

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL (RIGHTS OF WAY) SUBCOMMITTEE

At the meeting of the **North Northumberland Local Area Council (Rights of Way) Subcommittee** held at Council Chamber - County Hall on Wednesday, 29 June 2022 at 10:00 am.

PRESENT

Councillor C Seymour
(Vice Chair in the Chair)

MEMBERS

C Hardy
M Swinbank

M Swinbank

OTHER COUNCILLORS

OFFICERS

A Bell
J Blenkinsopp
H Bowers
H Lamb

Definitive Map and Search Officer
Solicitor
Democratic Services Officer
Principal Rights of Way & Records Officer

22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Castle, Mather and Renner-Thompson.

23 MINUTES

RESOLVED that the minutes of the meeting of North Northumberland Local Area Council (Rights of Way) Subcommittee held on 25 October 2021, as circulated, be confirmed as a true record and be signed by the Chair.

24 REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED PUBLIC FOOTPATH NO 28 PARISH OF LESBURY

A. Bell – Definitive Map and Search Officer, introduced the above report in which members were asked to consider all the relevant evidence gathered in support

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and rebuttal of the existence of public footpath rights over a route between the old Alnwick Road and the Lealands Estate in Lesbury.

Following questions from members to the Definitive Map and Search Officer, the following information was provided:

- There wasn't obligation to carry out a pre-order consultation with landowners but consultation had been carried out in this case (two households being identified slightly after the rest)
- He was not sure if the List of Streets map had been updated, but it was the responsibility of the Council
- The County Council was not directing people to use any route. The Council was following due process to determine whether public footpath rights had been established. It was a decision by members of public whether to use the unlit footpath.

Councillor Hardy proposed to accept the officer's recommendation, which was seconded by Councillor Swinbank.

A vote was taken on the proposal to accept the officer's recommendation which was unanimously agreed. It was;

RESOLVED that:

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

25 **REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED PUBLIC BRIDLEWAY NO 31 PARISH OF ANCROFT**

A Bell – Definitive Map and Search Officer, introduced the report with which members were 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 B6354 road south-west of West Ancroft, in a general easterly direction, to the C8 road, west of Ancroft Moor.

Following questions from members to the Definitive Map and Search Officer, the following information was provided:

- It would be the landowners responsibility to move any obstructions on the highway.

Councillor Hardy proposed to accept the officer's recommendation, which was seconded by Councillor Swinbank. Upon being put to the vote, it was unanimously agreed, and it was;

RESOLVED that:

- (i) There is sufficient evidence to indicate that public vehicular rights had have been reasonably alleged to exist over route N-O;

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- (ii) There is sufficient evidence to show, on a balance of probabilities that public vehicular rights exist over the route O-P;
- (iii) The Natural Environment and Rural Communities Act 2006 would appear to have extinguished the public’s motorized vehicular rights over the N-O-P route;
- (iv) The N-O-P route to be included in a future Definitive Map Modification Order as a restricted byway.

26 **REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED BYWAY OPEN TO ALL TRAFFIC NO 24 PARISH OF DODDINGTON**

A Bell – Definitive Map and Search Officer introduced the application and members were asked to revisit a case originally considered by the Rights of Way Committee at its meeting in September 2016, in relation to the existence of public motor vehicular rights over a short length of the U1052 road, just west of Hetton North Farm.

Councillor Swinbank proposed to accept the officer’s recommendation, which was seconded by Councillor Hardy and unanimously agreed. It was;

RESOLVED that:

- (i) On a balance of probability (and in light of the July 2017 High Court decision in relation to section 67 of the Natural Environment and Rural Communities Act 2006) there is sufficient evidence to show that public motor vehicular rights exist over the existing Restricted Byway No 24 (D-E route).
- (ii) The D-E route be included in a future Definitive Map Modification Order to upgrade the restricted byway to byway open to all traffic status.

27 **DATE OF NEXT MEETING**

It was noted that the next meeting was scheduled for Wednesday, 24 August 2022 however, as there were no reports to consider, it was advised that this meeting could be cancelled due to lack of business.

CHAIR.....

DATE.....

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