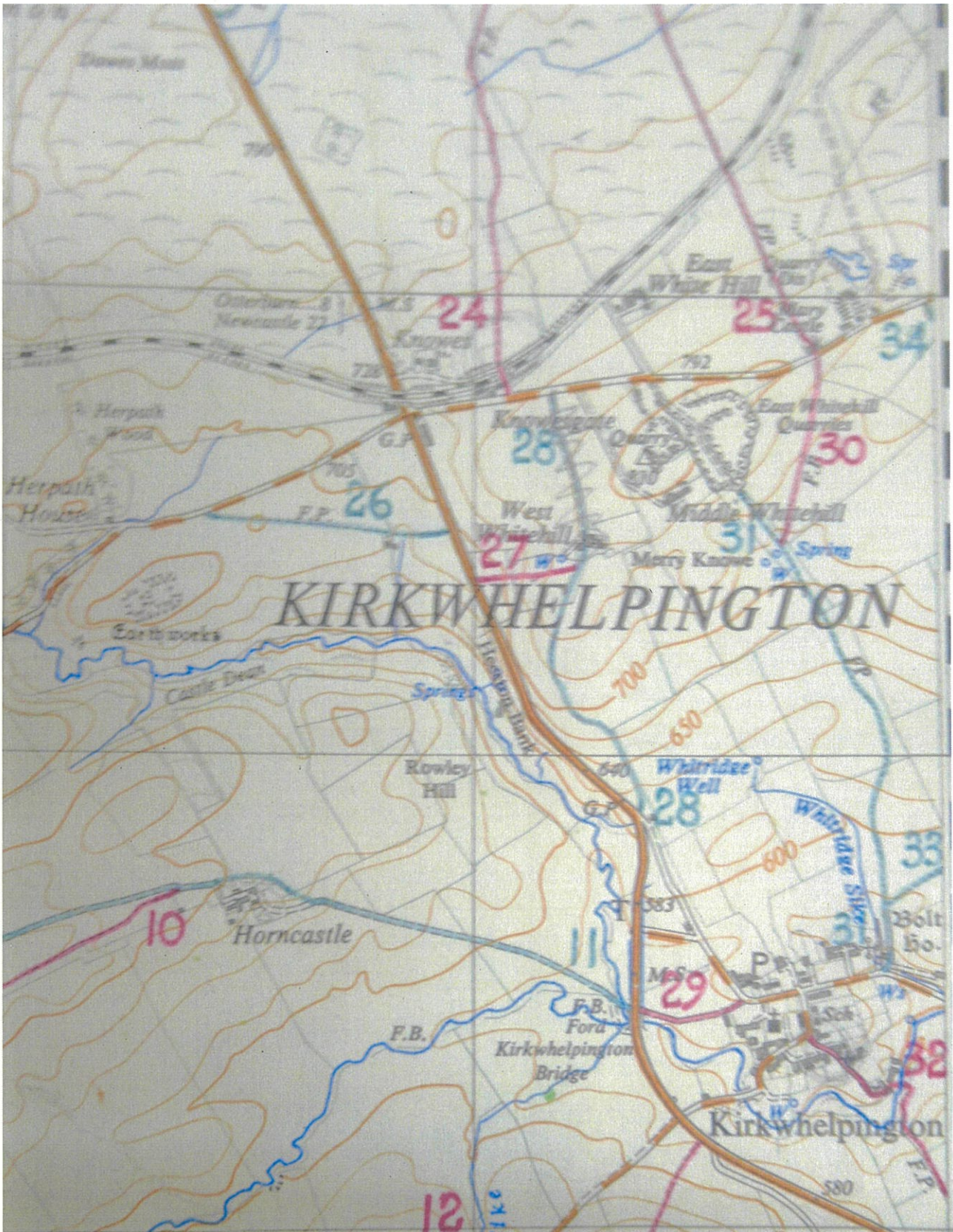
3. Number of Footpath on Map **31**

4. Name of Path **Quarry Path.**

5. Kind of Path (i.e. FF/BR) **B.R.**

6. General Description of Path **From the south end of the Quarry east of
Middle Whitehill in a south-easterly and southerly direction by the Spring
and crossing the footbridge over the Wellburn to join the Kirkwhalpington
Road at the east end of Kirkwhalpington at Belt House.**
.....
.....

7. Other relevant information **Footbridge at White Ridge recorded
on County Council Schedule as F.B. 5033.**
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