



Northumberland County Council

RIGHTS OF WAY COMMITTEE
28 February 2024

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

ALLEGED BYWAY OPEN TO ALL TRAFFIC No 32 PARISH OF BRINKBURN

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 U4049 Road, between the B6344 Road, and a point 80 metres west of Healey 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 V-X part of the route;**
- (ii) there is not sufficient evidence to indicate, on the balance of probability, that public vehicular rights have been shown to exist over the X-W part of the route;**
- (iii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the route;**
- (iv) the route be included in a future Definitive Map Modification Order as a byway 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.

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 "U4049" 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 U4049 unclassified County road based upon more than simply its inclusion in the List of Streets.

3. LANDOWNER EVIDENCE

- 3.1 By post, on 27th February 2018, A and H L Nelles of Healey Farm, responded to the Consultation, confirming that they are the owners of Healey Farm, which the U4049 road lies within.

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”. Three replies were received and are included below.

- 4.2 By email, on 26th February 2018, Ms H Evans responded to the consultation, on 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 email, on 12th April 2018, the British Horse Society responded to the consultation, stating:

“Alleged Byway Open to All Traffic 32 (Healey)

This route is the tarmac access to the farm where it joins a public bridleway. For this reason the BHS supports its addition to the definitive map as otherwise horse riders may not know that the narrow farm access road carries public rights which enable them to get to the bridleway.

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

“Parish of Brinkburn Proposed Byway Open to All Traffic No 32 Plan 13

The Estate does not hold an interest in this route other than regarding restrictive covenants and mines and minerals.

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

Although settlements at High Healey and Low Healey are depicted; there is no evidence of a road or track approximating to the route of alleged Byway No 32.

1820 Fryer's County Map

There is some evidence of an "Other road" which may approximate to the most northerly 90 metres of the route of alleged Byway No 32 (though given that this "Other Road" begins near Hope and continues north of High Healey, it is perhaps more like to be part of existing Public Bridleway No 4 and Public Footpath No 2) but no evidence of a road or track approximating to the remainder of the route of alleged Byway No 32.

1827 Cary's Map

Although a settlement at Healey is depicted, there is no evidence of a road/track approximating to the route of alleged Byway No 32.

1828 Greenwood's County Map

There is clear evidence of a mainly unenclosed "Cross Road" closely approximating to the route of alleged Byway No 32. In addition, a "Cross Road" is also identified proceeding northwards, along a route resembling existing Public Bridleway No 4.

1866 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a mostly unenclosed road / track over the route of alleged Byway No 32.

1899 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a mostly unenclosed road / track over the route of alleged Byway No 32.

Finance Act 1910 plan

There is clear evidence of a mainly unenclosed road / track over the route of alleged Byway No 32. The enclosed southern third of the route is identified as being separate from the adjacent land by coloured boundaries. This is a good indication that this part of the route road was considered to be public at that time. The northern two thirds of the route is not shown as being separated from the surrounding land by coloured boundaries, but this is not unexpected because this part of the route is not enclosed.

1925 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a mostly unenclosed road / track over the route of alleged Byway No 32.

1951 Highways Map

The route of alleged Byway Open to All Traffic No 32 is coloured so as to identify it as a publicly maintainable road. It is labelled as "U4049".

c.1952 Definitive Map – original Survey Schedules & Map

The route of alleged Byway Open to All Traffic No 32 exists on the base map. Known public roads were generally coloured brown to indicate what the extent of the road network was considered to be. The brown line is only marked as far as the junction with existing Public Bridleway No 4 (here identified as a bridleway numbered "2") with the most north-easterly 15 metres of alleged Byway Open to All Traffic No 32 (and the next 55 metres of existing Public Footpath No 3) both being identified as Public Bridleway.

Draft Map

The route of alleged Byway Open to All Traffic No 32 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). Two public footpaths and one public bridleway are shown beginning or terminating on the route of the alleged byway.

Provisional Map

The route of alleged Byway Open to All Traffic No 32 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). Two public footpaths and one public bridleway are shown beginning or terminating on the route of the alleged byway.

1957 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a mainly unenclosed road / track over the route of alleged Byway Open to All Traffic No 32.

1958 County Road Schedule

The entry for the U4049 road, in the 1958 County Road Schedule, states:

"U4049 The Healey Road
From B6344 west of Pauperhaugh to Healey."

The length of the U4049 road is identified as 0.55 miles.

1962 Original Definitive Map

The route of alleged Byway Open to All Traffic No 32 exists on the base map, but is, for the most part, not identified as a public footpath, public bridleway or Road Used as a Public Path (RUPP). The most north-easterly 15 metres of the alleged Byway Open to All Traffic route is identified as the western end of Public Footpath No 3.

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

Public Footpath No 3 (Brinkburn)

“From the Hope - New Houses road south of Throat Wood in a north-westerly, westerly, northerly and westerly direction to join BR4 at Healey.”

Public Bridleway No 4 (Brinkburn)

“From FP3 at Healey in a north-easterly and northerly direction crossing FP 2 to join the Hope - New Houses road south-east of Hope.”

Public Footpath No 5 (Brinkburn)

“From the Healey road south-west of Healey in a westerly and south-westerly direction to join the Rothbury - Weldon Bridge road (B6344) at Blackburn Cottage.”

First Review Definitive Map (Relevant Date 1 Nov 1963)

The route of alleged Byway Open to All Traffic No 32 exists on the base map, but is, for the most part, not identified as a public footpath, public bridleway or Road Used as a Public Path (RUPP). The most north-easterly 15 metres of the alleged Byway Open to All Traffic route is identified as the western end of Public Footpath No 3.

1964 Highways Map

The route of alleged Byway Open to All Traffic No 32 is coloured so as to identify it as a publicly maintainable road. It is labelled as “U4049”. From the scale of the mapping, it isn’t possible to identify precisely where its north-east end is. If the route is only 0.55 miles long (as indicated in all 3 of the County Road Schedules) this would reach a point just short of the existing junction between Public Bridleway No 4 and Public Footpath No 3. A junction with the public bridleway and public footpath would be nearer 0.56 miles and to where the 2006 List of Streets identifies the end would be 0.57 miles.

1964 County Road Schedule

The entry for the U4049 road, in the 1964 County Road Schedule, states:

“U4049 The Healey Road

From B6344 west of Pauperhaugh northwards to Healey.”

The length of the U4049 road is identified as 0.55 miles.

1974 County Road Schedule

The entry for the U4049 road, in the 1974 County Road Schedule states:

“U4049 The Healey Road

From B6344 west of Pauperhaugh (NZ 092999) northwards to Healey (NU 096006).”

The length of the U4049 road is identified as 0.55 miles.

Highways Map Scale: 1:10,560

The route of alleged Byway Open to All Traffic No 32 is coloured so as to identify it as a publicly maintainable road. It is labelled as "U4049".

Highways Map Scale: 1:2500

The route of alleged Byway Open to All Traffic No 32 is labelled as "U4049" and shown to begin or end at Point X, 95 metres west of Healey Farm.

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

There is clear evidence of a mainly unenclosed track over the route of alleged Byway Open to All Traffic No 32. 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". The yellow line extends beyond the end of the U4049 road, to the extent that somewhere between 55 metres and 70 metres of public footpath might be mistakenly assumed to be public road.

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

The route of the alleged byway is clearly identified as publicly maintainable highway.

6. SITE INVESTIGATION

- 6.1 From a point marked V, on the B6344 road, 35 metres south of 'Coquet Brae', a 2.5 to 3 metre wide tarmac surfaced track, in a 5.5 to 8 metre wide corridor, proceeds in a general northerly direction for a distance of 640 metres, to a point 355 metres south-west of Healey Farm Cottage. Thereafter, a 2.5 to 3 metre wide tarmac track, in a 12.5 to 18 metre wide corridor, proceeds in a general north-easterly direction for a distance of 95 metres and then 2.5 to 3 metre wide tarmac track continues in a general north-easterly direction for a distance 205 metres, in a 8.5 to 10.5 metre wide corridor, to a point marked W, 60 metres west of Healey Farm Cottage.

7. COMMENTS RECEIVED ON THE DRAFT REPORT

- 7.1 In January 2024, a draft copy of the report was circulated to those landowners / occupiers who responded to the initial consultation for their comments.

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 32 is identified on the County Council’s current List of Streets as being the U4049 road. The route appears to have been identified on both the Council’s 1951 Highways Map and the later 1964 Highways Map and it was also included in the 1958, 1964 and 1974 County Road Schedules, though there is a degree of uncertainty in relation to its northern termination point. The three County Road Schedules describe the route as being 0.55 miles long (i.e. 855 metres) long. This would make the termination point some 30 metres west of the field gate entrance at Healey and 15 metres west of the junction with existing Public Footpath No 3 and Public Bridleway No 4. The 1951 Highway Map appears to show the road ending at the junction with Public Footpath No 3 and Public Bridleway No 4 (Point X). The 1964 Highways Map doesn’t show enough detail to exist and the current List of Streets mirrors the 2006 situation by showing the road ending at the gate (Point W).
- 8.5 The route has been consistently identified as a mainly unenclosed road / track on Ordnance Survey maps since 1866. Although the route is not shown on Armstrong’s County Map of 1769 or Cary’s Map of 1827, it is partly shown on Fryer’s County Map of 1820 and the whole route is clearly shown on Greenwood’s County Map of 1828. On the plan, prepared under the Finance Act 1910, the most southern third of 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, but the most northern two thirds of the route was included in a coloured land parcel.
- 8.6 Although other public rights of way were identified nearby, with two public footpaths and one public bridleway identified as either beginning or ending 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 Although the whole route to Healey identified as a yellow road on OS Explorer Map, and the route identifies as publicly maintainable highway on the current List of Streets and 2 May 2006 List of Streets as far as Point W, the earlier 1:10,560 and 1:2500 scale Highways Maps only show the U4049 Road extending as far as Point X. Point X is also where Public Bridleway No 4 and Public Footpath No 3 meet (the accompanying Definitive Statements for both identify this point as being each other – i.e. there isn’t a short section of road separating them). The 1958, 1964 and 1974 County Road Schedules also

identify the road as not extending as far as Point W. On that basis, on a balance of probability, it would seem that the 'public-vehicular' right of way is only the route V-X. The X-W section of the route is currently recorded on the Definitive Map as a part of existing Public Footpath No 3, and there is no compelling evidence to show, on balance of probability, that this section is anything more than a Public Footpath.

- 8.8 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.
- 8.9 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.
- 8.10 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.
- 8.11 Of the saving provisions above, (b) will apply to the V-X part of the route of alleged Byway No 32. The public's motor vehicular rights would not have been extinguished by the NERC Act 2006. This saving provision would not apply to the 15 metre long X-W section, though, because this section is (and was on 2 May 2006) recorded on the definitive map of public rights of way as being recorded as being part of Public Footpath No 3. The point may be academic, though, because the documentary evidence indicates that the U4049 public road should terminate at Point X.
- 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 All of alleged Byway Open to All Traffic No 32 has a tarmac surface, and is driveable, with a normal car. The road serves farmland and those living at Healey Farm, Healey Farm Cottage, 1 and 2 Storer Court, and Storer Court and their visitors. The route is a cul-de-sac road, unlikely to be much used with motor vehicles, by the general public. The very eastern end of the route forms a junction with 2 existing public rights of way (Public Footpath No 3 and Public Bridleway No 4). In these circumstances it is considered likely that this highway will be used by the general public mainly for the purposes for which footpaths and bridleways are so used; thereby satisfying the criteria for the alleged Byway No 32 section being recorded as a byway open to all traffic.
- 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 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 the southern third of Byway Open to All Traffic No 32, which appears to have been enclosed since at least the 1820s, with a width varying from 5.5 to 8.5 metres, as identified in paragraph 6.1 above. The remainder of the route only appears to have been enclosed very recently. This section is identified in paragraph 6.1 as 8.5 to 18 metres wide but appears doubtful that the landowner was setting out this fencing to denote the extent of the highway. Officers propose that this section be identified as the standard default width of 5 metres.

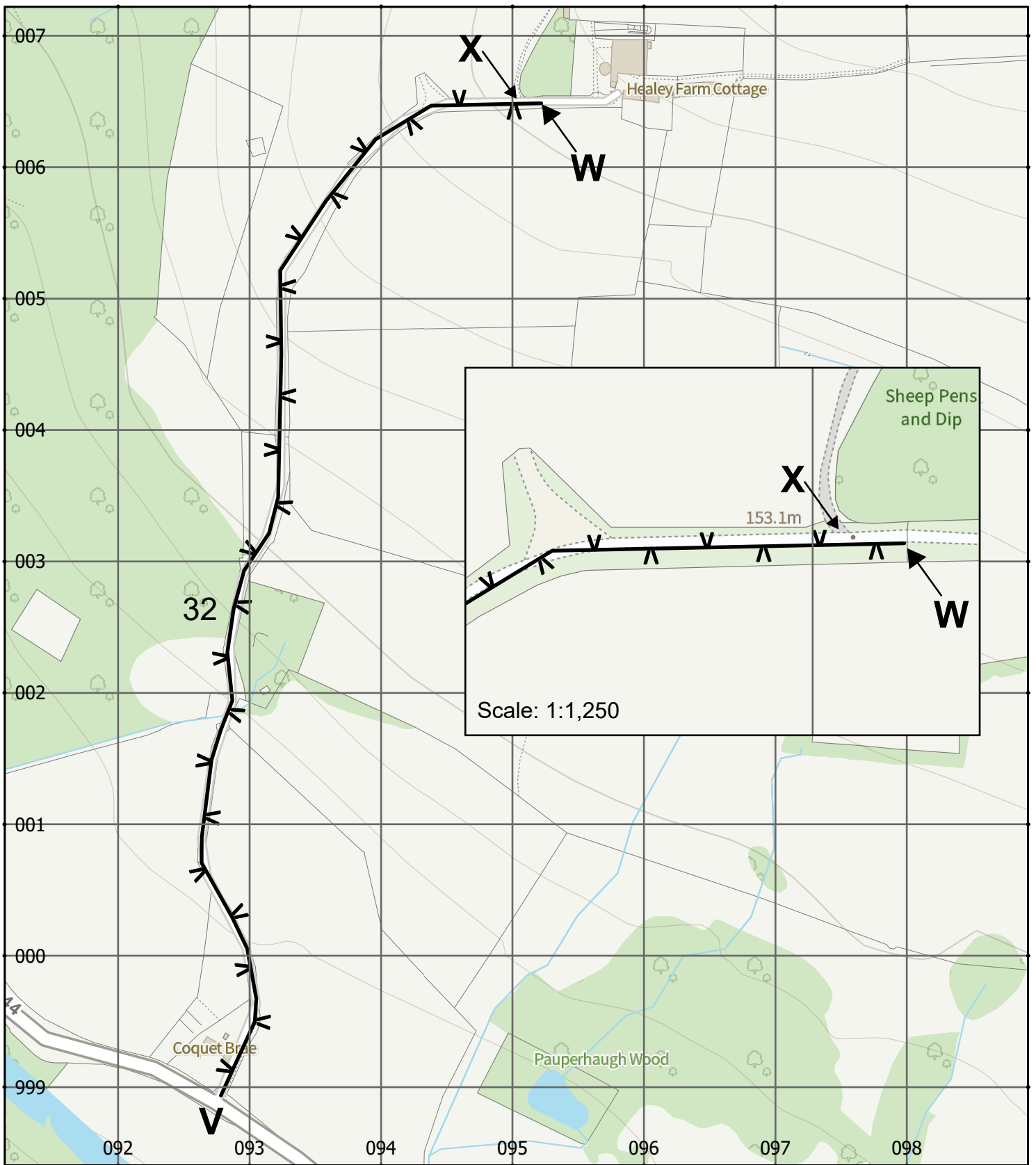
9. CONCLUSION

- 9.1 In light of the documentary evidence submitted, it appears that public vehicular rights have been reasonably alleged to exist over the V-X part of the route of alleged Byway Open to All Traffic No 32.
- 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

Report Author

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Northumberland County Council

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Morpeth, Northumberland, NE61 2EF
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Wildlife & Countryside Act, 1981



Alleged Byway Open to All Traffic

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Former District:
Alnwick

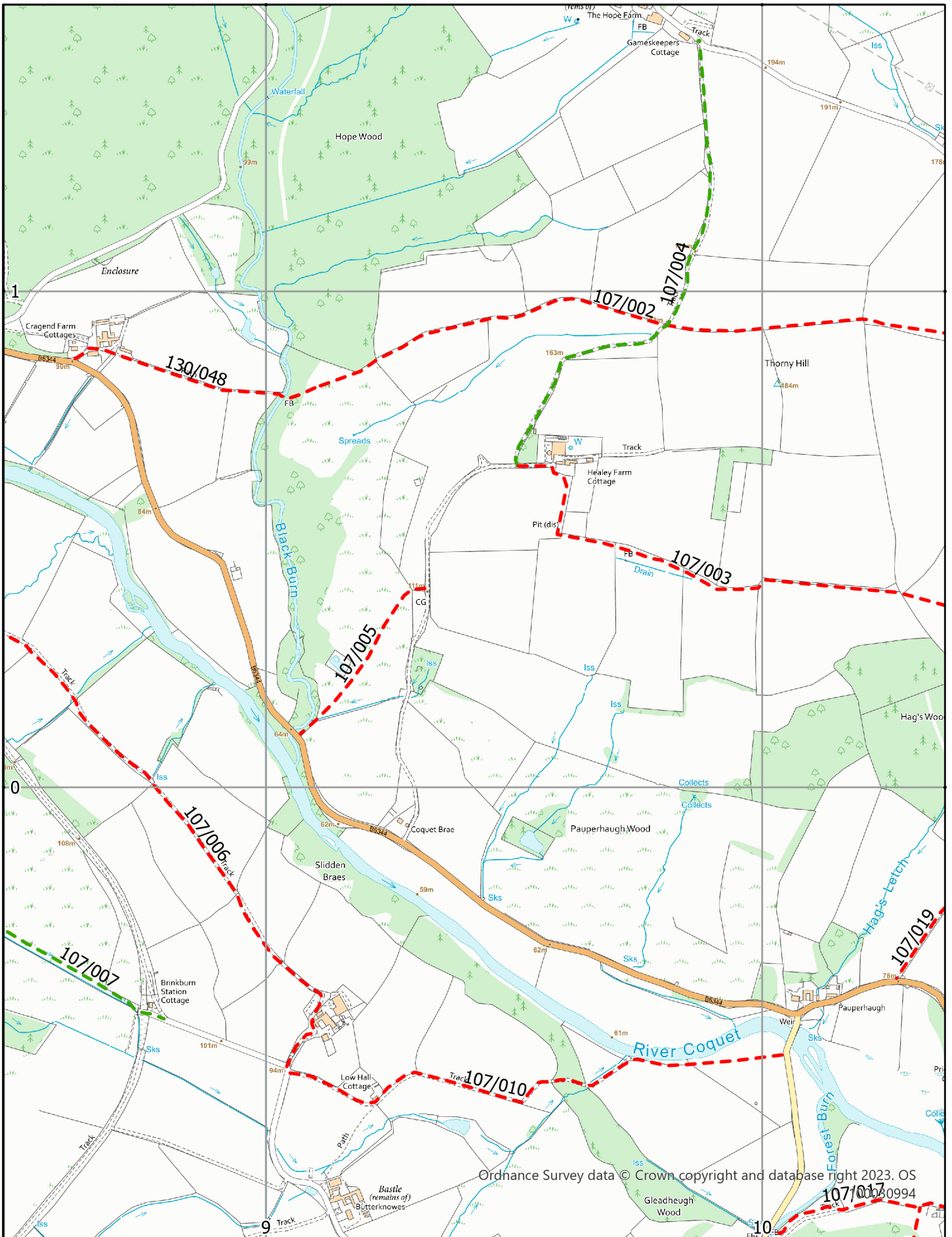
Parish:
Brinkburn

Scale:
1:4000

Def. Map No.
94/109

O.S. Map
NU 00 SE/ NZ 09 NE

Date:
January 2024



Northumberland
County Council

County Hall, Morpeth, NE61 2EF
Contact: Highway Search Team

Email: Highwaysearch@northumberland.gov.uk

Legend

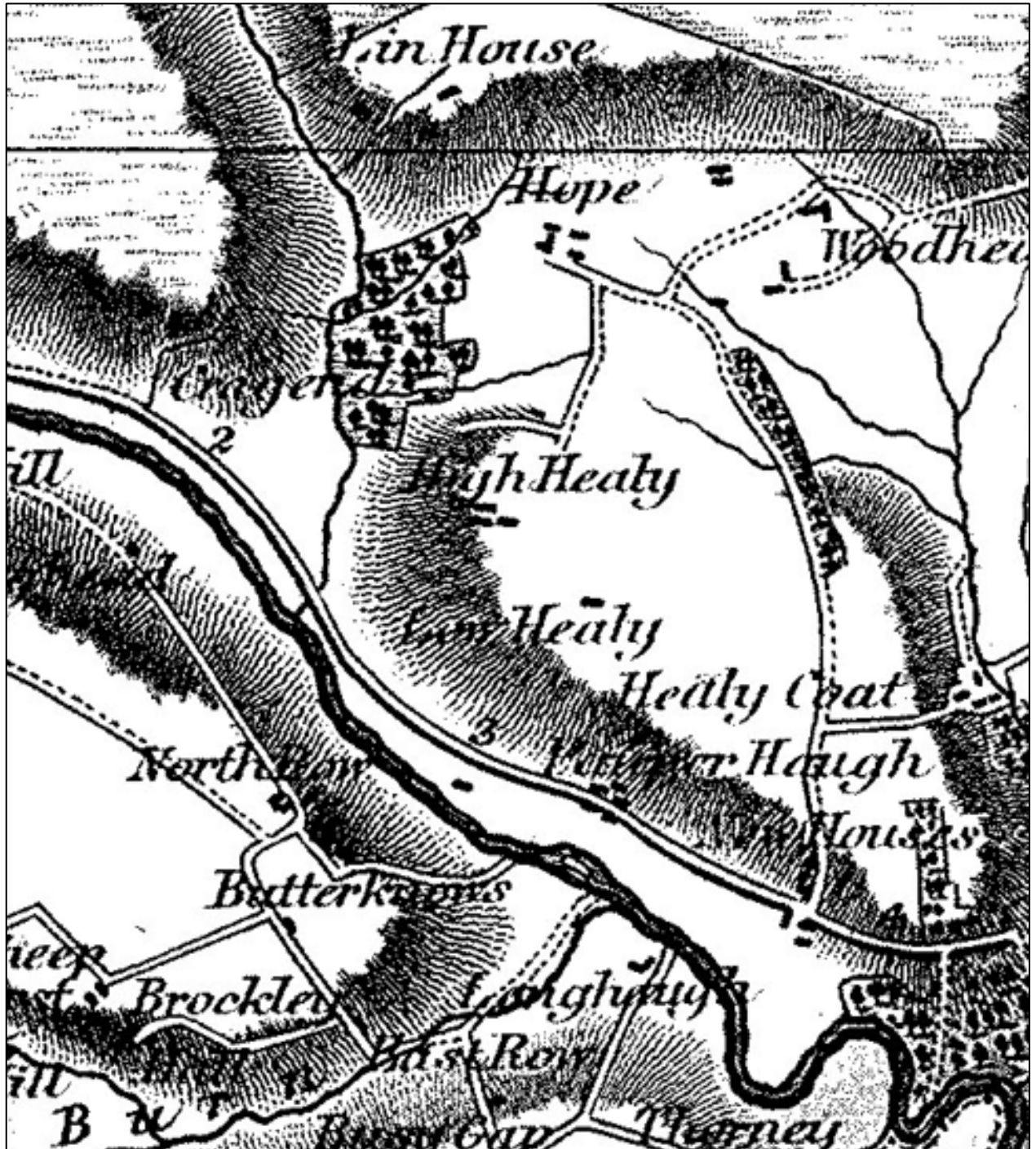
- - - Footpath
- - - Bridleway
- - - Restricted Byway
- Byway Open to All Traffic

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

Scale 1:10,000

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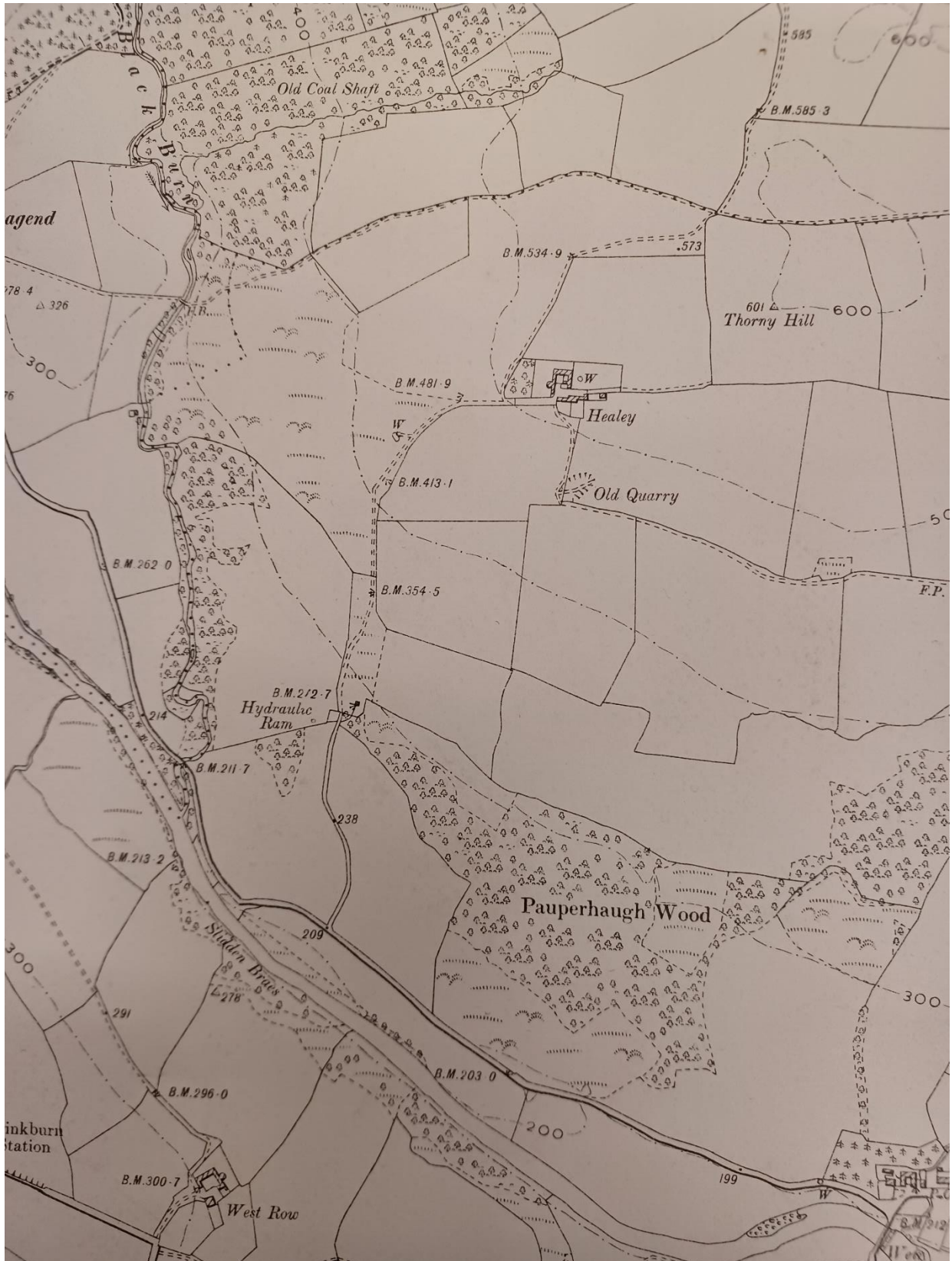


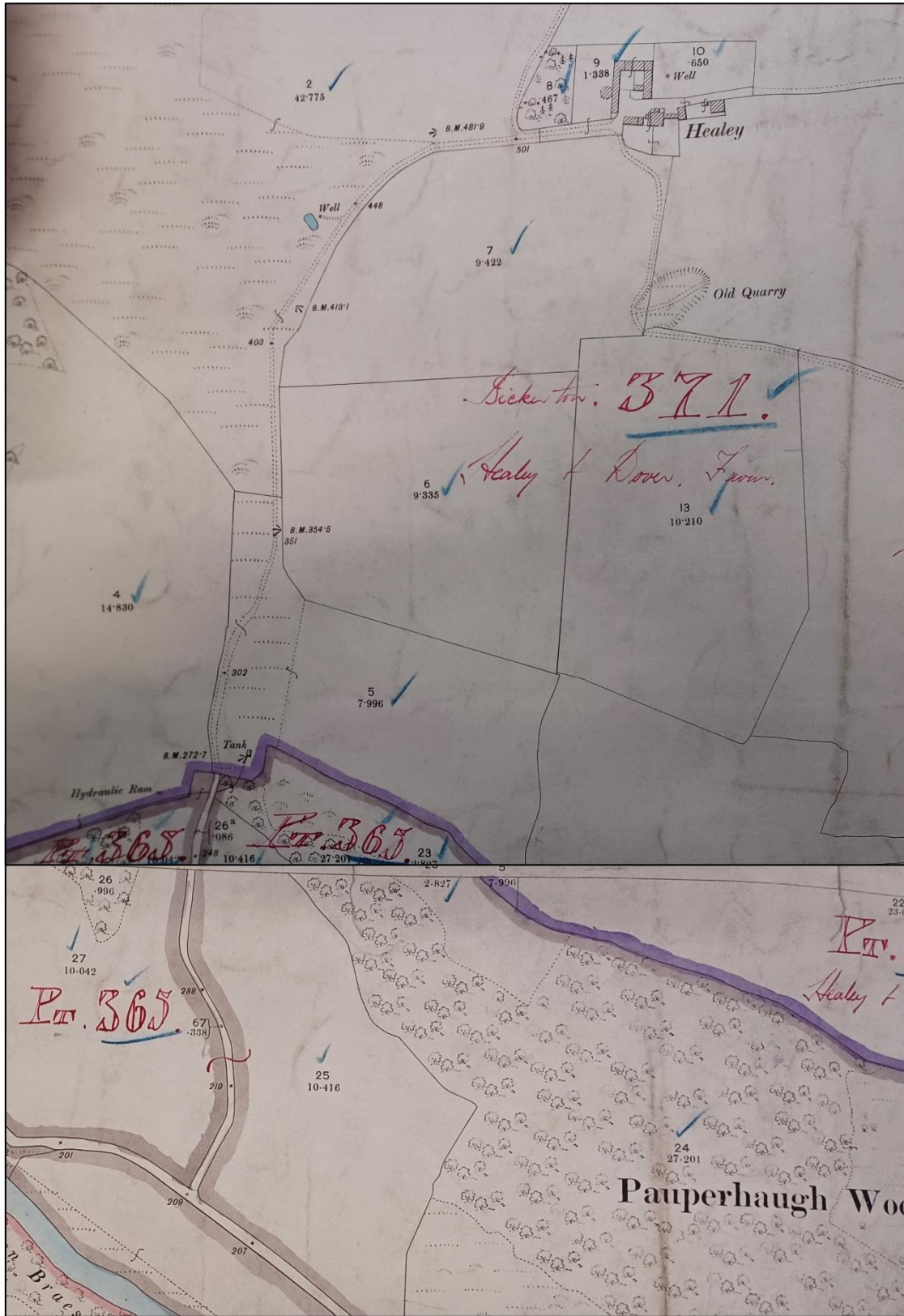












EDITION OF 1925.

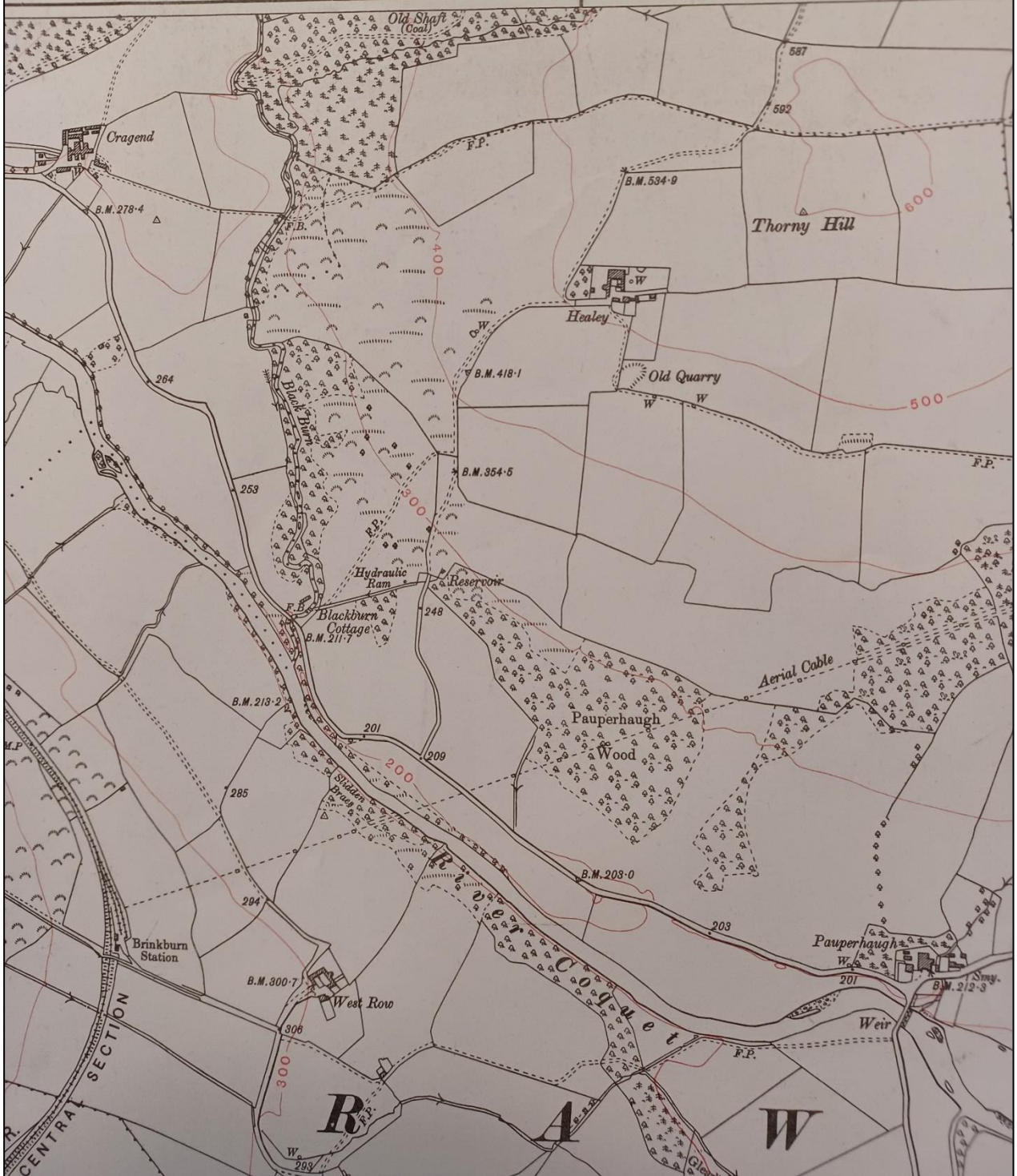
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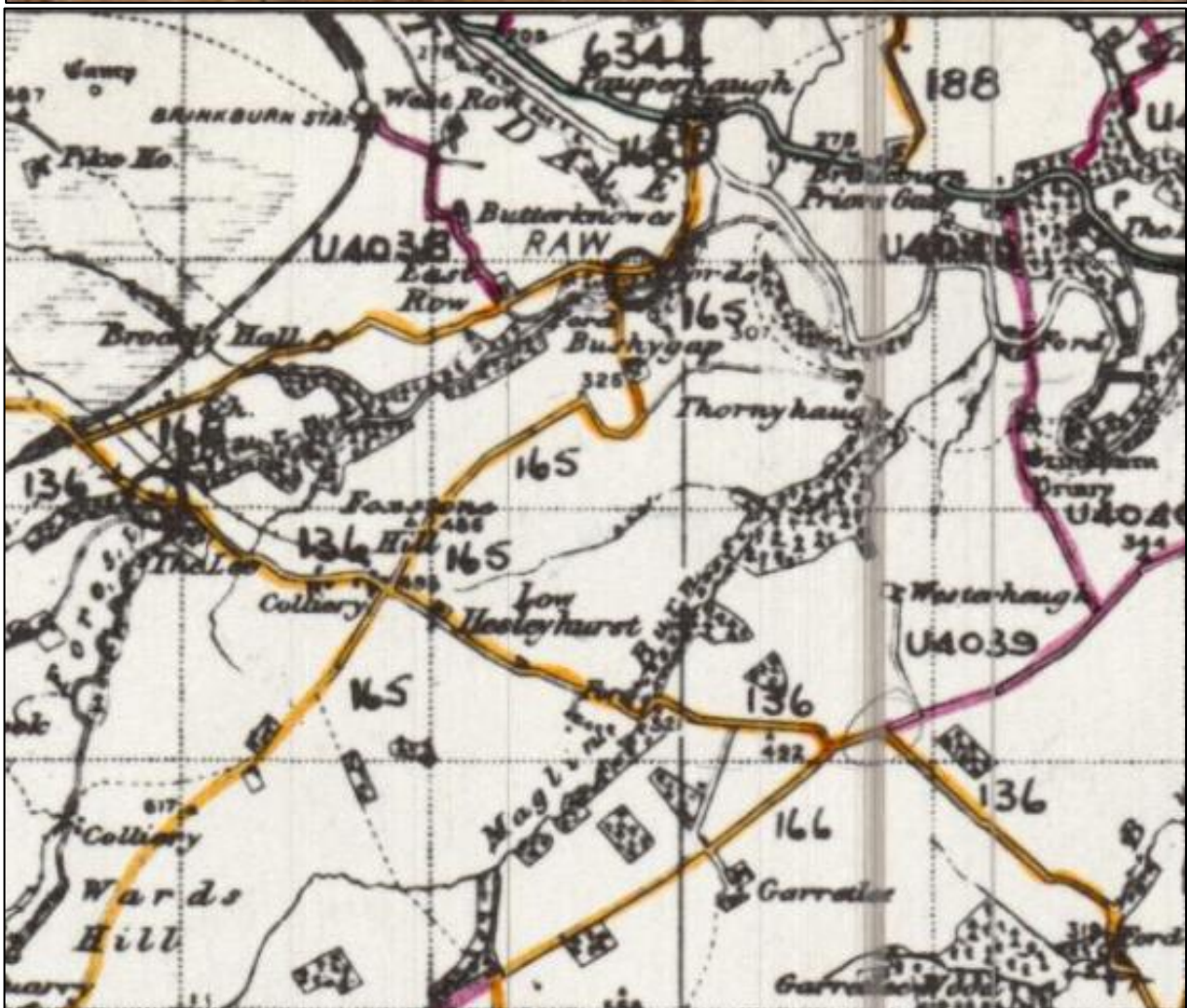
ROTHBURY UNION & R.D.

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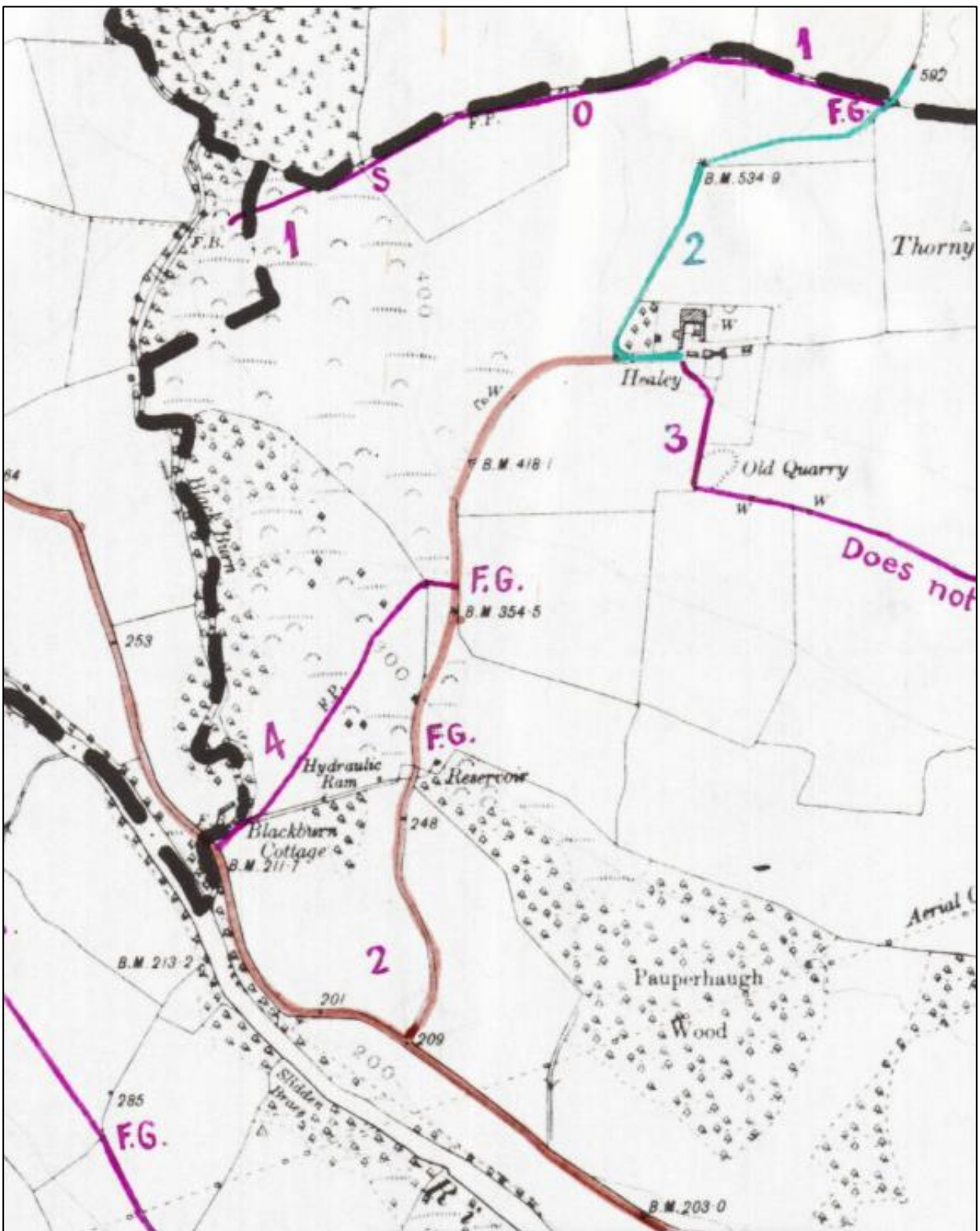
1° 51'



Highways Map
1951



Definitive Map – Original Survey Schedules & Map
c. 1952



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

Parish of RAW in the Rural District of _____

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

1. Number of highway on Map 2
2. Kind of Path (i.e., F.P., B.R.) CR. ROAD/TRACK
3. Starts at COQUET BRIDGE to THORNY HILLS
4. Name of Path (if any) Nil
5. Is the Path well defined? YES as far as HEALEY
6. Is the Path metalled? If so, define length YES all the way
7. If its width can be stated, insert here 6'
8. What is the present condition of the path, stiles, etc.? Field gates. OK
9. Is it subject to being ploughed out? No
10. Details of any notice boards, direction signs or warning signs against trespassers, stating their location, wording on them, their condition and date of erection, if known
Nil
11. Grounds for believing the path to be public (if known), e.g. "Awarded," "Repaired at Public Expense" (with date) or "mentioned in Minutes of Parish Council" or any other evidence such as that of an old inhabitant
Repaired one part of its length by Council.
12. Have persons been prevented using the highway? No
13. Give particulars of any obstructions Nil
14. Names of owners of freehold and previous owners, if known, for past 30 years
Duke of Northumberland
W. STORER (Tenant)
15. What maps have been consulted, and where are they deposited?
Nil
16. What records have been consulted, and where are they deposited?
Nil
17. Any other relevant information From Coquet Bridge to Healey a tarmac road. From Healey to Thorny Hill an irregular path track metalled underneath. Through road to BRIMSBURN HOLE. Not metalled for 100 yds in road between.

Surveyed by	Address	Date of Survey
<u>J. Ball</u>	<u>Pringate Langhamington</u>	<u>3/5/53</u>

Important:—Sheet No. of Map on which Highway is shown
285 / 45 / 50 NW

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

Parish of RAW in the Rural District of _____

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

1. Number of highway on Map 3 2. Kind of Path (i.e., F.P., B.R.) ? F.P.
3. Starts at HEWLEY to 100' NORTH / HAGS WOOD
4. Name of Path (if any) NIL
5. Is the Path well defined? DOES NOT EXIST
6. Is the Path metalled? If so, define length _____
7. If its width can be stated, insert here _____
8. What is the present condition of the path, stiles, etc. ? _____
9. Is it subject to being ploughed out? _____
10. Details of any notice boards, direction signs or warning signs against trespassers, stating their location, wording on them, their condition and date of erection, if known
NIL
11. Grounds for believing the path to be public (if known), e.g. "Awarded," "Repaired at Public Expense" (with date) or "mentioned in Minutes of Parish Council" or any other evidence such as that of an old inhabitant
NIL
12. Have persons been prevented using the highway? No one uses it.
13. Give particulars of any obstructions No through road.
14. Names of owners of freehold and previous owners, if known, for past 30 years
DUKE OF NORTHUMBERLAND
(Tenant) is STORER.
15. What maps have been consulted, and where are they deposited?
NIL
16. What records have been consulted, and where are they deposited?
NIL
17. Any other relevant information. Has not been used or known to exist in present tenant's lifetime.

Surveyed by	Address	Date of Survey
<u>J. D. Bull</u>	<u>Prinsgate Langhampton</u>	<u>3/5/53</u>

Important :- Sheet No. of Map on which Highway is shown
285 / 45 / 50 NW

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

Parish of ROTHAY RAM in the Rural District of _____

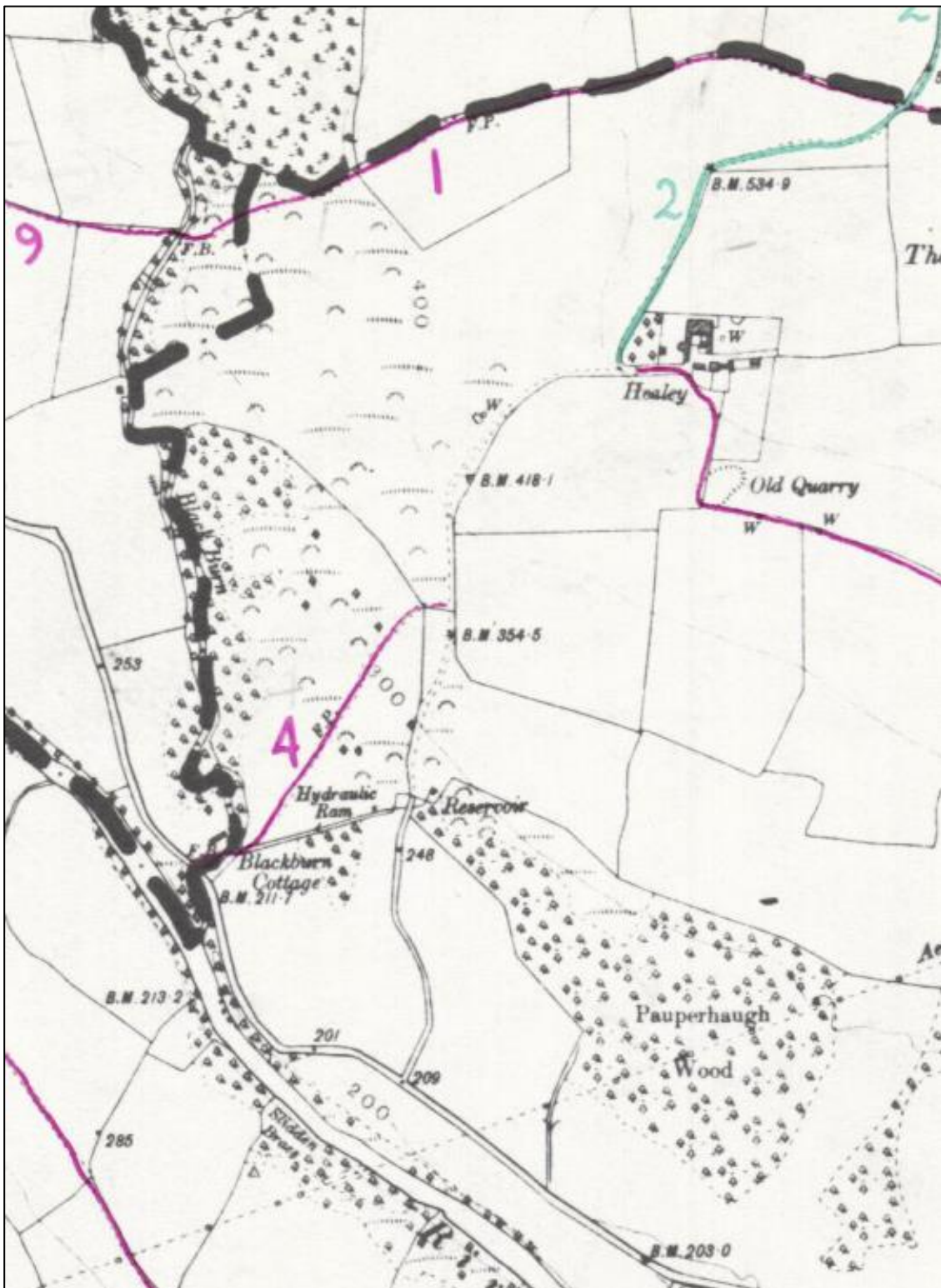
Borough }
Urban District } of ROTHAYRAM
RAM }
(Delete whichever is inapplicable).

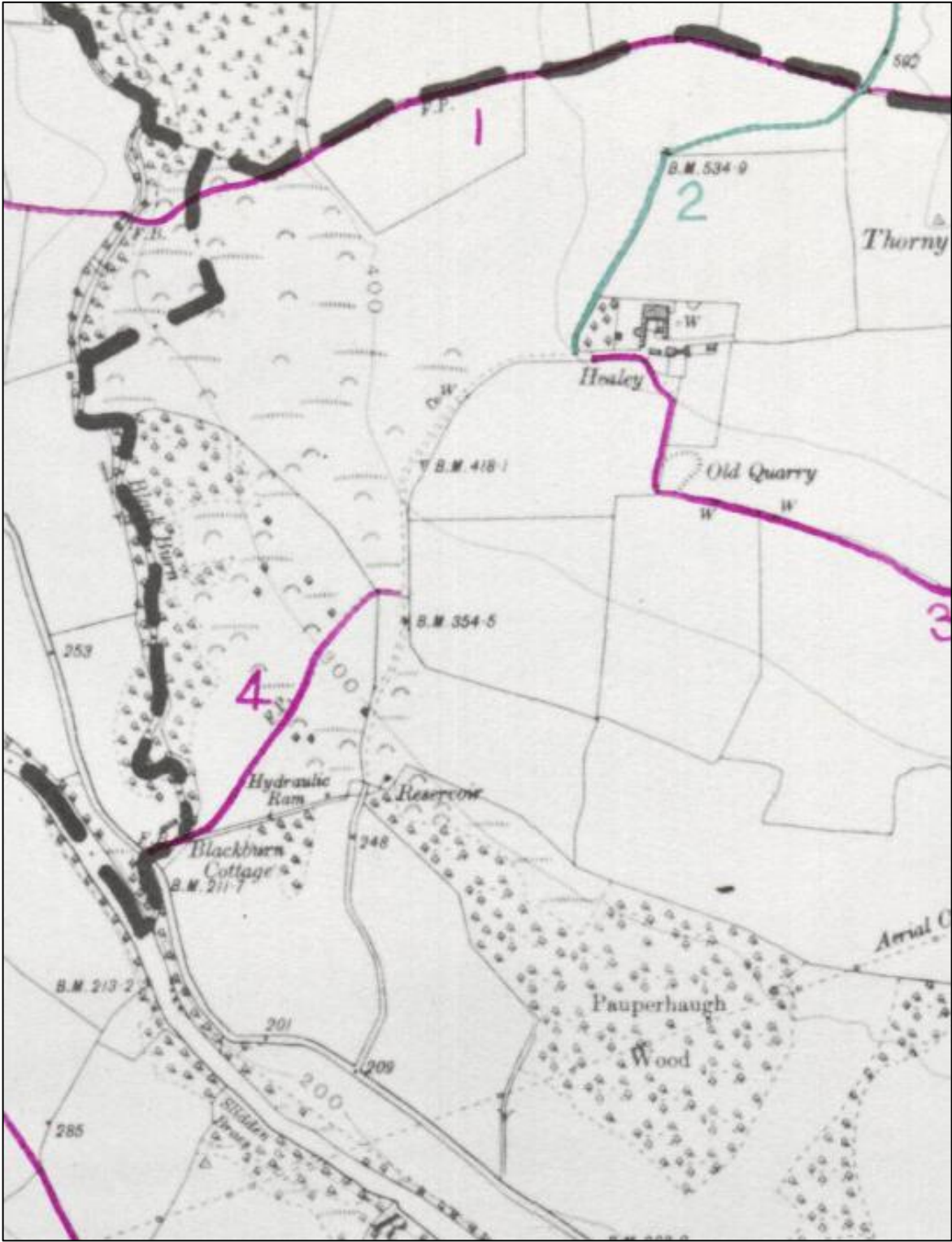
1. Number of highway on Map 4 2. Kind of Path (i.e., F.P., B.R.) FP
3. Starts at BLAKE BURN COTTAGE to HENRY FARM ROAD (amp)
4. Name of Path (if any) Nil
5. Is the Path well defined? NO
6. Is the Path metalled? If so, define length NO
7. If its width can be stated, insert here _____
8. What is the present condition of the path, stile, etc.?
Path not in use no
9. Is it subject to being ploughed out? _____
10. Details of any notice boards, direction signs or warning signs against trespassers, stating their location, wording on them, their condition and date of erection, if known
Nil
11. Grounds for believing the path to be public (if known), e.g. "Awarded," "Repaired at Public Expense" (with date) or "mentioned in Minutes of Parish Council" or any other evidence such as that of an old inhabitant
None.
12. Have persons been prevented using the highway? None use it
13. Give particulars of any obstructions No path.
14. Names of owners of freehold and previous owners, if known, for past 30 years
Duke of Northumberland
his steward (tenant)
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 Do not consider this
FP now required. Not used.

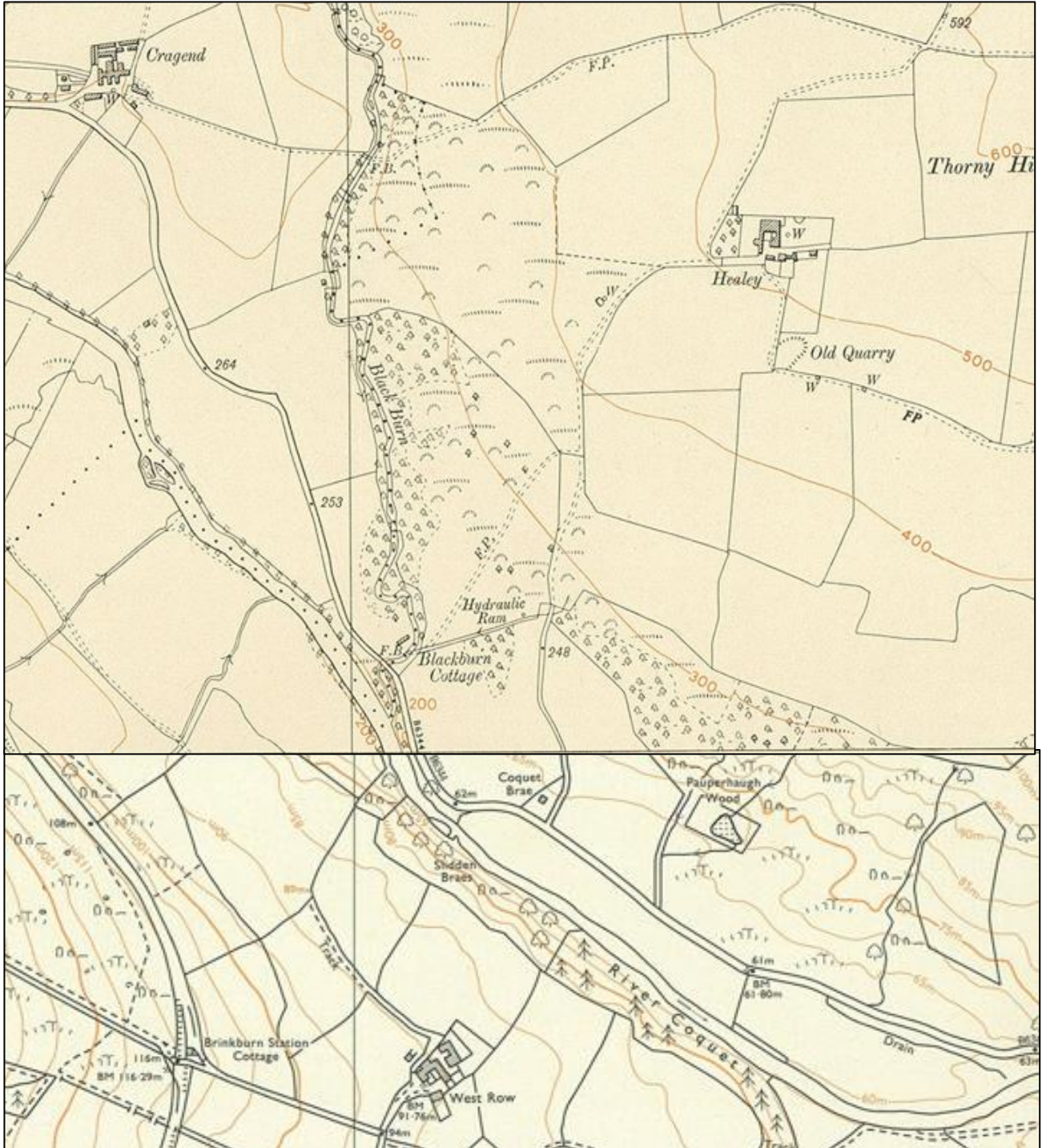
Surveyed by	Address	Dates of Survey
<u>[Signature]</u>	<u>Prinsgate</u> <u>Longhamlington</u>	<u>3/5/53</u>

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

285 | 45 | 50 NW







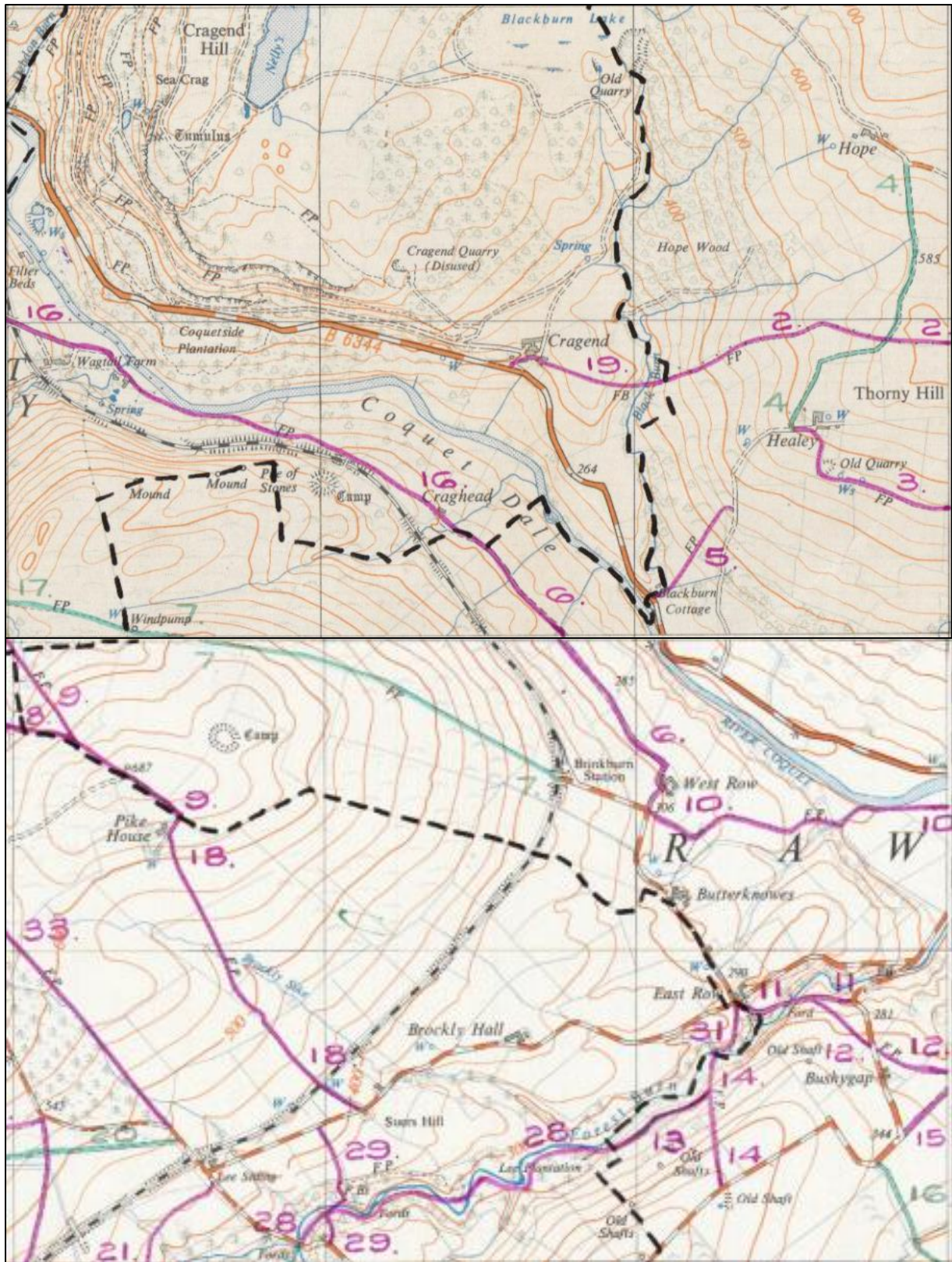
County Road Schedule
1958

MERFETH DIVISION

Unclassified Roads in Rothbury Rural District

U.4032	Bowershiel Road.	From B.6341 south of the entrance to North Riding to Middle Riding.	0.42
U.4033	Elsdon - Eastnook Road.	From B.6341 at Elsdon via Lendshot to Eastnook including Branch Road to Hudspeth.	3.33
U.4034	Folly Road	From B.6341 west of the Bird in the Bush (P.H.) Northwards for a distance of 550 yards towards the Folly.	0.32
U.4036	Rothley Village Road.	From C.161 to Rothley Village.	0.20
U.4037	Rothley Shiel Road.	From B.6342 at Rothley Shiel East via Rothley Shiel West to B.6342 west of Rothley Crossroads.	1.81
U.4038	East Row - Brinkburn Burn Station Road.	From C.168 at East Row to Brinkburn Station.	0.64
U.4039	North Birks - Todstead Road, with link to Westerheugh.	From C.135 north of North Birks via Tod Burn and River Coquet to B.6344 at Todstead (1.264 mls) and branch road from near Ford over Todburn westwards to C.136 near entrance to Westerheugh (1.327 mls).	2.591
U.4040	Brinkburn High House - Westerheugh Road.	From B.6344 at Brinkburn High House to U.4039 east of the entrance to Westerheugh.	1.15
U.4041	Brinkburn High House - Here Crossroad.	From B.6344 near Brinkburn High House via Coekshot to C.168 west of the entrance to the Hare Cross.	0.92
U.4044	Vicrage Road, Longframlington.	Late A.697 now by-passed.	0.26
U.4045	Old Road, Longframlington.	From U.4045 to High Veldon.	1.05
U.4046	High Veldon Road.	From C.168 west of Healey Cote North-westwards to Hope.	0.34
U.4048	Healey Cote - Hope Road.	From B.6344 west of Pauperheugh to Healey.	1.24
U.4049	The Healey Road.		0.55
		Carried forward	<u>14.821</u> miles

Original Definitive Map & Statement



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 BRINKBURN

3. Number of Footpath on Map 3

4. Name of Path

5. Kind of Path (i.e. FP/BR) F.P.

6. General Description of Path From the Hope-New Houses Road south of Throat
..... Wood in a north-westerly, westerly, northerly and westerly direction to join
..... BR 4 at Healey.
.....
.....
.....

7. Other relevant information
.....
.....
.....
.....

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 BRINKBURN
3. Number of Footpath on Map 4
4. Name of Path
5. Kind of Path (i.e. FP/BR) BR... (part metalled 8 feet wide)
6. General Description of Path From FP 3 at Healey in a north-easterly and
northerly direction crossing FP 2 to join the Hope-New Houses Road south east of
Hope.
.....
.....
.....
7. Other relevant information
-
-
-
-
-

NORTHUMBERLAND COUNTY COUNCIL.

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

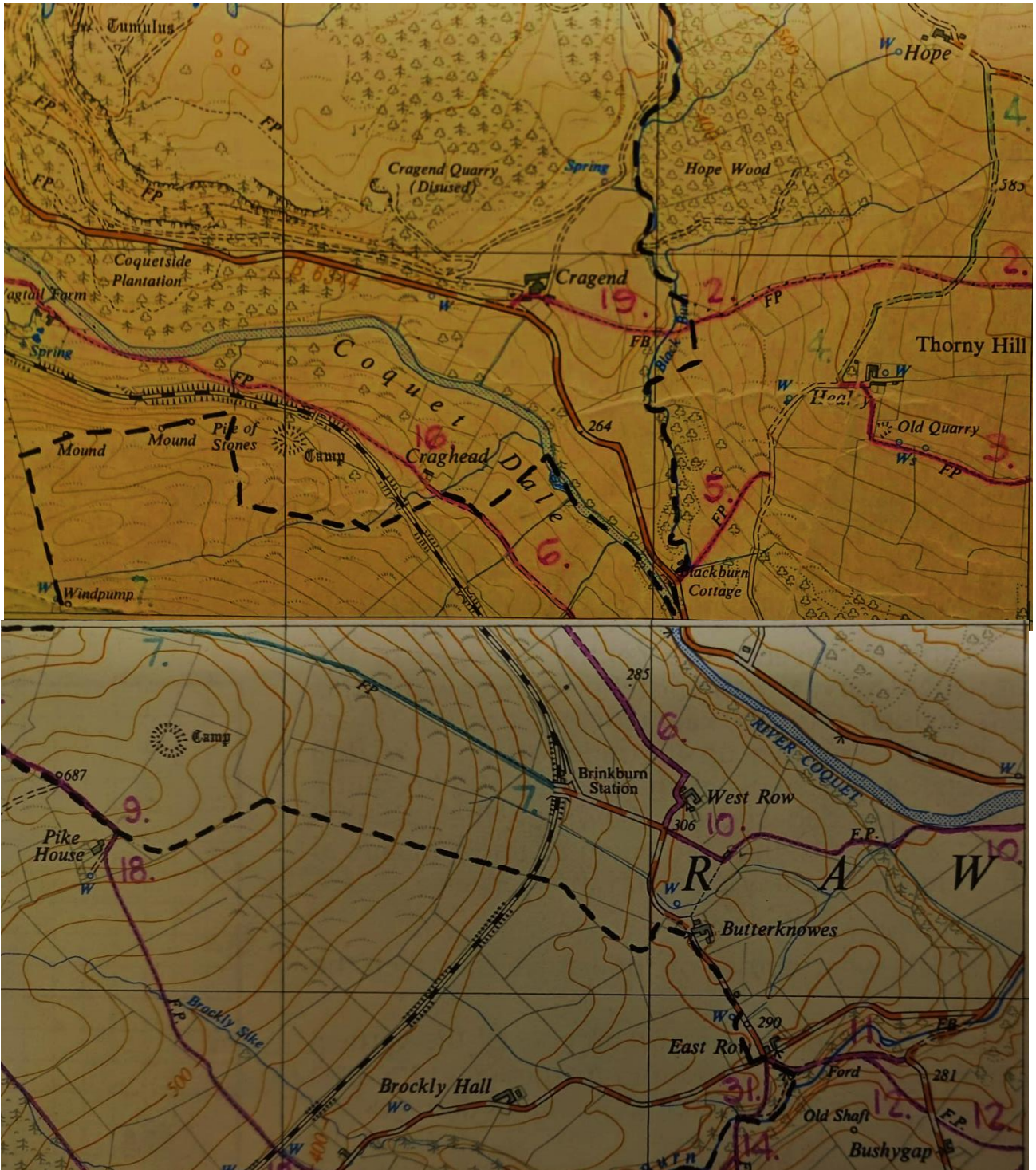
PUBLIC RIGHTS OF WAY - STATEMENT.

1. Borough
Urban District
Rural District ROTHBURY
2. Parish BRINKBURN
5
3. Number of Footpath on Map,.....
4. Name of Path
5. Kind of Path (i.e. FP/BR) F.P.
6. General Description of Path From the Healey Road south-west of Healey in a
westerly and south-westerly direction to join the Rothbury - Weldon Bridge Road
(B6344) at Blackburn Cottage.
.....
.....
.....
7. Other relevant information
.....
.....
.....
.....

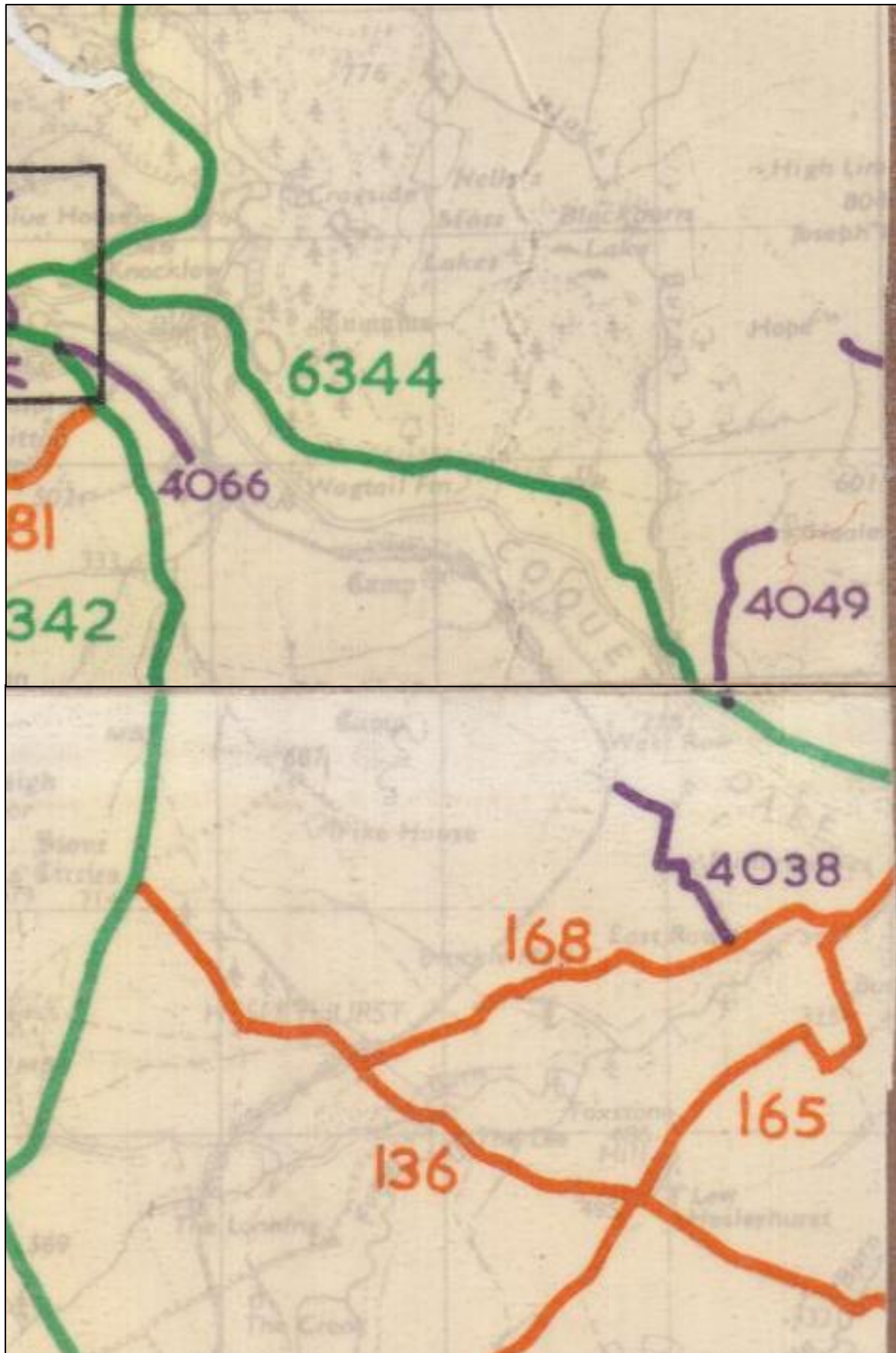
County Road Schedule 1964

Route No.	Name of Road.	Description.	Responsible Division or Authority.	Mileage.	Total Mileage.
U.4049	The Healey Road.	From B.6344 west of Pauperhaugh northwards to Healey.	Morpeth	0.55	0.55
U.4050	Wingates-Wards Hill Road.	From C.166 south of Wingates Saw Mill north-westwards to C.165 at Wards Hill.	Morpeth	1.48	1.48
U.4051	Chirm-Chirm Well Road.	From U.4050 south of Chirm, north-eastwards to C.166 at Chirm Well Cottage.	Morpeth.	0.74	0.74
U.4052	Wingates Village Road.	From C.166 to Wingates Village.	Morpeth.	0.23	0.23
U.4053	Gallows Hill-Hartington Hall Road.	From B.6342 100 yards east of Harwood Gate via Gallows Hill and Hartington to C.162 south-east of Hartington Hall.	Morpeth.	0.98	0.98
U.4054	Low Fairnley Road.	From B.6342 south of Harwood Gate westwards to Low Fairnley terminating at Fairnley Farm Gate.	Morpeth.	0.97	0.97
U.4055	The Chesters Road.	From B.6342 opposite its junction with C.162 westwards via Chesters to U.5007 at the south-west corner of Chesters Plantation and including road southwards to U.6046 at the Rural District boundary. (Continues in Bellingham Rural District as U.5007 and in Morpeth Rural District as U.6046).	Morpeth.	1.47	1.47
U.4056	The Caistron Road.	From B.6341 $\frac{1}{2}$ of a mile south of Flotterton, south-eastwards towards Caistron for a distance of 245 yards.	Alnwick.	0.14	0.14
U.4057	Hepple-Wreighill Road.	From B.6341 at Hepple Smithy to a point 250 yards south-east of Wreighill.	Alnwick.	0.88	0.88
U.4058	Holystone-Campville Road.	From C.180 at Holystone Priory via Holystone School towards Campville, terminating at cattle grid 127 yards west of where the Old Mill Race crosses the road, including 43 yds long branch road northwards to Salmon Inn.	Alnwick.	0.38	0.38
U.4059	Gravelly Bank, Rothbury.	From B.6341 at County Hotel, westwards via Newcloud House to west entrance to Cove Quarry.	Alnwick.	0.52	0.52

First Review Definitive Map

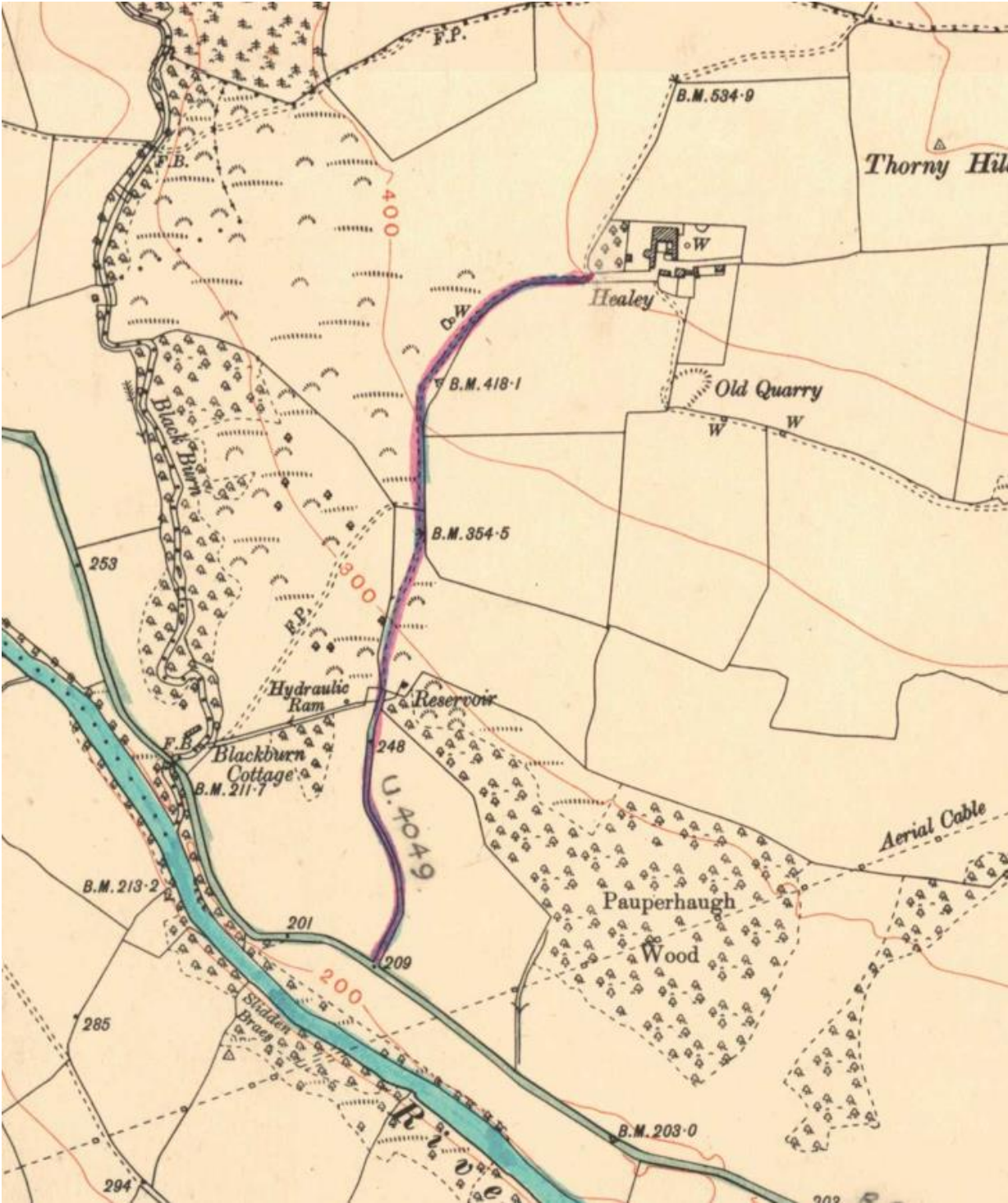


Highways Map
1964

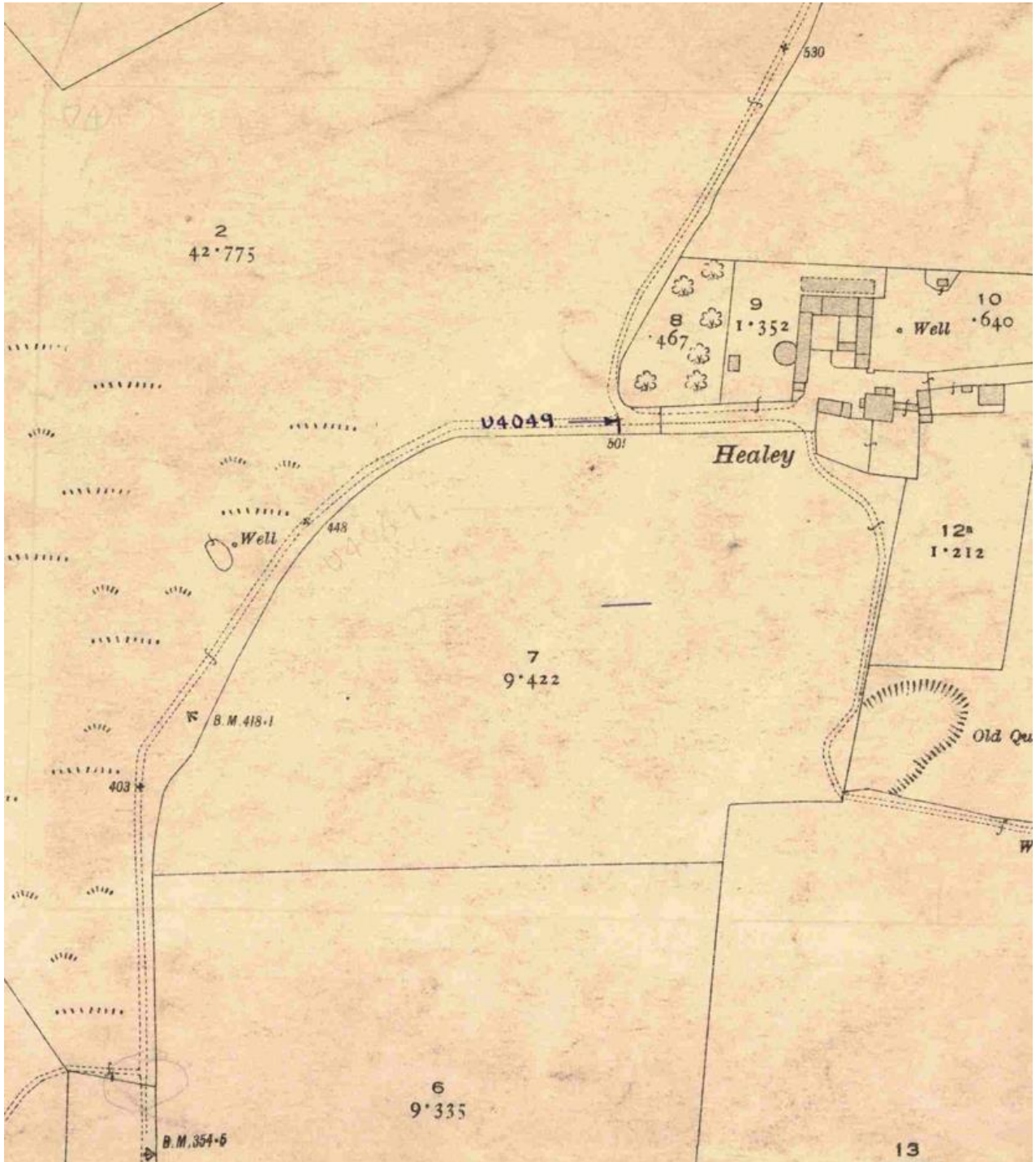


County Road Schedule
1974

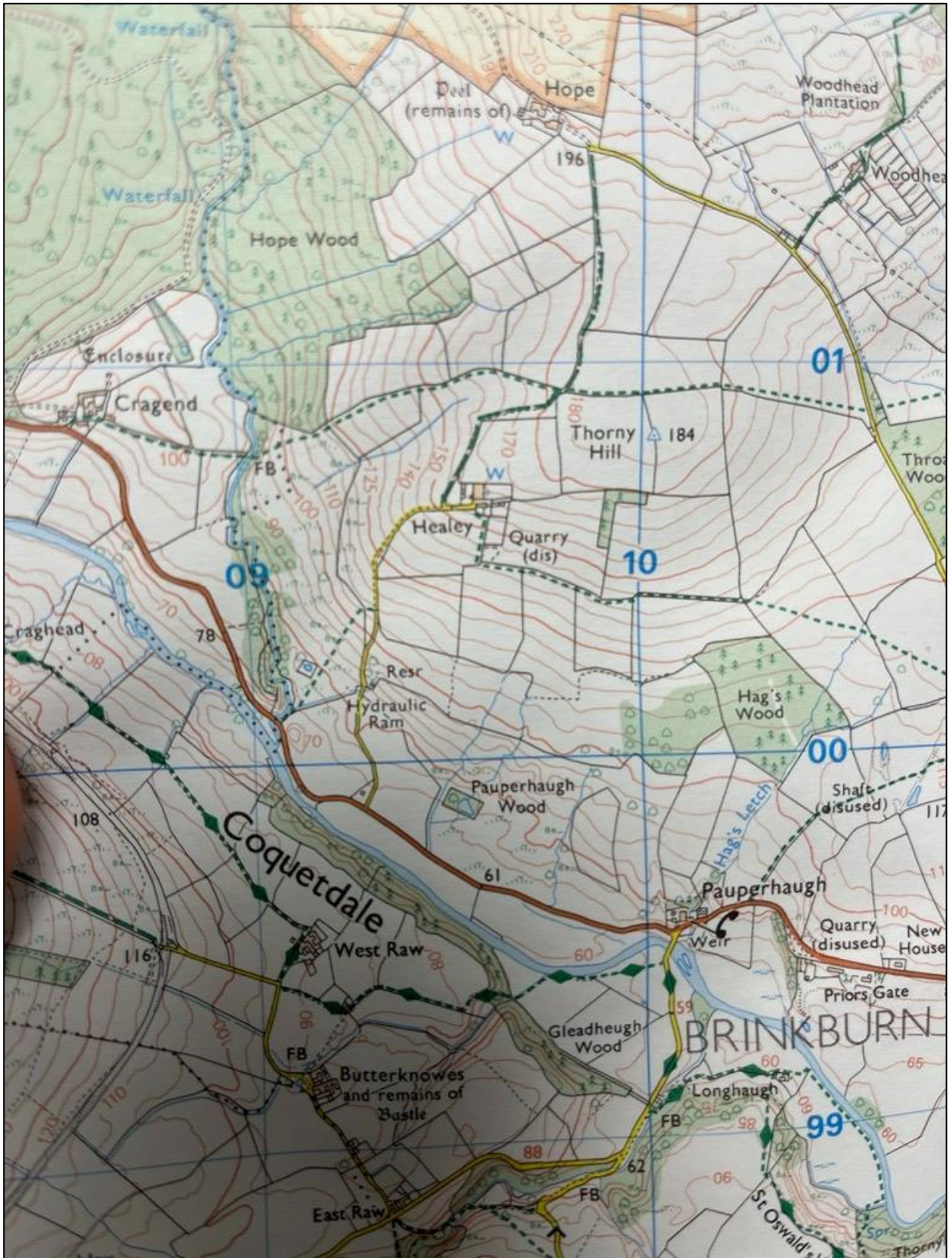
Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Total Mileage
U.4049	The Healey Road.	From B.6344 west of Pauperhaugh (NZ 992999 ⁰⁹²⁹⁹⁹) northwards to Healey. (NU 996006 ⁰⁹⁶⁰⁰⁶)	Morpeth Division.		0.55
U.4050	Wingates-Wards Hill Road.	From C.166 south of Wingates Saw Mill (NZ 095948) north-westwards to C.165 at Wards Hill. (NZ 075959).	Morpeth Division.		1.48
U.4051	Chirm-Chirm Well Road.	From U.4050 south of Chirm (NZ 086955) north-eastwards to C.166 at Chirm Well Cottage. (NZ 093961).	Morpeth Division.		0.74
U.4052	Wingates Village Road.	From C.166 at NZ 097950 eastwards to serve Wingates Village. (NZ 101952).	Morpeth Division.		0.23
U.4053	Gallows Hill - Hartington Hall Road.	From B.6342 100 yards east of Harwood Gate (NZ 020895) southwards via Gallows Hill and Hartington to C.162 south-east of Hartington Hall. (NZ 025880).	Morpeth Division.		0.98
U.4054	Low Fairnley Road.	From B.6342 south of Harwood Gate (NZ 020885) westwards to Low Fairnley terminating at Fairnley Farm Gate. (NZ 005887).	Morpeth Division.		0.97
U.4055	The Chesters Road.	From B.6342 opposite its junction with C.162 (NZ 020881) westwards via Chesters to the Tynedale District Boundary at the south-west corner of Chesters Plantation (NZ 003877) and including road southwards to the Castle Morpeth District boundary at NZ 009874. (Continues in Tynedale District as U.5007 and in Castle Morpeth District as U.6046).	Morpeth Division.		1.47
U.4056	Caistron Road.	From B.6341 $\frac{1}{2}$ of a mile south of Flotterton (NI 993014) south-eastwards towards Caistron for a distance of 245 yards.	Alnwick Division.		0.14



Highways Map 1:2,500



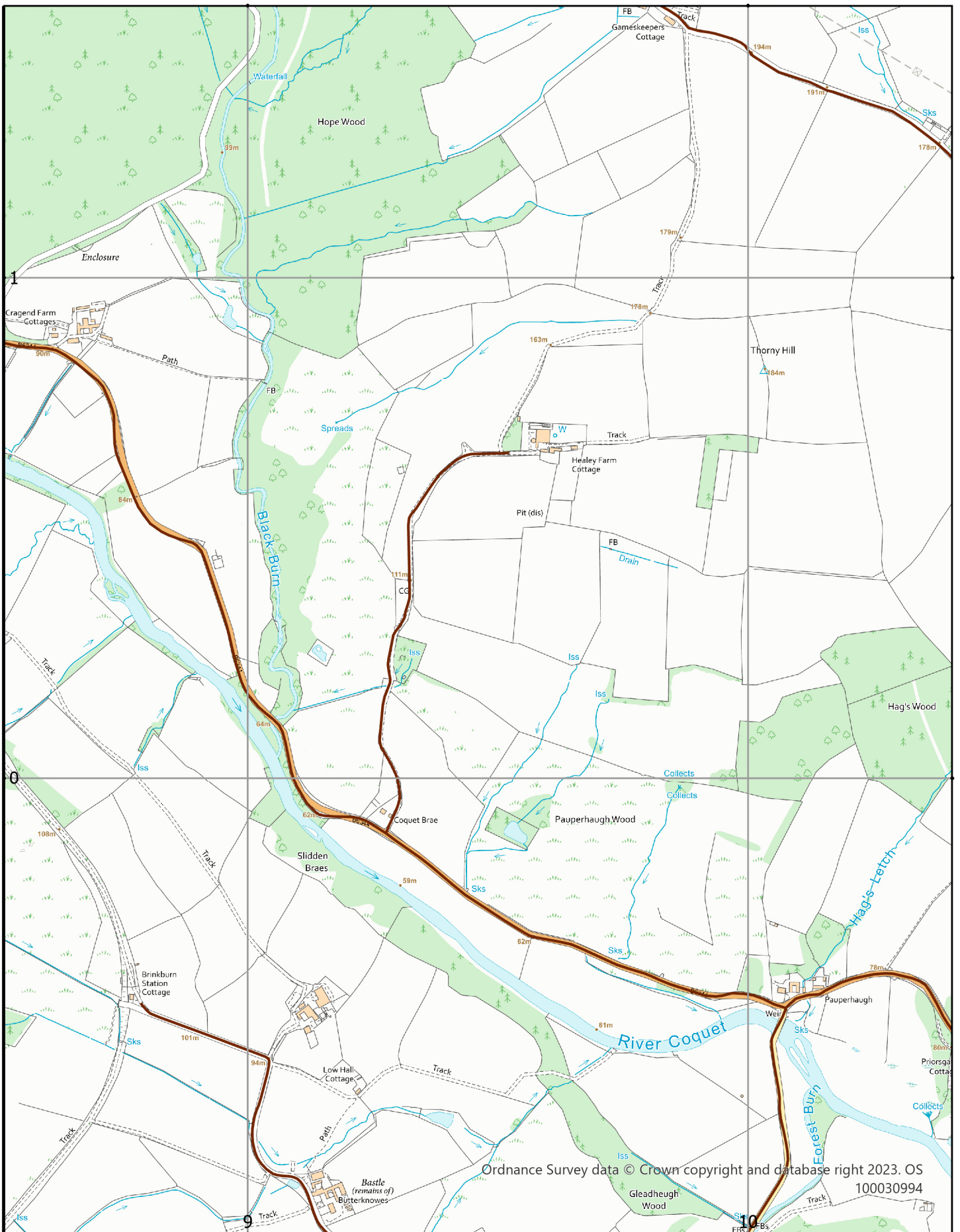
Ordnance Survey Explorer 340 Map Scale 1:25,000
2005



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>
U4045		
	A697 TO U4046	506
	<i>Total length for U4045</i>	<i>1,883</i>
U4046		
	U4045 TO HIGH WELDON FARM	546
	<i>Total length for U4046</i>	<i>546</i>
U4047		
	C178 TO PRIMROSE COTTAGE BRIDLEWA	2,676
	BRIDLEWAY TO DEBDON FARM	1,094
	C176 TO SNITTER V/S (NORTH)	142
	C176 TO U4047	75
	SNITTER V/S (NORTH) TO C178	902
	DEBDON FARM TO B6341	404
	<i>Total length for U4047</i>	<i>5,292</i>
U4048		
	C188 TO HOPE FARM	2,072
	<i>Total length for U4048</i>	<i>2,072</i>
U4049		
	B6344 TO HEALY FARM	916
	<i>Total length for U4049</i>	<i>916</i>
U4050		
	C165 TO U4051	1,281
	U4051 TO C166	1,136
	<i>Total length for U4050</i>	<i>2,417</i>
U4051		
	U4050 TO C166	1,202
	<i>Total length for U4051</i>	<i>1,202</i>



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**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: Dec 23	Scale: 1:10,000