



Northumberland County Council

RIGHTS OF WAY COMMITTEE
20 December 2023

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

ALLEGED BYWAY OPEN TO ALL TRAFFIC No 40 PARISH OF ROTHBURY

Report of the Director of Environment & Transport
Cabinet Member: Councillor John Riddle, Roads & Highways

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 the U4066 road, from the junction of Wagtail Lane and Wagtail Road to a point 170 metres north-west of Wagtail Farm.

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 U-V-Y-Z;**
- (ii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the route;**
- (iii) the U-V-Y-Z route be included in a future Definitive Map Modification Order as byways open to all traffic.**

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.
- 1.4 This route was originally consulted upon as being alleged BOAT 40 in the Parish of Rothbury and alleged BOAT 28 in the Parish of Cartington. On 1 April 2021 Cartington parish ceased to exist; the land that was formerly Cartington became part of either Rothbury or Thropton parishes

2.0 PUBLIC EVIDENCE

- 2.1 In the late 1980s the County Council carried out consultations regarding proposals to add a number of unsealed tracks in the north of the County to the Definitive Map as byways open to all traffic on the basis that the routes were included in the County Council's "List of Streets" as unclassified County roads (UCR). The rationale for doing so was that it would not be obvious to members of the public (particularly horse riders, walkers and cyclists) that they were legally entitled to use routes such as these (which were considered to have vehicular status), because their physical appearance might suggest otherwise.
- 2.2 The view, held by those officers of the Council responsible for maintaining the 'List of Streets' for the County of Northumberland was (and still is) that only public roads (not public bridleways or public footpaths) were shown on this List. The only exceptions to this are the surfaced paths and alleyways providing pedestrian links between roads, in urban streets. Thus, tracks in rural settings, which have their own unique reference numbers (e.g. the 'U4066' road), were considered to be all-purpose public highways maintainable at public expense.
- 2.3 Shortly afterwards, the processing of applications from third parties seeking to record public footpath or public bridleway rights was afforded a higher priority. Later on, the process of recording UCRs as byways open to all traffic was effectively suspended because the Ordnance Survey indicated that they would be showing such routes on their published maps as being an "Other route with public access". Although, on that basis, members of the public would still be unclear as to precisely what rights they had over routes identified in this fashion.
- 2.4 The most recent advice from DEFRA (paragraph 4.42, Rights of Way Circular 1/09) is that inclusion on the List of Streets may provide evidence of vehicular rights but that this should be examined on a case by case basis. In view of this advice, it is considered prudent to evaluate the status of the U4066 unclassified County road based upon more than simply its inclusion in the List of Streets.

3. LANDOWNER EVIDENCE

- 3.1 By letter, dated 31st May 2018, Northumberland Estates responded to the consultation, stating:

“Parish of Rothbury & Cartington Proposed Byway Open to All Traffic Route 28 and 40 Plan 21

This route is an existing NCC adopted highway. There is no requirement to change the designation to have a Byway Open to All Traffic.”

4. CONSULTATION

- 4.1 In February 2018, 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 26th February 2018, Ms H Evans responded to the consultation, behalf of Cycling UK, stating:

“Ted has now looked at these and come back to me with the attached and also the comment that “Most are standard changes to confirm existing BOATs but a few are really good gains to the access network. No comment means we support and no comments are necessary”.

Cycling UK did not make any comments in relation to this particular proposal.

- 4.3 By emails, on 2nd and 12th April 2018, the British Horse Society responded to the consultation, stating:

Rothbury Parish

“Alleged Byway Open to All Traffic 40 (Mill Lane)

This is a tarmac road that is well used by walkers and motor vehicles and more lightly used by horse riders and cyclists as it provides access to a number of residential properties and to Wagtail Farm besides being the route of the promoted walking route St Oswald’s Way. So it should surely be added to the definitive map.”

Cartington Parish

“Alleged Byway Open to All Traffic 28 (Mill Lane)

This is a tarmac road used as access to Wagtail Farm. Although it looks like a public road and is used as such, it is also part of St. Oswald’s Way, so it would probably benefit from being added to the definitive map.

- 4.4 By email, on 15th March 2018, Rothbury Parish Council responded to the consultation, stating:

“Rothbury Parish Council fully support the proposals within the Rothbury parish regarding the review of the definitive map and statement of public rights of way.”

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 clear evidence of an enclosed “Country Road” closely approximating to the route of alleged Byway No 40.

1820 Fryer's County Map

There is clear evidence of an enclosed “Other Road” closely approximating to the route of alleged Byway No 40.

1827 Cary's Map

There is clear evidence of an enclosed “Parochial Road” road or track closely approximating to the route of alleged Byway No 40.

1828 Greenwood's County Map

There is clear evidence of an enclosed “Cross Road” closely approximating to the route of alleged Byway No 40.

c.1860 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an enclosed road / track labelled “Mill Lane” over the route of alleged Byway No 40. The road is identified with the land parcel number “74”. In the accompanying Book of Reference, this parcel is identified as “Public road”.

1866 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track labelled “Mill Lane” over the route of alleged Byway No 40.

1897 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an enclosed road / track labelled “Mill Lane” over the route of alleged Byway No 40. The alignment of the road, where it meets the newly constructed railway, has altered slightly.

1899 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track labelled “Mill Lane” over the route of alleged Byway No 40.

Finance Act 1910 plan

There is clear evidence of a mainly enclosed road / track over the route of alleged Byway No 40. The route is identified as being separate from the adjacent land by coloured boundaries. This is a good indication that the road was considered to be public at that time.

1925 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track labelled "Mill Lane" over Mill Lane, the route of alleged Byway No 40.

1951 Highways Map

The route of alleged Byways Open to All Traffic No 40 is coloured so as to identify it as a publicly maintainable road. It is labelled as "U4066".

c.1952 Definitive Map – original Survey Schedules & Map

The route of alleged Byway Open to All Traffic No 40 exists on the map as a brown coloured line. Known public roads were generally coloured brown to indicate what the extent of the road network was considered to be.

Draft Map

The route of alleged Byway Open to All Traffic No 40 exists on the base map. 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). One public footpath is shown beginning or terminating on the route of the alleged byway.

Provisional Map

The route of alleged Byway Open to All Traffic No 40 exists on the base map. As with the previous map, 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). One public footpath is shown beginning or terminating on the route of the alleged byway.

1957 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track labelled "Mill Lane" over the route of alleged Byway Open to All Traffic No 40.

Original Definitive Map

The route of alleged Byways Open to All Traffic No 40 exists on the base map, but is not identified as a public footpath, public bridleway or Road Used as a Public Path (RUPP).

The original Definitive Statement for the public rights of way intersecting with the alleged byway open to all traffic states:

Public Footpath No 16 (Cartington)

“From the Wagtail Road at the former British Railways (Morpeth Branch), in a south-easterly direction by Craghead, to the Brinkburn Parish Boundary joining Footpath No 6 in that parish.”

1958 County Road Schedule

The entry for the U4066 road, in the 1958 County Road Schedule, states:

“U4066 Wagtail Road, Rothbury
From B6342 200 yards east of Rothbury Station south-eastwards to bottom of west ramp to railway bridge on road to Wagtail Farm.”

The length of the U4066 road is identified as 0.55 miles.

1964 Highways Map

The route of alleged Byways Open to All Traffic No 40 is coloured so as to identify it as a publicly maintainable road. It is labelled as “U4066”.

1964 County Road Schedule

The entry for the U4066 road, in the 1964 County Road Schedule, states:

“U4066 Wagtail Road, Rothbury
From B6342 200 yards east of Rothbury Station south-eastwards to bottom of west ramp to railway bridge on road to Wagtail Farm.”

The length of the U4066 road is identified as 0.55 miles.

First Review Definitive Map (Relevant Date 1 Nov 1963)

As with the Original Definitive Map, the route of alleged Byways Open to All Traffic No 40 exists on the base map, but is not identified as a public footpath, public bridleway or Road Used as a Public Path (RUPP).

1978 County Road Schedule

The entry for the U4066 road, in the 1974 County Road Schedule states:

“U4066 Wagtail Road, Rothbury
From B6342 200 yards east of the former Rothbury Station (NU 064016) south-eastwards to bottom of west ramp to railway bridge on road to Wagtail Farm (NU 069010).”

The length of the U4066 road is identified as 0.55 miles.

2005 Ordnance Survey Explorer 340 Map: Scale 1:25,000

There is clear evidence of an enclosed track over the route of alleged Byway Open to All Traffic No 40. The route is shown as a yellow line.

In the map key, under “Roads and Paths” the yellow line symbol denotes “Road generally less than 4 metres wide”.

2006 The Council’s ‘List of Streets’ (2 May 2006)

The majority of the route of the alleged byway is clearly identified as publicly maintainable highway. In the vicinity of Point W, the line clearly supports the U-V-Y-Z alignment, rather than the U-V-W one.

6. SITE INVESTIGATION

- 6.1 From a point marked U, at the junction of Wagtail Lane and Wagtail Road, 10 metres north of number 15 Lordenshaw Drive, a 2.75 to 3.5 metre wide tarmac track, in a 6.75 to 9.25 metre wide corridor proceeds in a south-easterly direction for a distance of 655 metres, to a point marked W, 170 metres north-west of Wagtail Farm.
- 6.2 The exact alignment of the most eastern 30 metres of the alleged route is still uncertain. A further site visit will be undertaken to determine the character of the alternative Y-Z route.

7. COMMENTS RECEIVED ON THE DRAFT REPORT

- 7.1 In November 2023, a draft copy of the report was circulated to those landowners / occupiers who responded to the initial consultation for their comments
- 7.2 By letter, dated 21 November 2023, Northumberland Estates, the landowner, made the following comments in relation to the draft report:

“Wildlife & Countryside Act 1981 - Review of the Definitive Map and Statement of Public Rights of Way-Alleged Byway Open to All Traffic No 40 (Parish of Rothbury)

I refer to your letter of 8th November 2023.

I would wish to reiterate the point that in our view we do not consider it necessary to change the designation of the route to a Byway Open to All Traffic bearing in mind the fact that the route in question is an existing adopted highway and consequently it should be quite clear to all potential road users that this is a public right of way. The Estate is not endeavouring to argue, as might be concluded by paragraph 8.14 to your report, that notwithstanding the route being referred to in the Council's List of Streets of publicly maintained roads, that there are no public rights of way over it.

Whilst I accept that this is not the purpose of your current proposal or consultation, I would also stress that the Northumberland Estates would be resistant to any future move to have the route no longer designated as being publicly maintained, in light of its significance for those living in and moving around the locality.

In terms of the route, this is U-V-W as shown on your plan not U-V-Y-Z. I think a site inspection will clarify that the latter is not used as the right

of way as the route Y-W has not been accessible since the removal; of the bridge which crossed the discontinued railway line.”

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 The route of alleged Byway Open to All Traffic No 40 is identified on the County Council’s current List of Streets as being the U4066 road. The whole route appears to have been identified on both the Council’s 1951 Highways Map and the later 1964 Highways Map. It was also included in the 1958, 1964 and 1974 County Road Schedules.
- 8.5 The route has been consistently identified as an enclosed road / track on Ordnance Survey maps since the 1860s. The route is also shown on Armstrong’s, Fryer’s and Greenwood’s County Maps of 1769, 1820 and 1828 and on Cary’s Map of 1827. In the Book of Reference, accompanying the First Edition 25” Ordnance Survey Map, the route is identified as a public road. On the plan, prepared under the Finance Act 1910, the route is clearly identified as being separate from the adjacent land by coloured boundaries, indicating it was considered to be public at that time.
- 8.6 Although other public rights of way were identified nearby, and one public footpath was identified beginning on the route, the route itself was not included on the Draft, Provisional or original Definitive Maps as a footpath, bridleway or Road Used as Public Path (RUPP). On the Survey Map the route is coloured brown in the same way that other public roads were identified.
- 8.7 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.

- 8.8 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.
- 8.9 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.
- 8.10 Of the saving provisions above, (b) will apply to the route of alleged Byway No 40. The public's motor vehicular rights would not have been extinguished by the NERC Act 2006.
- 8.11 There is uncertainty regarding the exact alignment of the most easterly 30 metres of the alleged route, in the vicinity of Point W. On the original consultation plan, the route is depicted starting at the point where Wagtail Lane and Wagtail Road meet, 10 metres north of number 15 Lordenshaw Drive (Point U) and ending at the point where Mill Lane crosses the dismantled railway line (Point W). However, the old County Road Schedules and more detailed highways maps have the U4066 road ending on the bottom of the western ramp of the former bridge over the now dismantled railway (Point Z). The Definitive Map depicts Public Footpath No 45 (formerly Cartington FP 16) as proceeding along a track down the eastern ramp of the former bridge over the dismantled railway and the Definitive Statement describes the footpath as "From the Wagtail Road at the former British Railways (Morpeth Branch), in a south-easterly direction ...". So, the public road ends on the western side of the (now missing) bridge over the former railway and the public footpath crossed that bridge to meet it. As the bridge no longer exists, anyone proceeding along Mill Lane (the U4066 road), who wishes to continue along Public Footpath No 45, presumably crosses the former railway at the current 'level crossing', immediately to the north, which is the end of the alleged route, according to the original consultation plan (Point W). The most easterly

30 metres of the surfaced track (immediately west of the former railway line) appears to have no recorded status.

- 8.12 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.
- 8.13 This route has a reasonable driveable tarmac surface and will be used by those living at the dwelling at Wagtail Farm, their visitors and also by farm traffic. From my site visit and the consultation responses, the route would appear to be well used by non-motorised traffic, and also carries the route of the regional walking trail of 'St Oswald's Way'.
- 8.14 The Northumberland Estates has suggested that it is not necessary for this route to be recorded as a byway open to all traffic; public rights over the route not being in doubt, by virtue of it already being recorded on the Council's List of Streets. Of course, being recorded on the List of Streets does not prove a route's status - it is more a statement about maintenance liability. A number of landowners in Northumberland (including The Northumberland Estates) have, in the recent past, argued that certain routes on the Council's List of Streets have no public rights of way over them, whatsoever.
- 8.15 Responding to the draft report, The Northumberland Estates has indicated that they do not consider it necessary to "change" the designation of the route to byway open to all traffic. This implies that it currently has some other designation, which will be altered by this process. This is not the case. The route currently has no status identified. It is recorded on the Council's List of Streets as the U4066 road and will remain so recorded; but being on the list of Streets is a statement about maintenance liability, not the public rights that exist over it. Its physical appearance is no guarantee of status. There are many minor roads and tracks that are private roads with only public footpath or bridleway rights over them - and sometimes no recognised public rights over them whatsoever.
- 8.16 The Northumberland Estates also argued that "Bearing in mind the fact that the route in question is an existing adopted highway ... consequently it should be quite clear to all potential road users that this is a public right of way." But the road isn't an "adopted highway". We don't have any adoption records, per se, for this route. It is recorded on the Council's List of Streets having been identified as a publicly maintainable highway since the 1950s. The status of the route isn't quite as certain as the Northumberland Estates appears to be suggesting and, as indicated earlier, some landowners (including the Northumberland Estates, as recently as 2016) have argued that some U roads are not public vehicular highways or, in some instances, not even public rights of way of any description. These challenges have sometimes been made in circumstances where the provenance of the road is bolstered by the existence of a 1930s Handover Map and a map and / or schedule prepared under the Restriction of Ribbon Development Act 1935 - documents which aren't available to support the status of routes in the former Rothbury RDC area.
- 8.17 With regard to the southern end of the route, a highway doesn't automatically get diverted, simply because a bridge is removed, even if this is, mistakenly, taken as grounds for tweaking its alignment on the List of Streets. The public rights (and the Council's highway maintenance responsibility) remain where they were, unless due process is followed. In this instance, we have been

unable to discover any evidence that the southern end of the road, up to the former bridge over the former railway, was lawfully diverted. Therefore, notwithstanding the physical challenge this presents, the road appears to end at Point Z (not point W) with Public Footpath No 45 as its easterly continuation. To resolve this situation, it would appear to make sense for Footpath No 45 to be diverted away from the non-existent bridge - perhaps terminating at Point W, instead, if the dismantled railway does get recognised as a public bridleway or if the Y-Z section of road is legally diverted to Y-W. Or, if neither of those things happen, for the footpath to be diverted to incorporate the W-Y section of road.

- 8.18 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. Usually there is a boundary to boundary presumption for public highways. However, where no defined corridor exists, and there is no (usually) documentary evidence to establish width, the Council has adopted a standard width of 5 metres (wide enough for two vehicles travelling in opposite directions to pass each other) for vehicular rights of way. On this basis it is proposed to record Byways Open to All Traffic No 40 with a width varying from 6.75 to 9.25 metres, as identified in paragraph 6.1 above.

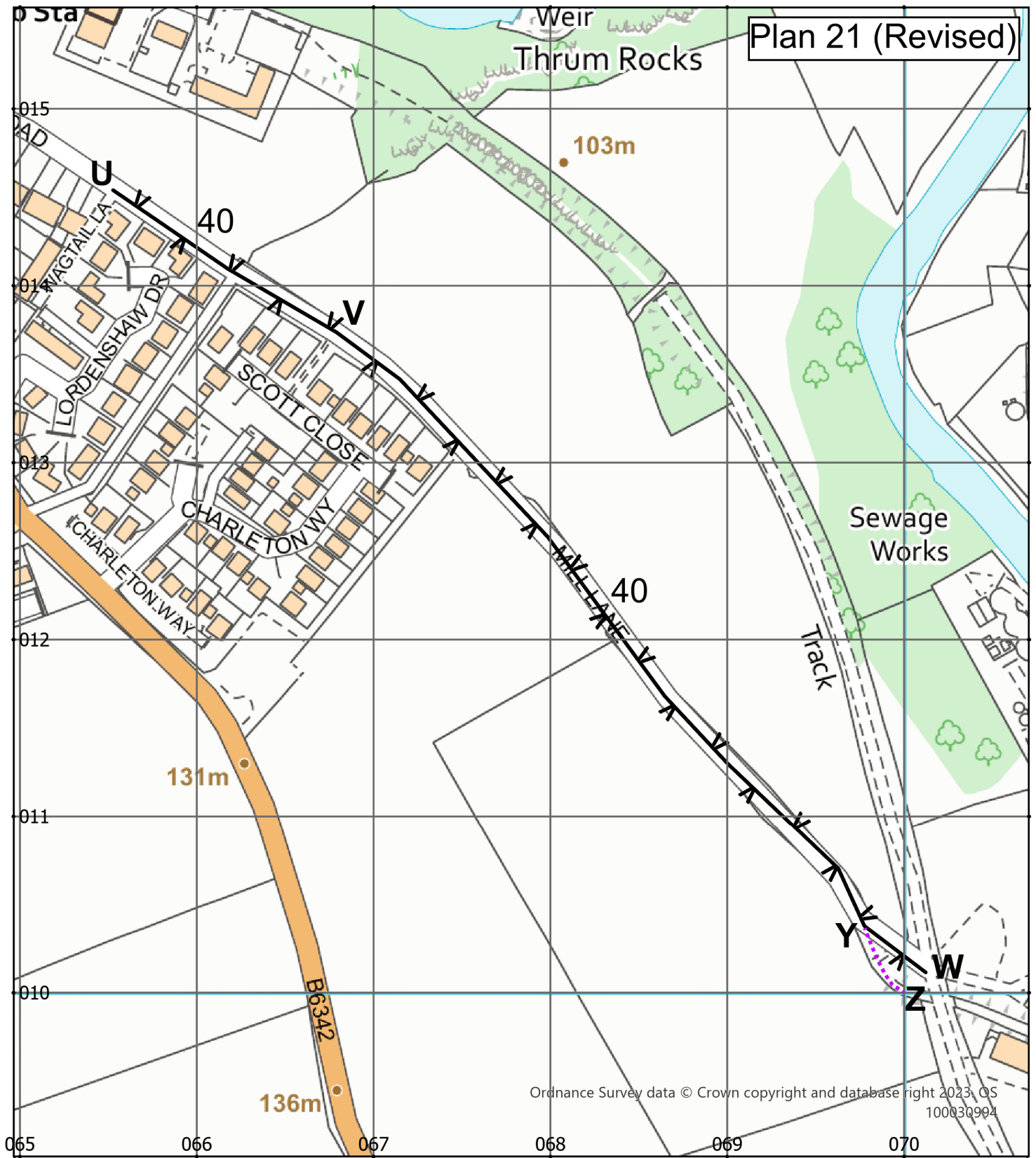
9. CONCLUSION



- 9.1 In light of the documentary evidence submitted, it appears that public vehicular rights have been reasonably alleged to exist over the route of alleged Byway Open to All Traffic No 40 (U-V-Y-Z, not Y-W).
- 9.2 The Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motor vehicular rights over the route. It would be appropriate to recognize the public's rights over the route by recording it on the Definitive Map as a byway open to all traffic.

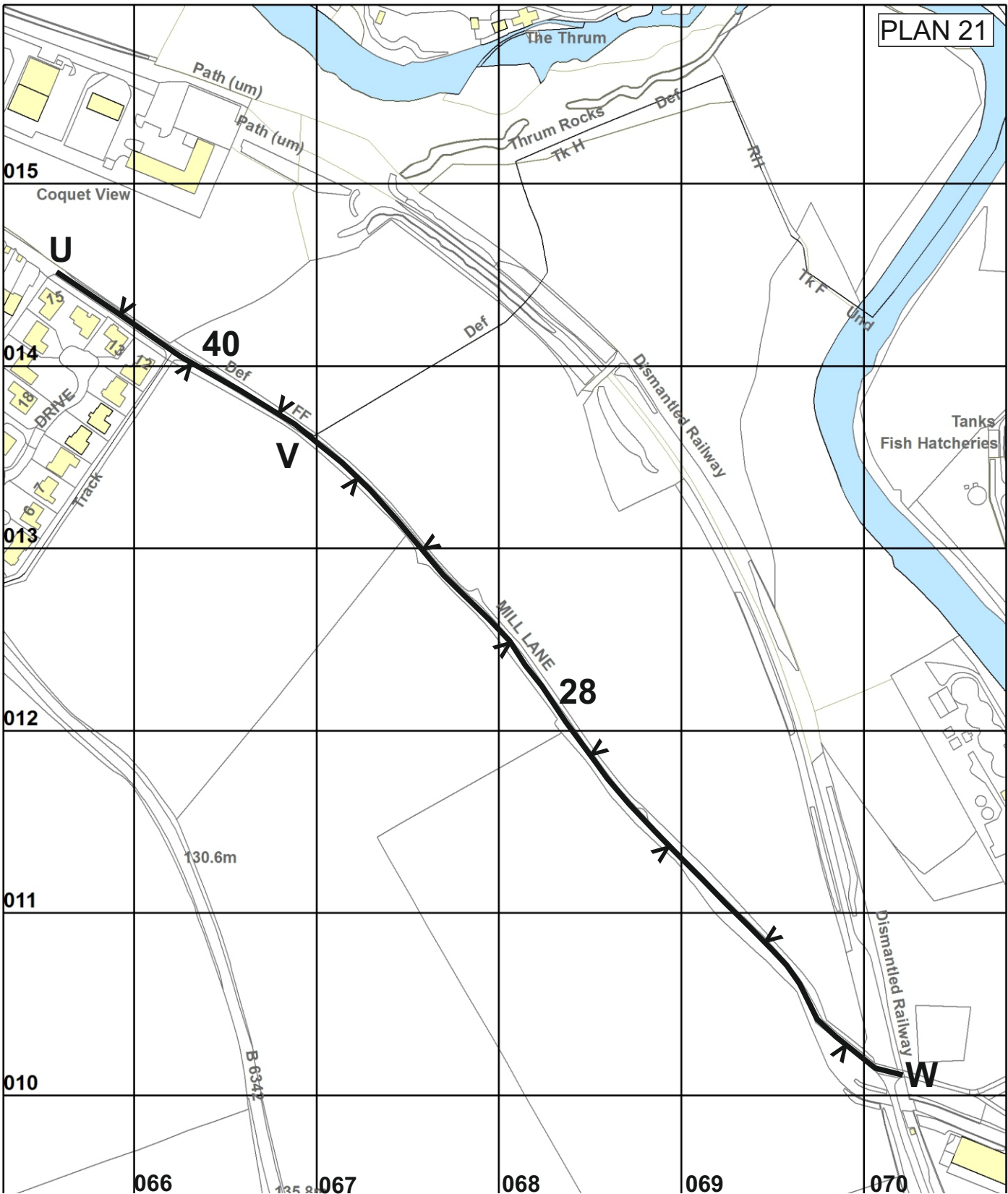
BACKGROUND PAPERS

Local Services Group File: 130/040z

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



 <p>Northumberland County Council</p> <p>Infrastructure Records, Local Services, County Hall, Morpeth, Northumberland, NE61 2EF Email: Alex.bell@northumberland.gov.uk</p>	<p align="center">Wildlife & Countryside Act, 1981 Public Rights of Way</p> <p align="center">  Alleged Byway Open to All Traffic </p>		
<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of His Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License No. 100049048 (2013).</p>	<p>Former District(s): Alnwick</p>	<p>Parish(es): Rothbury</p>	<p>Scale: 1:3000</p>
	<p>Def. Map No.: 94</p>	<p>O.S. Map: NU 00 SE</p>	<p>Date: November 2023</p>



NORTHUMBERLAND

Northumberland County Council

Infrastructure
Local Services

County Hall Morpeth Northumberland

NE61 2EF

Telephone 0845 600 6400

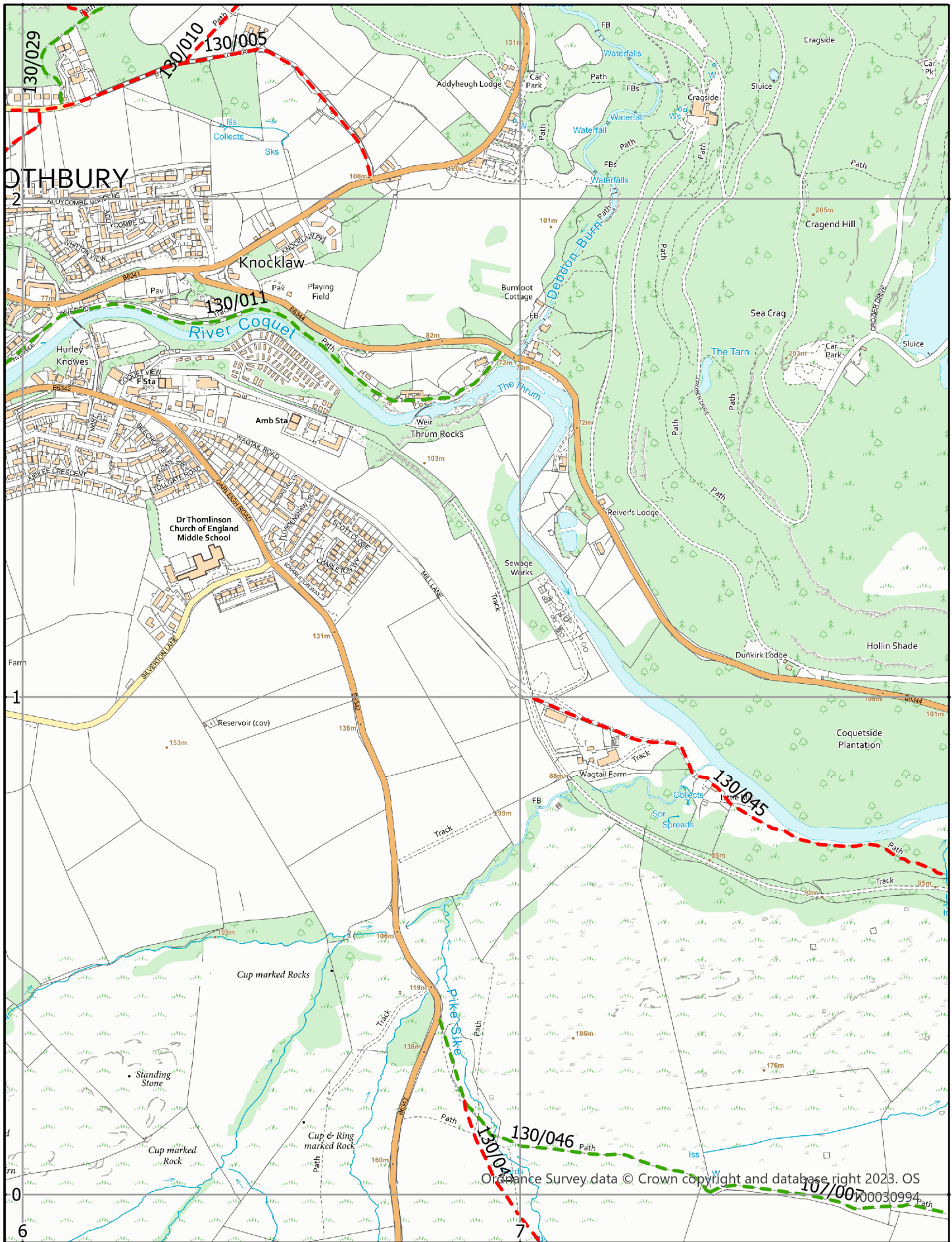
**Wildlife and Countryside Act 1981
Public Rights of Way**



Alleged Byway Open to All Traffic

Reproduced from / based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of H.M.S.O. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Northumberland County Council O.S. Licence No 100049048

Former District(s) Alnwick	Parish(es) Rothbury/Cartington	Scale 1:3,000
Def. Map No. 94	O.S. Map NU 00 SE	Date October 2016



Ordnance Survey data © Crown copyright and database right 2023. OS



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

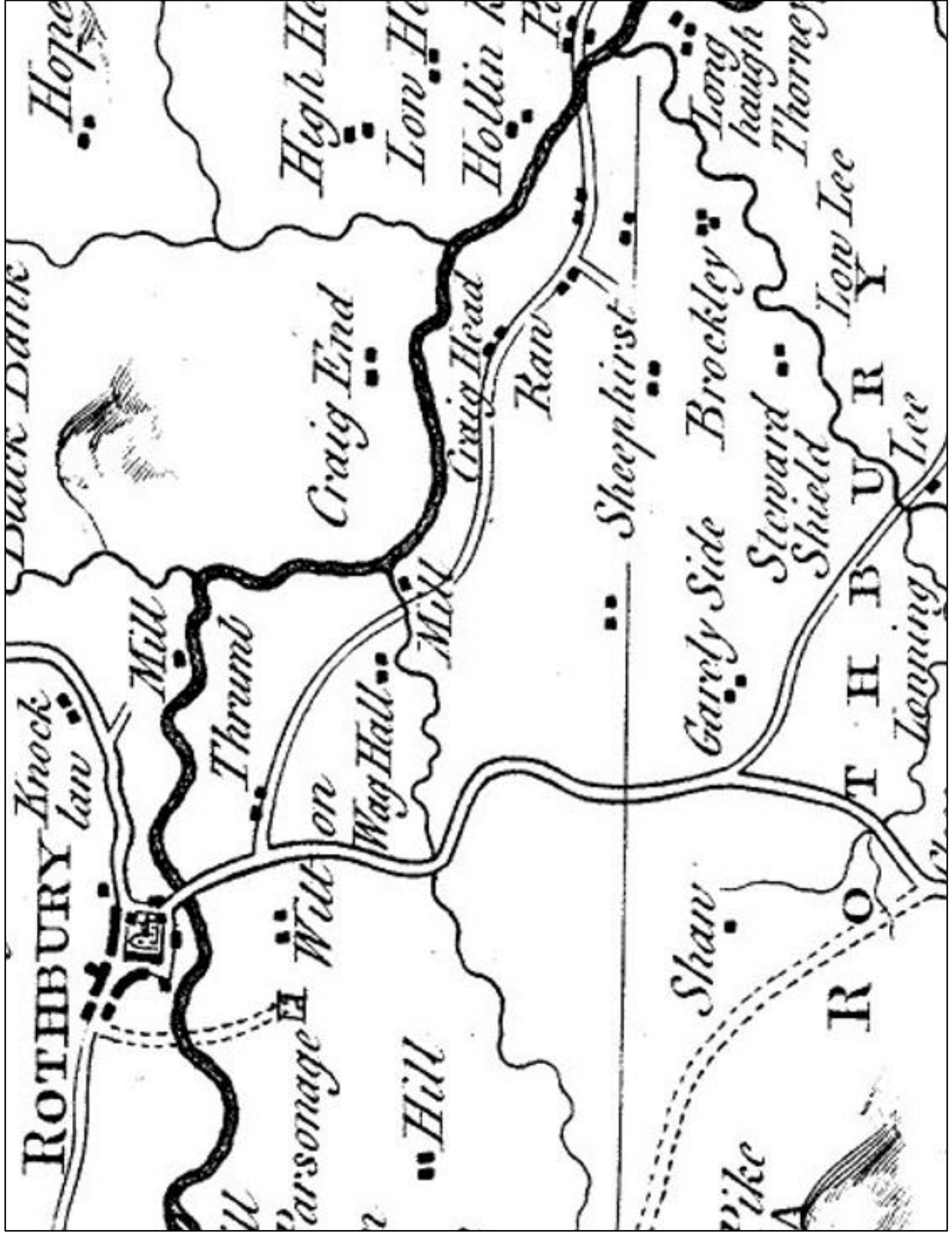
Legend

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

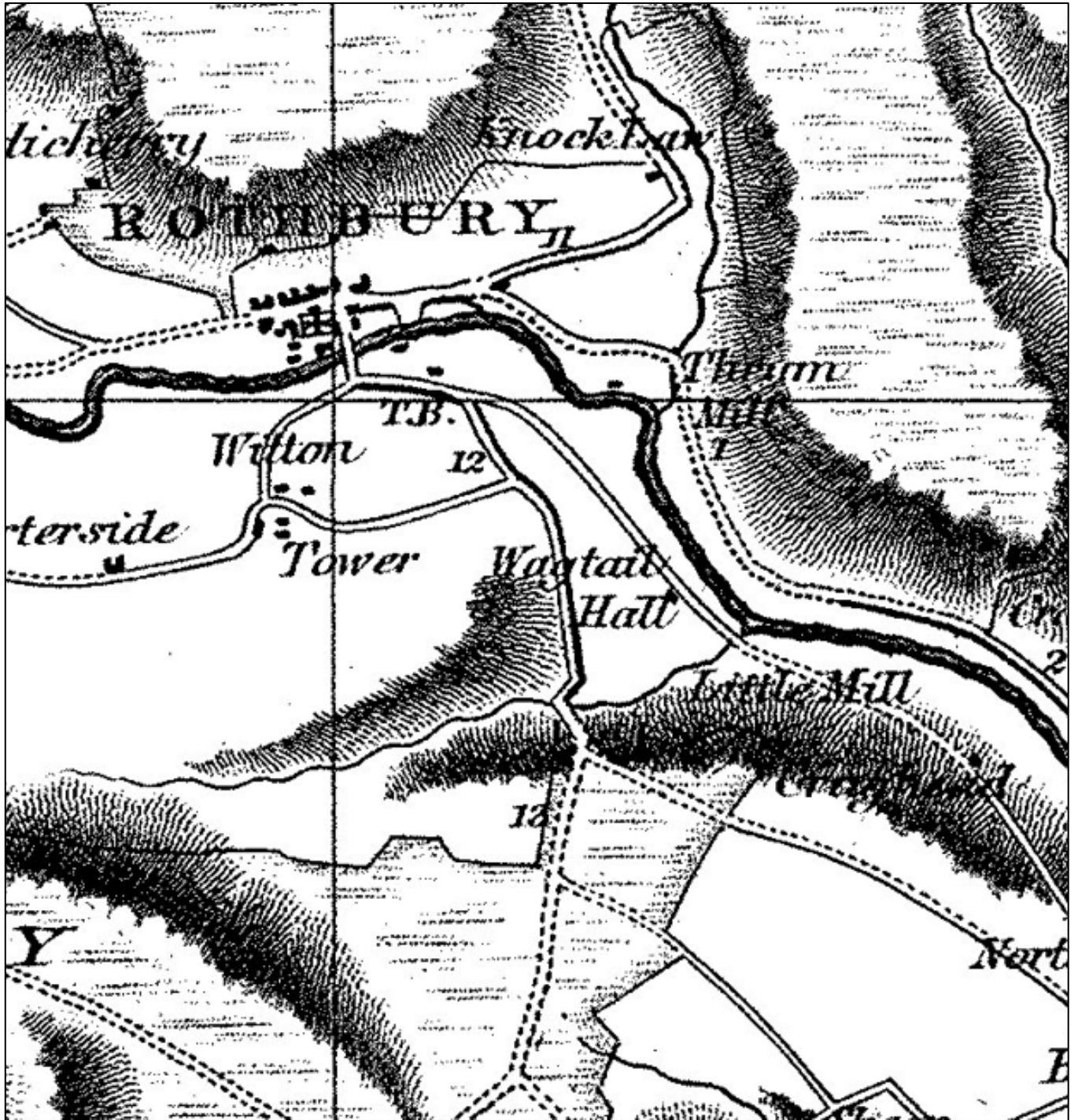
This is a computer generated extract of the Working Copy of the Definitive Map of Public Rights of Way

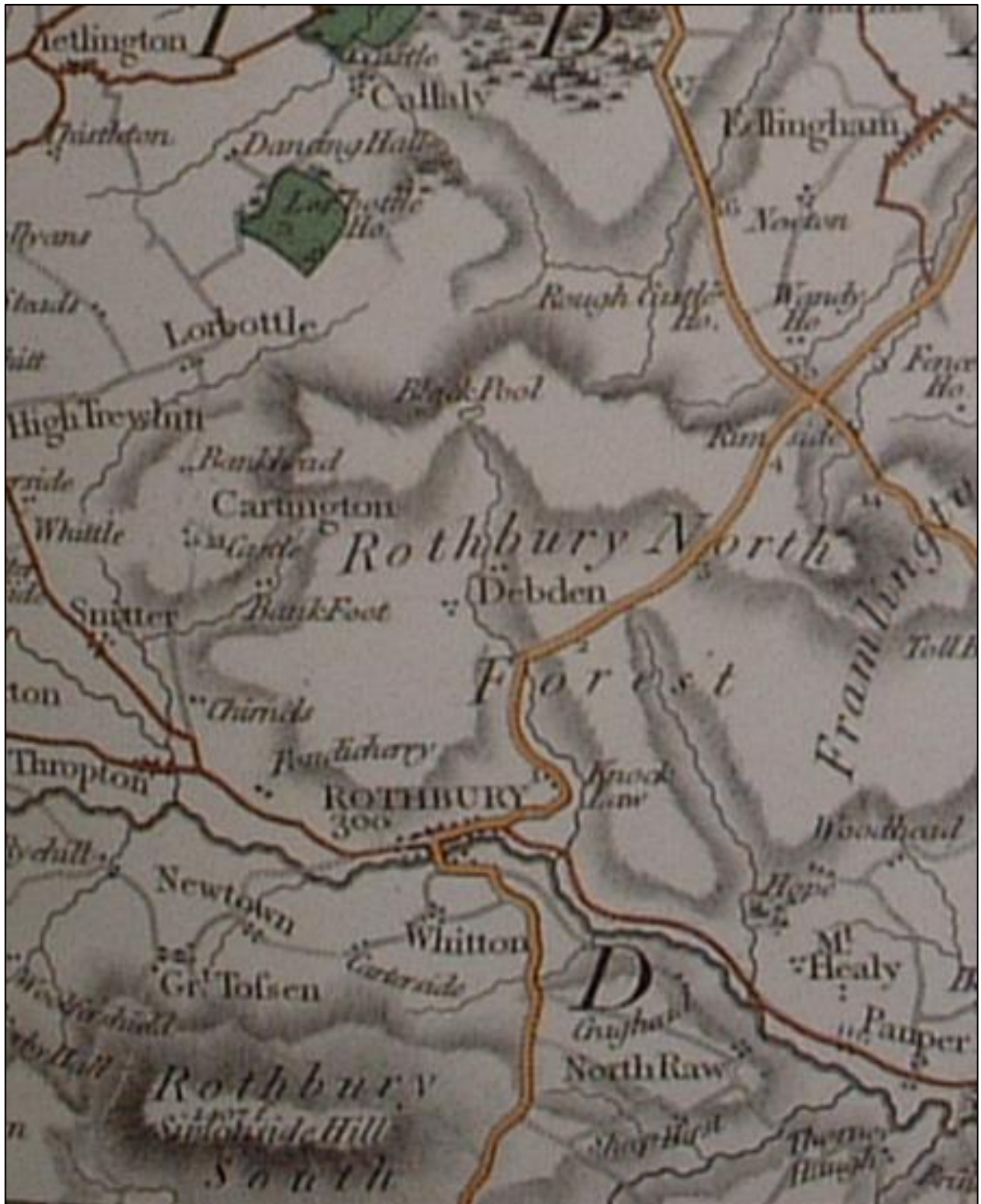
Scale 1:10,000

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of His Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License no. 100049048 (2012)

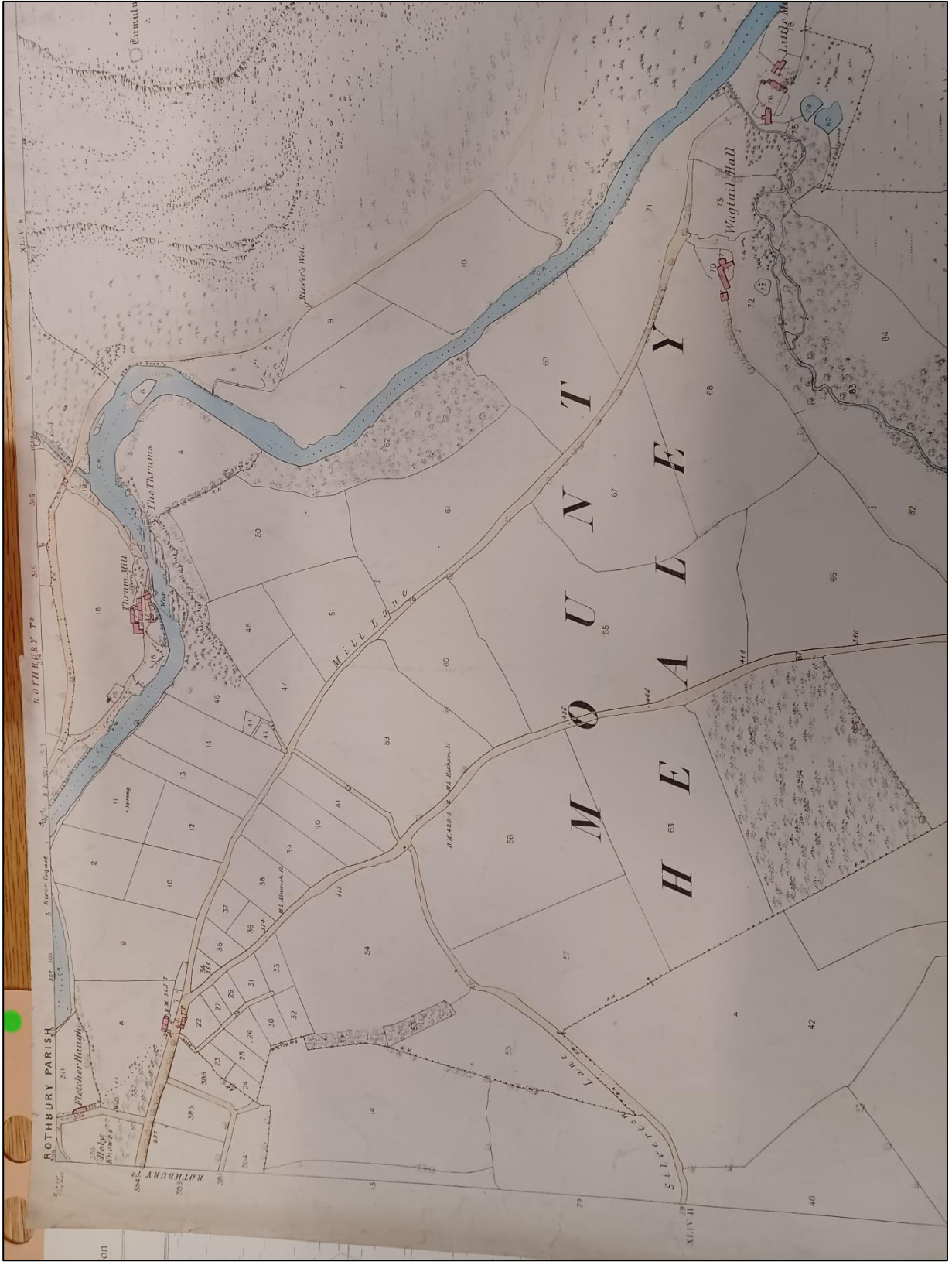


1820 Fryer's County Map



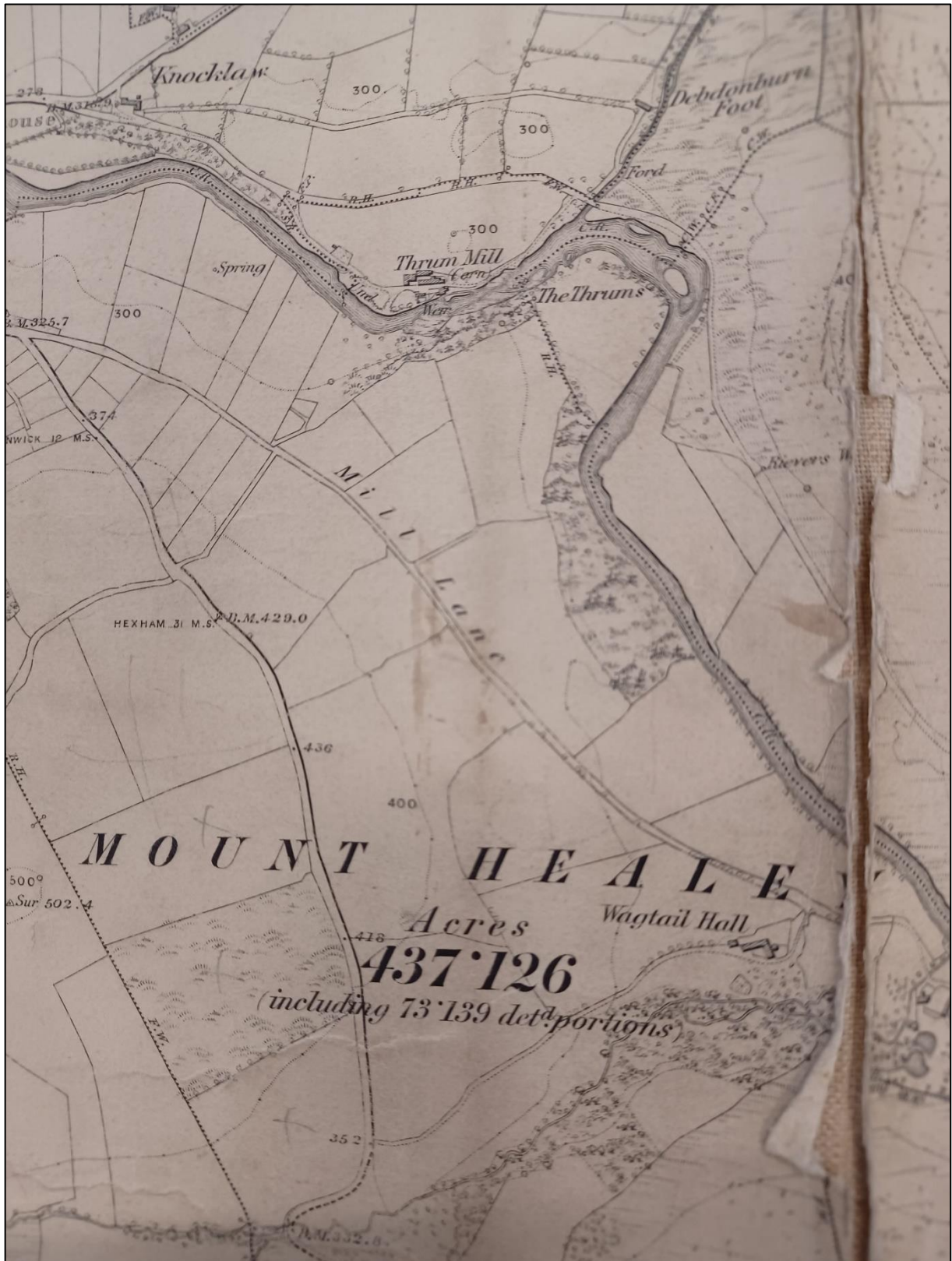


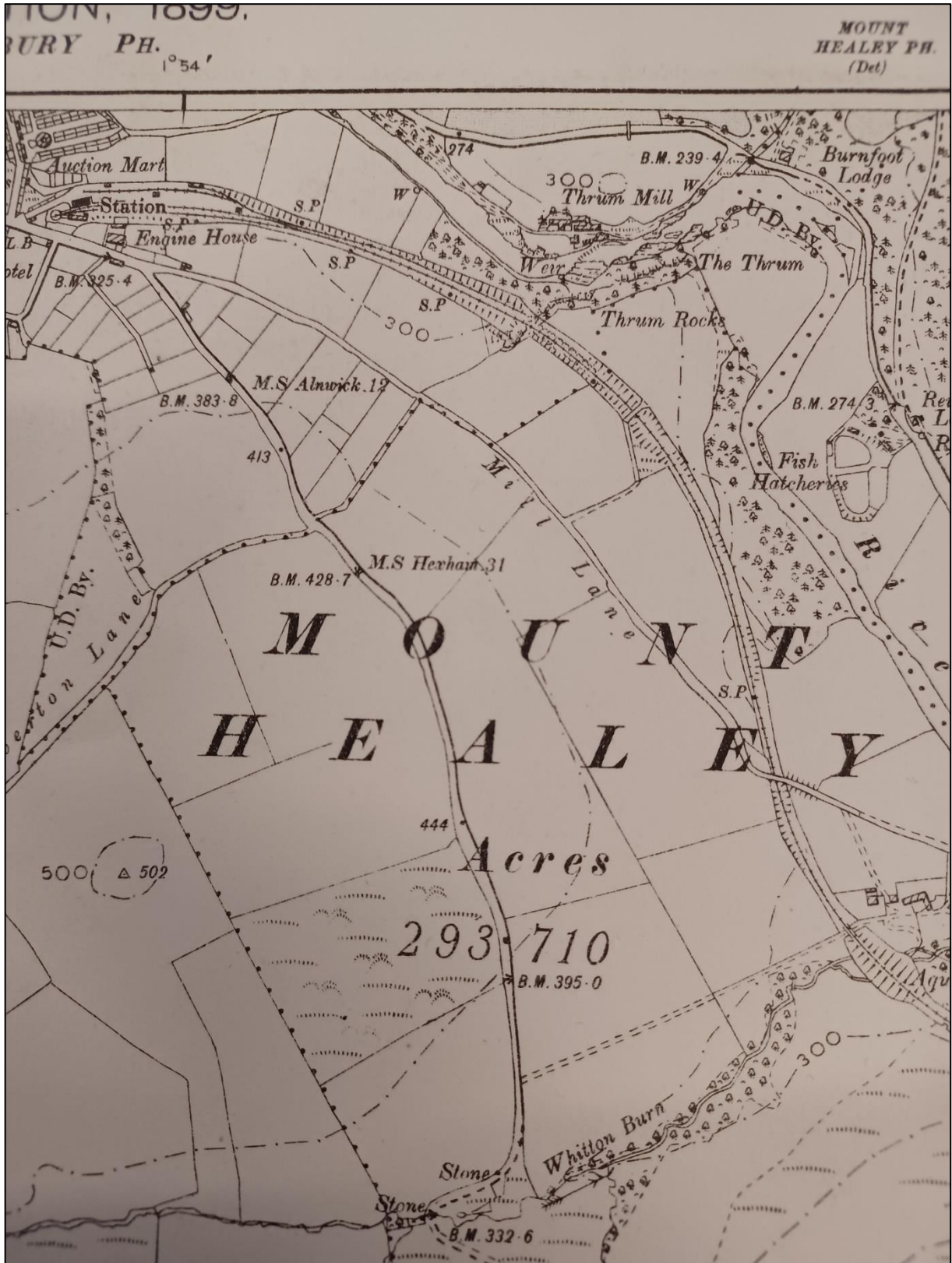




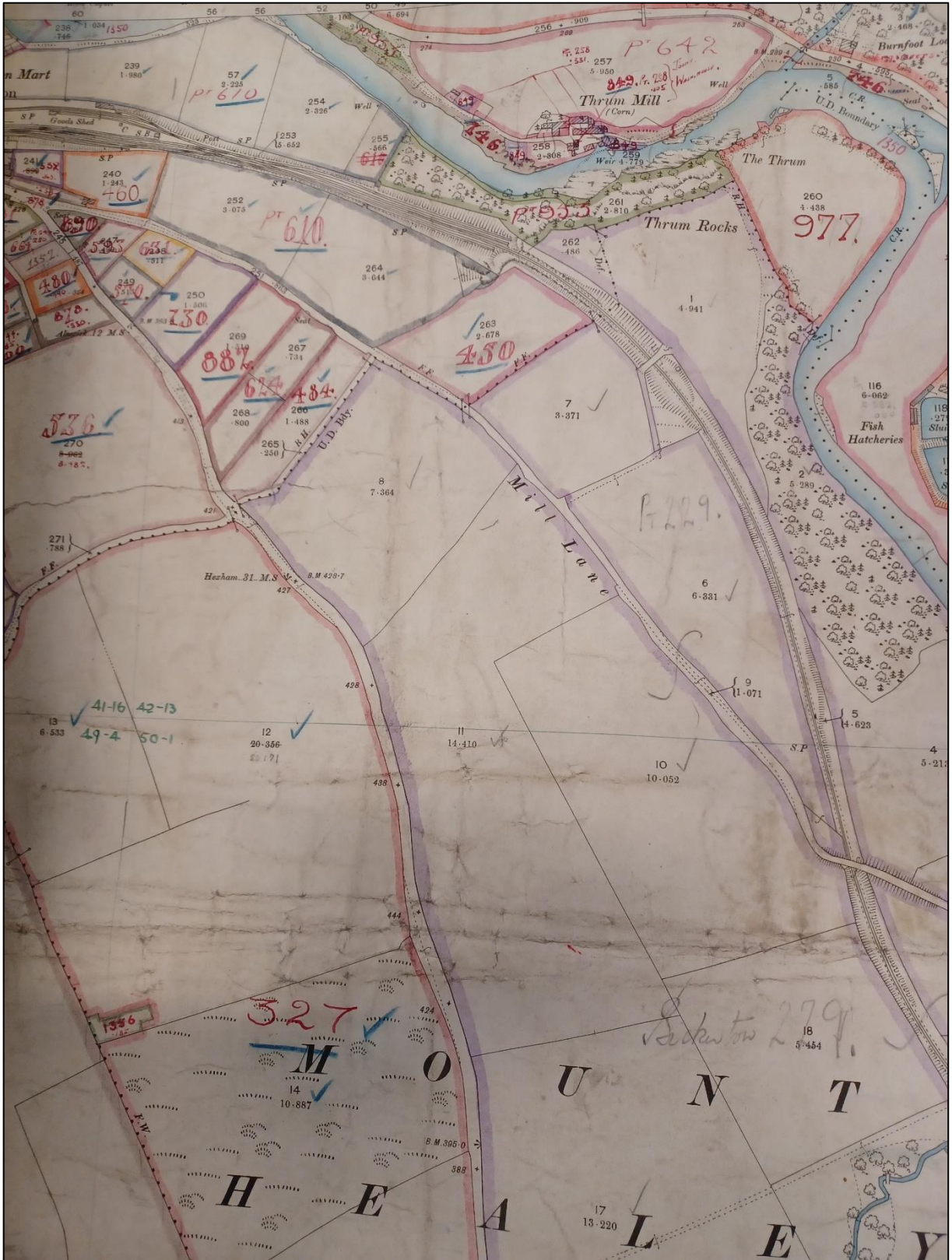
PARISH OF ROTHEBURY.

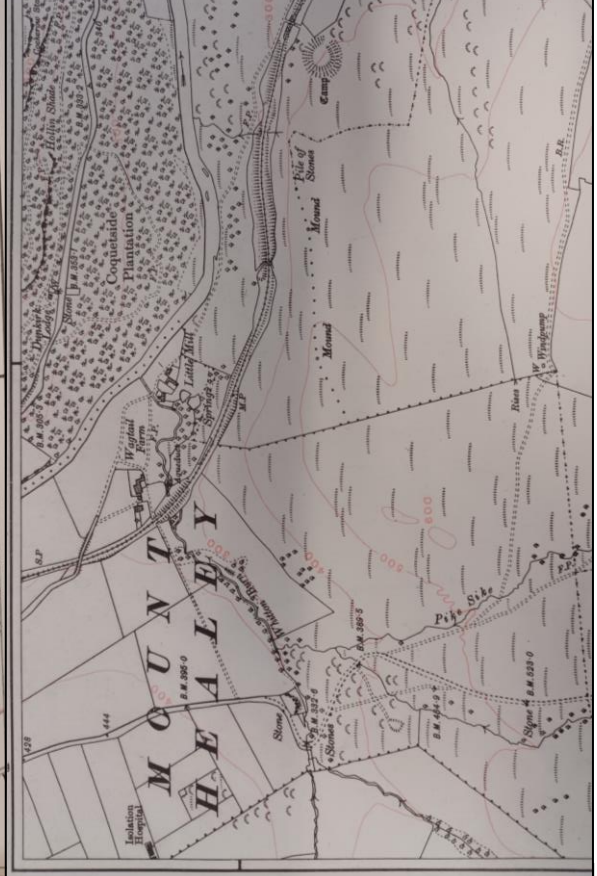
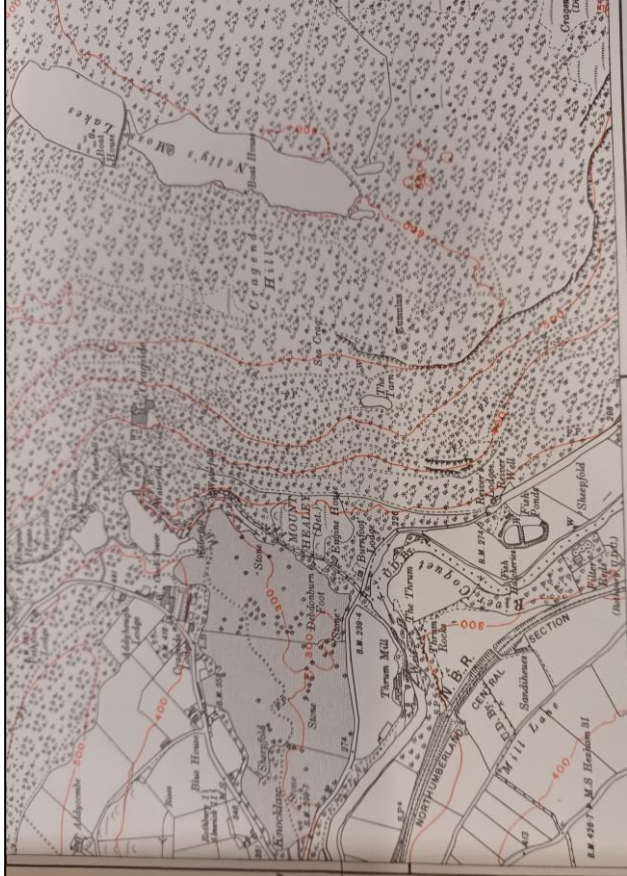
No. on Plan.	Area in Acres.	Remarks.	No. on Plan.	Area in Acres.	Remarks.
	178-101	<i>Brought forward.</i>	TOWNSHIP OF MOUNT HEALEY (Detached, No. 2). 1 .668 Public road. 2 15-756 Wood, &c. 3 .841 House, garden, &c. 4 .280 Garden. 5 87-119 Rough pasture, furze, &c. 6 .718 Rough pasture. 54-827 RECAPITULATION. 54-164 Land. .668 Public road. 54-827 Area of the Township of Mount Healey (Detached, No. 2). TOWNSHIP OF MOUNT HEALEY (Detached, No. 3). 1 3-867 Rough pasture, &c. 2 3-445 Rough pasture, &c. 3 .150 Pasture. 4 1-660 Pasture. 5 2-468 Pasture. 6 5-285 Pasture. 7 .694 Pasture. 8 .278 Houses, gardens, &c. (Knockshaw, part of). 9 .050 Pasture. 10 .600 Pasture. 11 .03840 Public road. 18-241 RECAPITULATION. 17-901 Land. .340 Public road. 18-241 Area of the Township of Mount Healey (Detached, No. 3).		
67	6-141	Arable.			
68	8-144	Arable.			
69	5-090	Arable.			
70	.415	Houses, yards, &c. (Wagtail Hall).			
71	4-782	Pasture.			
72	1-722	Pasture, &c.			
72a	.065	Garden.			
73	1-348	Pasture.			
74	2-423	Public road.			
75	4-540	Pasture, wood, &c.			
76	.298	Houses, yards, garden, &c.			
77	.143	Houses, garden, &c. (Little Mill).			
78	.664	Pasture.			
79	.100	Pond.			
80	.167	Pond.			
81	8-087	Pasture.			
82	5-400	Arable.			
83	8-618	Wood, &c.			
84	1-815	Pasture.			
85	4-497	Pasture.			
86	117-211	Rough pasture, furze, &c. (Rothbury Forest).			
87	4-216	Public road.			
363-987					
RECAPITULATION.					
349-458	Land.				
8-154	Public roads.				
6-375	Water.				
363-987	Area of the Township of Mount Healey (exclusive of the detached parts).				
TOWNSHIP OF MOUNT HEALEY (Detached, No. 1).					
.071	Public road.				
.071	Area of the Township of Mount Healey (Detached, No. 1).				



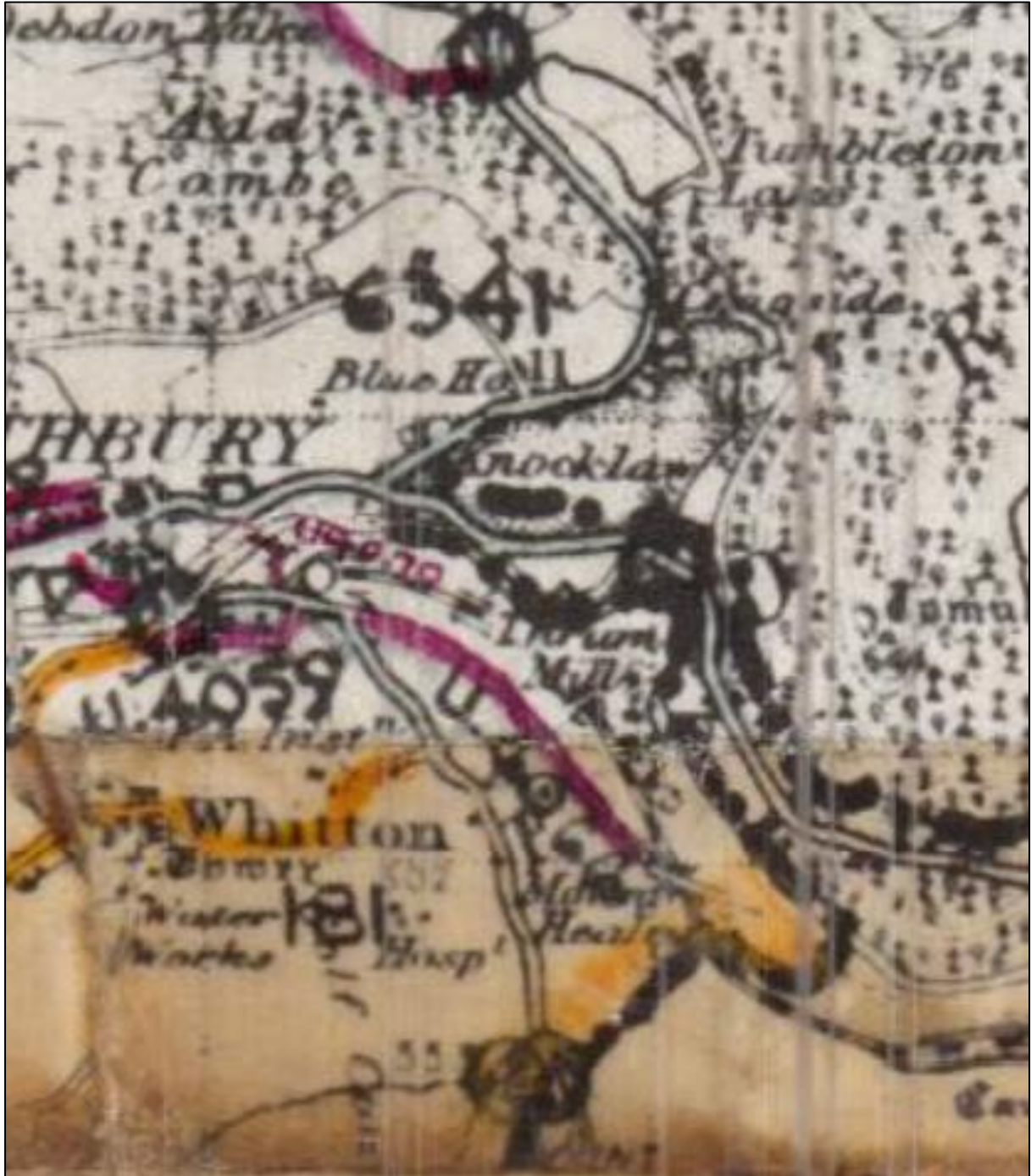


Finance Act 1910 Plan





Highways Map
1951



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

Parish of MOUNT HEALEY in the Rural District of

ROTHBURY

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

1. Number of highway on Map 1 2. Kind of Path (i.e., F.P., B.R.) F.P.
3. Starts at WATTAU FARM to WEST BAW FARM
4. Name of Path (if any) _____
5. Is the Path well defined? NO
6. Is the Path metalled? If so, define length NO
7. If its width can be stated, insert here _____
8. What is the present condition of the path, stiles, etc.? BAD IN PLACES
ESPECIALLY WHERE IT SHIRTS THE RIVER
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

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

12. Have persons been prevented using the highway? NO
13. Give particulars of any obstructions _____
14. Names of owners of freehold and previous owners, if known, for past 50 years
Duke of Northumberland
15. What maps have been consulted, and where are they deposited?

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

17. Any other relevant information

Surveyed by	Address	Date of Survey
<u>J. W. Carr</u>	<u>Little Mill Farm Rothbury</u>	<u>22/5/54</u>

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

OS 936 M L 1 NW

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

Farish of MOUNT HEALEY in the Rural District of
ROTHBURY

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

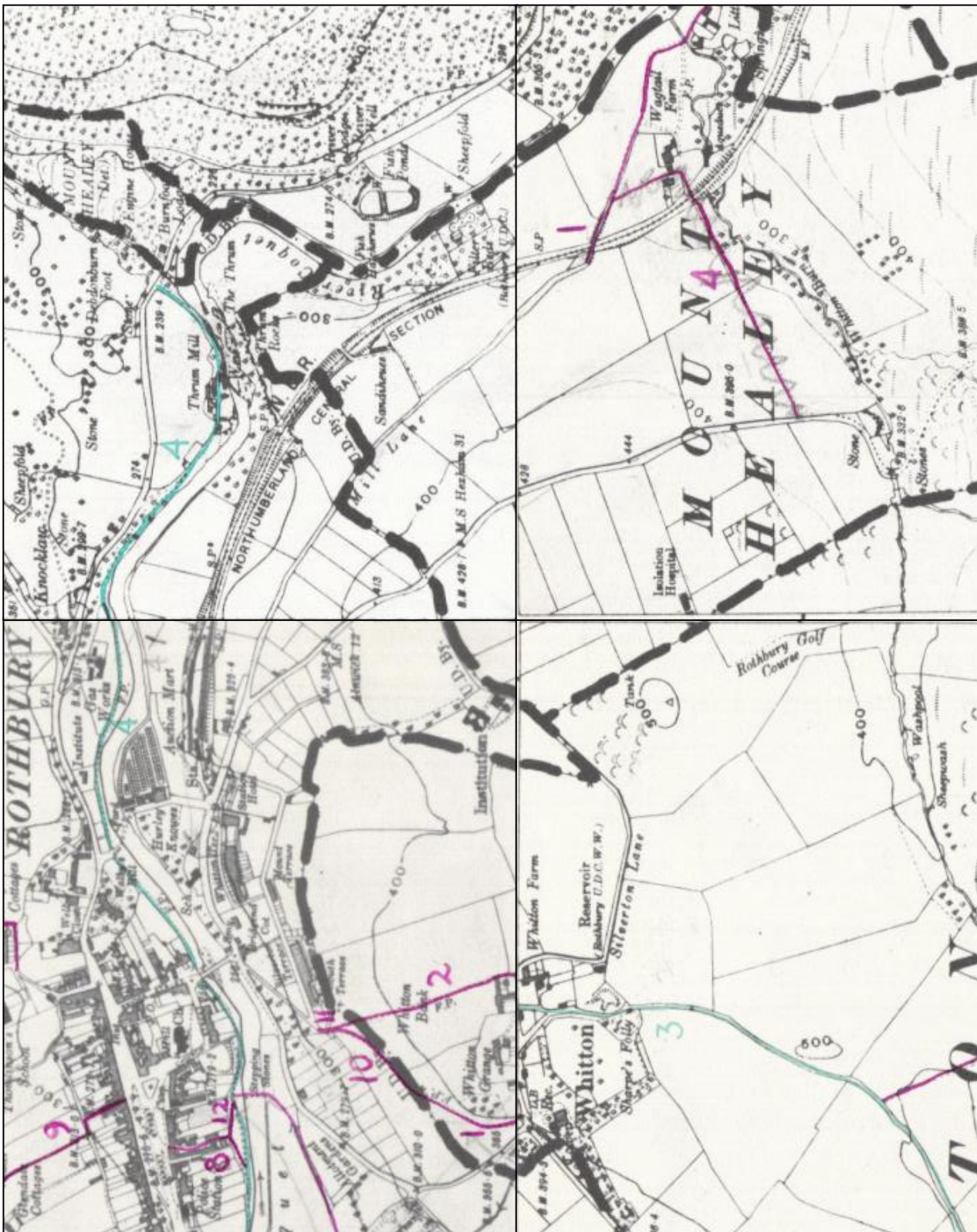
1. Number of highway on Map. 4
2. Kind of Path (i.e., F.P., B.R.) F.P.
3. Starts at WAGTAIL FARM to HELHAM Rd.
4. Name of Path (if any) _____
5. Is the Path well defined? YES
6. Is the Path metalled? If so, define length 100 yds.
7. If its width can be stated, insert here _____
8. What is the present condition of the path, stiles, etc.? FAIR
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 _____
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 _____
12. Have persons been prevented using the highway? NO
13. Give particulars of any obstructions _____
14. Names of owners of freehold and previous owners, if known, for past 30 years
Duke of Northumberland.
15. What maps have been consulted, and where are they deposited? _____
16. What records have been consulted, and where are they deposited? _____
17. Any other relevant information _____

Surveyed by	Address	Date of Survey
<u>J. W. Carr</u>	<u>Little Mill Farm Rothbury</u>	<u>22/5/54</u> ✓

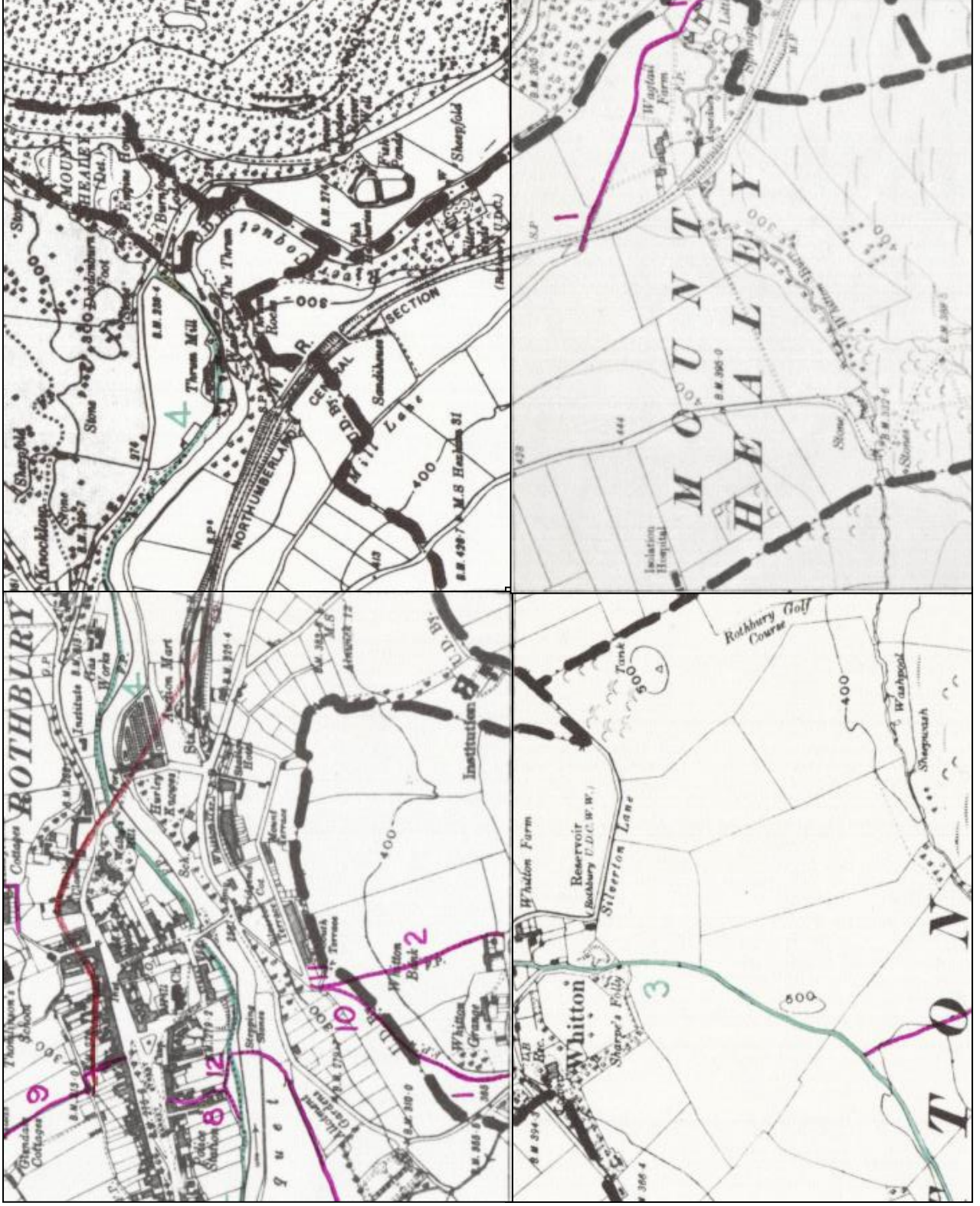
Important:—Sheet No. of Map on which Highway is shown

OS 7936 N L 1 N.W.

Draft Map



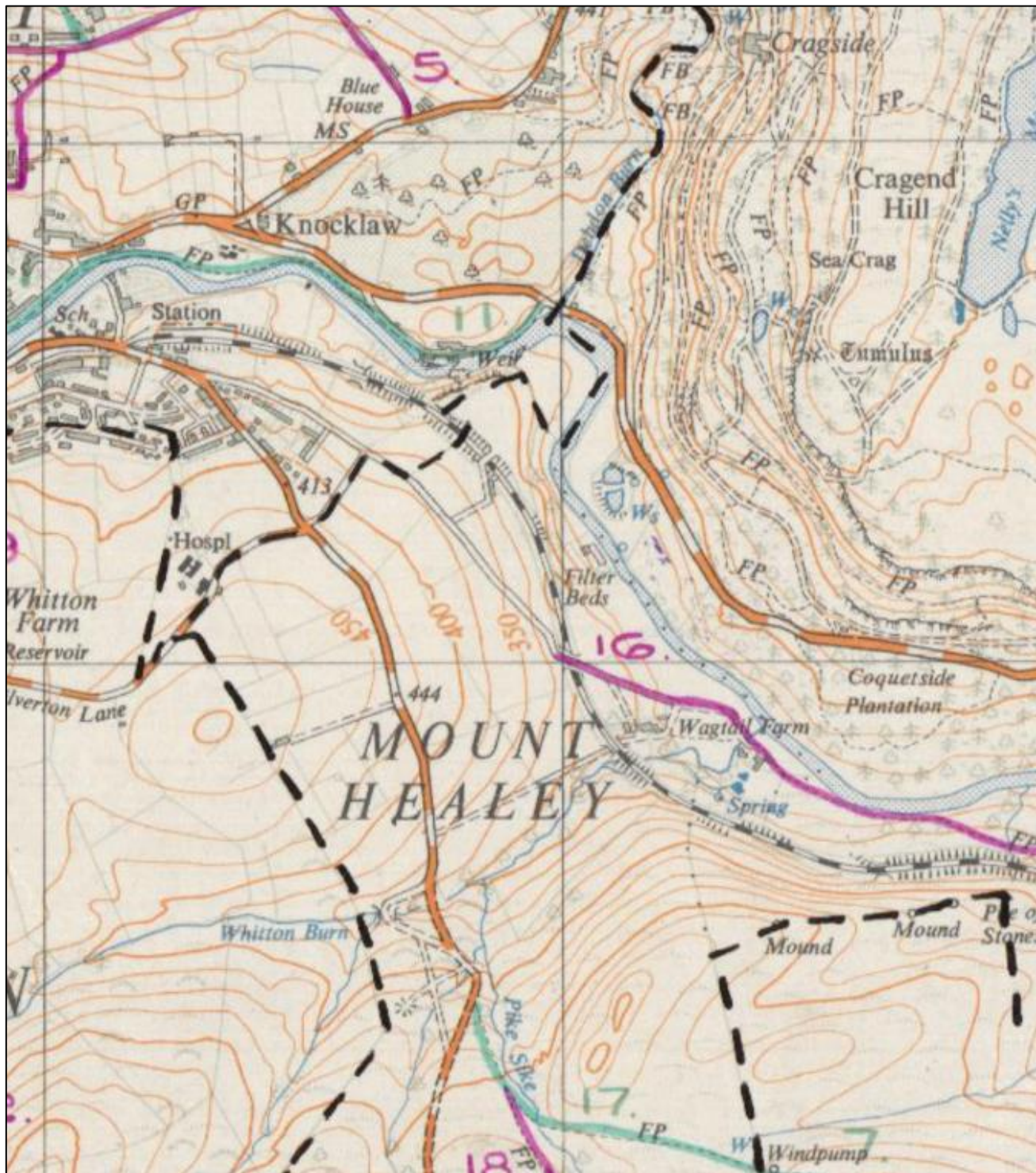
Provisional Map





County Road Schedule 1958

	<u>Unclassified Roads in Rothbury Rural District</u>	Brought Forward	62.035 miles
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.4025 at Great Tosson and continuing northwards to its junction with C.181 600 yards east of Allerdene.	1.73
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.	1.25
U.4063	Howmoor Plantation Road	From C.178 near Whittonlee Quarry via Reynards Lodge to Howmoor Plantation.	0.34
U.4064	Branton - Great Ryle	From the Glendale R.D. boundary at Hille Moor to C.169 at Milemoor Plantation.	0.54
U.4065	Ingram - Prendwick	From the Glendale - Rothbury R.D. boundary at Bowl Holes Shottons Dene to C.169 Prendwick Cottage.	0.51
U.4066	Magtail Road, Rothbury	From B.6342 200 yards east of Rothbury Station south-eastward to bottom of west ramp to railway bridge on road to Magtail Farm.	0.55
U.4070	Scottish Ford Road	From B.6342 at Rothbury Railway Station via the Scottish Ford to B.6341	0.13
U.4071	Jubilee Crescent Rothbury	Off Croft Road, U.4059 for a distance of 399 yards	0.227
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.	0.114
U.4073	Road to Low Trewitt.	From U.4026 at Low Trewitt Bridge northwards to gate at Low Trewitt Farm.	0.272
TOTAL			67.998 miles



NORTHUMBERLAND COUNTY COUNCIL.

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.

PART IV.

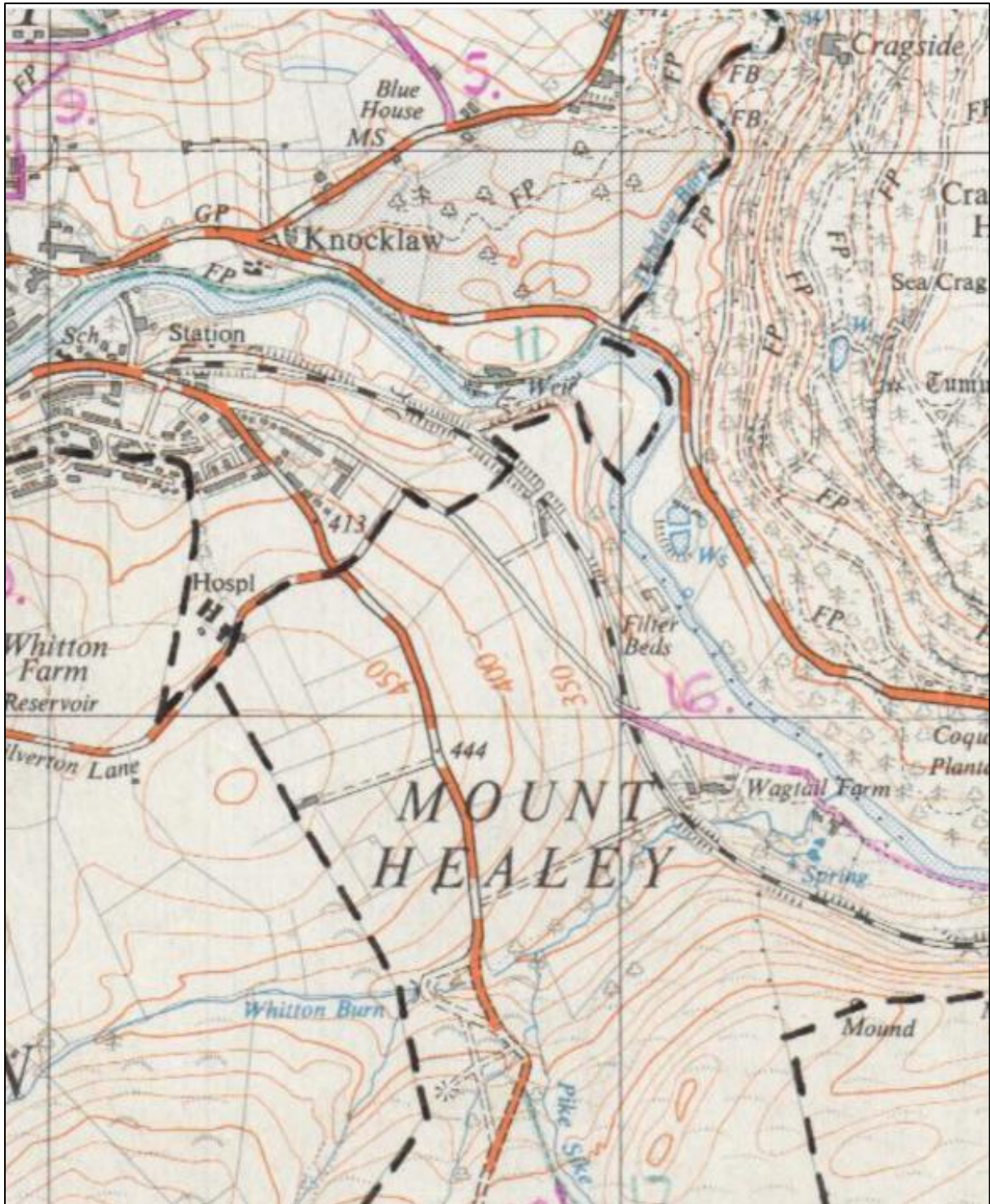
PUBLIC RIGHTS OF WAY - STATEMENT.

1. Borough
Urban district
Rural district ROTHBURY
2. Parish CARTINGTON
3. Number of Footpath on Map 16
4. Name of Path
5. Kind of Path (i.e. (FP/BR) F.P.
6. General Description of Path From the Wagtail Road at the British Railways..
(Morpeth Branch) in a south-easterly direction by Craghead to the Brinkburn...
Parish Boundary joining F.P. 6 in that parish.....
.....
.....
.....
7. Other relevant information

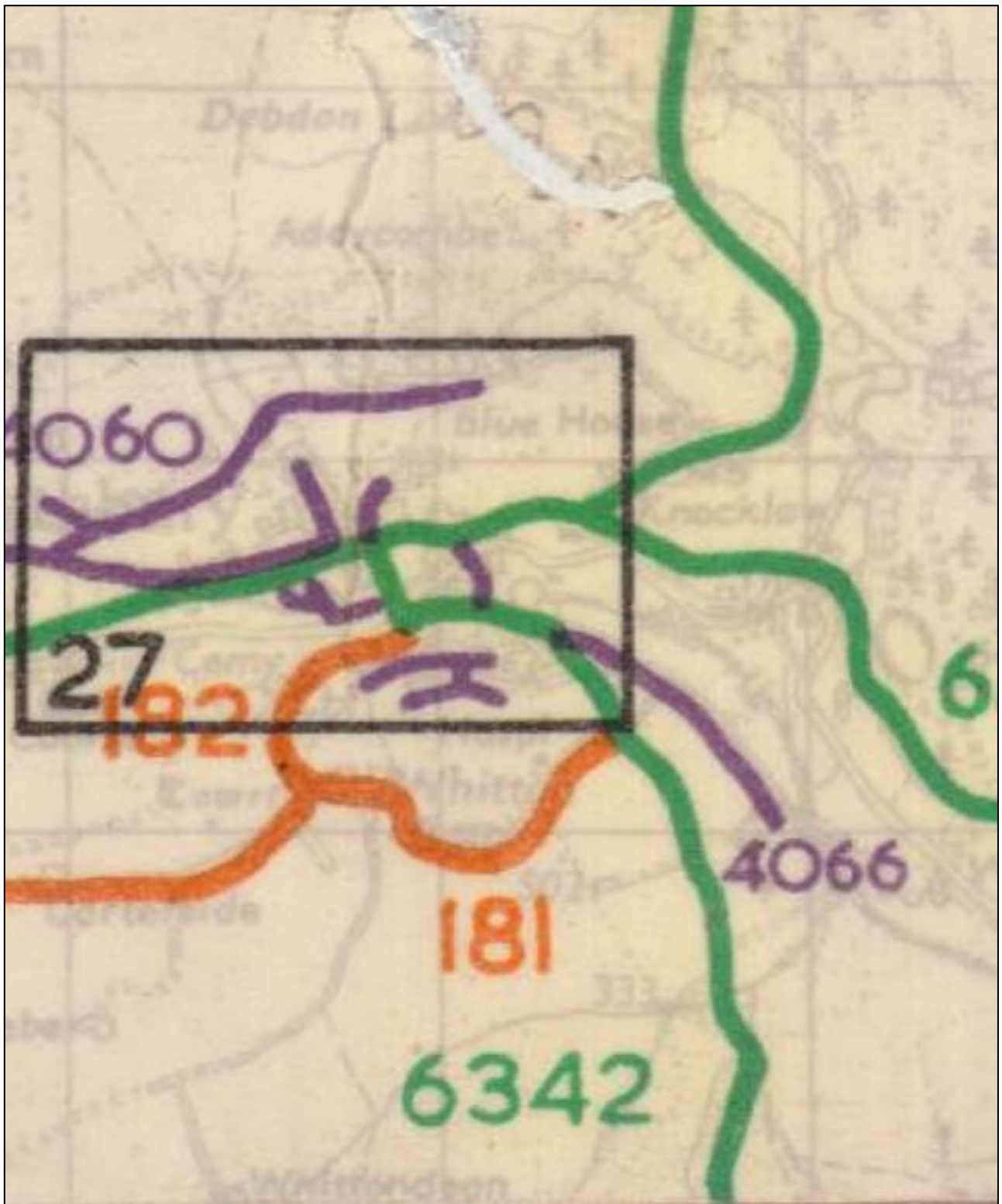
County Road Schedule
1964

Route No.	Name of Road.	Description.	Responsible Division or Authority.	Mileage.	Total Mileage.
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
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
U.4062	Allerdene-Marton Road.	From B.6341 opposite its junction with C.179 south-eastwards via the Coquet Fordway to C.181 at Allerdene.	Alnwick.		1.25
U.4063	Howmoor Plantation Road.	From C.178 near Whittonlea Quarry via Reynards Lodge to Howmoor Plantation.	Alnwick.		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
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
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
U.4067	Church Street, Longframington.	From A.697 at Longframington Schools via north and west sides of St. Laurence's Church to C.188.	Morpeth.		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
U.4069	Elsdon Village Roads. (See also U.4082 and U.4085).	From B.6341 at Cheekgate 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

First Review Definitive Map

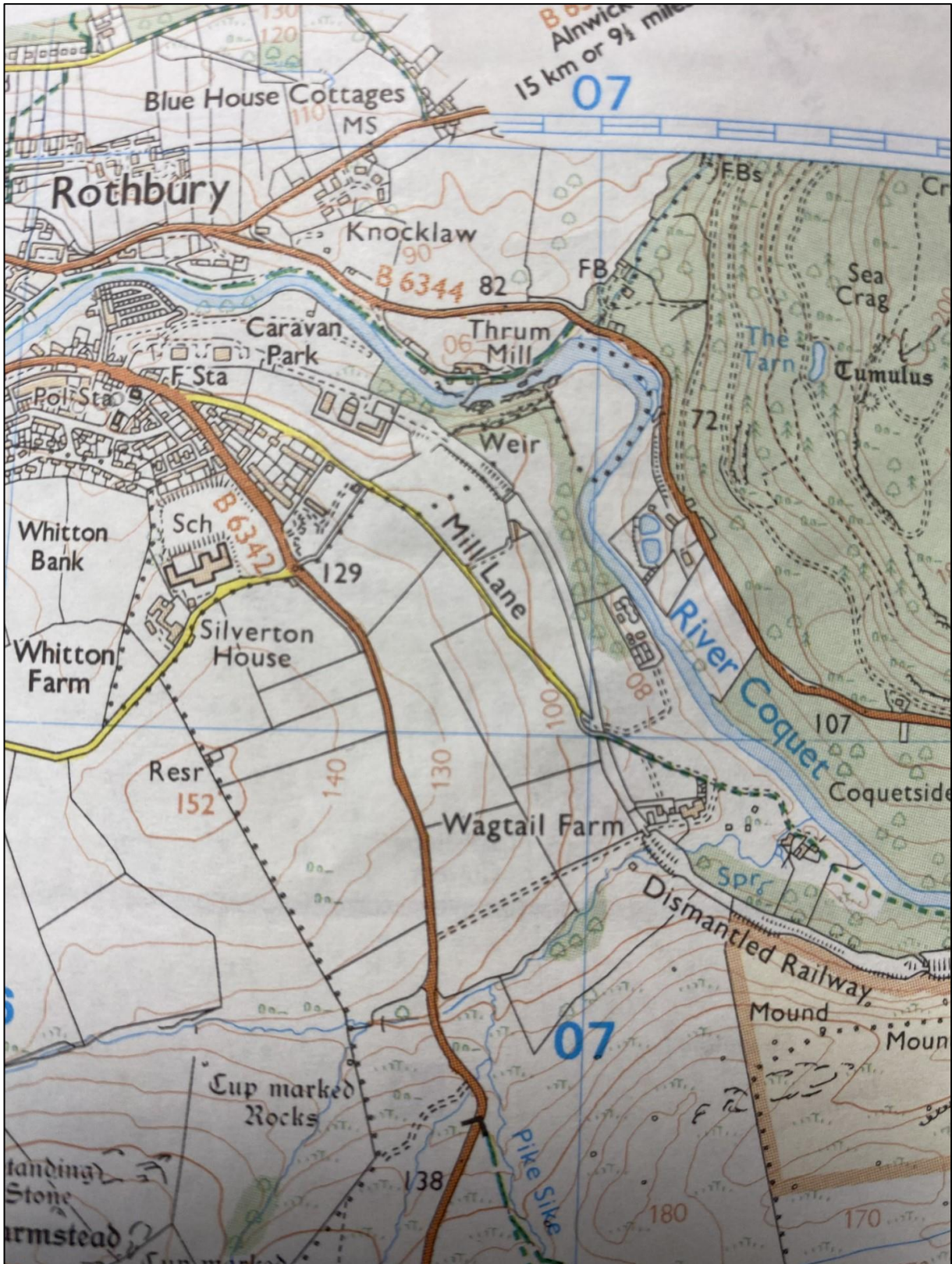


Highways Map
1964



County Road Schedule
1974

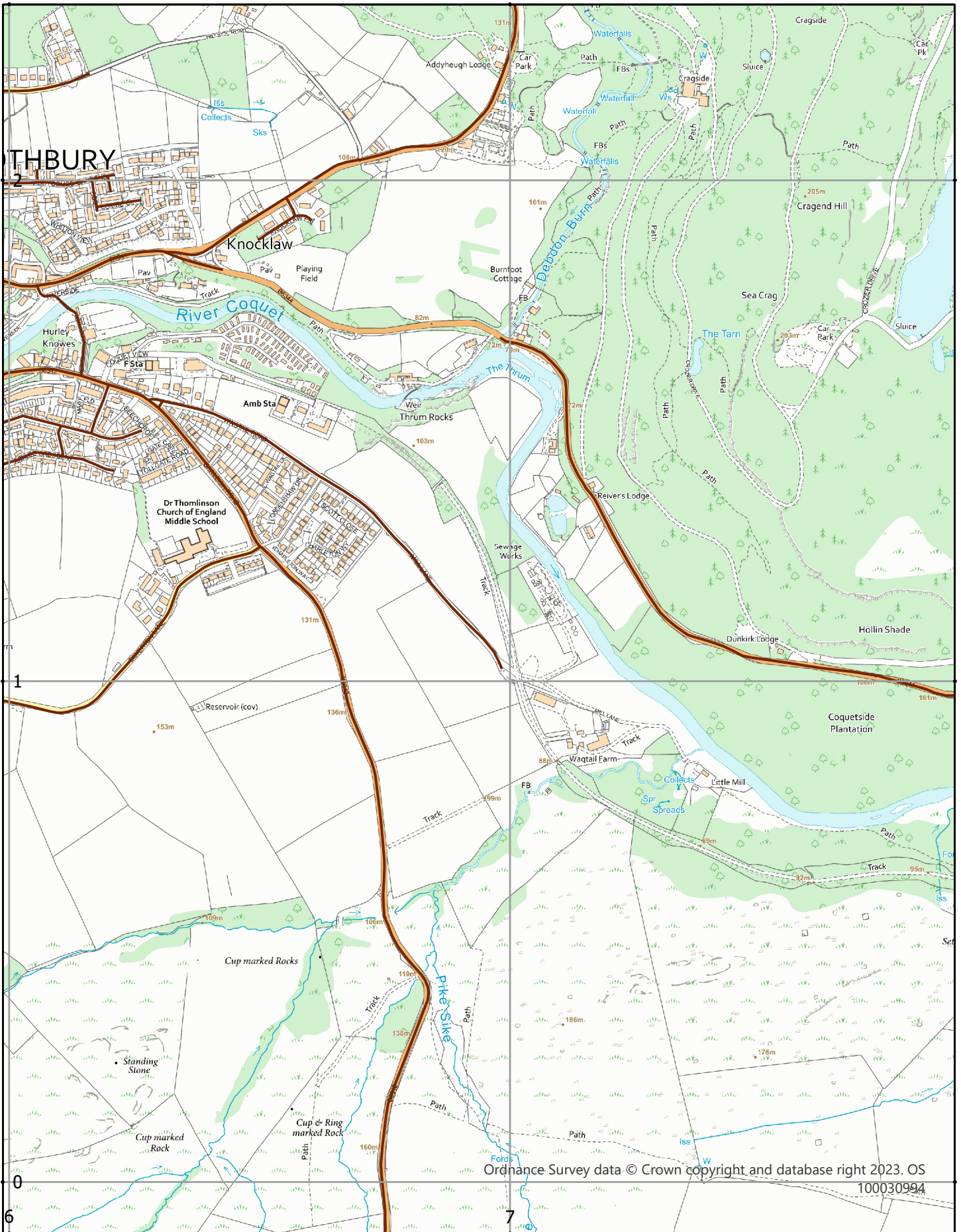
Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Total Mileage
U.4063	Howmoor Plantation Road.	From C.178 near Whittonlea Quarry (NU 065106) eastwards and southwards via Reynards Lodge to Howmoor Plantation. (NU 067104).	Alnwick Division.		0.34
U.4064	Great Ryle-Branton.	From C.169 at Mleemoor Plantation (NU 034129) north-eastwards to the Berwick District boundary south of Plantation House (NU 037138). (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 B.6342 200 yards east of the former Rothbury Station (NU 064016) south-eastwards to bottom of west ramp to railway bridge on the road to Wagtail Farm. (NU 069010).	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.5065).	Morpeth Division.		0.58
U.4069	Elsdon Village Roads. (See also U.4062 and U.4065).	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-Dush Inn, crossing C.186, to Pinfold, (160 yards). (NY 936933).	Morpeth Division.		0.30



The Council's 'List of Streets' (at 2 May 2006)

*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*

<i>Road Number</i>	<i>Description</i>	<i>Length - Metres</i>
U4064	C169 JCT TO DISTRICT BOUNDARY U1098	874
	<i>Total length for U4064</i>	<i>874</i>
U4065	C169 JCT TO U1100 DISTRICT BOUNDARY	1,319
	<i>Total length for U4065</i>	<i>1,319</i>
U4066	B6342 JCT TO U4066 WAGTAIL ROAD	16
	B6342 TO ROAD END AT S/FACE CH NEAR	916
	<i>Total length for U4066</i>	<i>932</i>
U4067	U4067 TO A697	94
	C188 TO U4067/U4086	59
	<i>Total length for U4067</i>	<i>154</i>
U4068	A696 JCT TO U5065 (DISTRICT BOUNDARY	930
	<i>Total length for U4068</i>	<i>930</i>
U4069	CRAWFORD CLOSE CUL-DE-SAC - ELSDO	58
	CRAWFORD CLOSE CUL-DE-SAC - ELSDO	19
	C186 JCT TO U4082 JCT	52
	B6341 JCT TO C186 JCT	101
	B6341 JCT TO B6341 JCT	322
	CRAWFORD CLOSE CUL-DE-SAC	57
	<i>Total length for U4069</i>	<i>609</i>
U4070	B6342 JCT TO U4070 FOOTWAY	123
	U4070 TO U4070 VIA STEPPING STONES	55



Network Management Information System

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of His Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License no. 100049048 (2009).

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: October 2023	Scale: 1:10,000