



# Northumberland County Council

**Your ref:**

**Our ref:**

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**Tel direct:** 01670 622611

**Date:** Tuesday 17 October 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **RIGHTS OF WAY COMMITTEE** to be held in **COUNCIL CHAMBER - COUNTY HALL** on **WEDNESDAY, 25 OCTOBER 2023** at **10.00 AM**.

Yours faithfully

Dr Helen Paterson  
Chief Executive

**To Rights of Way Committee members as follows:-**

**L Bowman, A Dale, J Foster, C Hardy, JI Hutchinson (Chair), A Sharp, M Swinbank,  
D Towns and A Wallace (Vice-Chair)**



**Dr Helen Paterson, Chief Executive**  
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## AGENDA

### PART I

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

#### 1. MEMBERSHIP AND TERMS OF REFERENCE

##### Rights of Way Committee

##### Membership

9 members (4:3:1 Ind Gp, 1 LD) (One Con place gifted to Green Party)

Quorum – 3

Chair: J.I. Hutchinson

Vice Chair: A. Wallace

Conservative	Labour	Independent Group	Liberal Democrats	Green Party	Ind Non-Grouped
C. Hardy	L. Bowman	A. Dale	A. Sharp	M. Swinbank	
J.I Hutchinson	J. Foster				
D. Towns	A. Wallace				

Appropriate Ward Members be invited to attend.

##### Terms of Reference:

To exercise the following functions:-

- (i) the Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way.
- (ii) the Council's functions as the Commons Registration Authority for common land and town/village greens in Northumberland.
- (iii) the Council's functions in relation to the preparation and maintenance of the Rights of Way Improvement Plan.
- (iv) the Council's functions in relation to the Northumberland National Park and County Joint Local Access Forum (Local Access Forums (England) Regulations 2007.
- (v) the Council's role in encouraging wider access for all to the County's network of public rights of way and other recreational routes.

#### 2. APOLOGIES FOR ABSENCE

### 3. 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](mailto: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.

### 4. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED PUBLIC FOOTPATH NO 45 PARISH OF MATFEN

(Pages 1  
- 150)

The Rights of Way Committee 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 C342 road and the U9022 road, at Matfen.

- |            |  |                         |
|------------|--|-------------------------|
| <b>5.</b>  | <b>WEST WOODBURN VILLAGE GREEN</b>   | (Pages<br>151 -<br>182) |
|            | To consider the withdrawal of the Village Green application submitted by Corsenside Parish Council in relation to land to the east of West Woodburn County First School, Whiteacre, West Woodburn.   |                         |
| <b>6.</b>  | <b>VILLAGE GREEN ON THE EAST SIDE OF CHURCH STREET, ROTHBURY</b>   | (Pages<br>183 -<br>206) |
|            | To consider the withdrawal of the Village Green application submitted by Rothbury Parish Council in relation to land on the east side of Church Street, Rothbury.  |                         |
| <b>7.</b>  | <b>HORNCLIFFE VOLUNTARY VILLAGE GREEN - SCHOOL FIELDS</b>  | (Pages<br>207 -<br>242) |
|            | The Rights of Way Committee has the power to determine the accompanying application to register land lying on the northeast side of Tofts Lane, Horncliffe, Berwick upon Tweed (described by the applicant as the School Field at Horncliffe County First School) as a Village Green. The Committee will need to satisfy themselves that the requirements for registration have been met or not met, as the case may be. |                         |
| <b>8.</b>  | <b>HORNCLIFFE VOLUNTARY VILLAGE GREEN APPLICATION - PLAY PARK</b>  | (Pages<br>243 -<br>278) |
|            | The Rights of Way Committee has the power to determine the accompanying application to register land and buildings lying to the south west of Tweed Row, Horncliffe, Berwick upon Tweed (described by the applicant as the Horncliffe Play Park). The Committee will need to satisfy themselves that the requirements for registration have been met or not met, as the case may be.                                     |                         |
| <b>9.</b>  | <b>REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED PUBLIC FOOTPATH NO 31 PARISH OF ELLINGHAM</b>  | (Pages<br>279 -<br>486) |
|            | The Rights of Way Committee 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 U2029 road in Ellingham village and Public Footpath No 14.  |                         |
| <b>10.</b> | <b>REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED PUBLIC BRIDLEWAY NO 31 PARISH OF KIRKWHELPINGTON</b>   | (Pages<br>487 -<br>542) |

The Rights of Way Committee 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.

- 11. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY ALLEGED BYWAY OPEN TO ALL TRAFFIC NO 30 & RESTRICTED BYWAY NO 29 PARISH OF WHITTINGHAM** (Pages 543 - 594)

The Rights of Way Committee is asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over a route from the south end of Whittingham Lane (BOAT No 24) in a westerly direction to join the C178 road, south of Whittonlea Quarry.

- 12. VERBAL BRIEFING REGARDING THE COUNCIL'S RIGHTS OF WAY IMPROVEMENT PLAN**

To receive a verbal briefing from T Fish, Area Countryside/Rights of Way Officer on the Council's Rights of Way Improvement Plan.

- 13. URGENT BUSINESS (IF ANY)**

To consider such other business as, in the opinion of the Chairman, 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.

<b>Name:</b>		<b>Date of meeting:</b>	
<b>Meeting:</b>			
<b>Item to which your interest relates:</b>			
<b>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):</b>			
<b>Are you intending to withdraw from the meeting?</b>		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.