



# Northumberland County Council

## RIGHTS OF WAY COMMITTEE

25 October 2023

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### 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

Report of the Executive Director of Local Services  
Cabinet Member: Councillor John Riddle, Roads and Highways

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#### **Purpose of report**

In this report, 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 Whittingtonlea Quarry.

#### **Recommendation**

**It is recommended that the committee agrees that:**

- (i) there is sufficient evidence to indicate that public vehicular rights have been reasonably alleged to exist over the route F-E-D;**
- (ii) there is sufficient evidence to show, on a balance of probabilities, that public vehicular rights exist over the route D-C;**
- (iii) there is insufficient evidence to indicate that public vehicular rights or public bridleway rights have been reasonably alleged to exist over the route E-X;**
- (iv) the Natural Environment and Rural Communities Act 2006 would appear to have extinguished the public's motor vehicular rights over the E-D-C section of the route;**
- (v) the F-E part of the route be included in a future Definitive Map Modification Order as a byway open to all traffic.**
- (vi) the E-D-C part of the route be included in a future Definitive Map Modification Order as a restricted byway.**

## 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 The relevant statutory provision which applies to upgrading an existing public right of way on the Definitive Map and Statement, based on historical documentary evidence, is Section 53(3)(c)(ii) of the Wildlife and Countryside Act, 1981. 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 highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.”

- 1.4 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 March 2021, Diane Holmes of Ulgham made a formal application seeking to modify the Definitive Map of Public Rights of Way by upgrading to public bridleway status, part of existing Public Footpath No 15, from the north-east corner of Thrunton Wood, in a westerly direction across How Moor, and then by adding a public bridleway in a general westerly and north-westerly direction, to join the C178 road just south of Whittonlea Quarry.
- 2.2 Ms Holmes supplied the following analysis of the evidence to accompany her application:

“The route

"1. The application route lies in the parish of Whittingham. Much of it follows the line of public footpath 138/015 (A-B). But there is also a section along the line of the U4063 (C-D), a dead end grass covered unclassified road recorded on the List of Streets. In addition there is a very short section along the edge of the wood between the two which is unrecorded (B-C).

"2. At its eastern end the application route branches off from the U4002 (alleged BOAT 24) at GR NU 081 104. At its western end it meets the C178 road that leads from Whittingham to Callaly. This occurs at GR NU 064 106.

"3. The section which is a recorded public footpath ends at GR NU 070 104(B). The unrecorded section goes from there to GR NU 067 103 (C). The unclassified road leads from (C) to the road at (D).

"4. The section which is recorded as a public footpath today is a stone track, approximately 4m wide. The line of the section which is recorded as U4063 can be seen on the ground by the contours of the land. It is unfenced and grass covered and is used as pasture land as is the short unrecorded section along the edge of the wood linking FP 138/015 to the U4063.

"5. The application route is shown on OS Explorer 332 Alnwick & Amble. See photographs showing the character of the route.

#### Documentary evidence

##### 1. 1805 John Cary's map of Northumberland

Cary was known as one of the best cartographers before the era of the Ordnance Survey. In 1794 he was commissioned by the Postmaster General to survey England's roads. This map of Northumberland shows the developing road network of that time.

"The application route provided a direct link to Callaly Castle from the major south to north road through the area, which, at that time, lay to the west of the current A697.

See extract.

##### "2. 1819 John Wilkes' map of Northumberland

This map is described as a 'county map of Northumberland with towns, post roads and enclosed estates marked'. It clearly shows the application route as an unfenced road joining the line of the main road through the area, which is referred to as a 'post road', to Callaly Castle. The Callaly estate is also clearly shown, as is the nearby Eslington estate, both of which still exist today. This reflects the importance of the Clavering family who had owned Callaly Castle and the surrounding estate since the early 17<sup>th</sup> century.

See extract

##### "3. 1820 Fryer's map of Northumberland

The application route can clearly be seen on this early county map too. It is known to have been produced commercially and sold for the benefit of those travelling in carriages. The key distinguishes between

'turnpike roads' and 'other roads'. In the key, it is shown as an unfenced 'other road', that is part of the public rural road network.

"It will also have served as a direct link for the Claverings who owned Callaly Castle until 1877.

See extract

#### 4. 1828 Greenwood's map of Northumberland

The application route is also shown on this more detailed map of the county. Again, it is shown to be unfenced as it crosses How Moor, linking the road from Morpeth to the Whittingham to Callaly road. The key shows the minor road network as 'cross roads', of which this is one. These are public roads crossing from one road of greater importance to another.

See extract

#### "5. 1822 – 1887 The impact of the turnpike road and railway on the application route.

In 1822 the line of what had been the coaching road from Morpeth was shifted eastwards to avoid hilly and difficult ground over Longframlington Common and Rimside Moor. The old line is now followed by a recorded restricted byway.

"This new section began at Longframlington Gate, where tolls were paid, and went past the New Moor Inn (the remains of the original inn can be seen as a ruin on the hill), then by-passing the villages of Whittingham and Glanton and returning to the original line where it crossed the River Breamish just north of Powburn.

In 1831 the Wooler & Breamish Turnpike Trust ref EP/114/57 was set up which managed this section of road together with the section further north. This new turnpike followed the line of the current A697 as shown by the milestones marked on later OS maps. These were obligatory when a new turnpike was built.

"The turnpike will have provided a stone surfaced route for stage coaches and mail coaches leading to the gradual decline of the direct link to Callaly Castle from the earlier main road. However the old route will have provided a useful alternative for local people and drovers wishing to avoid the tolls.

The impact of this realignment was to reduce the importance of the application route. The provision of a station at Whittingham on the Alnwick to Cornhill Railway which was opened for freight and passenger traffic in 1887, also took traffic away from the application route.

#### "6. 1895 OS 1<sup>st</sup> ed OS scale 1:2,500 (25") sheet XXXVII/4

OS Book of Reference for Whittingham Parish

This sheet is available at Woodhorn but it hasn't been seen or photographed as the record office has been closed. The extract is taken from the website [www.old-maps.co.uk](http://www.old-maps.co.uk)

It shows the application route as an unfenced road with several broken braces. These indicate that it was recognised as a separate feature from the surrounding rough pasture of How Moor. The plot number is 72. This plot is described on page 15 in the OS Book of Reference for

the Parish of Whittingham, township of Thrunton as a 'public road'. This eastern section takes the route from Point (A) to point (B),  
See extract

"The western section shows the unfenced route continuing along the northern boundary of the wood with plot number 189 and then turning north along the line of the recorded county road. Plot 189 is also described in the OS Book of Reference for the parish of Whittingham, township of Whittingham as a 'public road'.

See extract.

"7. 1899 2<sup>nd</sup> ed OS scale 1:10,560 (6") National Library of Scotland

This later edition of the OS shows the application route following the historic line for its full length via Sawmill Cottage, at the corner of the wood. The remnants of this building still exist as a ruin.

An additional link has been added providing a more direct route to Reynard's Lodge (only small remnants of this building exist) which is labelled as a footpath. This sort of short cut from the public road can be seen in many places in Northumberland. They developed as 'postmen's paths' to reduce the distance that had to be walked on a daily basis.

However the application route itself is not labelled as FP or BR, suggesting that it was known at that time to be of a higher status, as a public road.

See extract

"8. 1910 Finance Act plan

This has not been seen as neither Woodhorn nor TNA at Kew are open where it could be seen or copied. However as the application route is not in a hedged or walled lane, the plan is likely to be of little value as only by showing these lanes to be outside an individual hereditament e application route is shown to be in hereditament in the ownership of a particular person can they provide evidence of a public road.

"9. 1932 Handover map

This map will have shown the roads that were publicly maintainable when that responsibility was handed over from the local highways board to the county council. It formed the basis of the List of Streets that are county maintainable today. A section of the application route (C-D) would almost certainly have been found on this document. However the relevant map is missing from both Woodhorn and County Hall.

"10. 1952 OS 7<sup>th</sup> series scale 1:25,000 (2½") National Library of Scotland

The application route is shown as an unfenced track (double dashes) on this OS series, which was surveyed before the survey for the Definitive Map was done. It does not distinguish the status of the track but it does show that it followed the historic line, with the exception of a short section in the boundary of the forest in place of the one along the boundary of the wood.

See extract

"Conclusion

The documents listed above show that this is an ancient route which will have been of local importance in the 18<sup>th</sup> century. This will have

declined after the new line for what eventually became the A697 was built and the railway opened. On the basis of 'once a highway, always a highway', please will you consider the evidence that suggests that this route should be recorded on the definitive map as a public bridleway rather than as a public footpath?

### **3. LANDOWNER EVIDENCE**

- 3.1 By email on 1 November 2022, Ms V Lancaster of Forestry England responded to the consultation, stating:

"Thanks again for sending this correspondence to me. I can confirm that the section of the route shown as within Thrunton Wood is on land leased to Forestry England by the Ellingham Estate. I'm afraid I don't have the facilities to print and draw on the map but I've attached a plan showing our boundary, our leased land being the shaded area. I've added your markers on for identification purposes. I hope that is useful."

- 3.2 By emails on 27 November 2022, Mr I Campbell of Thrunton Farm responded to the consultation, stating:

"Thank you for your letter of 30th August 2022 regarding the above.

The proposed route of the footpath / restricted byway follows a totally inappropriate route as it would create a path through the wettest undrained part of the field. As well as damage to the archaeological feature (protected ridge and furrow grassland) by regular use, this area is one of only two places on Thrunton Farm which is habitat for snipe during the autumn and winter months.

The original gate (point X) just left of the old Sawmill Cottage giving access to the original footpath was in disrepair and was fenced over by the fencing contractors used by the Forestry Commission many years ago.

Should a site visit prove necessary I would like to take part.

I will email a photo of the map marking the parts relevant to my occupancy and post a hard copy also."

### **4. CONSULTATION**

- 4.1 In August 2022, 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, on 5 November 2022, the British Horse Society responded to the consultation, stating:

"Parish of Whittingham Addition of Restricted Byway 29

The route provides a valuable off-road route for horse riders living in Whittingham or Callaly who want to ride in Thrunton Wood. It links with minor roads at either end."

- 4.3 By email, on 28 November 2022, Cycling UK responded to the consultation, stating:  
Plan 2 RB 29  
F to E = double track / D to C is a double rack  
Support Yes ++  
Comment - It is believed E to D is field no track."

## 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 approximating to that of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30.

1805 John Cary's Map [Applicant's copy]

There is clear evidence of an unenclosed track over a route approximating to that of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30.

1819 John Wilkes' Map of Northumberland [Applicant's copy]

There is clear evidence of an unenclosed track over a route approximating to that of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30.

1820 Fryer's County Map

There is clear evidence of an unenclosed "Other Road" over the route of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30.

1827 Cary's Map

There is evidence of a "Parochial Road" over a route approximating to that of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30.

1828 Greenwood's County Map

There is clear evidence of a "Cross Road" over the route of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30.

1844 Tithe Award (Township of Whittingham)

This document is not available to be photographed. Whilst the present day tarmac road, at the western end of the alleged route and existing Byway Open to All Traffic No 24, at the eastern end of the alleged route, are both shown on the Tithe Award plan, the route of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30, itself, is not.

c.1860 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an unenclosed road / track along the route of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30. The section across How Moor is labelled as parcel number "72" in Thrunton Township and the section running between points D and E (in the field just north of Thrunton Wood) is labelled as parcel number "189" in Whittingham Township. In the accompanying Book of Reference, parcel numbers 72 and 189 are both identified as "Public road".

1897 Ordnance Survey Map: Scale 1:2500

As with the 1860s map, there is clear evidence of an unenclosed road / track along the route of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30. Although the existing section of Public Footpath No 15 between Sawmill Cottage and Reynard's Lodge is labelled as a footpath ("FP"), the section subject to this application is not labelled, which suggests the Ordnance Survey surveyor believed the route was of a higher status.

Finance Act 1910 plan (2 parts)

There is clear evidence of an unenclosed track over the route of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30, on the Ordnance Survey base map. Between Point F and Reynard's Lodge, the route has been annotated "Public Bye Road". The route is not shown as being separated from the surrounding land by coloured boundaries (where it is, this is generally a good indication of public highway status), but this is to be expected, because the route itself is not enclosed.

1923 Ordnance Survey Map: Scale 1:2500 (2 parts)

There is evidence of an unenclosed track over most of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30. The section between points E and D is no longer depicted. An 'alternative' to the E-D section, on a parallel alignment, through the north end of the woodland, does exist (and existed on the earlier Ordnance Survey maps too).

1932 Handover Map

Unfortunately, no Handover maps appear to have survived for the former Rothbury Rural District area.



1951 Highways Map

The route of alleged Byway Open to All Traffic No 30 is coloured so as to identify it as a publicly maintainable road. It is labelled as the "U3069".

1952 Ordnance Survey Map: Scale 1:25,000) [Applicant's copy]

There is evidence of a mostly unenclosed track over the route of alleged Restricted Byway No 29 and Byway Open to All Traffic No 30.

c.1952 Definitive Map – original Survey Schedules & Map

Existing Public Footpath No 15 was identified for inclusion as a public footpath (numbered "6"). The route of alleged Byway Open to All Traffic No 30 exists on the base map and is coloured brown. Known public roads were generally coloured brown to indicate what the extent of the road network was considered to be. The D-E section of alleged restricted byway is neither coloured brown, nor identified for inclusion as a public right of way. No accompanying Survey Schedules appear to have been completed for Whittingham Parish – instead we just have a single list giving a very brief description of each of the routes.

Draft Map

The route of alleged Byway Open to All Traffic No 30 exists on the base map, but it is not identified for inclusion on the Definitive Map as either a public footpath, public bridleway or Road Used as a Public Path (RUPP). There is a pencilled annotation identifying that part of the route as "U4063". Existing Footpath No 15 was identified for inclusion as a public footpath (then numbered "6"). As with the Survey map, the D-E section of alleged restricted byway is not identified for inclusion as a public right of way.

Provisional Map

As with the Draft Map, the route of alleged Byway Open to All Traffic No 30 exists on the base map, but isn't identified for inclusion on the Definitive Map as either a public footpath, public bridleway or Road Used as a Public Path (RUPP). Existing Footpath No 15 was identified for inclusion as a public footpath (then numbered "6"). Again, as with the Draft map, the D-E section of alleged restricted byway is not identified for inclusion as a public right of way.

1957 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an unenclosed track over the F-E part of the route and over the D-C (existing public footpath) part of the route. There is no evidence of a path / track along the field edge E-D section, but there is a path / track along a roughly parallel E-X route, through Thrunton Wood.

1958 County Road Schedule

In this Schedule, the entry for the U4063 road states:

“U4063 Howmoor Plantation Road  
From C178 near Whittonlea Quarry via Reynards Lodge to  
Howmoor Plantation.”

The length of the U4063 road is identified as 0.34 miles.

1962 Original Definitive Map and Statement

The F-E section is shown on the base map, but the E-D section isn't. Neither is identified as a public footpath, public bridleway or Road Used as a Public Path (RUPP). The D-C section is identified as part of Public Footpath No 15. The original Definitive Statement simply describes the route of existing Public Footpath No 15 without really adding anything that would assist with the determination of this application.

First Review Definitive Map

The situation with regard to what is and isn't shown as a public right of way remained the same as that shown on the original Definitive Map.

1964 Highways Map

The route of alleged Byway Open to All Traffic No 30 is coloured so as to identify it as a publicly maintainable road. It is labelled as the “U3069”.

1964 County Road Schedule

In this Schedule, the entry for the U4063 road states:

“U4063 Howmoor Plantation Road  
From C178 near Whittonlea Quarry via Reynards Lodge to  
Howmoor Plantation.”

The length of the U4063 road is identified as 0.34 miles.

1974 County Road Schedule

In this Schedule, the entry for the U4063 road states:

“U4063 Howmoor Plantation Road  
From C178 near Whittonlea Quarry (NU 065106) eastwards and  
southwards via Reynards Lodge to Howmoor Plantation (NU  
067104).”

The length of the U4063 road is identified as 0.34 miles.

The F-E section and the D-C section are both identified as a "Track"  
The E-D section is not shown on the base map. The parallel E-X route just inside the boundary of Thrunton Wood is shown as a "Path".

## 6. SITE INVESTIGATION

- 6.1 From Point D, on existing Byway Open to All Traffic No 24, at the north-east corner of Thrunton Woods, a 2.4 metre wide stone surfaced track proceeds in a westerly direction for a distance of 530 metres to a watercourse. On the other side, a 2.1 metre stone / earth / grass surfaced track continues westerly for a further 580 metres to another watercourse. From this point, a 2 metre wide trodden earth / grass / stone surfaced track proceeds north-westerly for 50 metres. So far, the described route has been part of existing Public Footpath No 15 but, at this point, Footpath No 15 continues north-westerly, and the alleged public right of way proceeds westerly, for a distance of 40 metres, to the site of the former Sawmill Cottage. It is immediately obstructed by fencing (whether on the E-D route or the E-X one). The E-X route was impossible to follow due to storm blown trees. The 260 metre long E-D route appeared to be indistinguishable from the rest of the field. From Point E, a 2.5 to 3 metre wide stone / earth / grass surfaced track on a raised terrace proceeds in a general northerly direction for about 210 metres, then continues as a mainly grass surfaced track in a westerly direction for about 160 metres then as a stone / earth / grass surfaced track, again, for about 180 metres to join the C 178 road at a point marked F, south of Whittonlea Quarry.

## 7. COMMENTS RECEIVED ON THE DRAFT REPORT

- 7.1 In September 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. No additional comments have been received.

## 8. DISCUSSION

- 8.1 Sections 53 (3)(c)(i) and 53 (3)(c)(ii) of the Wildlife and Countryside Act 1981, require 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 [53(3)(c)(i)];

or

that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description [53(3)(c)(ii)].

- 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 the alleged bridleway is readily identifiable on Armstrong's, Fryer's and Greenwood's County Maps of 1769, 1820 and 1828 and is also visible on Cary's Map of 1805 and Wilkes' Map of 1819 (both supplied by the applicant) and on Cary's Map of 1827. 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 consistently 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 route of the alleged bridleway is not shown as being separated from the surrounding land by coloured boundaries. This is to be expected, because the route, itself, is unenclosed. If it had been separated, that would have been a good indication that the route was considered to be a public vehicular highway, at that time. That said, the western end of the route has been labelled as a "public bye road" on the plan.
- 8.7 Most of the route of the alleged public bridleway has been consistently identified as a track on Ordnance Survey maps between c.1860 and 1982. The exception to this is the 'middle' E-D section. Although it is shown on the 1860s and 1890s OS maps, it isn't depicted on the OS maps from 1923 onwards. There is a roughly parallel track / path (E-X) just inside Thrunton Wood that has been consistently depicted on OS maps since the 1860s. Mr Campbell has suggested that this E-X route may be the historical line of the highway.
- 8.8 In the Whittingham Tithe Award, although the Lanehead Road, Thrunton roads and the Callaly road are shown, the alleged route is not shown at all.
- 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 Footpath No 15, was identified passing to the east of Sawmill Cottage and terminating just short of a brown coloured road (the U4063) at Reynard's Lodge. There is no accompanying Survey schedule for Whittingham Parish; only a single list of all the routes. This list is insufficiently detailed to provide much assistance with this application.
- 8.10 Although the original application sought to record a route just outside the boundary of Thrunton Wood, Mr Campbell of Thrunton Farm indicated that he

believed that, at the former Sawmill Cottage (Point X), the historical line of the highway actually entered Thrunton Wood, and followed the X-E route, rather than the D-E one. There was some OS map evidence to suggest that his arguments were not without merit, so both routes were consulted upon in August last year. It is not possible to tell from Armstrong's Map whether the E-D section of the route is inside or outside Thrunton Wood, and Cary's Map of 1827 isn't especially clear either. Fryer's Map of 1820 and Greenwood's Map of 1828 both clearly show the route outside the wood. If all the subsequent (and more detailed) OS maps had only shown a route through the woodland, that might have implied that E-X was, in fact, the correct route, but the 1860s and 1890s OS maps show both routes. Although later OS maps (from the 1920s onwards) only show the E-X route, the balance of the evidence leans towards E-D being the historical alignment of the old road. Although public use of the road may have declined over time, to the extent that, by the 1950s public rights higher than footpath, had been largely forgotten, in the absence of evidence that the higher rights were ever lawfully extinguished, they must be presumed still to exist. By the 1920s, the public may have been using the E-X route instead of the E-D one, or they may have stopped using this branch of the path altogether.

- 8.11 Forestry England's consultation response indicates the extent of their lease from the Eslington Estate. They have indicated, verbally, as has the Eslington Estate, that they do not believe the historical line does proceed through the wood, though neither of them have, so far, provided any rebuttal evidence, other than to say that the route through Thrunton has not been available for some time (because of the perimeter fencing near X) and that the route would be a significant inconvenience.
- 8.12 The County Council accepts that, given the way the regulations were written with regard to the way highway authorities could include publicly maintainable highways in the List of Streets, there was no impediment to public bridleways and public footpaths also being included. That is not to say that any bridleways or footpaths were so shown – just that they could be. It must, therefore, be entirely proper to consider each UCR on a case by case basis, but that does not mean that we should begin with the assumption that each UCR is no more than a public footpath unless higher rights can be proven by other means. In Northumberland there is no evidence to suggest that public footpaths and public bridleways were deliberately shown on the 1958, 1964 or 1974 County Road Schedules (forerunners of the modern day List of Streets). The fact that a route is shown on these schedules must, therefore, be evidence of some weight that public vehicular rights exist.
- 8.13 Letters from DEFRA, dated 2003 and November 2006, and Rights of Way Circular 1/09 set out the approach Inspectors and order making authorities should take in determining the status of routes included on the List of Streets. In summary, the guidance states that the inclusion of a route on the List of Streets is not a record of what legal rights exist over that highway but may provide evidence of vehicular rights. However, this must be considered with all other relevant evidence in order to determine the nature and extent of those rights. Highway Authorities are recommended to examine the history of such routes and the rights that may exist over them on a case by case basis in order to determine their status.
- 8.14 The Natural Environment and Rural Communities Act 2006 (NERC Act 2006) had a major impact upon the recording of byways open to all traffic based upon historical documentary evidence. Under section 67 of the Act, any

existing, but unrecorded, public rights of way for mechanically propelled vehicles were extinguished unless one of the 'saving' provisions applied. In brief, these saving provisions were: (a) if the main lawful public use between 2001 and 2006 was with motor vehicles; (b) if the route was on the List of Streets (on 2 May 2006) and not also on the Definitive Map as something less than a byway open to all traffic; (c) the route was legally created expressly for motor vehicular use; (d) the route was a road deliberately constructed for public motor vehicular use; or (e) the vehicular highway came about as a result of unchallenged motor vehicular use before December 1930.

- 8.15 Of the saving provisions above, the main one (b), will apply to the F-E part of the route (i.e. the U4063 road). Where a route is not shown on the Definitive Map as a footpath, bridleway or restricted byway, then the fact that it is shown on the List of Streets will be sufficient to prevent the public's motor vehicular rights from being extinguished. At this stage, there is no evidence to suggest that any of these saving provisions would apply to the E-D-C section of the route.
- 8.16 For a route to be a byway open to all traffic, it has to be (i) a public motor vehicular right of way and (ii) a route which is nevertheless used (or is likely to be used) by the public mainly for the reasons which footpaths and bridleways are used. The short F-E part of this route is primarily a firm grassy track. A short motor vehicular cul-de-sac like this is unlikely to be much used by the public with motor vehicles.
- 8.17 Based on the historical map evidence available, it appears that, prior to the Turnpike Road (the current A697 road) being constructed, the main north - south route in this area followed the road up the east side of Thrunton Woods, then continued northwards along Byway Open to All Traffic No 24 to (then through) Whittingham, and that the alleged byway open to all traffic / restricted byway was a not insignificant side road branching from it. The route was still being identified as a public road in the 1860s, at the time of the 1<sup>st</sup> Edition OS map, and as a public bye road at the time plans were being prepared under the 1910 Finance Act. Although these public vehicular rights still existed (there's no evidence they were ever stopped up at Quarter Sessions), the route had clearly become much less important, to the extent that later OS maps were describing it as having the physical appearance of a footpath, and this is how it was identified for inclusion on the Definitive Map when that process began in the 1950s. The U4063 section was clearly believed to be a publicly maintainable road (already recorded on the Council's List of Streets). The fact that it was also a short cul-de-sac may explain why no attempt was made to record this section on the original Definitive Map. If the section of old road along the north edge of Thrunton Wood (E-D) was, indeed, poorly drained, as Mr Campbell suggests, it is not hard to see why this section may have been overlooked. If public use of the route had become primarily pedestrian, pedestrians would presumably favour the more north-westerly public footpath continuation from Point D.
- 8.18 Although it may seem odd to record this route as part byway open to all traffic and part restricted byway (i.e. what is the point of recording the F-E section as a byway open to all traffic if public motor vehicles would have no reason to drive to point E, and no legal right to continue beyond point E), this is the consequence of this being an evidence driven process. The documentary evidence appears to indicate that this route was (and still is) a public vehicular highway. If this route had been considered 20 years ago, the recommendation would have been that the whole route should be recorded as a byway open to

all traffic. However, due to section 67 of the Natural Environment and Rural Communities Act 2006, public motor vehicular rights would seem to have been extinguished over the easternmost three quarters of the route. On that basis, the easternmost three quarters ought to be recorded as a restricted byway, but the westernmost quarter, where public motor vehicular rights still exist, must reflect this, by being recorded as a byway open to all traffic.

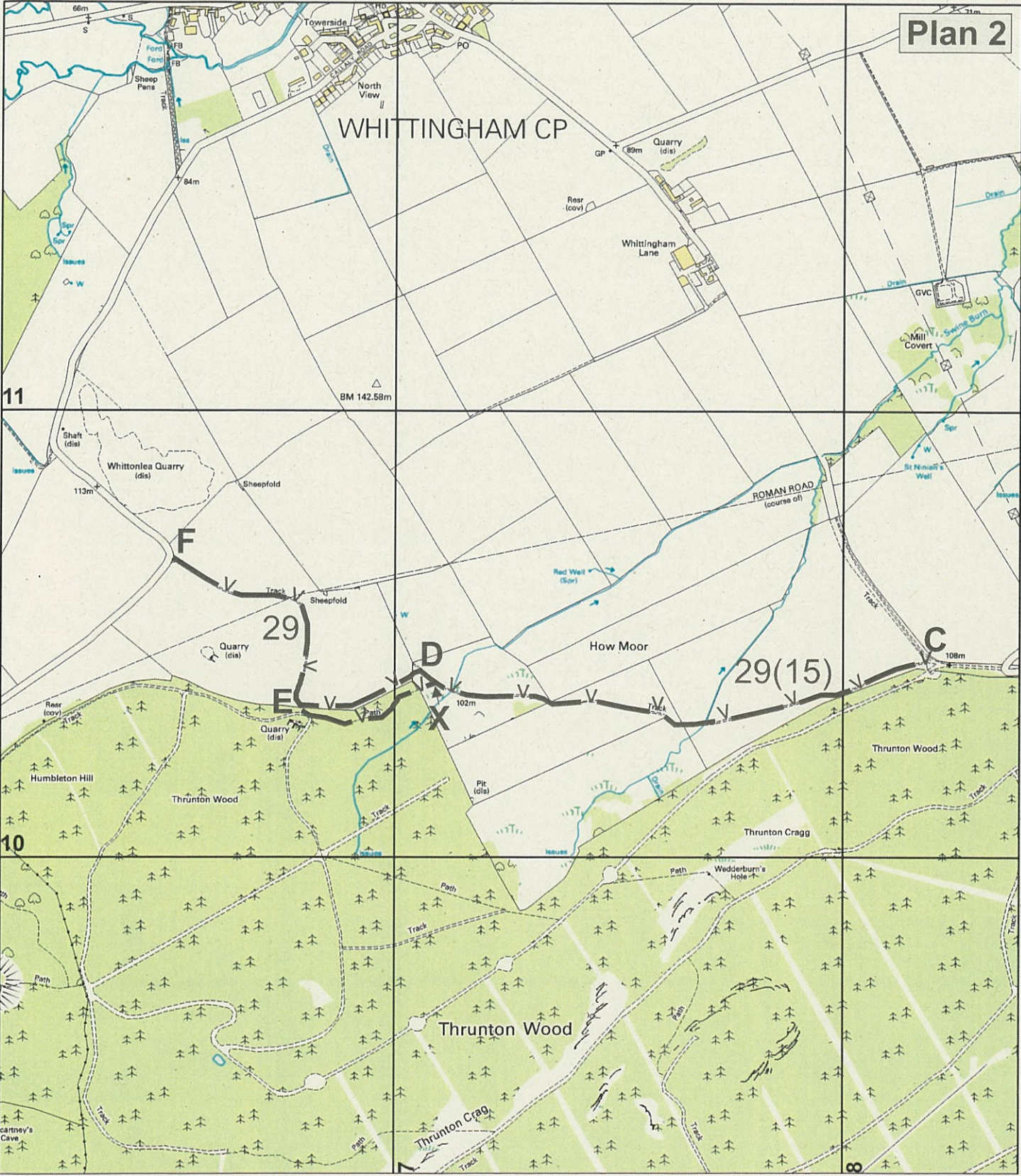
- 8.19 Mr Campbell's concerns about the E-D section being poorly drained and the potential impact on the Snipe habitat are entirely understandable, but they are not considered to be relevant when determining what public rights exist.
- 8.20 Advice from the Planning Inspectorate in their 'consistency 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 map evidence suggests that this route has never been enclosed by physical boundaries. On that basis, it is proposed that the restricted byway / byway open to all traffic be identified with the Council's standard default width of 5 metres (i.e. wide enough for two vehicles, travelling in opposite directions, to pass each other).
- 8.21 Not all public highways are publicly maintainable. In broad terms, public footpaths and bridleways which existed prior to the National Parks and Access to the Countryside Act 1949 are automatically publicly maintainable. Section 23 of the Highways Act 1835 provided that no roads coming into existence after that Act would be publicly maintainable unless prescribed procedures (for adoption) were followed. The List of Streets is the Council's record of which public highways are considered to be publicly maintainable. The F-E section of this route is already recorded on the List of Streets (as the U4063) and should remain there. The D-C section will also be recorded on the List of Streets by virtue of it being a pre-1949 public footpath (or bridleway). If the D-C section is actually an old road (rather than just a footpath or bridleway) then it wouldn't automatically be publicly maintainable. The fact that part of this single route is currently identified as publicly maintainable (road), whilst most is not, suggests that in the past it may have been believed that the eastern part of the route was privately maintainable public highway. That is a possibility, but in *Attorney General v Watford Rural District Council (1912)* it was determined that once a route had been found to be a public highway, the onus lay on the highway authority to demonstrate that it wasn't publicly maintainable, rather than for anyone else to prove that it was. Given that the map evidence appears to show that this road existed prior to 1835 then, in the absence of any clear evidence that the 'newly discovered' part of this road is privately maintainable, the presumption must be that it is publicly maintainable and, on that basis, if it is recorded on the Definitive Map as a restricted byway, it should also be recognised as a publicly maintainable road on the Council's List of Streets.


## **9. CONCLUSION**

- 9.1 Based on the documentary evidence available, it appears that public vehicular rights have been reasonably alleged to exist over the F-E-D part of the

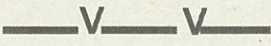


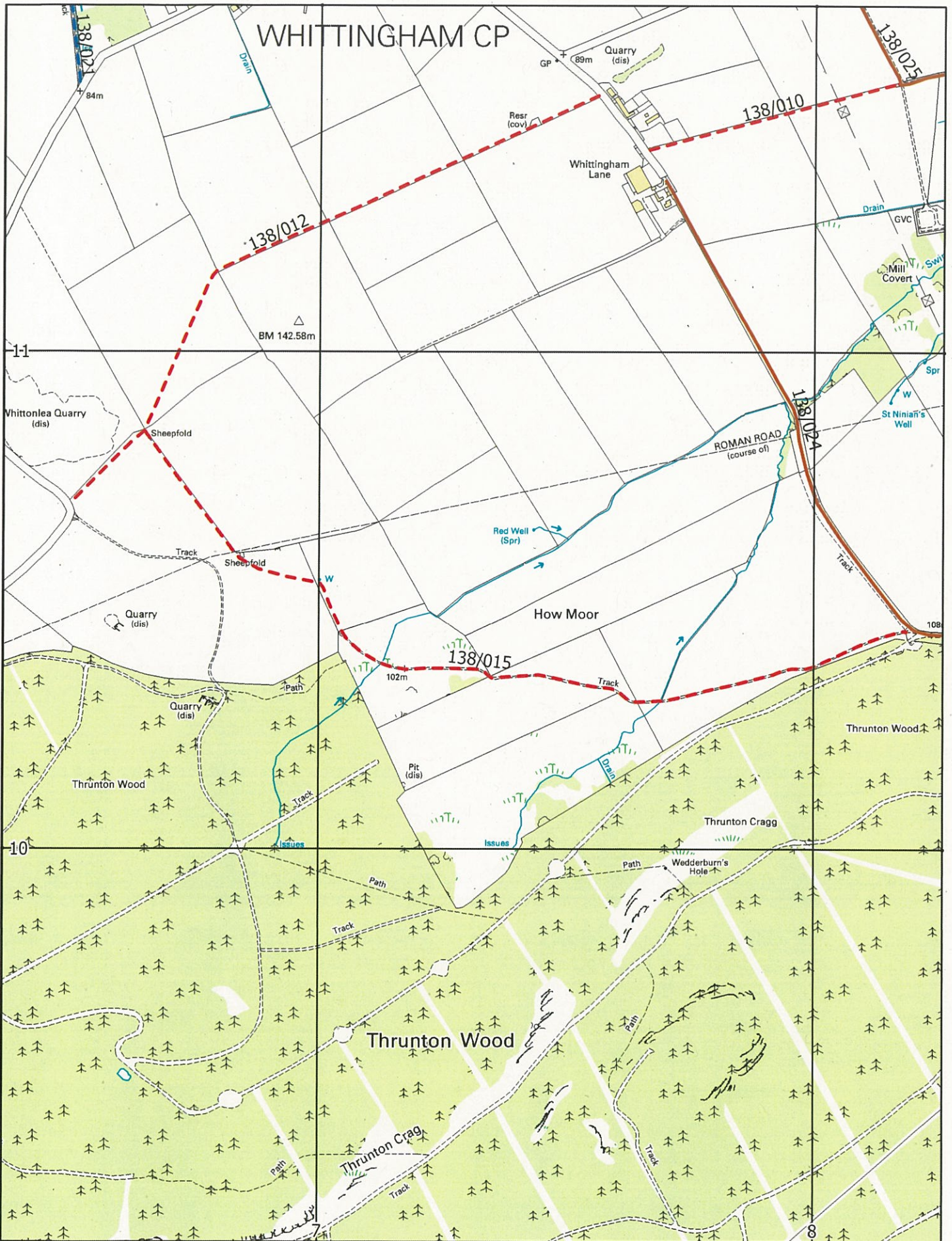




  
**Northumberland**  
 County Council  
 Local Services  
 County Hall Morpeth Northumberland  
 NE61 2EF  
 Telephone 0845 600 6400

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<b>Wildlife and Countryside Act 1981</b> <b>Public Rights of Way</b>			
		<b>Alleged Restricted Byway</b>	
Former District(s)	Alnwick	Parish(es)	Whittingham
Def. Map No.	67	O.S. Map	NU 01 SE
		Scale	1: 12,000
		Date	July 2022



  
**Northumberland**  
 County Council  
 County Hall, Morpeth, NE61 2EF  
 Contact: Highway Search Team  
 Email: [Highwaysearch@northumberland.gov.uk](mailto:Highwaysearch@northumberland.gov.uk)

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

This is a computer generated extract of the Working Copy  
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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 ALNWICK

Parish WHITTINGHAM Rights of Way No. 138/015  
(on Definitive Map)

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

I/We DIANE HOLMES (Name)

of 3 MANOR FARM, ULCHAM, 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 .....

to .....

2. (Upgrading) (~~downgrading~~) to a (footpath) (bridleway) (~~restricted byway~~) (~~byway open to all traffic~~) the (footpath) (bridleway) (~~restricted byway~~) (~~byway open to all traffic~~) (*Delete whichever is inapplicable*)

from The south end of Whittingham Lane, G.R. NU 081 104

to The C178, G.R. NU 064 106

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 .....

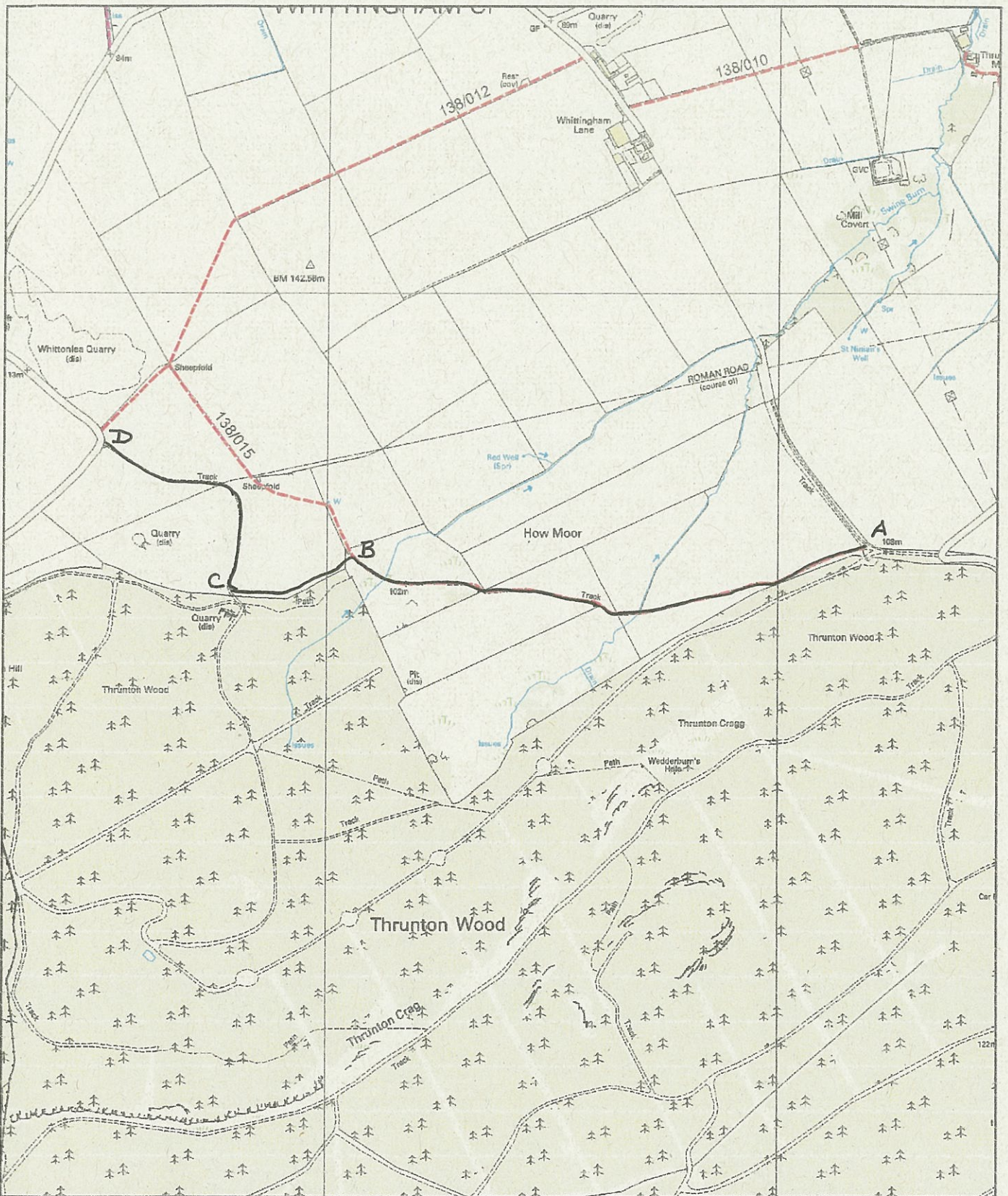
to .....

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 25<sup>th</sup> March 2021 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 2½" to 1 mile, but 6" to 1 mile (being the scale at which the Definitive Map is to be prepared and maintained) will normally be preferable.



  
**Northumberland**  
 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

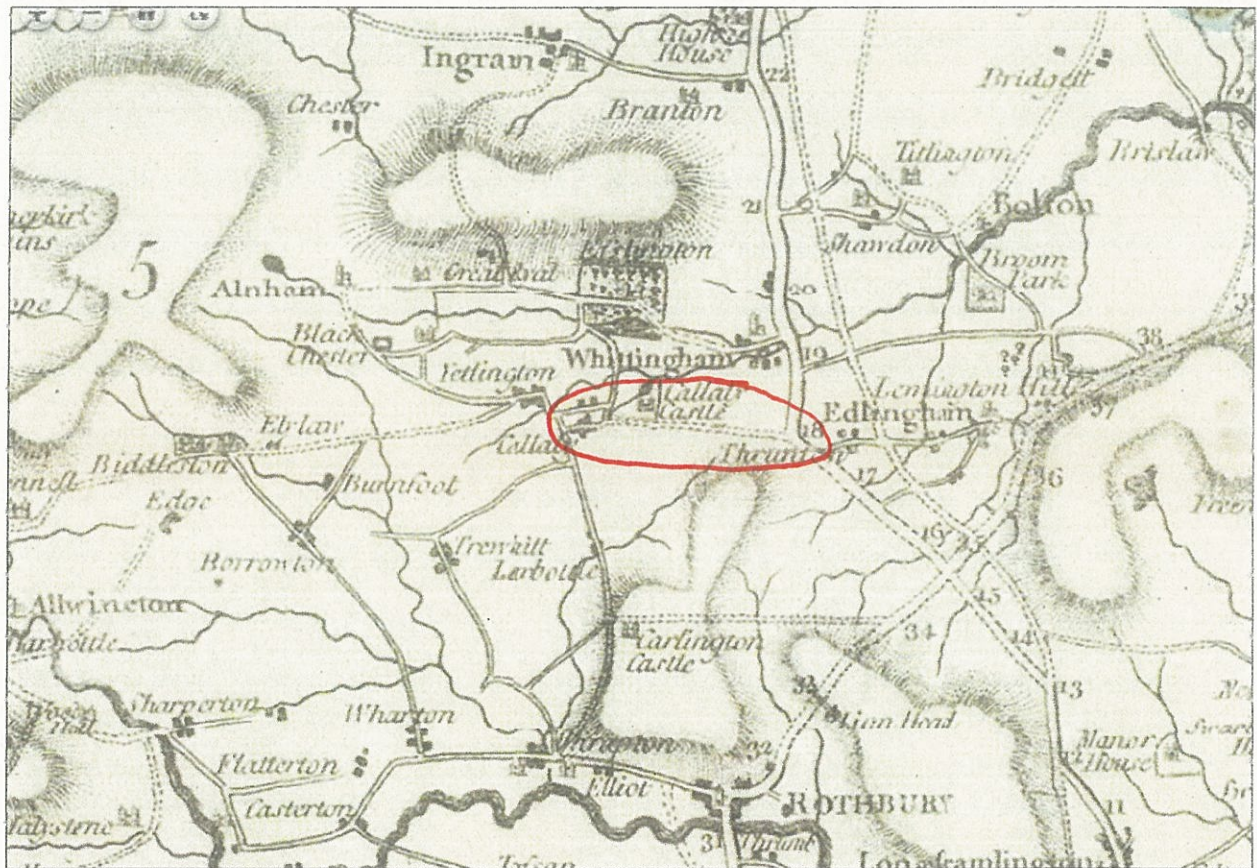
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Former District	Alnwick	Parish	Whittingham	Scale	NTS
Def. Map. No.	67	O.S. Map	NU01SE	Date	January 2021



1805 John Cary's map of Northumberland

Source: [https://themaphouse.com/search\\_getamap.aspx?id=132686&ref=NTHUMB336](https://themaphouse.com/search_getamap.aspx?id=132686&ref=NTHUMB336)



This map is described as showing 'the developing road network'.

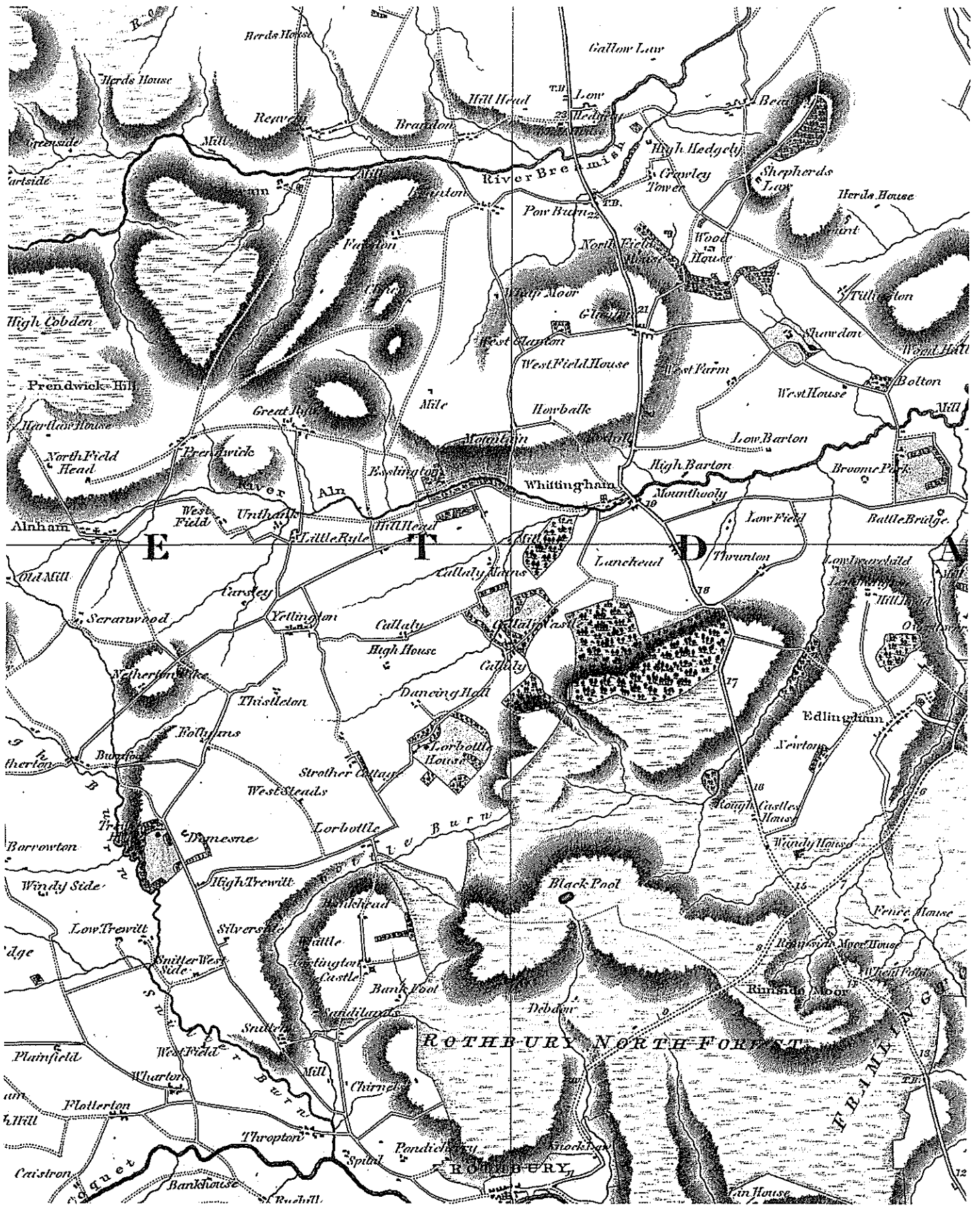
1819 John Wilkes' map of Northumberland

Source:

[https://www.themaphouse.com/search\\_getamap.aspx?id=137617&ref=NTHUMB343](https://www.themaphouse.com/search_getamap.aspx?id=137617&ref=NTHUMB343)



Fryer's County Map  
1820

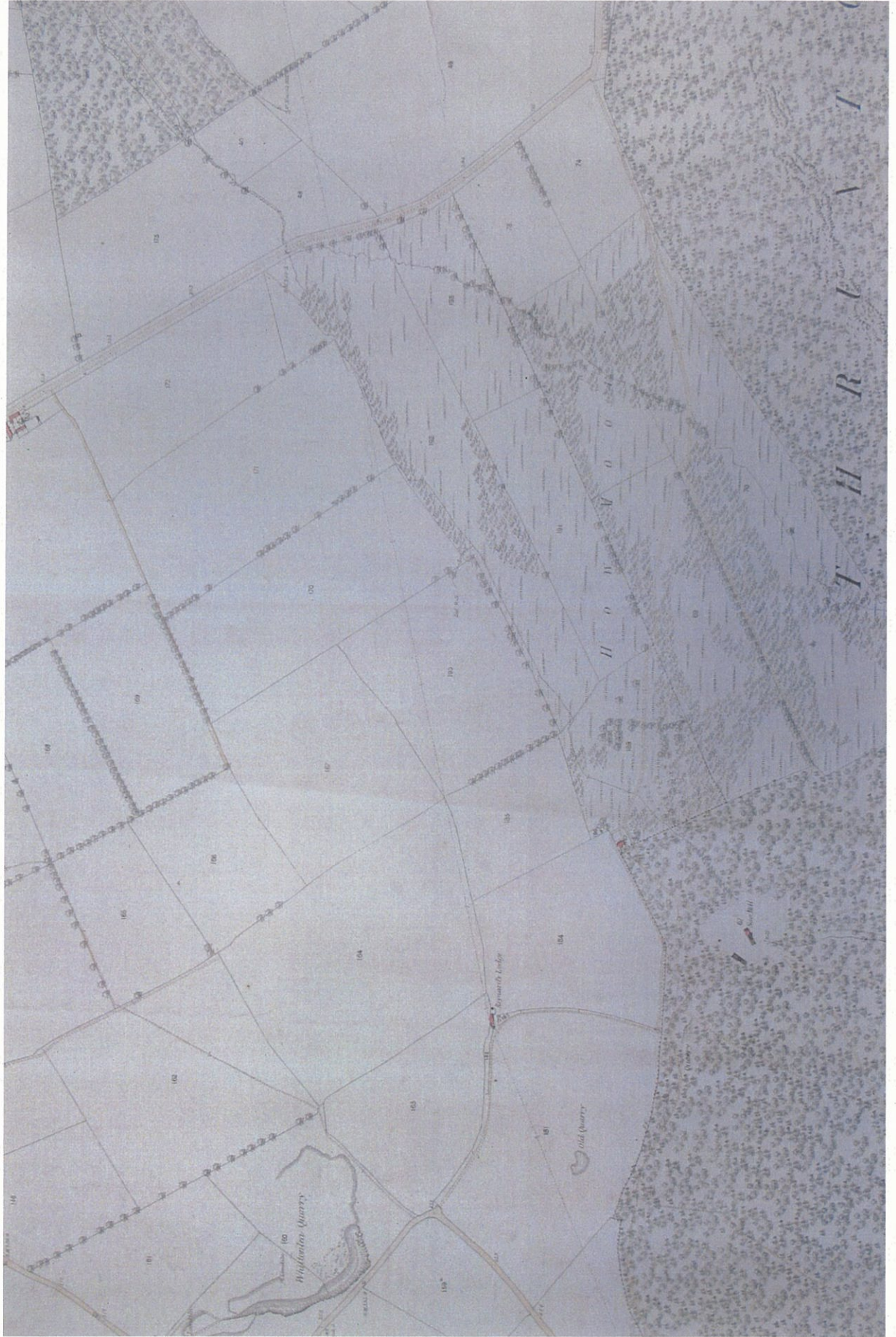








1st Edition 25" O.S. Map  
c.1860



1st Edition 25" O.S. Map (Enlarged)  
c. 1860



PARISH OF WHITTINGHAM.

PARISH OF WHITTINGHAM.

No. on Plan.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
110	1113-256	Brought forward.	15	141-183	Brought forward.
111	21-215	Arable.	16	-130	Garden and shed.
112	1-266	Wood.	17	-038	Shed, &c.
113	23-391	Ornamental ground.	18	3-759	Pasture.
	430	House, gardens, &c.	19	28-644	Pasture, &c.
		(Shawdonhill Cottage).	20	-087	Arable, &c.
114	556	Pasture.	21	-023	Houses, &c. (Thrumton Mill, corn).
115	432	Pasture, &c.	22	-117	House.
116	15-335	Pasture, &c.	23	-152	Stackyard.
117	224	Pasture.	24	4-213	Garden.
118	26-237	Arable.	25	7-623	Arable.
119	29-435	Arable.	26	13-813	Pasture, &c.
120	369	Embankment.	27	6-004	Pasture, &c.
121	214	Embankment.	28	-049	Garden.
	1232-754		29	4-241	Pasture, &c.
			30	1-229	Pond.
			31	21-230	Arable, &c.
			32	22-506	Pasture, &c.
			33	15-094	Arable.
			34	4-351	Public road.
			35	15-224	Arable, &c.
			36	11-957	Arable, &c.
			37	19-084	Arable.
			38	-896	Public road.
			39	9-792	Wood, &c.
			40	3-022	Pasture, &c.
			41	15-375	Pasture, &c.
			42	27-215	Arable, &c.
			43	19-181	Arable, &c.
			44	24-286	Arable, &c.
			45	3-852	Public road.
			46	1-625	Arable.
			47	-192	Public road.
			48	3-910	Pasture, &c.
			49	31-025	Arable, &c.
			50	24-513	Pasture, &c.
			51	1-121	Garden.
			52	20-280	Arable.
			53	3-157	Pasture and trees.
			54	-008	Houses and yards.
			55	-110	Houses, &c.
			56	-071	Houses, &c.
			57	-624	Houses and yard.
			58	1-639	Grass, &c.
			59		Houses, yards, gardens, &c.
			60	30-557	Arable, &c.
			61	20-668	Pasture, &c.
			588-044		Carried forward.

RECAPITULATION.

1205-748	Land.
25-235	Public roads.
1-771	Water.
1232-754	Total area of the Township of Shawdon and Woodhouse.

TOWNSHIP OF THURINGTON.

1	7-398	Arable, &c.
2	11-276	Pasture, &c.
3	21-954	Pasture.
4	36-263	Pasture, &c.
5	2-520	Public road.
6	8-358	Pasture, &c.
7	2-105	Pasture.
8	15-250	Pasture, &c.
9	-007	Pasture (island).
10	1-875	Pond.
11	-080	Wood.
12	-703	Wood, &c.
13	32-759	Pasture, &c.
14	-634	Houses, yards, &c. (Thrumton Low-field).
141-183		Carried forward.

No. on Plan.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
62	533-044	Brought forward.	100	2172-123	Brought forward.
63	4-052	Pasture.		29-790	Wood, &c. (Black-cock Plantation).
64	-261	Sheds.			
65	-031	House and sheds (saw mill).		2201-913	
66	-037	Waste.			
67	2-272	Gardens, &c.			
68	-030	Rough pasture, furze, &c.			
69	16-578	Rough pasture, furze, &c.			
70	34-604	Rough pasture, furze, &c.			
71	10-016	Rough pasture, furze, &c.			
72	-828	Public road.			
73	6-347	Pasture.			
74	6-697	Arable.			
75	19-331	Pasture, shed, &c.			
76	28-178	Arable, &c.			
77	33-863	Arable, &c.			
78	648-200	Wood, &c. (Howmoor Plantation).			
79	10-050	Public road.			
80	21-731	Pasture, &c.			
81	71-292	Pasture, rough pastures, &c.			
82	5-972	Wood.			
83	6-855	Wood.			
84	1-908	Wood, &c.			
85	19-650	Pasture.			
86	-239	Houses, garden, &c. (Thrumton Red House).			
87	-153	Garden.			
88	3-612	Pasture, &c.			
89	5-767	Rough pasture, &c.			
90	-158	Shed.			
91	-025	House, &c. (Thrumton Tile Works).			
92	-206	Houses, gardens, &c.			
93	-337	Public road.			
94	1-303	Arable, &c.			
95	-217	Wood.			
96	44-652	Rough pasture, furze, &c.			
97	20-537	Rough pasture, furze, &c.			
98	1-600	Wood, &c.			
99	561-940	Rough pasture, &c.			
2172-123		Carried forward.			
				440-865	Carried forward.

TOWNSHIP OF WHITTINGHAM.

1	14-785	Arable, &c.
2	-338	House and gardens.
3	-931	Houses, yards, garden, &c. (Howbalk).
4	-301	Pasture.
5	16-057	Arable, &c.
6	17-691	Pasture.
7	-380	Pond.
8	13-909	Arable.
9	20-251	Arable.
10	20-320	Arable, &c.
11	2-708	Public road.
12	26-820	Arable, &c.
13	6-749	Pasture, &c.
14	18-085	Arable.
15	34-210	Arable.
16	18-830	Pasture, &c.
17	26-707	Pasture.
18	9-534	Arable, &c.
19	13-090	Arable, &c.
20	12-956	Public road.
21	21-649	Pasture.
22	18-946	Arable.
23	19-216	Pasture.
24	35-952	Arable.
25	31-655	Arable.
26	-979	Pasture.
27	37-866	Arable.
440-865		Carried forward.

No. on Plan.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
28	449-853	Brought forward.	70	748-979	Brought forward.
29	10-655	Arable, &c.	71	.459	Houses, gardens, &c.
30	15-191	Arable, &c.	72	.737	Pasture, &c.
31	1-375	Wood.	73	.059	Garden.
32	14-203	Arable, &c.	74	16-109	Pasture, &c.
33	27-329	Arable, &c.	75	14-840	Pasture, &c.
34	5-483	Pasture.	76	12-487	Pasture, &c.
35	.336	Garden.	77	12-568	Pasture, &c.
36	3-592	Pasture, &c.	78	7-153	Pasture, &c.
37	1-773	Houses, yards, &c.	79	14-570	Arable, &c.
38	3-984	Pasture, &c.	80	16-940	Arable, &c.
39	1-154	Houses, yard, gardens, &c. (Rothill).	81	.914	Houses, yard, gardens, &c. (Mount Holy).
40	2-087	Pasture, &c.	82	2-832	Arable.
41	5-879	Pasture, &c.	83	28-467	Pasture, &c.
42	1-454	Public road.	84	5-207	Public road.
43	16-819	Arable.	85	.970	Pasture, &c.
44	-120	House and garden (smithy).	86	6-300	Arable, &c.
45	12-715	Pasture, &c.	87	.293	Pasture, &c.
46	26-376	Pasture, &c.	88	1-071	Public road.
47	1-396	Wood.	89	11-519	Public road.
48	.139	Wood.	90	.679	Houses, yards, gardens, &c. (Bridge of Ah Inn).
49	2-507	Pasture and bushes.	91	1-514	Pasture, &c.
50	.098	Pasture, &c.	92	19-800	Pasture, &c.
51	1-378	Wood.	93	16-726	Arable, &c.
52	16-225	Pasture.	94	19-975	Pasture, &c.
53	55-667	Pasture, &c.	95	15-990	Arable, &c.
54	8-910	Pasture, &c.	96	23-935	Pasture, &c.
55	3-739	Public road.	97	.695	Pasture, &c.
56	2-487	Pasture, &c.	98	.819	Pasture, &c.
57	4-783	Pasture, &c.	99	3-034	Pasture, &c.
58	19-472	Pasture, shed, &c.	100	3-862	Houses, yards, gardens, &c. (Whittingham, part of).
59	10-811	Pasture, &c.	101	2-622	Pasture.
60	.171	Wood.	102	2-483	Pasture, &c.
61	3-188	Houses, gardens, &c. (Vicarage).	103	1-169	Pasture and trees.
62	.865	Wood.	104	.688	Pasture.
63	.032	Pasture, &c.	105	1-507	Pasture.
64	2-645	Pasture, &c.	106	1-345	Pasture and shed.
65	.958	St. Bartholomew's Church (vicarage) and graveyard.	107	1-790	Pasture, &c.
66	.610	Pasture.	108	.566	Pasture.
67	13-196	Arable, &c.	109	.299	Gardens.
68	.840	Pasture.	110	.264	Gardens.
69	2-052	Houses, gardens, &c.	111	.614	Houses, yards, gardens, &c. (Gothill, vicarage).
70	.633	Pasture.	112	2-016	Houses, yards, gardens, &c. (Whittingham).
71	509	Pasture.	113	1-771	Houses, yards, gardens, &c.
72	1-405	Pasture and shed.	114		
73	748-979	Carried forward.	115	1026-637	Carried forward.

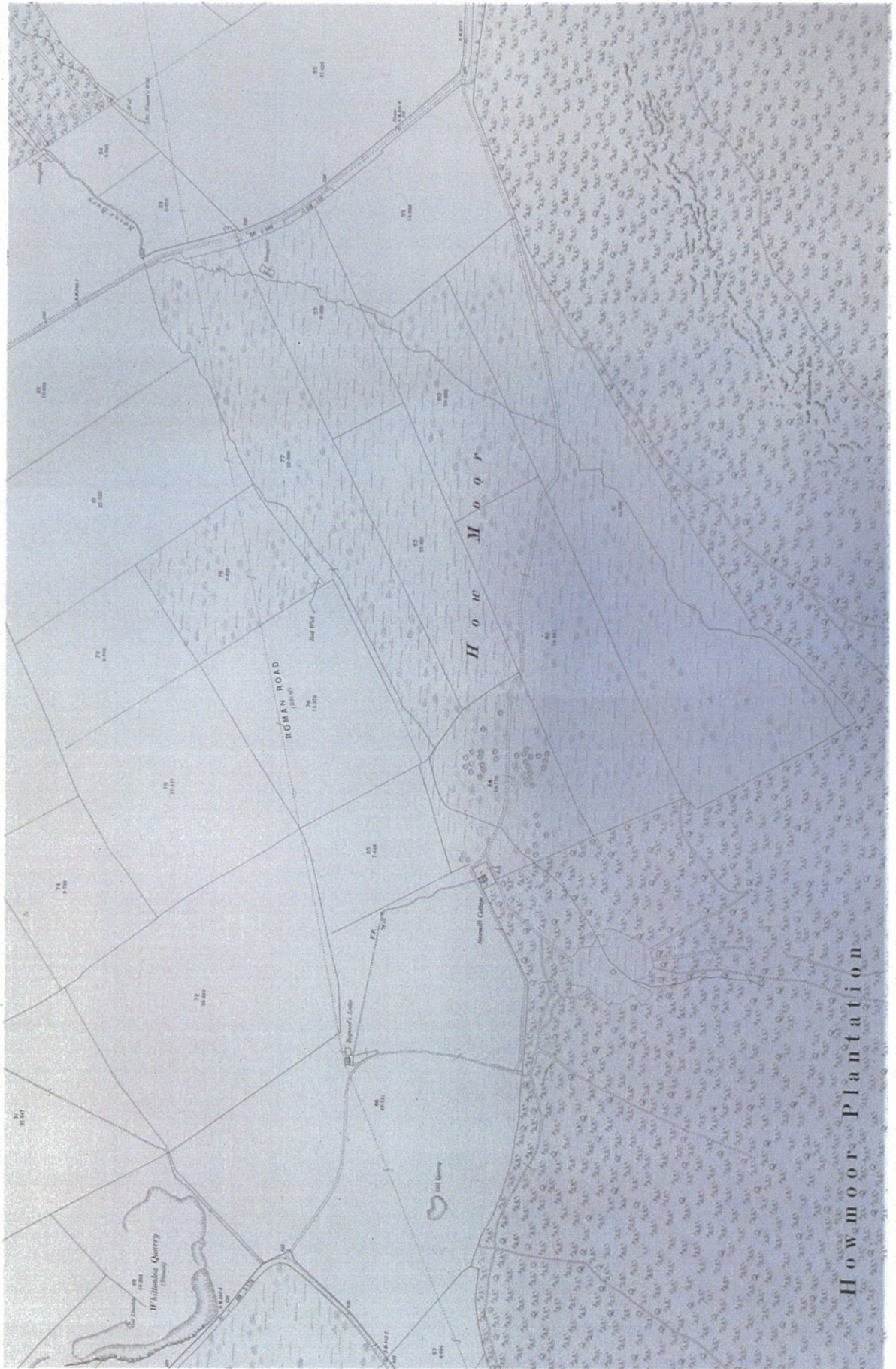
No. on Plan.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
113	1026-637	Brought forward.	158	1504-397	Brought forward.
114	.704	Pasture, &c.	159	15-027	Arable.
115	1-417	Houses, yards, gardens, &c.	160	10-075	Pasture, &c.
116	2-795	Houses, yards, gardens, &c.	161	6-774	Arable.
117	23-105	Pasture, &c.	162	19-191	Pasture, quarry, &c. (Whittonlea Quarry).
118	10-085	Arable.	163	11-023	Arable.
119	11-921	Arable.	164	21-847	Arable, &c.
120	16-788	Arable.	165	11-413	Arable, &c.
121	6-617	Pasture.	166	26-077	Arable, &c.
122	7-360	Pasture.	167	9-330	Arable, &c.
123	8-996	Pasture.	168	9-790	Arable.
124	10-150	Arable.	169	17-275	Arable.
125	15-789	Arable, &c.	170	10-888	Arable.
126	.461	Wood, &c.	171	12-555	Arable, &c.
127	3-684	Pasture.	172	18-914	Arable, &c.
128	3-596	Public road.	173	21-537	Pasture, arable, &c.
129	11-515	Pasture, shed, &c.	174	16-168	Pasture.
130	.208	Arable.	175	16-410	Pasture and shed.
131	.045	Garden.	176	10-351	Wood.
132	3-203	Arable, quarry, &c.	177	1-290	Wood, &c.
133	1-548	Arable.	178	13-116	Pasture.
134	2-492	Houses, yards, gardens, &c. (Whittingham Lane).	179	12-061	Arable.
135	5-799	Arable.	180	11-774	Pasture, &c.
136	6-567	Arable.	181	13-759	Arable, &c.
137	7-276	Pasture, shed, &c.	182	13-189	Pasture, &c.
138	3-031	Pasture.	183	22-074	Arable, quarry, &c. (Houses, gardens, &c. (Reynard's Lodge)).
139	.439	Pasture.	184	.078	Garden.
140	.786	Public road.	185	13-919	Arable.
141	101-094	Whittingham Wood.	186	7-546	Arable.
142	3-841	Pasture.	187	.052	Garden.
143	17-016	Arable.	188	.152	House, garden, &c.
144	17-488	Arable.	189	10-337	Rough pasture, &c.
145	5-679	Public road.	190	1-231	Public road.
146	10-356	Arable.	191	15-572	Arable, &c.
147	11-955	Arable, &c.	192	10-821	Rough pasture.
148	16-277	Pasture.	193	24-280	Rough pasture, &c.
149	35-433	Pasture, &c.	194	9-363	Rough pasture, &c.
150	24-597	Arable.	1947-570		
151	23-713	Arable, &c.			
152	1-026	Houses, yards, gardens, &c.			
153	14-796	Arable.			
154	7-565	Pasture.			
155	4-151	Pasture, &c.			
156	1-430	Pasture.			
157	13-873	Pasture, &c.			
158	1504-397	Carried forward.			

RECAPITULATION.

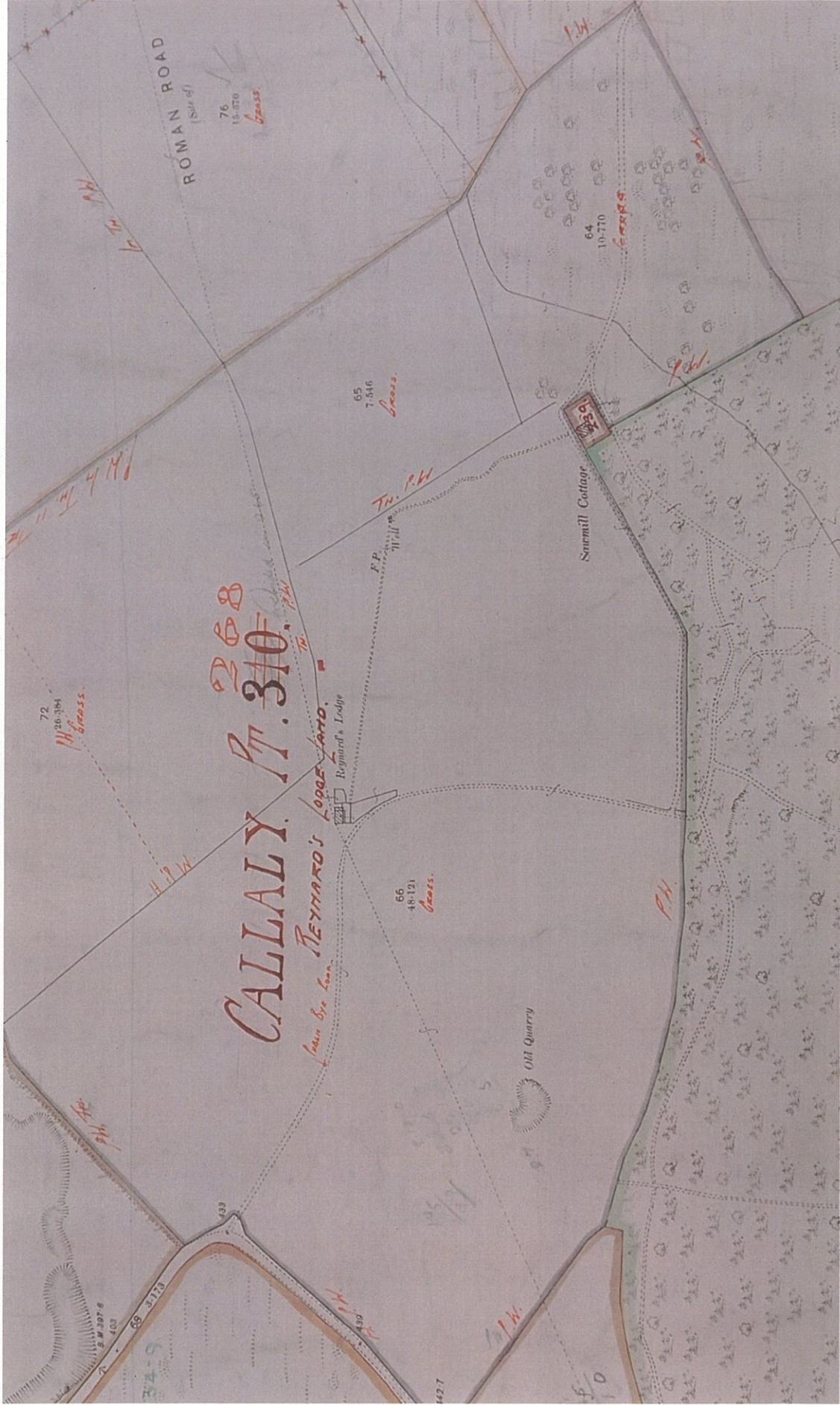
1911-771  
Land.  
35-719  
Public roads.  
-380  
Water.

1947-870  
Total area of the Township of Whittingham.

2nd Edition 25" O.S. Map  
1897



Finance Act 1910 Plan



(West section)

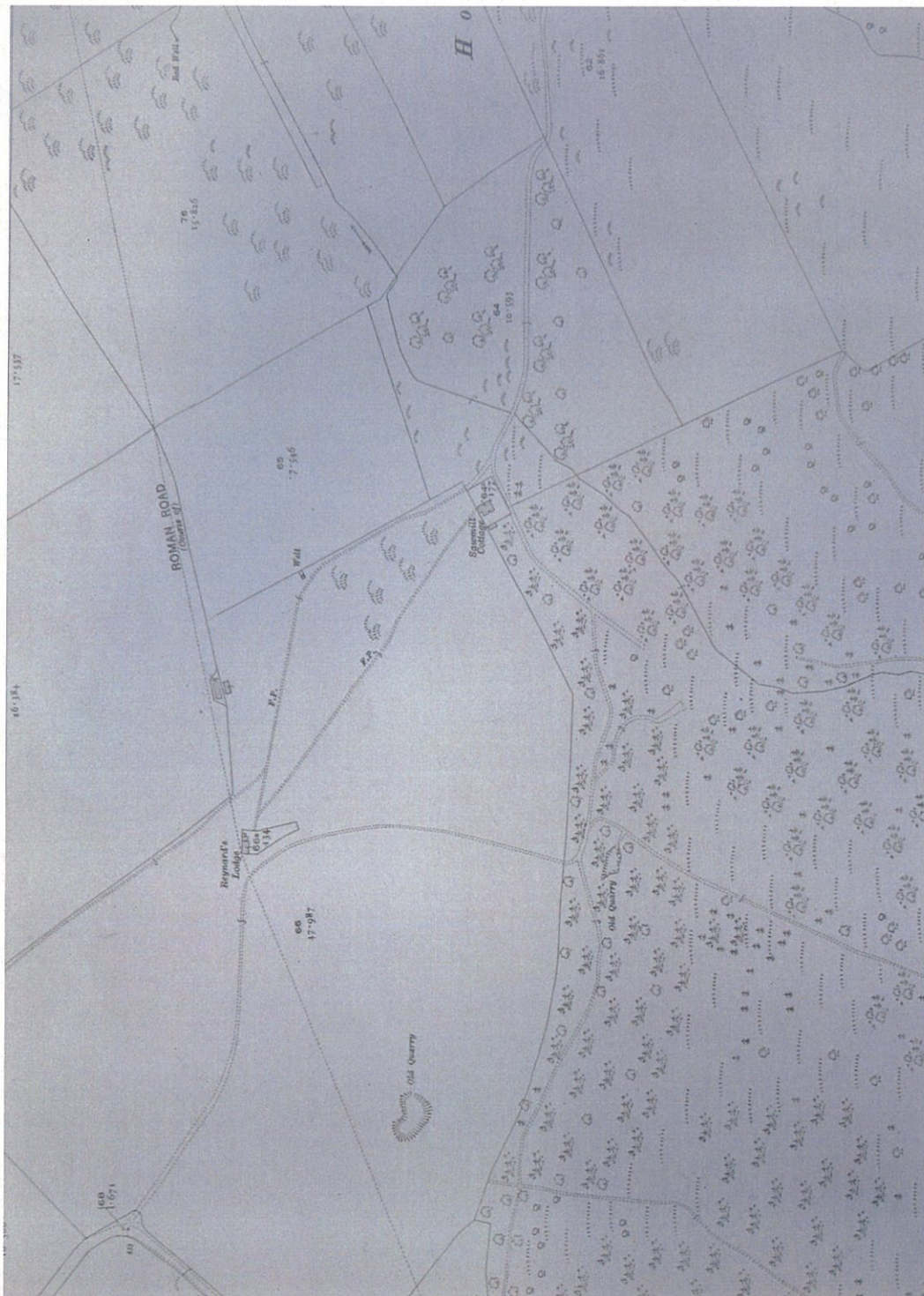


Finance Act 1910 Plan



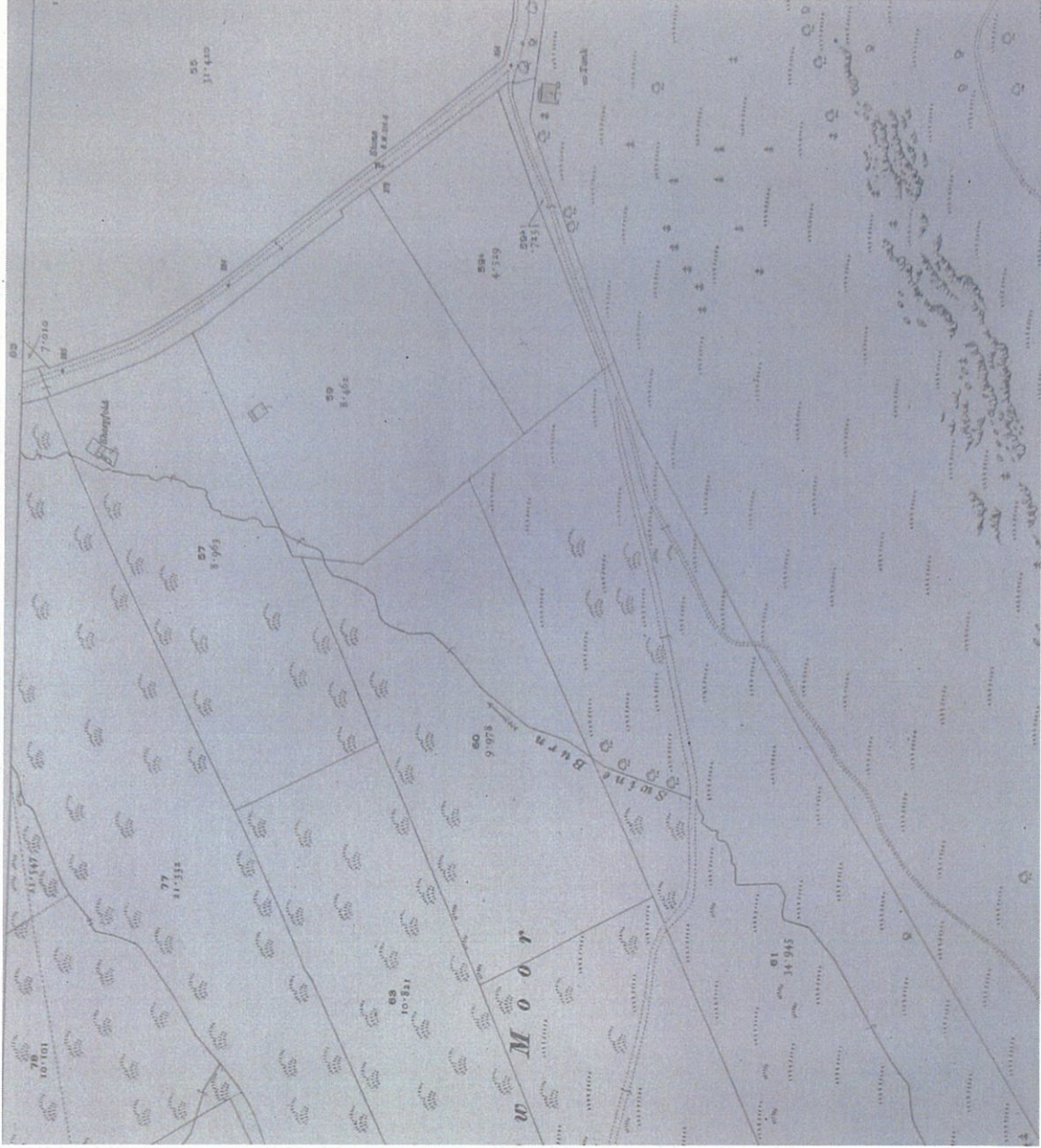
(East section)

3rd Edition 25" O.S. Map  
1923



(Western section)

3rd Edition 25" O.S. Map  
1923



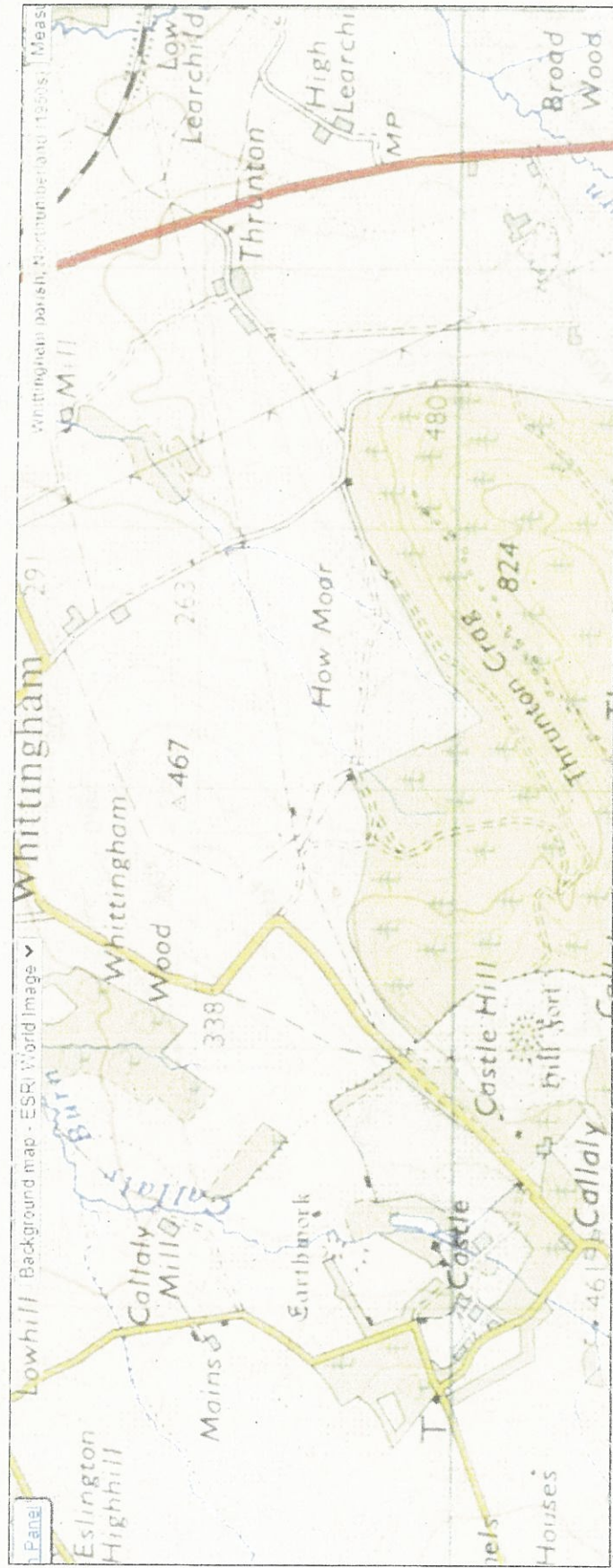
(Eastern section)

Highways Map  
1951

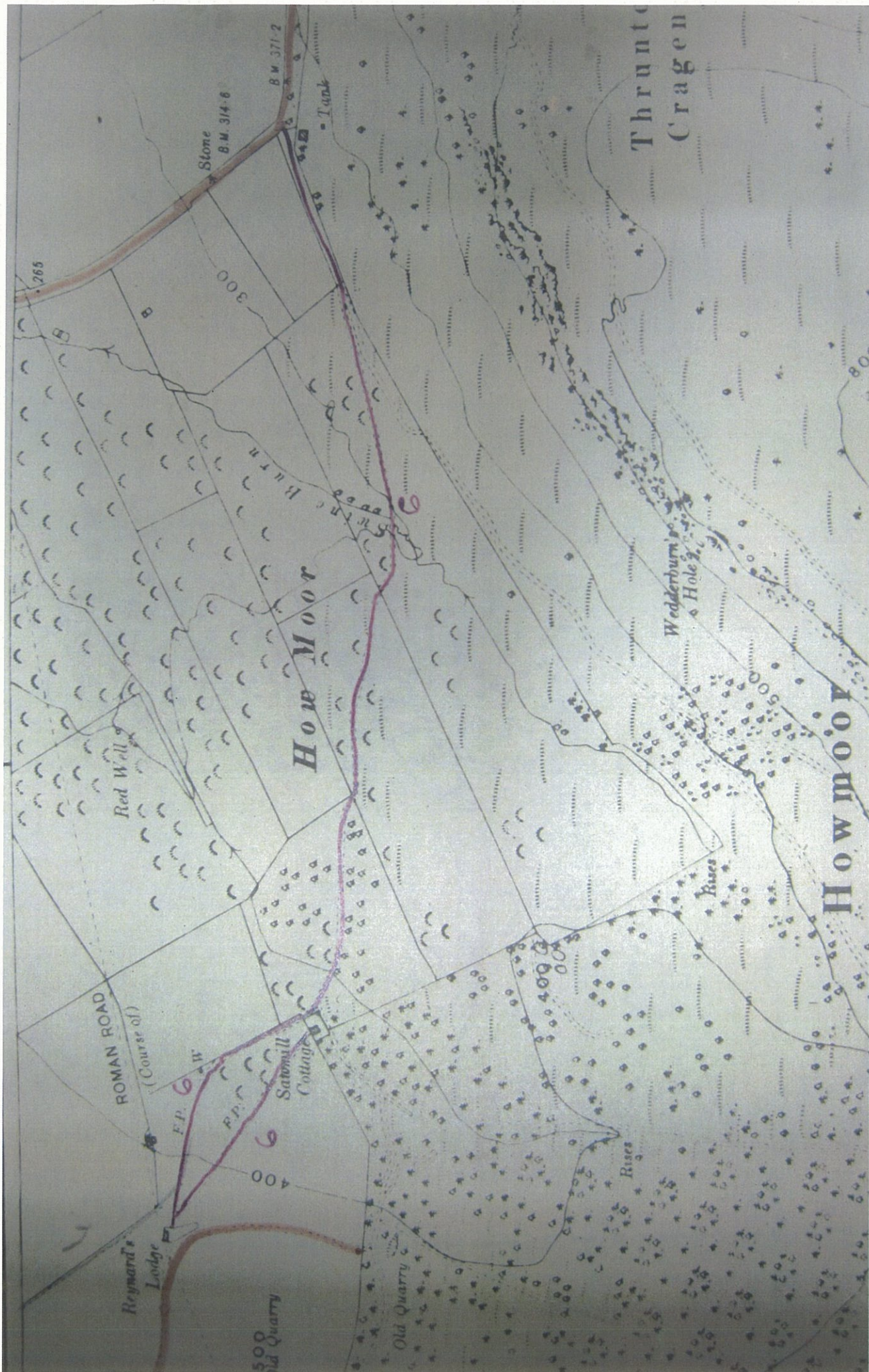


1952 OS 7th series scale 1:25,000 (2 1/2")

source: National Library of Scotland



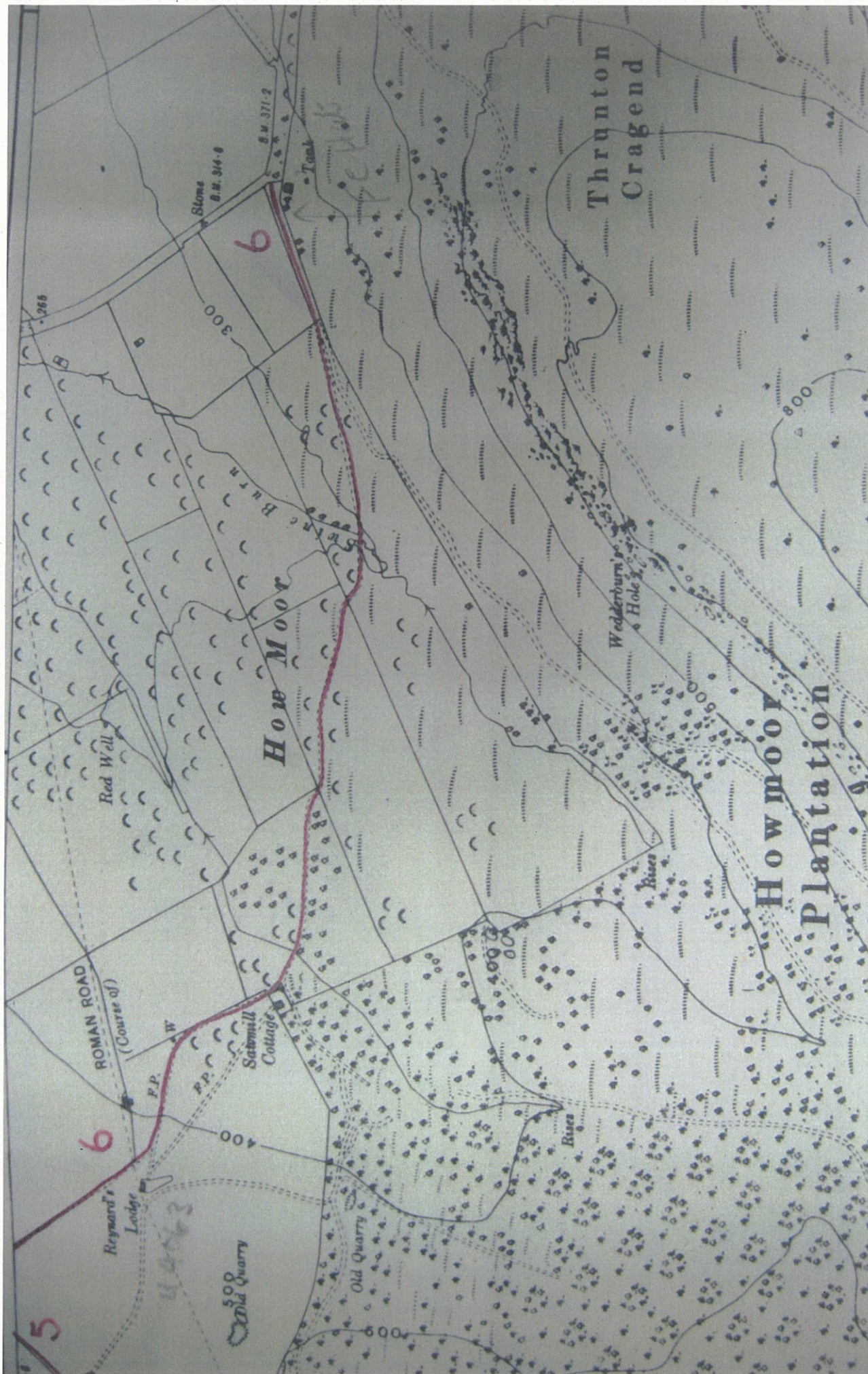
Survey Map



Whittingham Farm  
 Retaining RS  
 schedule not  
 completed

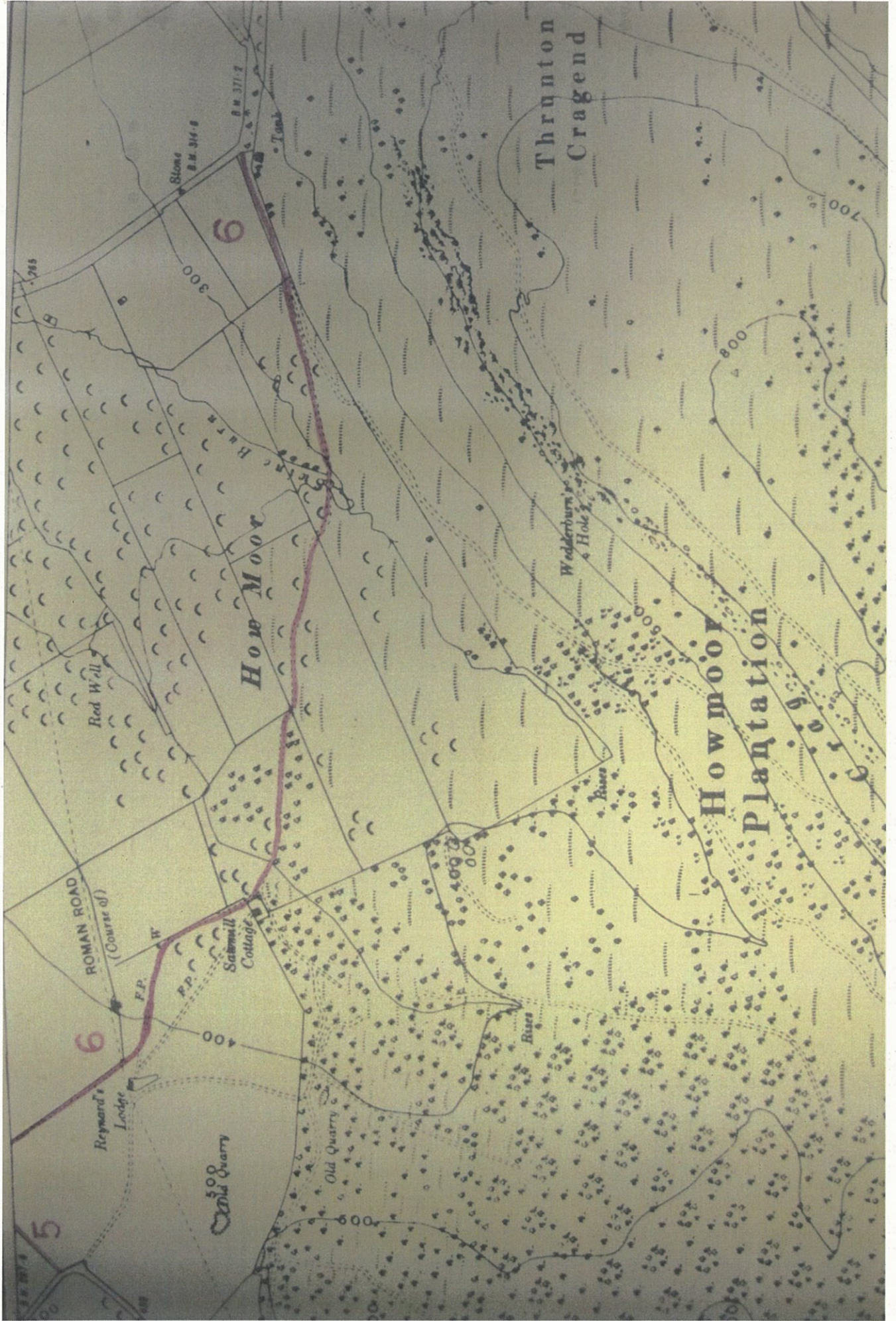
- 1 From Churchyard to Brick End via Howbalk
- 2 From Howbalk road to Long
- 3 From Field to Callaby mead
- 4 From bank to Callaby Avenue
- 5 Top of Hill Road to White Lane obelisk style. Bush wire
- 6 Top of Hill Road via Sawmill cut to Shunters. Any foot
- 7 Pringle Cottages to Barton etc
- 8 Mc Lane to Shunters mill. Caravan on path at Whittingham Lane entrance
- 9 Road to Hill Shunters mill to Shunters. Bush wire at mill
- 10 From Shunters mill westward to Ly-Barton to Shunters mill
- 11 Road to Low Field via Railway to Shunters Road end (U 4002)
- 12 From Howbalk to Brick End
- 13 From Howbalk to Brick End
- 14 Old Road from W Lane via Brick End (U 4002 + 4004)
- 15 Edlington High Hill to Edlington West Top (U 4010)
- 16 Low Hill Thro Edlington Park
- 17 From Rydmill back to Edlington to East Lodge Ford
- 18 From main road (Clearfield Moor) How to Ardona
- 19 From Hill Moor Road to (U 4064)

A





Provisional Map





# 1958 County Road Schedule

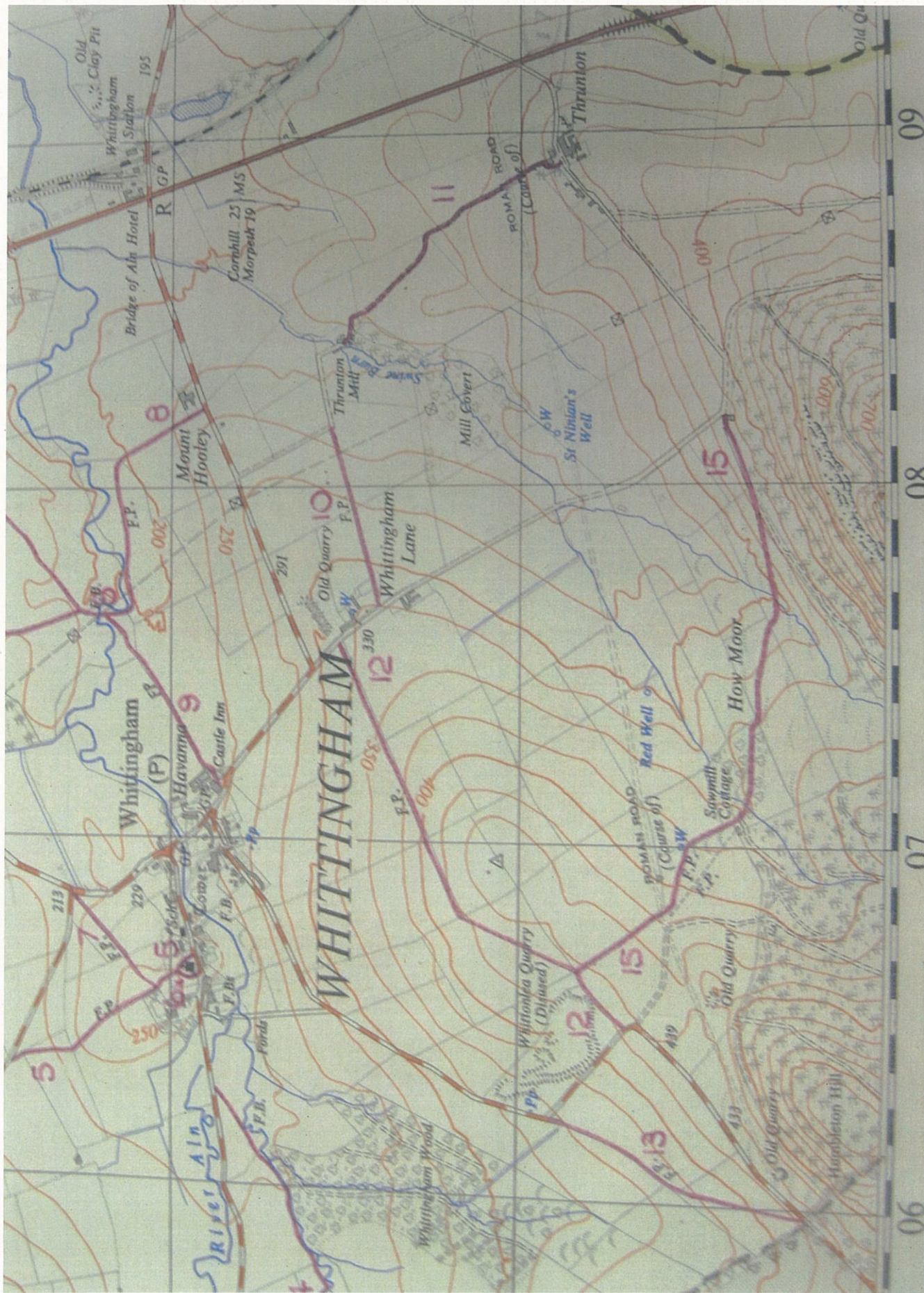
## ALNWICK DIVISION

### Unclassified Roads in Rothbury Rural District

		Brought Forward	
U.4061	Antons Letch - Great Tosson - Allerdene Road	From B.6341 at Antons Letch via Sweep Road, Ladies Bridge, crossing C.181 at Newtown, linking up with U.4035 at Great Tosson and continuing northwards to its junction with C.181 600 yards east of Allerdene.	62.035 miles
U.4062	Allerdene - Warton Road	From B.6341 at its junction with C.179 south-eastwards via the Coquet forway to C.181 at Allerdene.	1.73
U.4063	Howmoor Plantation Road	From C.178 near Whittonles Quarry via Reynards Lodge to Howmoor Plantation.	1.25
U.4064	Branton - Great Ryle	From the Glendale R.D. boundary at Mile Moor to C.169 at Milemoor Plantation.	0.34
U.4065	Ingram - Prendwick	From the Glendale - Rothbury R.D. boundary at Bowl Holes Shottons Dene to C.169 Prendwick Cottage.	0.54
U.4066	Wagtail Road, Rothbury	From B.6342 200 yards east of Rothbury Station south-eastward to bottom of west ramp to railway bridge on road to Wagtail Farm.	0.51
U.4070	Scottish Ford Road	From B.6342 at Rothbury Railway Station via the Scottish Ford to B.6341	0.55
U.4071	Jubilee Crescent Rothbury	Off Croft Road, U.4059 for a distance of 399 yards	0.13
U.4072	Physic Lane, Thropton	From B.6341 130 yards east of the Cross Keys Public House, Thropton in a north-easterly direction for 200 yards.	0.227
U.4073	Road to Low Trewitt.	From U.4026 at Low Trewitt Bridge northwards to gate at Low Trewitt Farm.	0.114
			0.272
		TOTAL	67.998 miles

1st January, 1958

Original Definitive Map

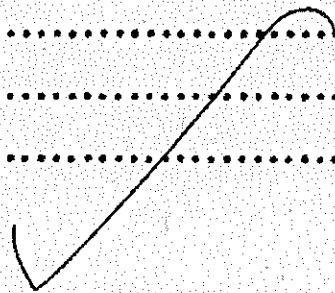


NORTHUMBERLAND COUNTY COUNCIL.

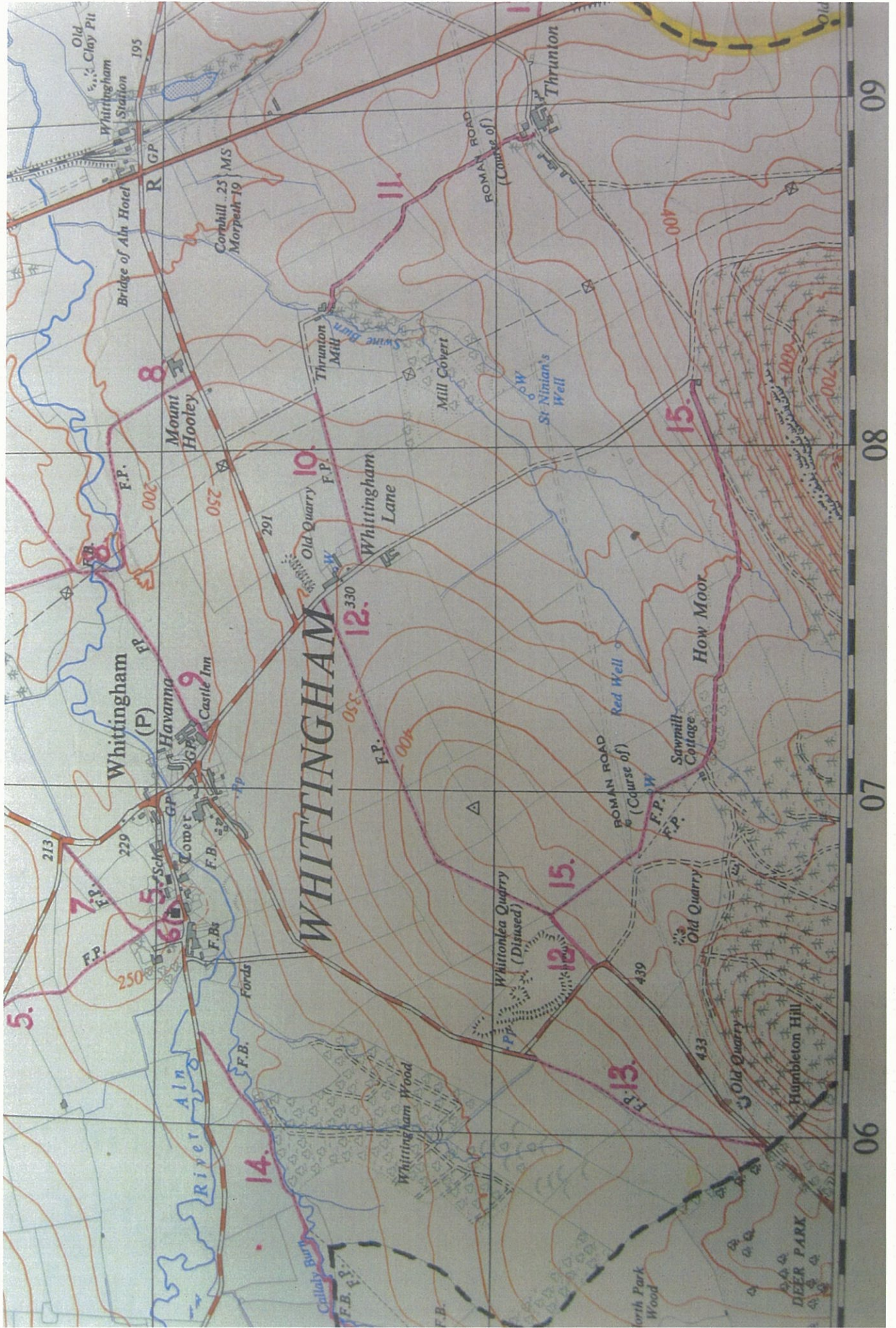
NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949:  
PART IV.

PUBLIC RIGHTS OF WAY - STATEMENT.

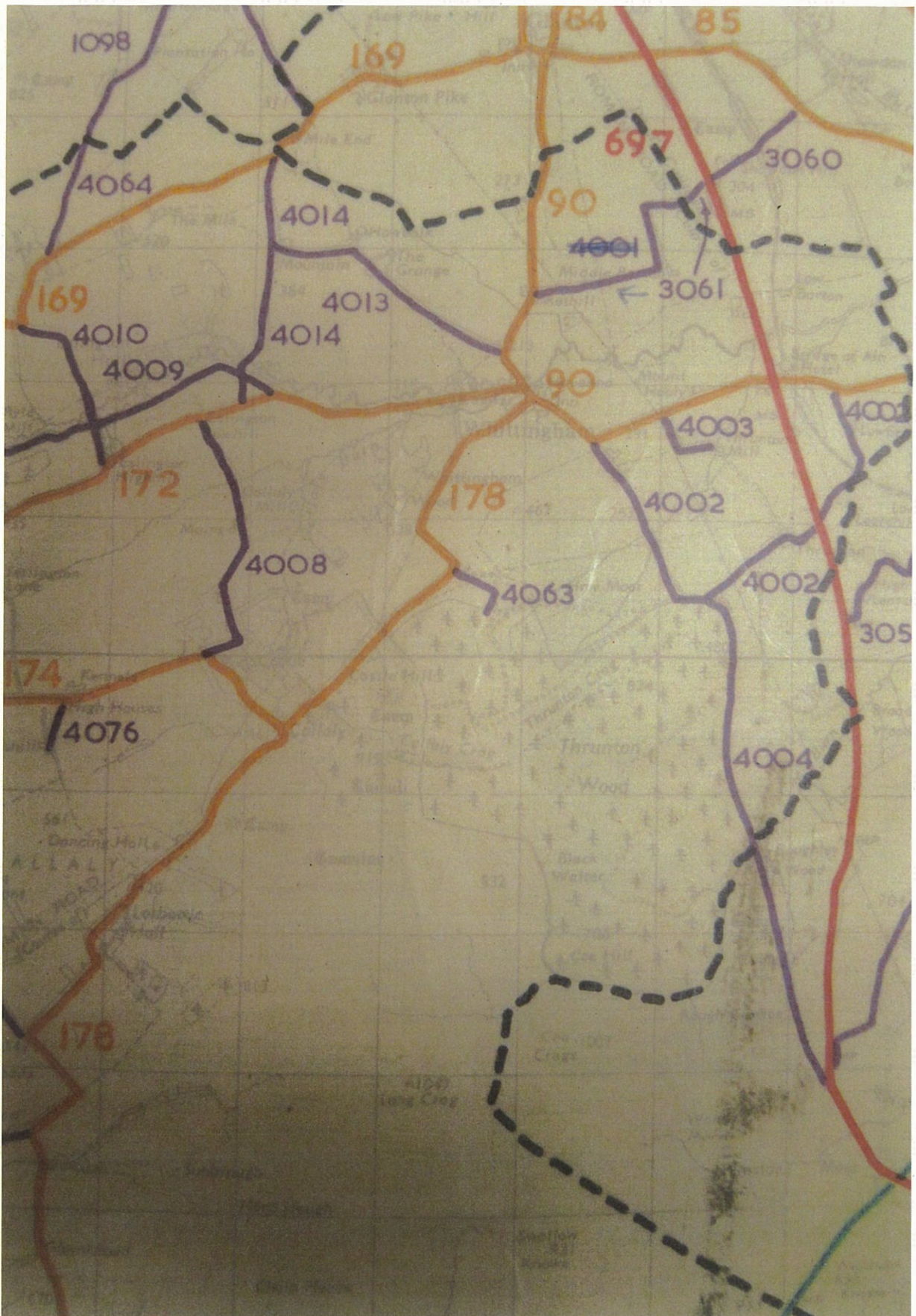
- 1. Borough .....
  - Urban district .....
  - Rural district ..... ROTHBURY .....
  
- 2. Parish ..... WHITTINGHAM .....
  
- 3. Number of Footpath on Map ..... 15 .....
  
- 4. Name of Path .....
  
- 5. Kind of Path (i.e. (FP/BR) ..... F.P. ....
  
- 6. General Description of Path From F.P. 12 east of the Whittonlea .....
  - Quarry in a south-easterly and easterly direction by Sawmill Cottage .....
  - and How Moor to join the Whittingham Lane - Thrunton Road at the north .....
  - end of Thrunton Wood. ....
  - .....
  - .....
  
- 7. Other relevant information .....
- .....
- .....
- .....
- .....
- .....
- .....



# First Review Definitive Map



# Highways Map 1964



# 1964 County Road Schedule

- 93 -

<u>Route No.</u>	<u>Name of Road.</u>	<u>Description.</u>	<u>Responsible Division or Authority.</u>	<u>Mileage.</u>	<u>Total Mileage.</u>
U.4060	Haw Hill and Hillside Road (Part).	From Gravelly Bank, U.4059, eastwards to Heather Lea' and including link to Cove Cottage, (1,680 yards).	Alnwick.	0.91	0.91
U.4061	Antons Letch-Great Tosson-Allerdene Road.	From B.6341 at Antons Letch via Sweep Road, Ladies Bridge, crossing C.181 at Newtown, linking up with U.4035 at Great Tosson and continuing northwards to its junction with C.181 680 yards east of Allerdene.	Alnwick.	1.73	1.73
U.4062	Allerdene-Warton Road.	From B.6341 opposite its junction with C.179 south-eastwards via the Coquet Fordway to C.181 at Allerdene.	Alnwick.	1.25	1.25
U.4063	Howmoor Plantation Road.	From C.178 near Whittonlea Quarry via Reynards Lodge to Howmoor Plantation.	Alnwick.	0.34	0.34
U.4064	Great Ryle-Branton.	From C.169 at Milemoor Plantation north-eastwards to the Rural District boundary south of Plantation House. (Continues in Glendale Rural District as U.1098).	Alnwick.	0.54	0.54
U.4065	Ingram-Frendwick.	From C.169 at Frendwick Cottage northwards to the Rural District boundary. (Continues in Glendale Rural District as U.1100).	Alnwick.	0.81	0.81
U.4066	Wagtail Road, Rothbury.	From B.6342 200 yards east of Rothbury Station south-eastwards to bottom of west ramp to railway bridge on the road to Wagtail Farm.	Alnwick.	0.55	0.55
U.4067	Church Street, Longframlington.	From A.697 at Longframlington Schools via north and west sides of St. Laurence's Church to C.188.	Morpeth.	0.08	0.08
U.4068	Monkridge-Soppit.	From A.696 at Monkridge northwards to the Rural District boundary at the ford over Elsdon Burn. (Continues in Bellingham Rural District as U.5065).	Morpeth.	0.58	0.58
U.4069	Elsdon Village Roads. (See also U.4082 and U.4085).	From B.6341 at Checkgate via School to Castlegate and returning southwards along east side of St. Cuthbert's Church to rejoin B.6341 opposite junction with C.186, (357 yards). Also from Bird-in-Bush Inn, crossing C.186, to Pinfold, (160 yards).	Morpeth.	0.30	0.30



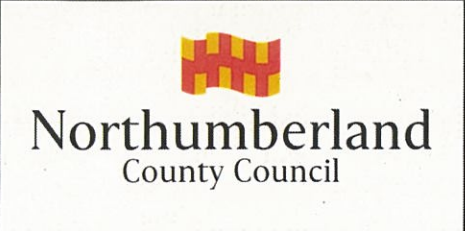
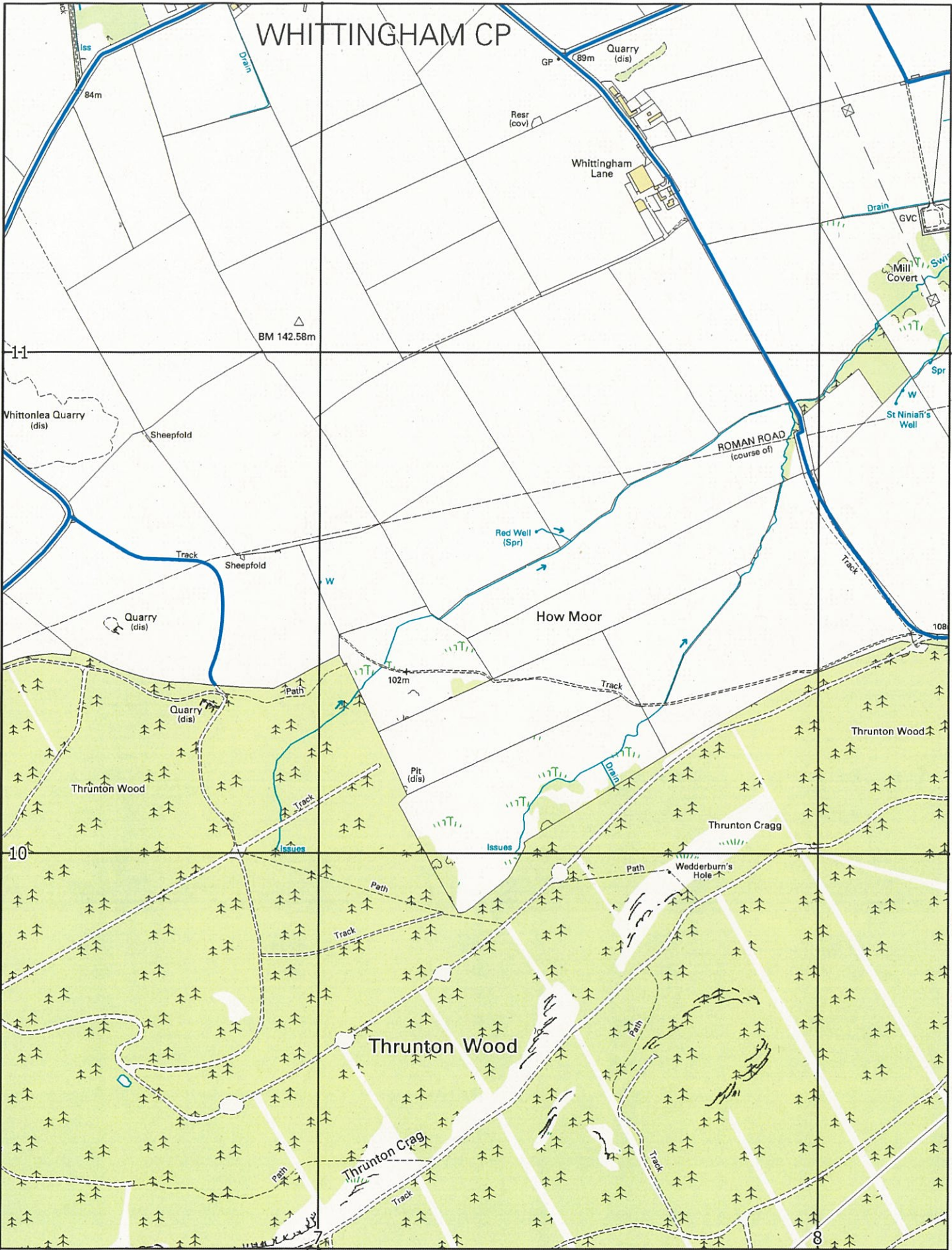
# 1974 County Road Schedule

Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Total Mileage
U.4065	Howmoor Plantation Road.	From C.178 near Whittonies Quarry (NU C65106) eastwards and southwards via Reynards Lodge to Howmoor Plantation. (NU C67104).	Alnwick Division.		0.54
U.4064	Great Ryle-Drantton.	From C.169 at Milemoor Plantation (NU 034129) north-eastwards to the Berwick District boundary south of Plantation House (NU C67138). (Continues in Berwick District as U.1098).	Alnwick Division.		0.54
U.4065	Ingram-Prendwick.	From C.169 at Prendwick Cottage (NU 004124) northwards to the Berwick District boundary at NU 009135. (Continues in Berwick District as U.1100).	Alnwick District.		0.81
U.4066	Wagtail Road, Rothbury.	From E.6342 200 yards east of the former Rothbury Station (NU 054016) south-eastwards to bottom of west ramp to railway bridge on the road to Wagtail Farm. (NU C69010).	Alnwick Division.		0.55
U.4067	Church Street, Longframlington.	From A.697 at Longframlington Schools via north and west sides of St. Laurence's Church to C.188. (NU.131010).	Morpeth Division.		0.08
U.4068	Monkridge Soppit.	From A.696 at Monkridge (NY 914917) northwards to the Tynedale District boundary at the ford over Elsdon Burn. (NY 917926). (Continues in Tynedale District as U.5035).	Morpeth Division.		0.53
U.4069	Elsdon Village Roads. (See also U.4082 and U.4085).	From E.6341-et Checkgate via School to Castlegate and returning southwards along east side of St. Guthbert's Church to rejoin E.6341 opposite junction with C.186, (357 yards). Also from Bird-in-Bush Inn, crossing C.186, to Pinfold, (160 yards). (NY 936933).	Morpeth Division.		0.30



**Highways Act 1980 Section 36(6)**  
**County Of Northumberland**  
**List of Streets which are highways maintainable at the public expense**  
**As at 02-May-2006**

<b>Road Number</b>	<b>Description</b>	<b>Length - Metres</b>
<b>U4059</b>		
	<i>Total length for U4059</i>	995
<b>U4060</b>		
	BLAEBERRY HILL	214
	GLENDAL CLOSE	61
	U4060 HILLSIDE TO COVE COTTAGEROTH	157
	U4060 CRAGSIDE TO CRAGSIDE COURT C	88
	NO 20 CRAGSIDE TO WOODSIDE ROAD E	135
	U4060 HILLSIDE ROAD TO U4060 CRAGSID	384
	U4060 COVE COTTAGE TO U4060 SIMONSI	257
	U4059 GRAVELLY BANK TO U4060 COVE C	71
	U4060 TO SIMONSIDE VIEW CUL-DE-SAC	63
	U4060 SIMONSIDE TO HIGH HEATHERLEA	1,021
	<i>Total length for U4060</i>	2,451
<b>U4061</b>		
	LADYS BRIDGE (N) TO B6341 W OF ROTHB	387
	LADYS BRIDGE (SOUTH) TO LADYS BRIDG	55
	C181 TOSSON MILL TO LADYS BRIDGE (SO	994
	U4035 AT GREAT TOSSON TO C181 (EAST)	580
	C181 JCT TO U4035 JCT AT GREAT TOSSO	796
	<i>Total length for U4061</i>	2,811
<b>U4062</b>		
	C181 JCT TO B6341 JCT	1,815
	<i>Total length for U4062</i>	1,815
<b>U4063</b>		
	C178 TO HOWMOOR PLANTATION (GATE	559
	<i>Total length for U4063</i>	559
<b>U4064</b>		



**Network Management  
Information System**

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Highways Act 1980 Section 36(6) County of Northumberland List of Streets which are highways maintainable at the public expense as at 02-May-2006		
Drn: ZQ	Date: Sept 2023	Scale: 1:10,000