



Northumberland

County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL
RIGHTS OF WAY SUB-COMMITTEE
8 July 2021

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

ALLEGED BYWAY OPEN TO ALL TRAFFIC No 32 PARISH OF NEWTON-ON-THE-MOOR

Report of the Executive Director of Local Services
Cabinet Member: Councillor Jeff Watson, Healthy Lives

Purpose of report

In this report, the North Northumberland Local Area Council Rights of Way Sub-Committee is asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over the U3096 road, from the C106 Alnwick Fords road, north of Overgrass, in a north-westerly direction, to Glantlees Farm.

Recommendation

It is recommended that the sub-committee agrees that:

- (i) there is sufficient evidence to indicate that public vehicular rights have been reasonably alleged to exist over the route M-N;**
- (ii) there is sufficient evidence to indicate that public vehicular rights have been shown to exist, on a balance of probabilities, over the route N-P-Q;**
- (iii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the M-N-P-Q 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 Alternatively, in a case where the route is already shown on the Definitive Map as a highway of a lesser status (as is the case with the N-P-Q part of this route) then Section 53(3)(c)(ii) covers situations where:

“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 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 areas. Thus, tracks in rural settings, which have their own unique reference numbers (e.g. the 'U3096' 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 U3096 unclassified County road based upon more than simply its inclusion in the List of Streets.

3. LANDOWNER EVIDENCE

- 3.1 To date, no landowner evidence has been received.

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 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, though they did make the following comment in relation to the existing public bridleway which continues in a general westerly direction from its northern end.

"Note: The dog-leg Bridleway from H to north of Glantlees is a gate nightmare and when the large rectangular field to the west of the farm is ploughed it adds to the nightmare. I would much prefer to see the Bridleway redirected onto the access road to Snook Bank although I accept tarmac isn't a horse riders' first love. On the other hand it's virtually traffic-free and much more convenient than the dog-leg Bridleway."

- 4.3 By email, on 4th May 2018, Ms S Rogers responded to the consultation on behalf of the British Horse Society, stating:

"Alleged byway open to all traffic 32 (Glantlees)

"This route provides tarmac access to the farm. Beyond the farm it links to two public bridleways and so it forms part of the recreational network. At M there is a sign 'Farm Vehicles Only', which suggests that it is a

private access road to the farm. So it is important that it is recorded on the definitive map so the public are not prevented from using the rights of way to which it leads. For this reason the BHS supports its addition to the definitive map.”

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 no evidence of a road or track approximating to the route of alleged Byway No 32.

1820 Fryer's County Map

There is clear evidence of a road or track approximating to the route of alleged Byway No 32.

1827 Cary's Map

There is clear evidence of a road or track approximating to the route of alleged Byway No 32.

1828 Greenwood's County Map

There is clear evidence of a road or track approximating to the route of alleged Byway No 32.

1866 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 32.

1899 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 32.

Finance Act 1910 plan

There is clear evidence of a mainly enclosed road or track over the route of alleged Byway No 32 (only the short section north-west of Glantlees Farm is unenclosed). The route is not shown as being separated from the surrounding land by coloured boundaries. If it had been, this would have been good evidence in support of vehicular highway rights.

1923 Ordnance Survey Map: Scale 1:2500

There is clear evidence of a mainly enclosed road or track over the route of alleged Byway No 32 (only the short section north-west of Glantlees Farm is unenclosed).

1932 Alnwick RDC Handover Map

The route of alleged Byway Open to All Traffic No 32 is not coloured to identify it as a publicly maintainable road.

c.1930s Schedule of Public Rights of Way (under the Rights of Way Act 1932)

In the Schedule of reputed Public Rights of Way prepared by Alnwick Rural District Council, under the Rights of Way Act 1932, the following routes appear to be identified as terminating on the route of alleged Byway No 32 (as opposed to proceeding along the route itself):

“Parish of Greens and Glantlees

.....

1. BR. From Shield Dykes public road running in a W. direction to Glantlees and Snook Bank through field Nos 49, 50, 59, 62 to the Rothbury Rural District Boundary at Snook Bank.
2. F. From bridle road No 1 at Glantlees running in a S. direction to the Longframlington road near Alnwick Fords through field Nos. 18, 9, 11.”

c.1938 Restriction of Ribbon Development Act 1935 Map

The route of alleged Byway Open to All Traffic No 32 is identified on the base map, but it is not coloured so as to identify it as a publicly maintainable road to be protected from ribbon development.

1951 Highways Map

The route of alleged Byway Open to All Traffic No 32 is coloured purple so as to identify it as a publicly maintainable road. It is labelled as the “U3096”. The road number is written in purple, which indicates that this route was a later addition, rather than one that was identified when the map was originally prepared.

1951 Bridges and Roads Committee Minutes (24 Sept 1951)

Item 6, on page 293 of the minutes shows that Mr A Robinson of Tughall (presumably the landowner at that time) had asked for the road to be taken over as publicly maintainable and this application was supported by Alnwick Rural District Council. The road, reportedly, had a good foundation, but was not surfaced. The committee determined that this route be referred to the Private Street Works Sub-Committee for inspection and report.

1951 Bridges and Roads Committee Minutes (17 Dec 1951)

Item 5 on page 323 addresses the Private Street Works Sub-Committee findings. They reported that the 0.76 mile long section to the Steward's Cottage had a good foundation, but required extensive repairs and resurfacing. The sub-committee recommended that the road be taken over, provided it was first put into a satisfactory state of repair and four gates were re-sited to reduce the overall number. The Bridges and

Roads Committee resolved that (in relation to this and also other routes) the roads be taken over as highways repairable by the inhabitants at large when the repairs have been carried out, and that the necessary notices be signed by the Clerk of the Council and fixed up therein pursuant to section 19 of the Private Street Works Act 1892.

c.1952 Definitive Map – original Survey Schedules & Map

The route of alleged Byway Open to All Traffic No 32 exists on the base map, but it is uncoloured. Known public roads were generally coloured brown to indicate what the extent of the road network was considered to be. A public bridleway (coloured green, and labelled “1”) proceeds generally east to west, and passing just to the north of Glantlees. The Q-P section of alleged Byway No 32 forms part of this bridleway route. A public footpath (coloured purple and numbered “2”) proceeds northwards from the Alnwick Fords road to terminate at Glantlees. The Schedules for existing Newton-on-the-Moor Bridleway No 1 and Footpath No 2 make no reference to the existence of any public road at Glantlees.

Draft Map

The route of alleged Byway Open to All Traffic No 32 exists on the base map. The M-N section is not identified for inclusion on the Definitive Map as either a public footpath, public bridleway or Road Used as a Public Path (RUPP). Footpath No 2 is shown proceeding along the N-P section of the alleged byway route and Bridleway No 1 is shown proceeding along the P-Q section of the alleged byway route.

1954 Highway Dedication plan

On 22nd April 1954, Francis Nathaniel Heron Widdrington of Newton Hall, Felton dedicated a 20-foot-wide public highway over the route of alleged Byway No 32 (i.e. the route M-N-P-Q).

Provisional Map

Exactly the same as with the Draft Map, the route of alleged Byway Open to All Traffic No 32 exists on the base map. The M-N section is not identified for inclusion on the Definitive Map as either a public footpath, public bridleway or Road Used as a Public Path (RUPP). Footpath No 2 is shown proceeding along the N-P section of the alleged byway route and Bridleway No 1 is shown proceeding along the P-Q section of the alleged byway route.

1957 Ordnance Survey Map: Scale 1:10,560

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

1958 County Road Schedule

In this Schedule, entry for the U3096 road states:

“U3096 Glantlees Farm Road
From Longframlington – Newton-on-the-Moor Road, C106 north
eastwards to Glantlees Farm and Snook Bank Farm Cottage.”

The length of the U3096 road is identified as 0.761 miles.

1962 Original Definitive Map

The route of alleged Byway No 32 exists on the base map, but the M-N section it is not identified as a public footpath, public bridleway or Road Used as a Public Path (RUPP). The N-P section forms the northern end of Public Footpath No 2 and the P-Q section is the middle of Public Bridleway No 1. A pencilled annotation “U3096” against the N-P-Q section shows that Rights of Way staff had become aware of the dedication of higher rights.

1962 Original Definitive Statements

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

Public Bridleway No 1
“From the Felton Common – Shiel Dyke road south-west of Shiel Dyke in a westerly and south-westerly direction by Glantlees to the Rothbury Rural District Boundary joining footpath in that District.”

Public Footpath No 2
“From BR 1 at Glantlees in a southerly direction to join the Newton-on-the-Moor – Longframlington road east of Wormitlees Plantation.”

At some point in the past, someone has made an attempt to reword these two Statements to reflect the existence of the U3096. The rewording has no official status (it can't, without the correct formal procedures being followed) but it does show that officers were aware of an apparent conflict between the recorded and actual status of the N-P-Q section of highway.

1964 Highways Map

The route of alleged Byway Open to All Traffic No 32 is coloured purple so as to identify it as a publicly maintainable road. It is labelled as the “U3096”.

1964 County Road Schedule

In this Schedule, entry for the U3096 road states:

“U3096 Glantlees Farm Road
From Longframlington – Newton-on-the-Moor Road, C106, north-
westwards to Glantlees Farm and Snook Bank Farm Cottages.”

The length of the U3096 road is identified as 0.76 miles.

1974 County Road Schedule

In this Schedule, entry for the U3096 road states:

“U3096 Glantlees Farm Road
From C106 at NU 147047 north-westwards to Glantlees Farm
and Snook Bank Farm Cottages (NU 140055).”

The length of the U3096 road is identified as 0.76 miles.

First Review Definitive Map

As with the original Definitive Map, the route of alleged Byway No 32 exists on the base map, but the M-N section it is not identified as a public footpath, public bridleway or Road Used as a Public Path (RUPP). The N-P section forms the northern end of Public Footpath No 2 and the P-Q section is the middle of Public Bridleway No 1.

1978 Ordnance Survey Map: Scale 1:10,000

There is clear evidence of an enclosed road / track over the route of alleged Byway No 32.

2005 Ordnance Survey Explorer 332 Map: Scale 1:25,000

There is clear evidence of an enclosed road / track over the route of alleged Byway No 32, although the route is not marked with green dots, to signify that it is an “Other route with public access” (i.e. an ORPA). Despite not being marked with green dots, the northern end of the route is not identified as a public bridleway or public footpath, either. And a section of track which lies beyond the end of the U3096, and which should be identified as public bridleway, isn’t identified as a public right of way of any status.

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

Most of the route of the alleged byway (the U3096) is clearly identified as publicly maintainable highway. For reasons unknown, the N-P-Q section was not, at that time (though it is now) identified as part of the U3096.

6. SITE INVESTIGATION

- 6.1 From Point M, on the C106 Alnwick Fords road, 960 metres south-east of Glantlees Farm, a 2.7 metre wide tarmac road, in a 6.1 to 7.6 metre wide corridor, proceeds in a north-westerly direction for a distance of 570 metres. From this point, a 2.7 to 3 metre wide tarmac road, within a 5.5 to 5.8 metre wide ‘corridor’ (i.e. between broken fences) continues in a north-westerly direction for a further 230 metres. Then a 2.7 metre wide tarmac road, within a corridor or no clearly defined width continues north-westerly for a distance of 85 metres, to a field gate (where the corridor is 6.4 metres wide). The 2.7 metre wide tarmac road, within a 6 metre wide corridor, continues north-

westerly for 40 metres, to a junction with existing Public Footpath No 2 at Point N. There is a slight pinch point at the north side of this junction, where the distance between the stone wall on the eastern boundary of the track and the stone retaining wall on the west side of the track is, for a short distance, only 5.3 metres wide. A 3 to 3.5 metre wide unenclosed tarmac road continues north-westerly for a distance of 55 metres, passing farm buildings. Then a 2.7 metre wide tarmac road, within a 6.1 metre wide corridor continues north-westerly for a further 30 metres to a junction with existing Public Bridleway No 1 at Point P. Thereafter, a 2.7 metre wide tarmac road, within a 6.1 to 6.4 metre wide corridor proceeds north-westerly for 120 metres to a point marked Q, 15 metres north-west of Glantlees Cottage.

7. DISCUSSION

- 7.1 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.

- 7.2 Section 53 (3)(c)(ii) 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 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;”

- 7.3 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.
- 7.4 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.
- 7.5 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 U3096 road. The route was identified on the Council’s 1951 and 1964 Highways Maps (though, seemingly, as a later addition on the 1951 map) and on the 1958, 1964 and 1974 County Road Schedules. The route was *not* identified as a publicly maintainable road on the 1932 Handover Map, nor was it on the Map and Schedule produced under the Restriction of Ribbon Development Act 1935.
- 7.6 The route has been consistently identified as a mainly enclosed road / track

on Ordnance Survey maps since c.1860. The route would not appear to be shown on Armstrong's County Map of 1769, but is shown on Fryer's and Greenwood's County Maps of 1820 and 1828, and on Cary's Map of 1827. The route is not separated from the surrounding land by coloured boundaries or labelled as a "Public Bye Road" on the plans produced in association with the Finance Act 1910.

- 7.7 In the Schedule of Reputed Public Rights of Way, prepared by Alnwick Rural District Council (under the Rights of Way Act 1932), neither of the two public rights of way passing through / terminating at Glantlees mention any public road at this location. It isn't immediately obvious, from the brief route descriptions in the Schedule, but the route of Bridleway No 1 passing through Glantlees, and that of Footpath No 2, beginning on Bridleway No 1, indicates that the N-P-Q section was considered to be public footpath / bridleway at that time. This position is later reinforced by what is shown on the Survey, Draft, Provisional and original Definitive Maps. The east-west public bridleway, between the Shiel Dykes road and Snook Bank, is still there, as is the public footpath, beginning on the public bridleway at Glantlees, and proceeding southwards. There is no public right of way identified over the main M-N part of the alleged Byway No 32 route.
- 7.8 The Council's highways and public rights of way records indicate that during the 1930s, 1940s and early 1950s, no public highway right were thought to exist over the N-M section of the route, that the N-P section was part of a public footpath, and that the P-Q section was part of a public bridleway. Then, in April 1954, it would appear that the owner of the land, Francis Nathaniel Heron Widdrington dedicated a public highway over the M-N-P-Q route. Unfortunately, in the dedication document it does not specify precisely what public highway rights were being dedicated. Those highway rights need not necessarily be vehicular ones. Public footpaths and public bridleways are also "highways". There are several reasons why it could reasonably be argued that the landowner's actual intention was to dedicate a public vehicular highway:
- Firstly, persons unfamiliar with highway law are unlikely to be aware that public footpaths and bridleways are public highways; the term "highway" – in everyday usage – is generally used to refer to a vehicular route.
 - Secondly, given the width of the highway being dedicated (20 foot / 6.1 metres), it seems unlikely that the landowner was dedicating something less than a public vehicular right of way.
 - Thirdly, since the northern (N-P) part of the route was already a recognized, publicly maintainable public bridleway, there would be no need for the landowners to dedicate public bridleway rights over this section.
- 7.9 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.

- 7.10 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.
- 7.11 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.
- 7.12 Of the saving provisions above, (b) will apply to the main M-N 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. Where, however, a route is shown on the Definitive Map as a footpath or bridleway, then the fact that it is shown on the List of Streets will not be sufficient to prevent the public's motor vehicular rights from being extinguished. This applies to the N-P-Q section of the route, so here it is necessary to see whether or not one of the other saving provisions might apply.
- 7.13 Under section 67(2)(c) of NERCA 2006, the public's motor vehicular rights would not be extinguished if those rights had been created on terms that expressly provided for a right of way for mechanically propelled vehicles. As discussed in paragraph 7.8 above, although it is reasonably clear that the 1954 highway dedication intended to create a public right of way for mechanically propelled vehicles, it did not do so in express terms, so this saving provision would seem unlikely to apply. The Inspector who determined Definitive Map Modification Order (No 23) 2012 (Kilham) certainly took that view.
- 7.14 Under section 67(2)(a) of NERCA 2006, the public's motor vehicular rights would not be extinguished if they are over a way whose main lawful use by the public during the period of 5 years between 2nd May 2001 and 2nd May 2006 was with mechanically propelled vehicles. The difficulty here is that the Council has no real evidence regarding the balance of public user during this 5 year period. The road is not a through route for vehicles, whilst it is for horse riders, cyclists and pedestrians. What vehicular use it does get is likely to be from the associated property holders themselves, their visitors and invitees; all people who it could be argued have a private right or permission to use the route (i.e. who might not qualify as being "the public"). For these reasons, it

may be difficult to demonstrate that public motor vehicular use outweighed pedestrian (and equestrian and cycle use).

- 7.15 Under section 67(2)(e) of NERCA 2006, the public's motor vehicular rights would not be extinguished if they are over a way that had been in long use by mechanically propelled vehicles before 1930, when it first became an offence to drive 'off-road'. There is no evidence of long-standing public motor vehicular use before 1930 in this instance.
- 7.16 Finally, under section 67(2)(d) of NERCA 2006, the public's motor vehicular rights would not be extinguished if they are over a way that had been created by construction of a road intended to be used by MPVs. The Inspector who determined Definitive Map Modification Order (No 23) 2012 (Kilham) concluded that public motor vehicular rights had been 'saved' over that route (in part) by virtue of this exemption. At Kilham, there was the highway dedication by the landowner in 1968 (similar to the highway dedication of the M-N-P-Q route by Mr Widdrington in 1954), supported by earlier Council Bridges and Roads Committee minutes stating that "subject to the road(s) being completed to the satisfaction of the County Surveyor, they be taken over as highways repairable by the inhabitants at large and that the necessary notices be signed by the Clerk of the Council and fixed up therein pursuant to Section 19 of the Private Street Works Act 1892." On that basis, the Inspector argued that because the Committee decision to accept dedication was contingent upon the road being "made up to a satisfactory standard" this meant the road (which must have been unsatisfactory at that time) was to be constructed to a standard suitable for motor vehicles and all other traffic. The minutes relating to the Glantlees road are phrased in a very similar way to the Kilham route, suggesting that the saving provisions in section 67(2)(d) of NERCA 2006 can also be applied to the N-P-Q part of alleged Byway No 32.
- 7.17 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. Although this route has a drivable tarmac surface, and is clearly in regular use by the owners of the farm, and the occupiers of two farm cottages, and their visitors, it is not a through route for the public. Its northerly continuation, beyond point Q, is also driveable, but is initially only a public bridleway, then a route with no public status whatsoever. The N-P-Q section is likely to be reasonably well used by walkers, horse riders and cyclists using existing Bridleway No 1 and Footpath No 2. Since the evidence appears to show that the N-P section is a public vehicular highway (no longer just a public footpath) it would be helpful, for everybody, if the Definitive Map accurately reflected its true status. Since the evidence appears to show that the P-Q section is also a public vehicular highway (no longer just a public bridleway) it would be helpful, for everybody, if the Definitive Map accurately reflected its true status, too. Many tracks leading up to farms are private roads, with no recognised public rights over them whatsoever (as, indeed, this route was until the 1954 dedication). This route is not one which is obviously part of the ordinary road network. The general public are very unlikely to use this route with motor vehicles (because it is a relatively short cul-de-sac), but horse riders, cyclists and walkers will benefit from knowing this is a route they can use in order to access the wider public rights of way network beyond Glantlees. The actual current balance between motor vehicular and non motor vehicular public use of this route isn't known but, setting aside the landowner user of the route, use by the general public is considered likely to be predominantly non-motor vehicular.

- 7.18 The British Horse Society sees this route as forming part of the local recreational network, and that it is important for the route to be recorded on the definitive map, so the public are aware they have right over it, and also the existing bridleway network beyond.
- 7.19 The most northerly 205 metres of the route of the U3096 road / alleged Byway No 32 is currently recorded on the Definitive Map of Public Rights of Way as parts of Public Bridleway and Footpath No 2. At present, there is no mechanism available for removing these parts of the bridleway and footpath from the Definitive Map, on the basis that higher rights have come into being. The only two options that would appear to be available to the Council are (i) to do nothing (so that the Definitive Map confusingly misrepresents the public rights which exist) or (ii) upgrade how this part of the route is shown on the Definitive Map from public bridleway / footpath to byway open to all traffic.
- 7.20 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. In April 1954, the dedication document signed by the landowner clearly stated that the width of the public highway was to be 20 feet (i.e. 6.1 metres). This largely corresponds with the width that is available now. There are some slightly wider parts on the M-N section, though there is no evidence to suggest that the public will have taken advantage of additional width and acquired rights over those by virtue of presumed dedication. There are some slightly narrower parts on the M-N section, and if the decrepit fencing here is ever replaced, care should be taken to ensure a minimum 6.1 metre width is available to the public. It is proposed that that Byway No 32 be identified with a width of 6.1 metres, in line with the 1954 highway dedication.

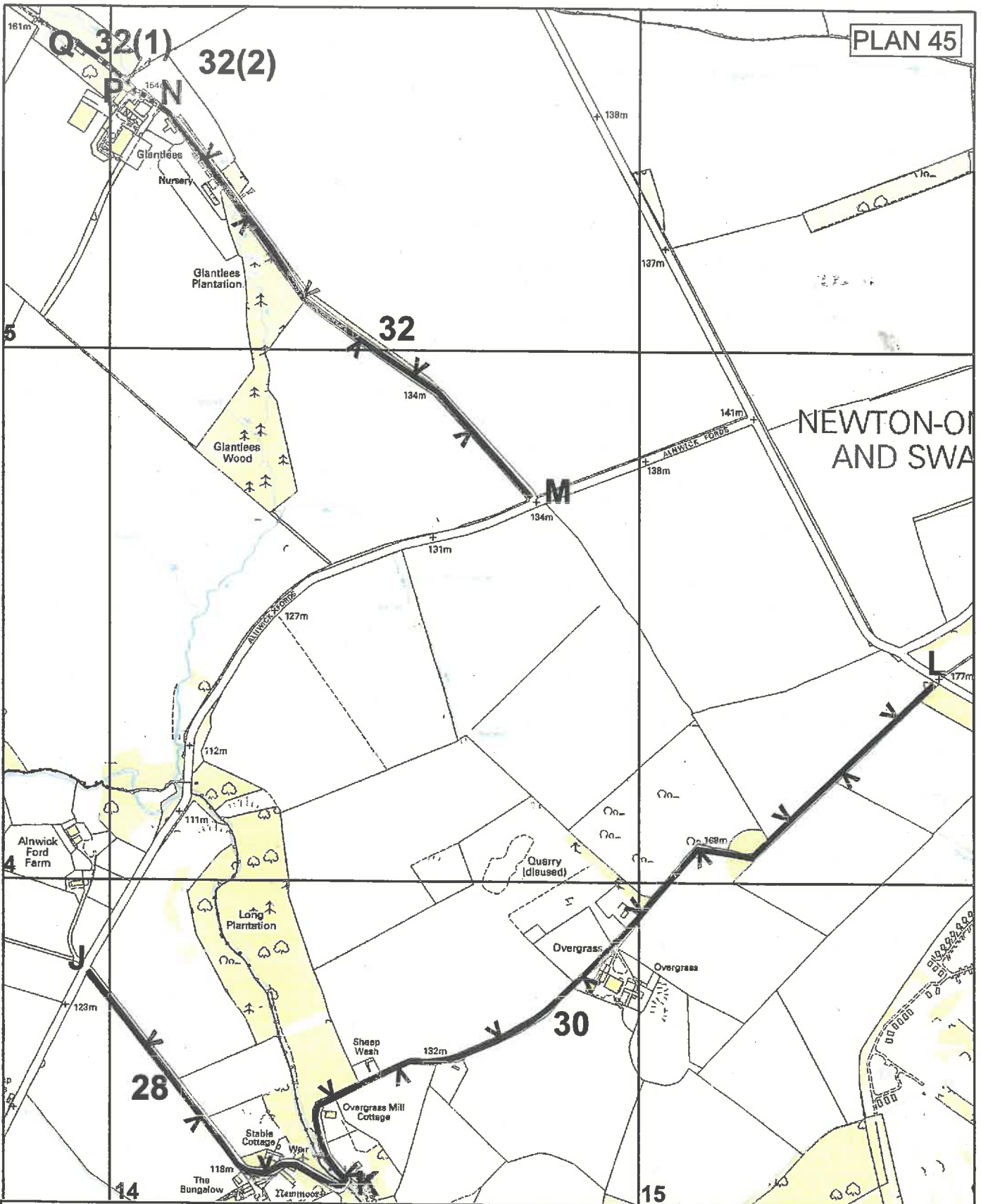
8. CONCLUSION

- 8.1 In light of the documentary evidence available, it appears that public vehicular rights have been reasonably alleged to exist over the M-N part of the route of alleged Byway Open to All Traffic No 32.
- 8.2 In light of the documentary evidence available, it appears that public vehicular rights have been shown to exist, on a balance of probabilities, over the N-P-Q part of the route of alleged Byway Open to All Traffic No 32.
- 8.3 The Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motor vehicular rights over the route.
- 8.4 The route would appear to satisfy the balance of user / character test for being recorded on the Definitive Map as a byway open to all traffic and it would, therefore, 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: A/27/32z

Report Author Alex Bell – Definitive Map Officer
(01670) 624133
Alex.Bell@Northumberland.gov.uk






Northumberland

Northumberland County Council

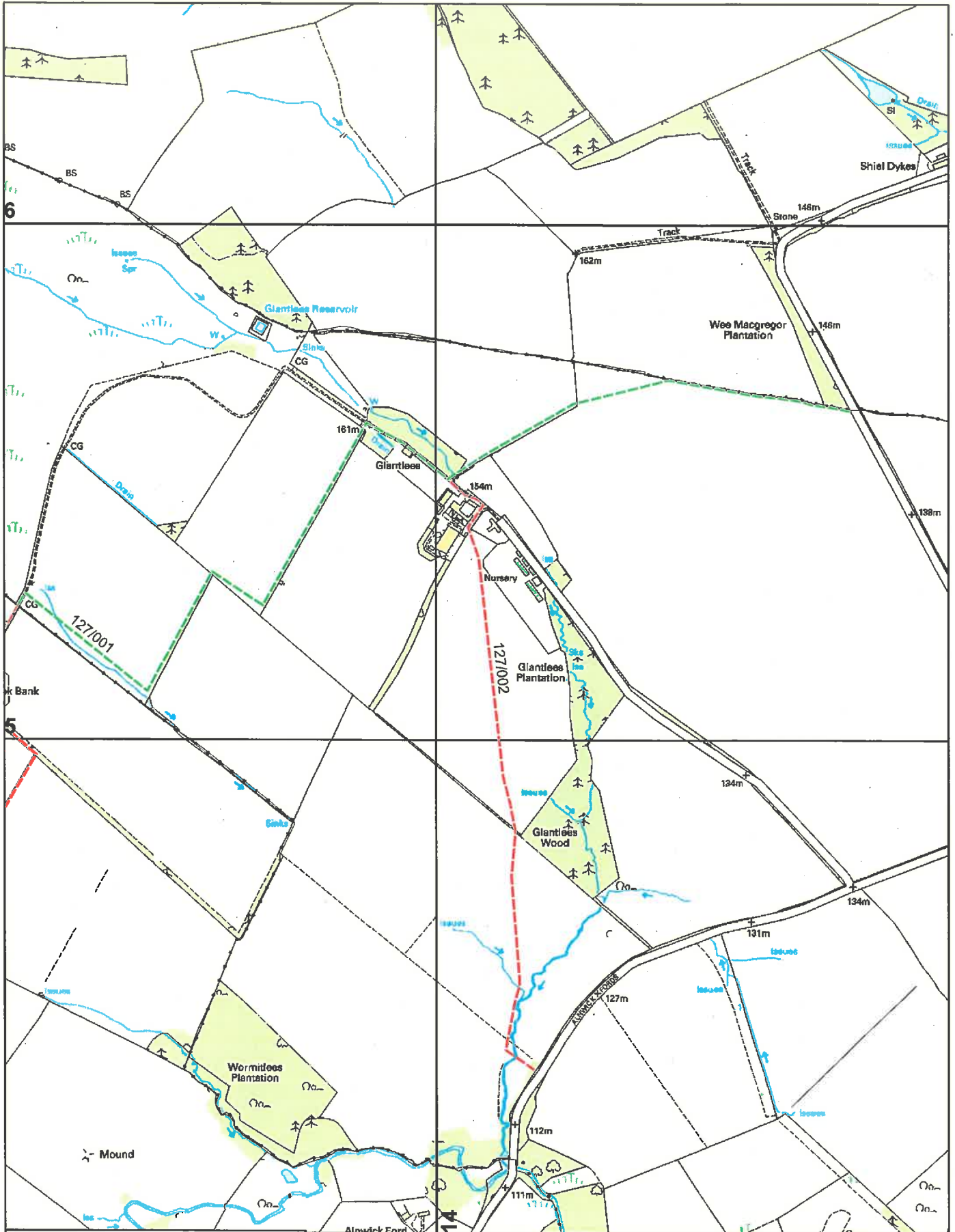
Infrastructure
Local Services
County Hall Morpeth Northumberland
NE61 2EF
Telephone 0845 600 6400

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

Wildlife and Countryside Act 1981 Public Rights of Way

-  Existing Bridleway to be upgraded to Byway
-  Existing Footpath to be upgraded to Byway
-  Alleged Byway Open to All Traffic

Former District(s) Alnwick	Parish(es) Longframlington/ Newton-on-the-Moor	Scale 1:10,000
Def. Map No. 95/96	O.S. Map NU 10 SW/SE	Date October 2016




Northumberland
 County Council

Contact: Alex Bell
 Telephone: 01670 624133
 Email: Alex.Bell@northumberland.gov.uk

Legend

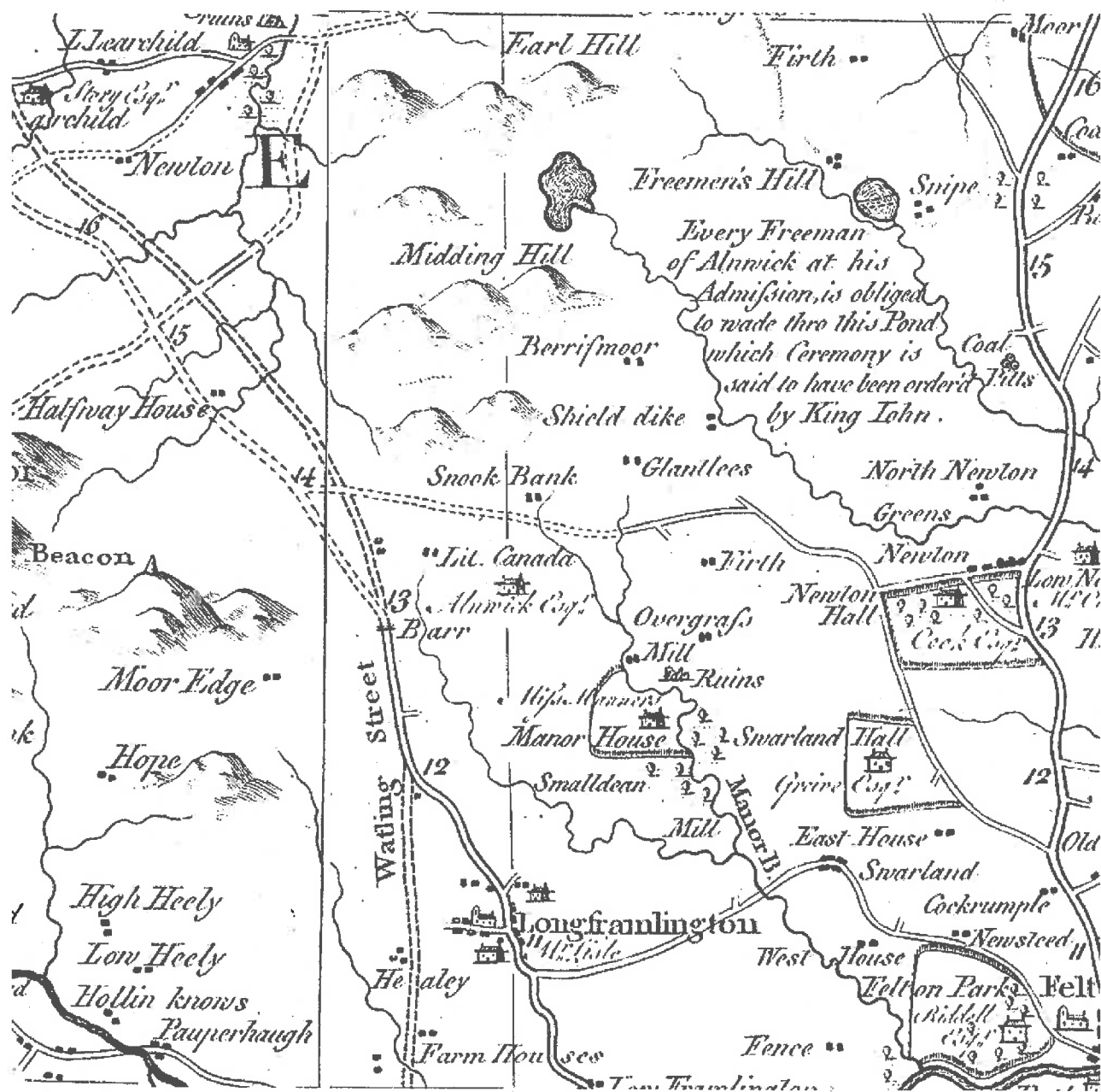
- Footpath
- Bridleway
- Restricted Byway
- Byway Open to All Traffic

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 Her Majesty's Stationary Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License no. 100049048 (2010).

Armstrong's County Map 1769






Fryer's County Map
1820



Key to Fryer's County Map 1820

Explanation

<i>Market Towns in Roman Capitals, as</i>	HEXHAM
<i>Parishes and Chapels in small Roman, as</i>	Tynemouth
<i>Villages and other Places in small Latin, as</i>	Stannington
<i>Churches and Chapels</i>	☒ +
<i>Castles</i>	⊕
<i>Houses</i>	
<i>Thorough Roads</i>	
<i>Other Roads</i>	
<i>Parks and Pleasure Grounds</i>	
<i>Uninclosed Lands</i>	
<i>Boundary of the County</i>	
<i>Boundary of the Wards</i>
<i>Boundary of Newcastle</i>	-----

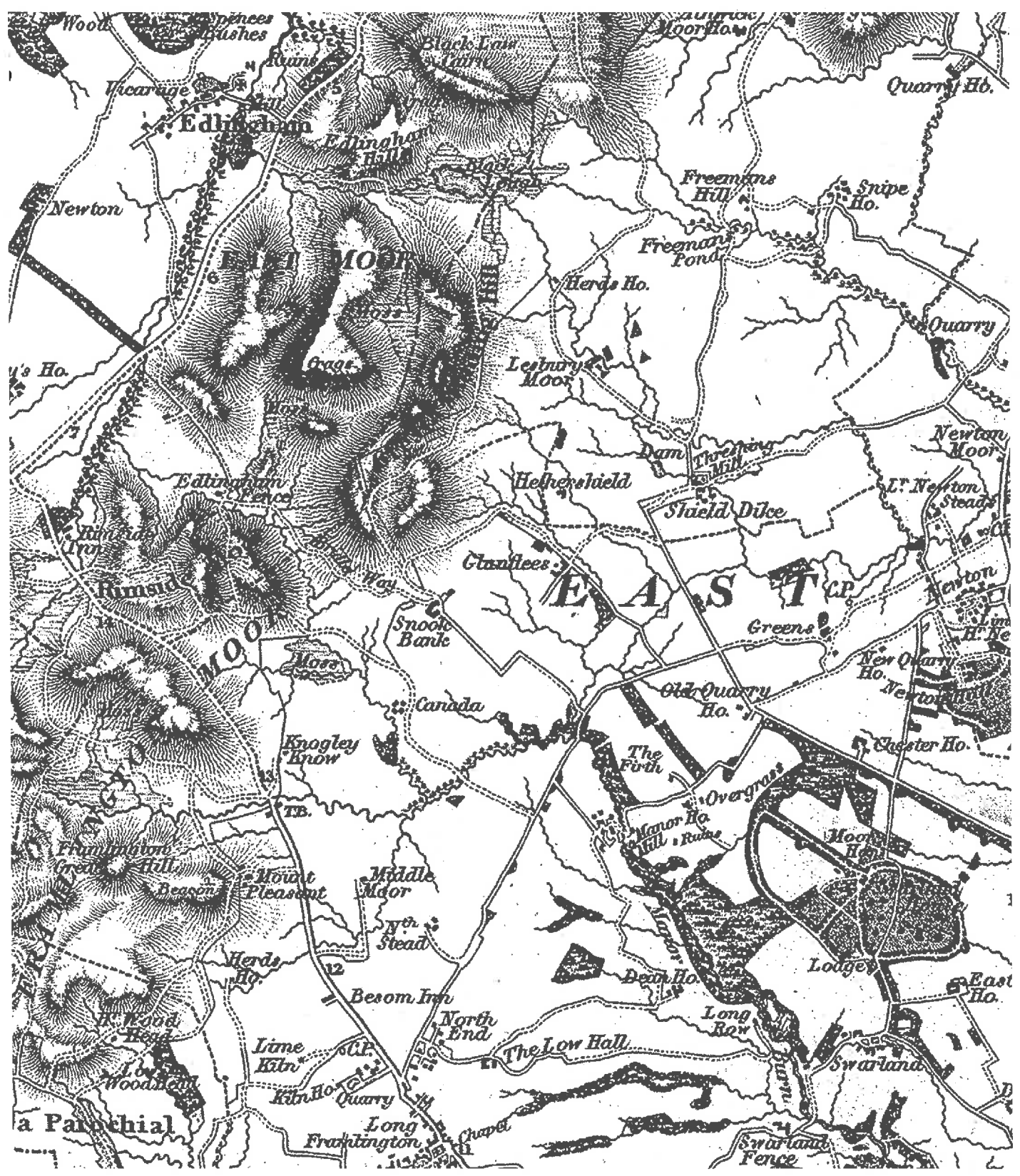


Key to Cary's Map 1820 -32

Explanation.









Mail Roads		
Tumpike Roads		
Carriage Roads <i>which are Parochial Roads</i>		
Parochial Roads		
Churches and Chapels		
Cities		
Borough Towns	<i>{ The Stars denote the Number of Members returned to Parliament.</i>	
Market Towns		<i>{ The distance from London is prefixed to each town.</i>
Parishes		WELLINGTON Sidbury Crablake
Villages and Farms		
Gentlemen's Houses and Grounds		
Hills	<i>{ The Figures denote their Elevation above the level of the Sea</i>	
Lakes and Rivers		
Navigable Canals		
Drains		
Iron Rail Road		
Antient Earth Work		
Roman Roads		
Boundaries of Counties		
Boundaries of Hundreds		
Cliffs		
Piers		
Rocks <i>always uncovered</i>		
Rocks <i>covered at high water</i>		
Rocks <i>always covered</i>		
Sands <i>covered at high water</i>		
Sands <i>always covered</i>		
Anchorage		
Direction of the Currents		
<i>The figures on the coast show the depth of water in fathoms.</i>		

Greenwood's County Map
1828



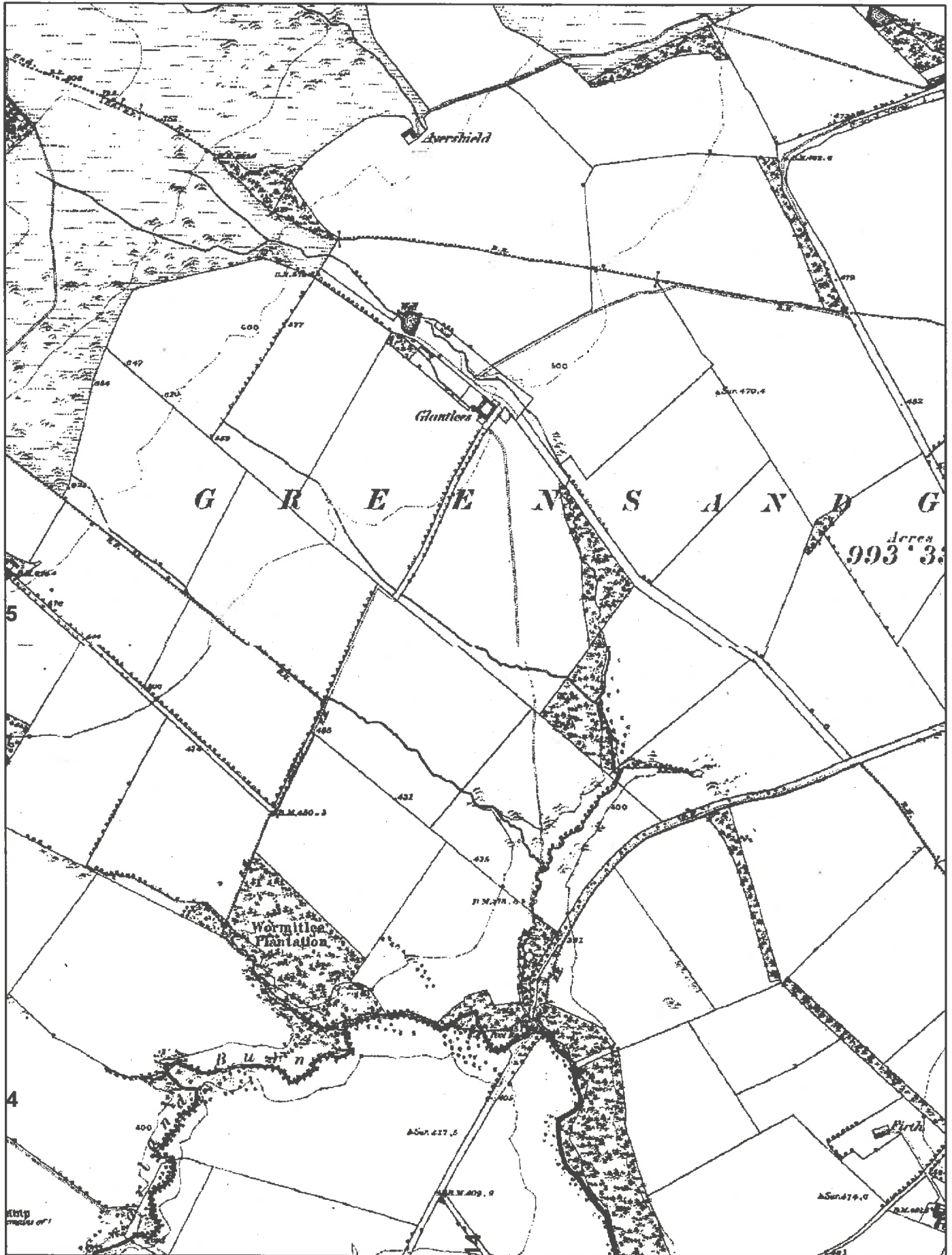
Key to Greenwood's County Map 1820

Explanation

Boundaries of Counties	-----	Castles & Prories	-----
Boundaries of Wards	-----	Houses	-----
Market Towns as	HEXHAM	Heaths & Commons	-----
Parishes as	Accomb	Rivers & Brooks	-----
Villages and other Places as	Notting	Navigable Canals	-----
Places that send Members to Parliament		Railways	-----
Turnpike Roads & Toll Bars		Woods	
Cross Roads		Parks & Pleasure Grounds	
Churches & Chapels		Hills & Rising Grounds	
		Wind & Water Mills	

SCALE OF STATUTE MILES.

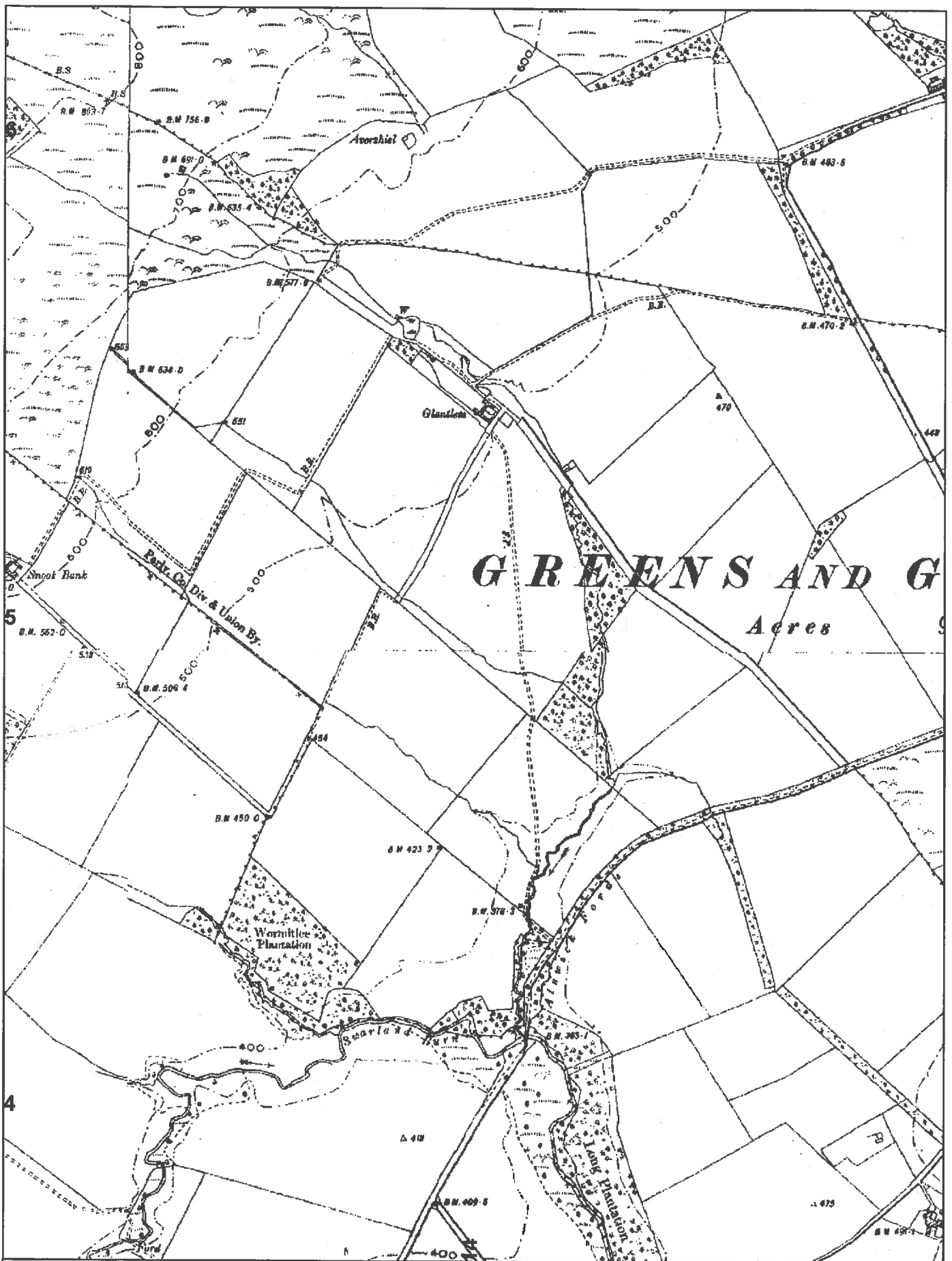




Northumberland
County Council

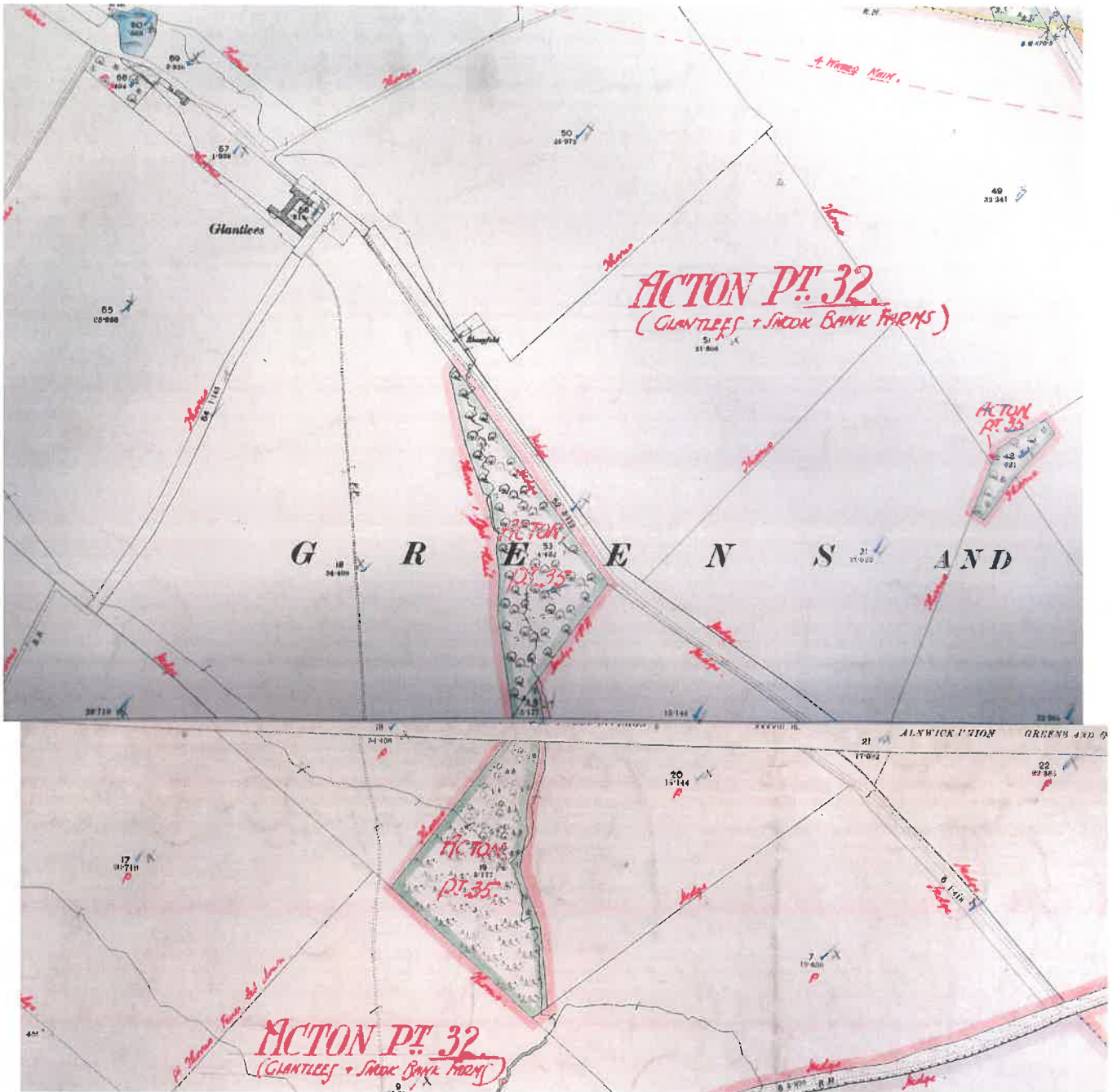
SCALE 1:10,560

Ordnance Survey 1st Edition 6" map (1866)

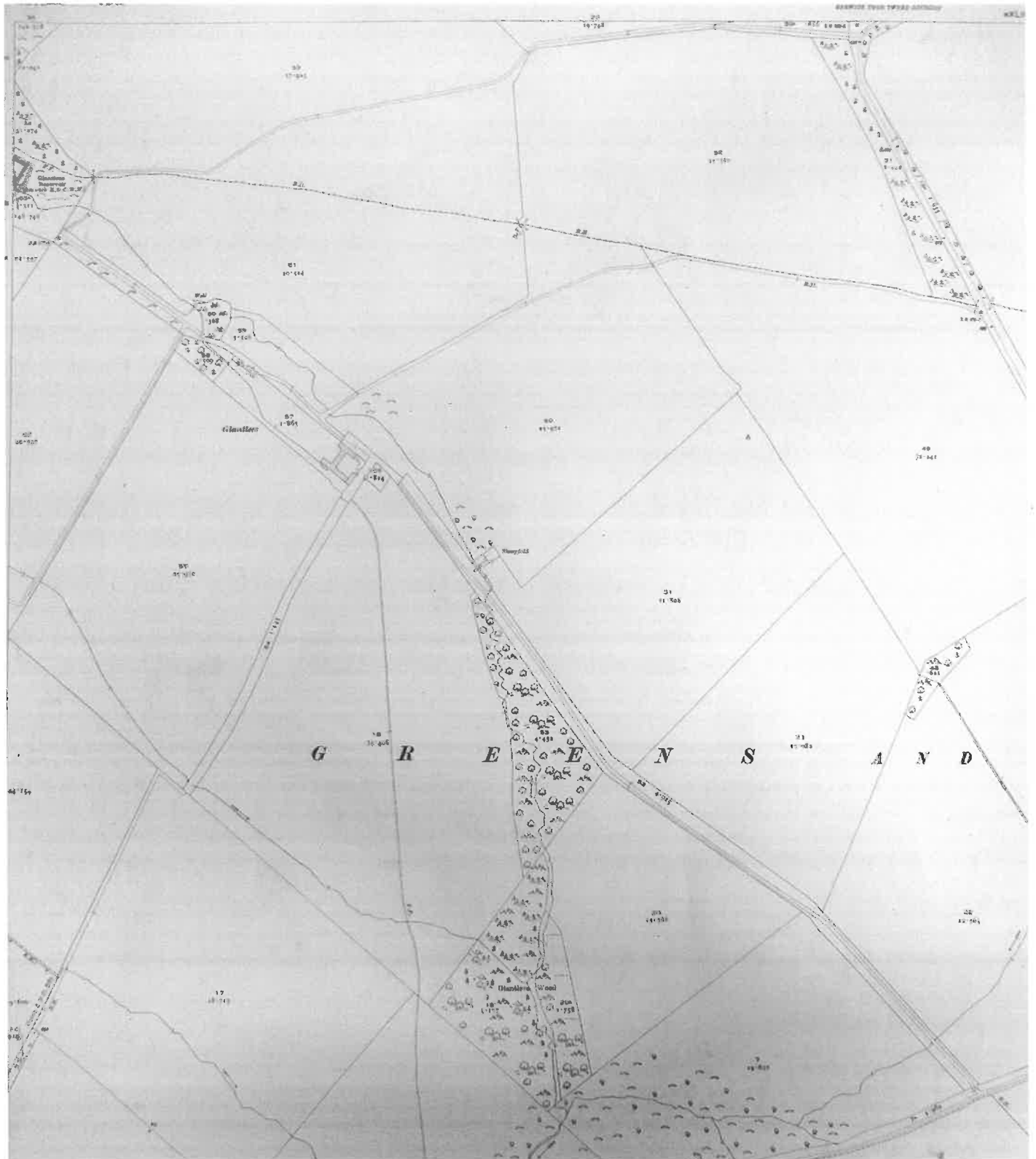


GREENS AND G
Aeres

Finance Act 1910 Plan



3rd Edition 25" O.S. Map
1923



ROTHBURY
(ALNWICK)
6



Alsup

**ALNWICK RURAL DISTRICT
COUNCIL**

**SCHEDULE
OF
REPUTED
PUBLIC RIGHTS
OF WAY**

B.R., Bridle Road; C.R., Cart Road; F., Footpath.
 Description.

32. PARISH OF GREENS AND GLANTLEES.

1. B.R. From Shield Dykes public road running in a W. direction to Glantlees and Snook Bank through field Nos. 49, 50, 59, 62, to the Rothbury Rural District Boundary at Snook Bank.
2. F. From bridle road No. 1 at Glantlees running in a S. direction to the Long-framlington road near Ahwrick Fords through field Nos. 18, 9, 11.
3. B.R. From Longframlington road near junction with Shield Dykes road running in an E. direction to Greens Farm and Blue House through field Nos. 24, 25, 30, 36, 33, 32, to the Newton-on-the-Moor Parish Boundary, joining bridle road No. 2 in that Parish.
4. F. From bridle road No. 3 at Greens Farm running in an E. direction through field No. 30 to the public road.

33. PARISH OF GUYZANCE.

1. B.R. Running S.W. from Guyzance Lee past field Nos. 6, 7, 10, to the River.
2. F. Commencing N. of Guyzance on the Bank House-Guызance road, then running N.W. through the Plantation, then W. through field Nos. 32, 32a, 30, to the Hazon Parish Boundary, joining footpath No. 6.
3. F. Commencing from the Bank House-Guызance road following fence due E. through field No. 156, crossing the road again at East House, then through field No. 127, and turning N.W. half way along fence in field No. 126, to the Walkmill Parish Boundary, joining footpath No. 1 in that Parish.
4. F. Leaving the main road just ^(B) of Guызance, it continues S. through the wood and then turns sharp W. over the Quarry Burn and comes out beside the West Lodge.
5. B.R. Starting from the main road just S. of the West Lodge and twisting through field No. 34, then due W. along the fence through field No. 32 to the Guызance-Hazon road.
6. F. From the main road just E. of Brainshaugh then running in a N.E. direction through field No. 40 joining the main road again near the Plantation at Guызance Mill.
7. B.R. Starting S. of the bridge and running S. through the Plantation to the fence of field No. 69.
8. F. From the north fence of field No. 69 running S. along the Parish Boundary then turning S.W. through field Nos. 70, 71, crossing the Acton and Old Felton Parish Boundary, and joining footpath No. 7 in that Parish.
9. B.R. From the main road N. of Brainshaugh running S.W. through field No. 42, crossing the stream and continuing near to the fence through field Nos. 55, 45, to the Guызance Lee Road.
10. F. From Guызance Lee Road running S.W. along the fence of field No. 51 then through Acton Dene to the Acton and Old Felton Parish Boundary, joining footpath No. 4 in that Parish.

34. PARISH OF HAREHOPE.

1. B.R. From public road at Harehope running in a N. direction to Blawearie as far as the Glendale Rural District Boundary.
2. B.R. From bridle road No. 1 at Harehope running in an easterly direction through field Nos. 3, 13, to Harehope Burn at the Glendale Rural District Boundary.
3. F. From Harehope running in a S. direction through field No. 13 crossing the road and field No. 15 to the Eginsham Parish Boundary, joining footpath No. 2 in that Parish.
4. B.R. Harehope to Nursery Hill, from bridle road No. 1 running in a W. direction by side of Harehope Hill to the Glendale Rural District Boundary.
5. F. From the main road near Harehope Hall running in a N.E. direction joining bridle road No. 4.

B.R., Bridle Road; C.R., Cart Road; F., Footpath.
 Description.

1. F. Commencing at Cold Harbour and running N.E. through the East Plantation No. 59, running parallel to Kitty Carters Burn through field Nos. 59b, 55, and passing N.E. of Falloodon Hall then through the North Plantation (Parcel No. 4) inside the southern fence ending at Falloodon Burnhouses on the main road from the Burnhouses to West Falloodon.
3. F. Commencing just N. of Sherrigg Bridge, then running through Sherrigg Plantation (Parcel No. 36) bending N. to join footpath No. 4 (Parcel No. 35) about 100 feet E. of Falloodon Parish Boundary.
4. F. Commences at Parish Boundary, extending footpath No. 1 in Doxford Parish, then continues across Parcel No. 38 to West Falloodon.
5. C.R. Commences at West Falloodon containing through the Avenue Plantation past the Cottage and passing Falloodon Hall to join footpath No. 2.
6. F. Commencing at cart road No. 2 and running through Parcel No. 8 crossing the Mill Burn E. of Falloodon Mill then turns N. and joins footpath No. 2

29. PARISH OF FELTON.

1. F. From main road N. of cemetery running diagonally across field No. 106 in a N. direction to the Acton Parish Boundary, and joining footpath No. 6 in that Parish.
2. F. From main road at Felton along road to Mondshaugh thence in a N. direction through field Nos. 122, 128, across footbridge over the Acton Burn to the Acton Parish Boundary, joining footpath No. 7 in that Parish.
3. F. From main road at Felton passing in a S.W. direction between gaudens and through field No. 82 thence across to Swarland road near Gas Works through field No. 21 and joining footpath No. 4 in the Park Wood.
4. F. To Elyhaugh from cart road No. 5 near the Church in a W. direction through the Park Wood and through field Nos. 39a, 39, crossing footbridge over the Swarland Burn thence in a S.W. direction through field Nos. 61, 58, to the Elyhaugh Parish Boundary and joining bridle road No. 1 in that Parish.
5. C.R. To Felton Fence from the Swarland road at Felton, going up Church Bank, then bearing S.W. through field No. 70 thence through Mill Banks Plantation to the Ford in the Swarland Burn, and thence in a W. direction through field Nos. 61, 47, past Felton Fence through field No. 49 to the Swarland Parish Boundary and joining cart road No. 2 in that Parish.
6. F. Felton Fence to Elyhaugh from Felton Fence in a S. direction through field Nos. 50, 53, then S.E. through field No. 58, joining footpath No. 4 at the Elyhaugh Parish Boundary.

30. PARISH OF GLANTON.

1. F. From Greenville Road along the road to Hemmel House, thence in a W. direction through field Nos. 110, 111, to the Branton Parish Boundary in the Glendale Rural District.
2. F. From Glanton Pike Road, running in a N.W. direction by end of Plantation and thence through field Nos. 130, 125, to the Branton Parish Boundary in the Glendale Rural District.
3. F. From Mile End Road running in a S. direction through field Nos. 147, 148, to the Whittingham Parish Boundary in the Rothbury Rural District.
4. F. From Glanton near Mission Room running in a S. direction through field Nos. 168, 179, 180, 177, to the Whittingham Parish Boundary in the Rothbury

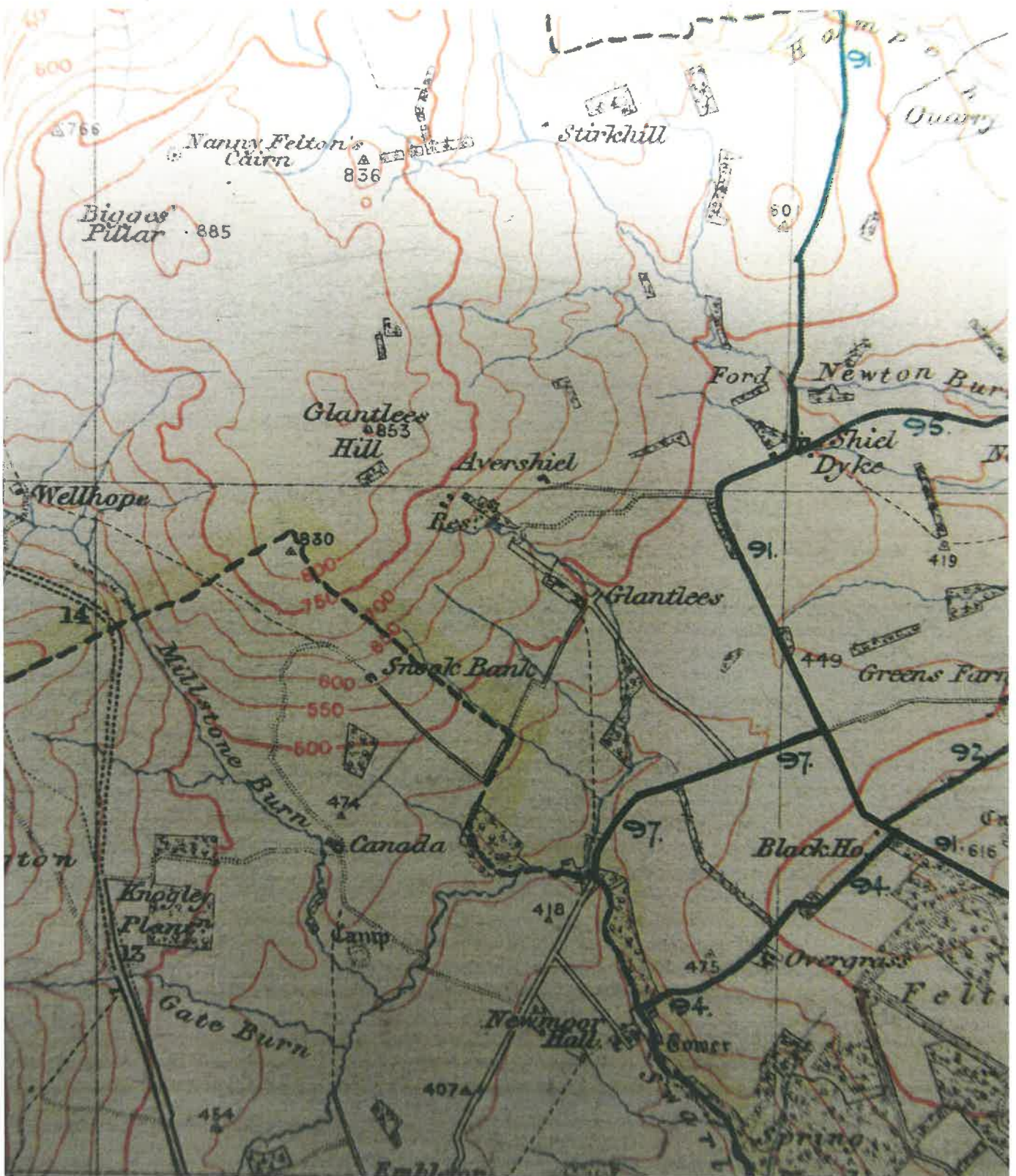
31. PARISH OF GLOSTER HILL.

1. F. New Hall to Warkworth running in a N. direction from the Amble Urban District Boundary through field Nos. 5, 6, 2, 1, to the Warkworth Parish Boundary, joining footpath No. 21 in that Parish.
2. F. From Glosier Hill running in a N. direction through field No. 18 to the Warkworth Parish Boundary, joining footpath No. 12 in that Parish.

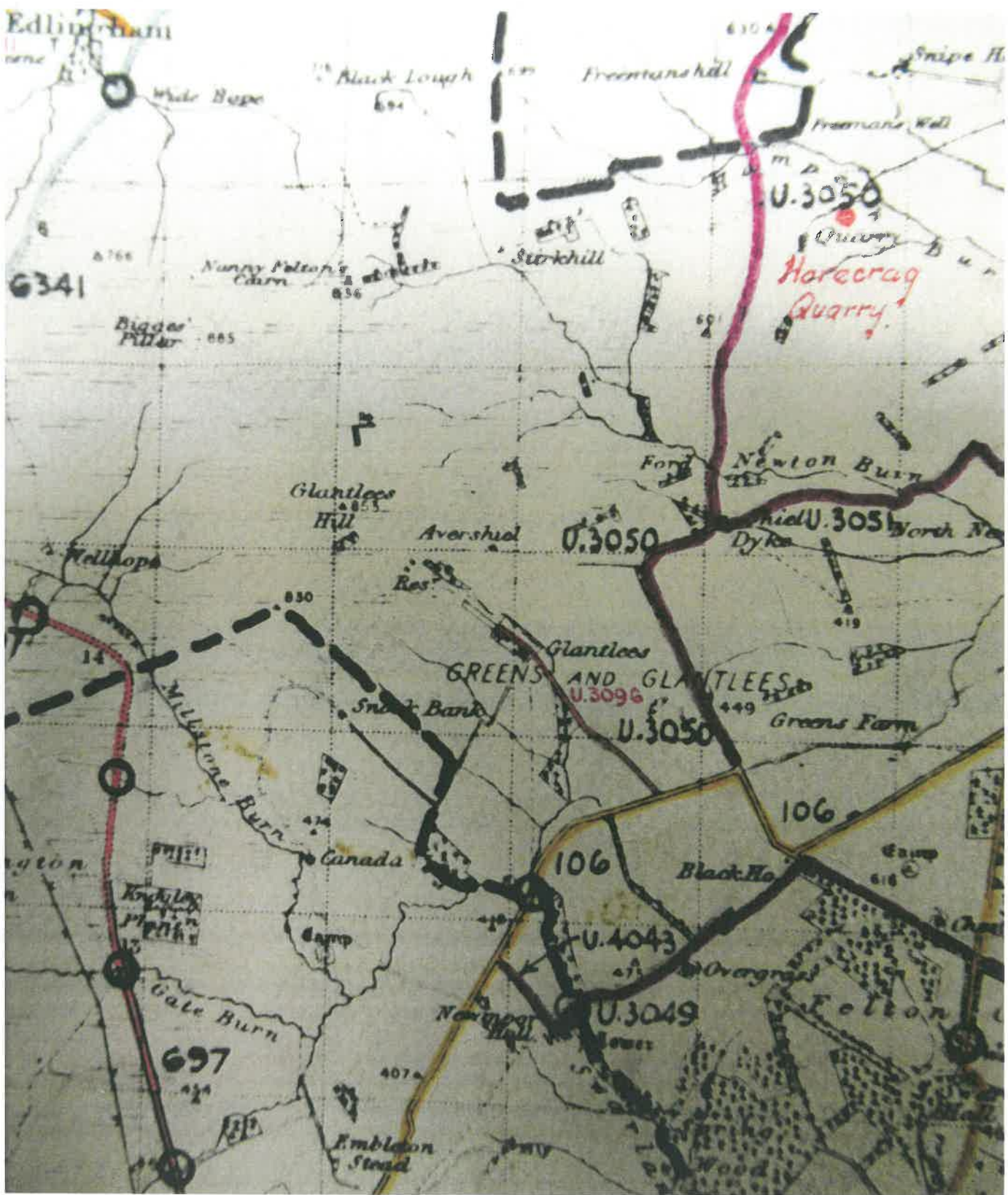
Right of
 no. Way.

W
 22

Extract from Northumberland County Council One Inch Maps showing restrictions under Sections 1 and 2 of the Restriction of Ribbon Development Act 1935



Extract from the Council's 1951 Highways Map



REPORTS OF THE COUNTY SURVEYOR—continued.

Decision of this Committee.

recommended authorities not to submit individual returns in this way as the whole matter was being discussed between the Ministry and the Association, who had agreed to supply a global figure for the whole country.

To accede to the Ministry's request for the limitation of the current year's expenditure, the amount to be spent on unclassified roads in Northumberland should not exceed £98,027, whereas the amount provided in the estimate is £94,777. The Sub-Committee were therefore of opinion that no curtailment of the estimate was necessary as this County had given effect to the spirit of the Circular. This amount of £94,777 is made up as follows :—

	£
General maintenance, including patching, etc.	54,717
Surface dressing—69½ miles	17,715
Resurfacing—7 miles	11,925
Bridges, including footbridges	10,420
	<u>£94,777</u>

The total mileage of unclassified roads is 928.14.

Maintenance and Minor Improvements on Trunk and Classified Roads.

The Ministry of Transport have now made a firm allocation to this County of additional grants of £25,000 for Trunk Roads and of £40,000 for Classified Roads. Detailed proposals have therefore been submitted to the Ministry for additional expenditure, as follows :—

	Gross Expenditure.	Ministry of Transport Grant.	Net cost to County Council.
Trunk Roads	£ 25,000	£ 25,000	—
Class I, II and III Roads	56,586	39,957	16,629
	<u>£81,586</u>	<u>£64,957</u>	<u>£16,629</u>

The net cost of £16,629 will involve a supplementary estimate, but it is anticipated that some saving in the amount provided for major improvement schemes will be possible as grants are unlikely to be issued towards a number of these.

Details of the proposed additional expenditure on Classified Roads is set out in Appendix B.

REPORTS OF COUNTY SURVEYOR—continued.

Decision of the Committee.

(5) B.6350, Wark-on-Tweed.—30 m.p.h. Speed Limit.

Alderman Straker-Smith, as the local County Council representative and as Chairman of the School Managers, has applied for a 30 m.p.h. speed restriction to be imposed on the road through the village of Wark-on-Tweed, and the application is supported by the Chief Constable. The Committee approved a similar application in 1946, but the Ministry of Transport then intimated that they were not prepared to confirm the necessary Order as they were not satisfied that the restriction was justified.

The road is used to a considerable extent by traffic from Kelso and Coldstream and there are four roads leading into the village within a distance of half-a-mile, which adds to the danger from fast-moving traffic. The Chief Constable also considers that a fresh application is justified by the increase in traffic through the village since 1946 owing to the derationing of petrol, and I therefore recommend that an Order under Section 1 of the Road Traffic Act, 1934, be made and submitted to the Minister of Transport for confirmation.

(6) Private Streets.

Alnwick Rural District.

Mr. A. Robinson, of Tughall, has asked for the road to Glantles Farm to be taken over and the Alnwick Rural District Council support the application. The road, which is the approach to the farm steading at Glantles Cottage, Crookbank, and Glantles Reservoir, is three-quarters of a mile long and has a good foundation, but is not surfaced and in places requires re-shaping.

Mr. W. J. Brown has asked for the road to Tillington Mount to be taken over. For the greater part of its length the road consists of two 3 foot widths of tarmac laid on the earth foundation. It serves the farm and three cottages, and is 0.8 miles long.

Haltwhistle Rural District.

The Haltwhistle Rural District Council have asked for the road known as Westlands on the Park Estate to be taken over, and subject to satisfactory repairs being carried out, I recommend that it be adopted.

Hexham Rural District.

The Hexham Rural District Council have asked for the following roads to be adopted :—

- Allenfields, Allendale.
- Broadway, Fourstones.
- South Park, Slaley.
- Warden View, Wall.
- West Crescent, Gunnerton.
- Whitbis Crescent, Haydon Bridge.
- The Green, Ovington.
- The Grove, New Ridley.
- Hordley Acres, Haydon Bridge.

Referred to the Private Street Works Sub-Committee for inspection and report.

That the roads be taken over as highways repairable by the inhabitants at large when the repairs have been carried out, and that the necessary notices be signed by the Clerk of the Council and fixed up therein pursuant to Section 19 of the Private Street Works Act, 1932.

2nd August, 1951, and the exhibition has now been delivered. It is hoped that District Committees will make the fullest use of the exhibits, which provide an excellent method of impressing upon both adults and children the importance of road safety.

(4) *Expenditure.*

The annual subscription of £4 0s. 0d. to the North Eastern Accident Prevention Federation has been renewed, and bills amounting to £182 4s. 8d. have been passed and are recommended for payment.

Resolved that the report be forwarded to the County Council for adoption.

Private streets
at Wylam.

142.—The Clerk of the Council reported that notice of the resolution passed by the Council on the 3rd May, 1951, approving the specifications, plans, sections, estimates and provisional apportionments for the making up under the Private Street Works Act, 1892, of six private streets at Wylam had been advertised on the 19th November, 1951, and the statutory notices had been served on the owners of the 149 properties concerned. Eight owners had given notice of objection to the proposals, and Mr. Rupert Speir, M.P. for the Hexham constituency, had asked on behalf of the owners of some of the houses in Stephenson Terrace that only Back Stephenson Terrace should be dealt with for the present and that the front street be left over, at least for the time being. In addition, a number of owners had asked to be allowed to pay the street charges by instalments.

Resolved—

(1) That the report be received and that the Clerk of the Council be authorised to apply to the appropriate Court of Summary Jurisdiction to determine the objections;

(2) That the decision to make up the west end of Stephenson Terrace be adhered to, and that the question of the remainder of this street be deferred until details of the work involved have been prepared;

(3) That the Council be recommended to agree to payment of the street charges being spread, if desired, over periods up to ten years, with interest at such rate as shall be applicable to expenses of this nature at the date of the final apportionments.

143.—The County Surveyor submitted the following reports which the Committee resolved be dealt with as stated in the second column—

County Surveyor's reports.	Decision of the Committee
REPORTS OF THE COUNTY SURVEYOR.	
(1) Quarterly Estimate. Cheques to be issued when required on the requisition of the Bridges and Roads Committee—£40,000, £40,000, £40,000, £30,000, £30,000, £20,000, £10,000 and £10,000. Total £220,000.	Approved
(2) Acquisition of Land. I have to report that the land specified in Appendix A is required for the widening and improvement of roads in the County, and I recommend that the terms and conditions as set out in that Appendix be approved.	That the land be purchased and any necessary documents be sealed.

REPORTS OF THE COUNTY SURVEYOR—continued.

(3) **Highway Expenditure, 1951-52.**

The Ministry of Transport have allocated an additional grant of £6,000 towards expenditure on classified roads. This is not to provide for additional work to be carried out but is to be used as a contribution towards the recent increases in wages and the cost of haulage and materials.

(4) **Annual Estimate, 1952-53.**

In response to a request from the Ministry of Transport, I have sent them a preliminary estimate of expenditure for next financial year, but as they have not yet notified me of the amount of grant funds likely to be available, I am unable to submit detailed estimates to the Committee. I suggest, therefore, that the preparation of the Annual Estimate for 1952-53 be referred to the Accounts Sub-Committee, with power to act, as has been done for the last few years.

(5) **Private Street Works Sub-Committee.**

The Private Street Works Sub-Committee have inspected the following private streets:—

Road to Glantlees Farm (Alnwick Rural District).

This road runs from the Newton-Longframington Road and serves Glantlees Farm and steward's cottage and part of Snook Bank Farm, and is a right of way to Newton-on-the-Moor reservoir. The section 0.76 miles long to the steward's cottage has a good foundation but requires extensive repairs and resurfacing, and the Sub-Committee recommend that it be taken over provided it is first put into a satisfactory state of repair and that the four existing gates at Glantlees Farm are re-sited so as to reduce the number.

Road to Tillingington Mount Farm (Alnwick Rural District).

This road, which serves the farm and four cottages, is 0.8 miles long and for the greater part of its length consists of strips of tar macadam with an unmade central strip. The Sub-Committee recommend that it be adopted provided the central strip is surfaced and the whole road is put into a satisfactory state of repair.

Ford Village (Glendale Rural District).

The roads in the village of Ford serve 34 cottages, a school, an assembly hall, smithy, farm buildings and other premises, and can conveniently be divided into five sections of a total length of approximately 0.47 miles. Three of these are in fair condition, but the other two require extensive repairs and shaping. The Sub-Committee recommend that all the roads be taken over provided they are first put in a satisfactory state of repair.

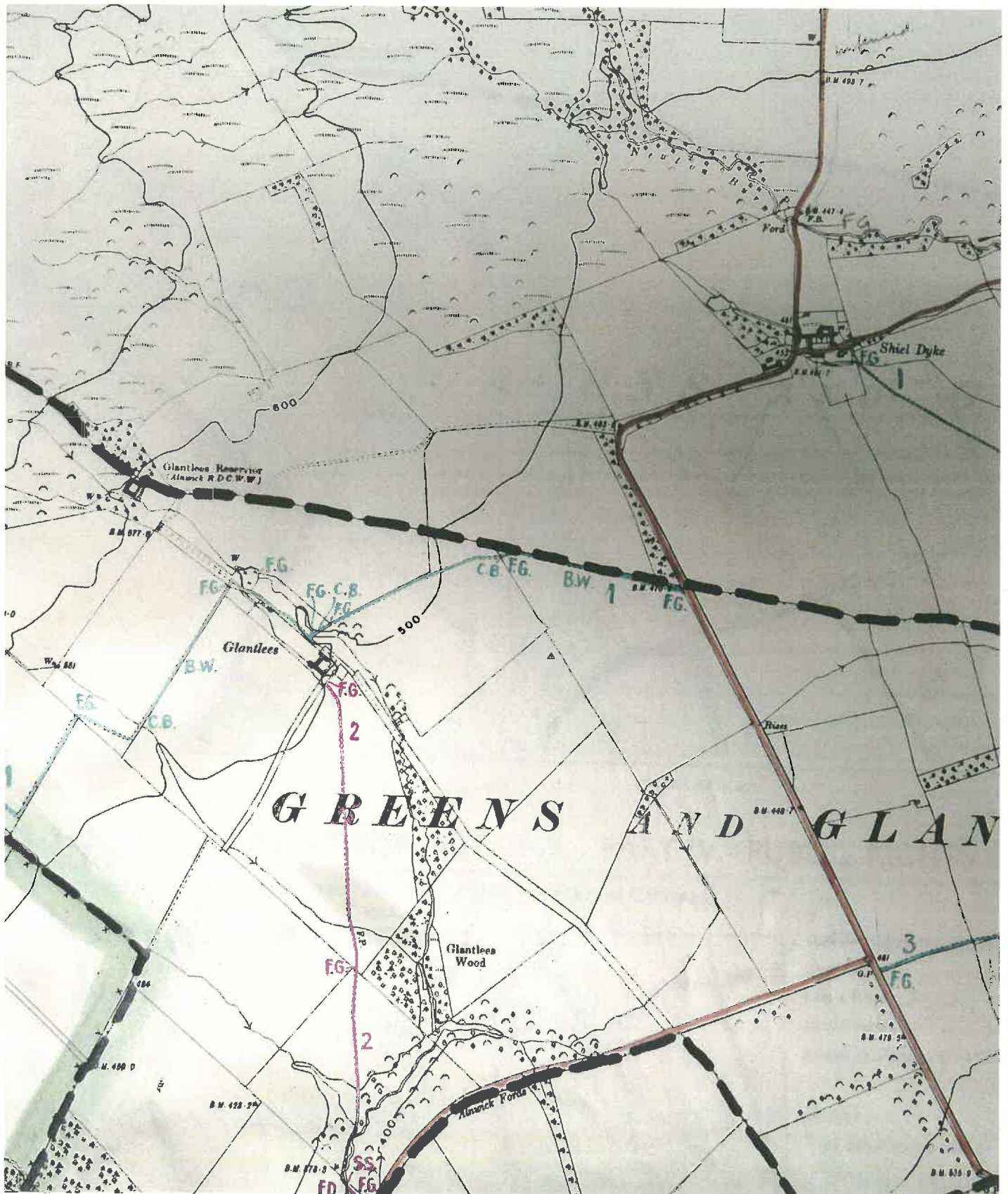
Decision
of the
Committee.

That the grant
be accepted.

That the
preparation of
the Annual
Estimate for
1952-53 for
submission to
the Finance
Committee be
referred to the
Accounts Sub-
Committee
with power to
act.

That the roads
be taken over
as highways
reparable by
the inhabitants
at large when
the repairs have
been carried
out, and that
the necessary
notices be
signed by the
Clerk of the
Council and
fixed up therein
pursuant to
Section 19 of
the Private
Street Works
Act, 1892.

Survey Map



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

Parish of GREENS AND SLANTLEYS the Rural District of ALNWICK.

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.) BR
3. Starts at SHIELD BYKES RD to SNOOK BANK.
4. Name of Path (if any) _____
5. Is the Path well defined? YES
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? PATH GOOD.
GATES GOOD BRIDGES GOOD.
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 NONE

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
EVIDENCE OF OLD INHABITANT

12. Have persons been prevented using the highway? No

13. Give particulars of any obstructions NONE

14. Names of owners of freehold and previous owners, if known, for past 30 years
CAPT. WIDDRINGTON
NEWTON HALL

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	Dates of Survey
<u>E.W. Brown.</u>	<u>6 Percy Terrace Alnwick</u>	<u>4/5/54</u>

Important:—Sheet No. of Map on which Highway is shown
OST 917
IV / XLII / NE

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

Parish of GREENS AND GLANTLEES in the Rural District of ALNWICK.

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

1. Number of highway on Map 2
2. Kind of Path (i.e., F.P., B.R.) FP
3. Starts at GLANTLEES to ALNWICK FORDS
4. Name of Path (if any) _____
5. Is the Path well defined? NO
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? PATH POOR. GATES GONE.
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 NONE
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
EVIDENCE OF OLD INHABITANT
12. Have persons been prevented using the highway? NO
13. Give particulars of any obstructions NONE
14. Names of owners of freehold and previous owners, if known, for past 30 years
CAPT WIDDORINGTON
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	Dates of Survey
<u>E. W. Brown</u>	<u>6 Percy Terrace Alnwick</u>	<u>4/5/54</u>

Important—Sheet No. of Map on which Highway is shown
OST 917 N. XLII NE.
A2 SE



1954 Highway Dedication

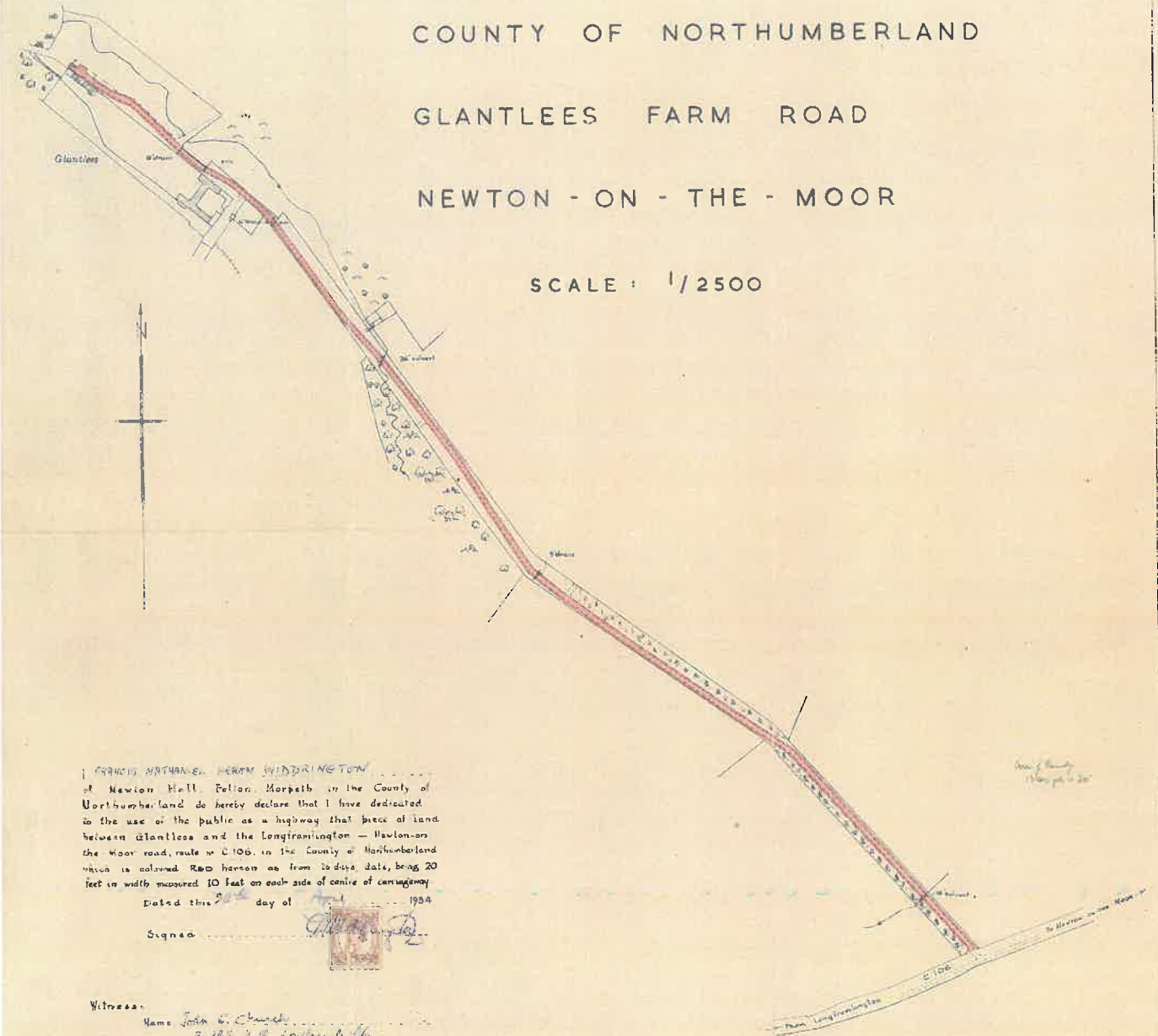
505

COUNTY OF NORTHUMBERLAND

GLANTLEES FARM ROAD

NEWTON - ON - THE - MOOR

SCALE : 1/2500

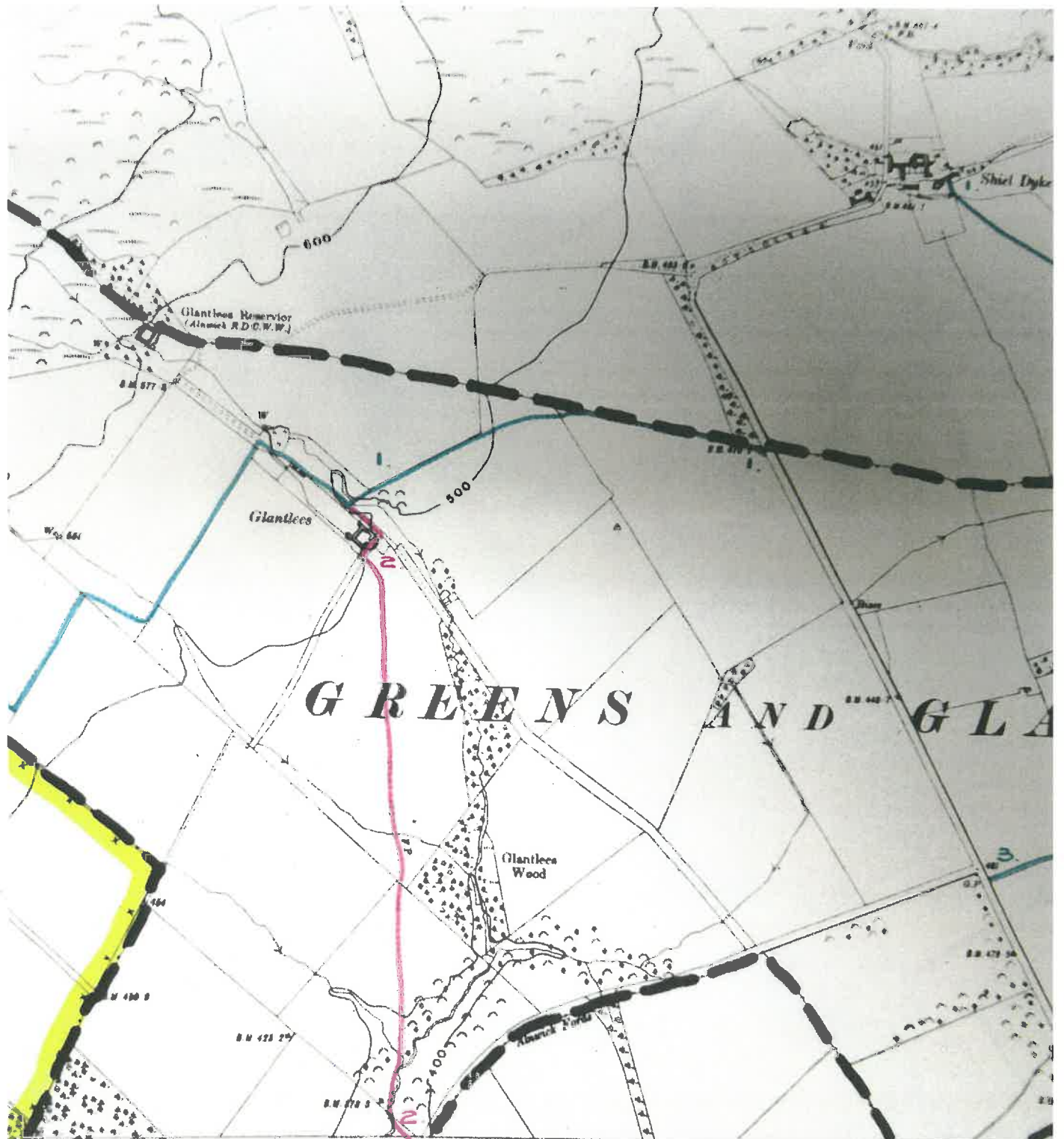


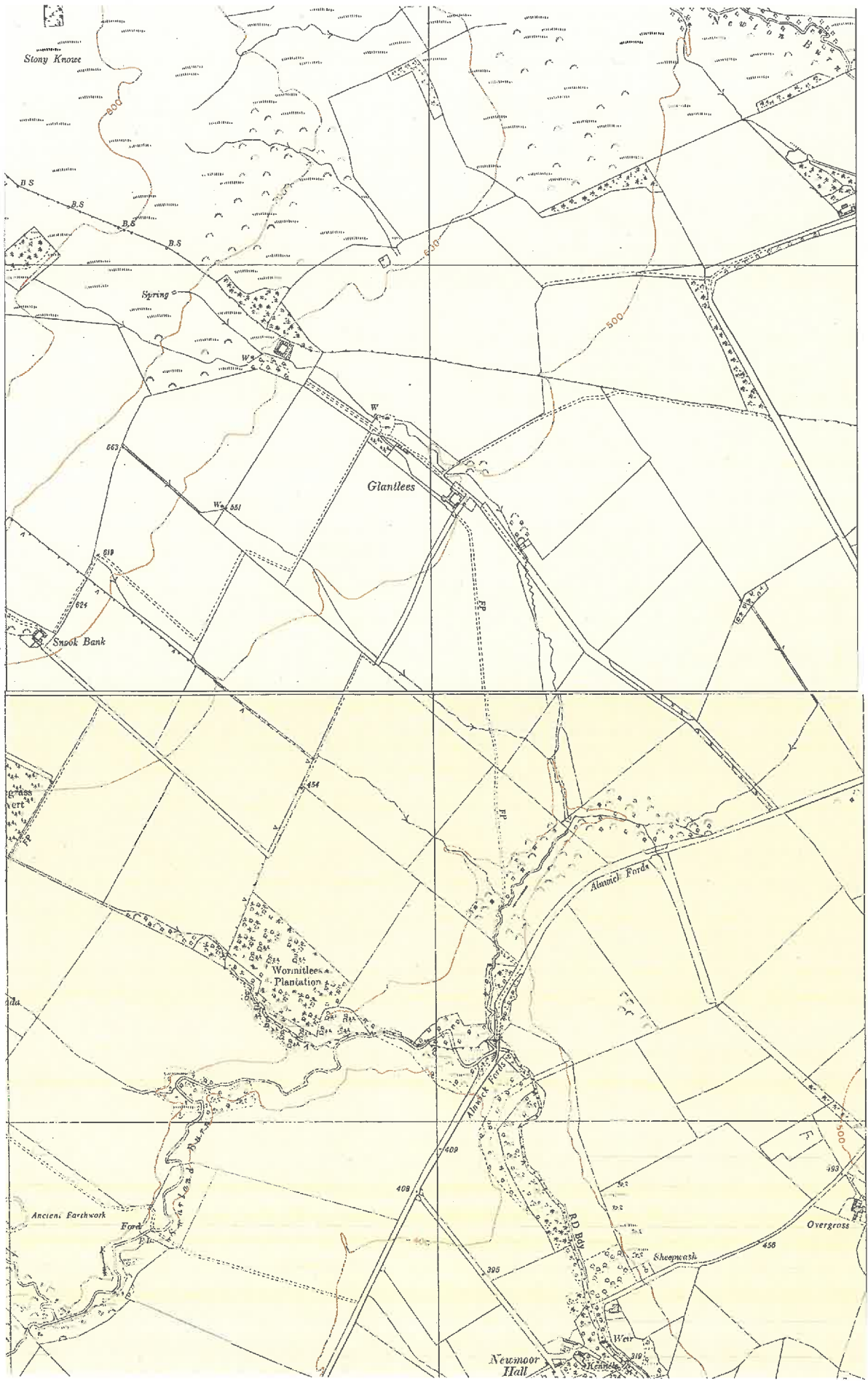
I FRANCIS NATHANIEL HERON WIDDRINGTON
of Newton Hall, Felton, Morpeth in the County of
Northumberland do hereby declare that I have dedicated
to the use of the public as a highway that piece of land
between Glantlees and the Longranington - Newton-on-
the-Moor road, route or C106, in the County of Northumberland
which is coloured Red hereon as from 20 days date, being 20
feet in width measured 10 feet on each side of centre of carriageway

Dated this 20 day of
Signed *Francis Nathaniel Heron Widdrington*

Witness:
Name *John S. Church*
Address *Sunder Hall, Longranington*

PLAN No. P7/120/31





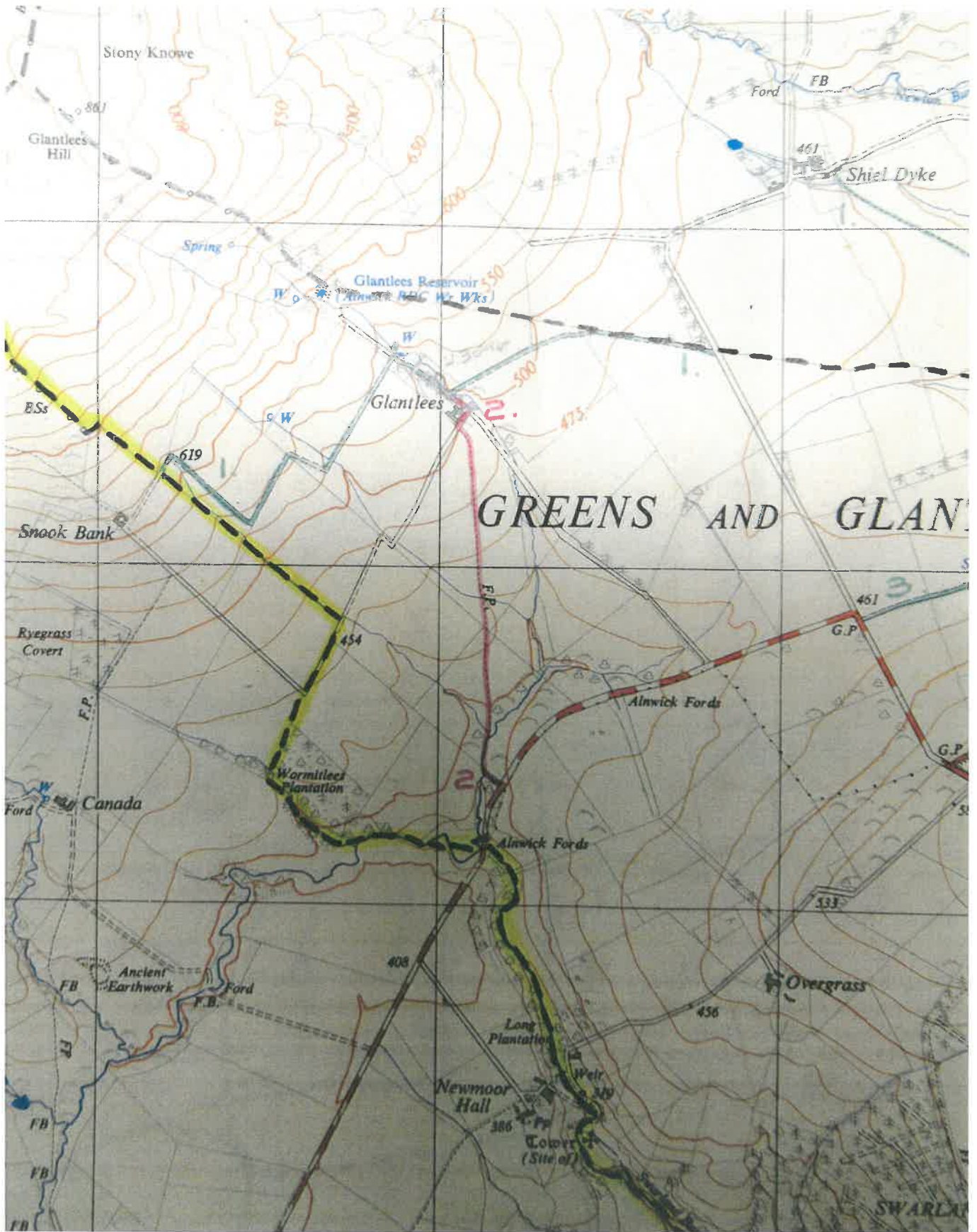
1958 County Road Schedule

ALNWICK DIVISION

Unclassified Roads in Alnwick Rural District

		Brought Forward	64.405 miles
U.3079	Kiln Lonnen, Shilbottle	From C.95, 340 yards East of Hillcrest and running northwards.	0.17
U.3080	Lee Avenue, Shilbottle	From U.3079 at a point 83 yards north of Fellogen Avenue and running northwards.	0.10
U.3081	Cul-de-sac, Lee Avenue, Shilbottle.	From U.3080 towards U.95 (Grange Road)	0.03
U.3082	Footpath to Grange Road.	From U.3081 to Grange Road (C.95)	0.02
U.3083	South View Lesbury	On south side of C.94 east of Alnmouth Railway Station.	0.05
U.3084	Curley Lane Estate Road	On west side of U.3022	0.03
U.3085	Sea View Longhoughton	On east side of B.1339, 0.30 miles south of Longhoughton.	0.03
U.3086	Howick Church Road	From C.75 at Howick Burn, north westerly towards St. Michael's Church	0.107
U.3087	Steppey Lane.	From B.1338 near Hipsburn 577 yards towards the river Aln.	0.537
U.3088	Guyzance - East House.	From C.100 at Guyzance via East House to C.101.	1.007
U.3092	Rushycap - Newton-on-the-Moor.	From Junction with A.1. near Lenehead via Rushycap to junction with C.106 at Newton including junction with A.1. opposite C.102	1.46
U.3093	Old Main Road North of Hampeth Bridge	From C.97 north for a distance of 0.35 mile to U.3028	0.35
U.3095	Heckley High House Road	From B.6346, 1½ miles from Alnwick, northerly to Freirswell Lodge - Heckley High House road C.55, including 70 yards length branch road at Heckley High House.	0.525
U.3096	Glantlees Farm Road	From Longframlington - Newton-on-the-Moor Road, C.106 north eastwards to Glantlees Farm and Snook Bank Farm Cottage.	0.761
		Forward	<u>69.582 miles</u>

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 **ALNWICK**
- 2. Parish **NEWTON-ON-THE-MOOR**
- 3. Number of Footpath on Map **1** ✓
- 4. Name of path
- 5. Kind of Path (i.e. FP/BR) **B.R.**

6. General Description of Path
From the Felton Common-Shiel Dyke read south-west of Shiel Dyke in a westerly and south-westerly direction by ~~Stanleys to~~ the ~~Rothbury Rural District boundary joining footpath in that District.~~
to join the County Road (W.3096) west of Glantles recommencing at a point approximately 300 feet west of Glantles and continuing in a south-westerly and north-westerly direction to the Rothbury Rural District joining P.P. 5 in the Parish of Longframlington north-east of Sook Bank.

- 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
ALNWICK

2. Parish
NEWTON-ON-THE-MOOR

3. Number of Footpath on Map
2 ✓

4. Name of path

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

6. General Description of Path
From the boundary Road (U. 3096) -
~~From B. 271~~ at Glantles in a southerly direction
to join the Newton-on-the-Moor-Longfranklington road east of Wornitlees
Plantation.
.....
.....
.....
.....

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

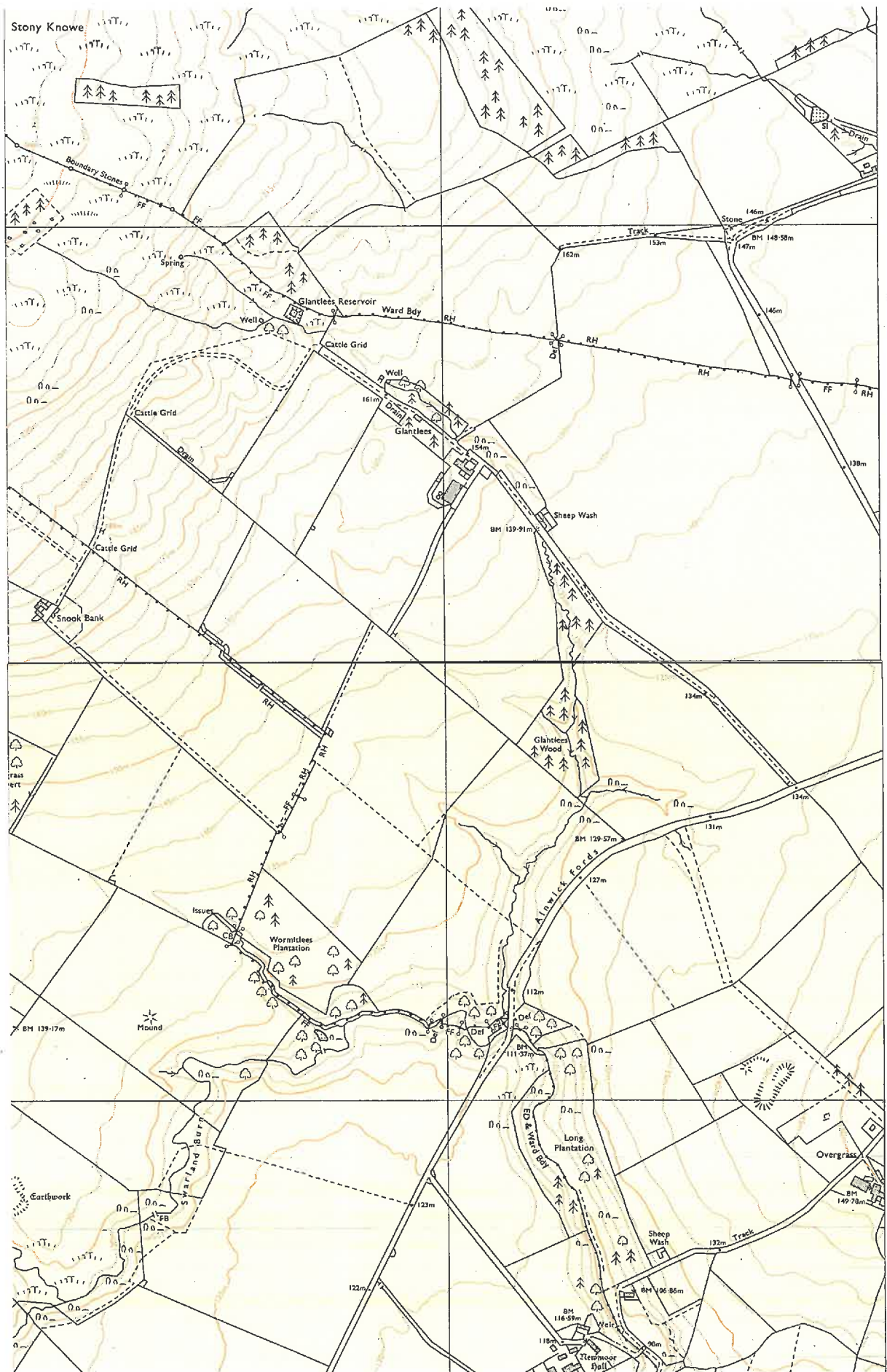
1964 County Road Schedule

- 85 -

Route No.	Name of Road.	Description.	Responsible Division or Authority.	Mileage.	Total Mileage.
U. 3096	Glantlees Farm Road.	From Longframlington - Newton-on-the-Moor Road, C.106, north-westwards to Glantlees Farm and Snook Bank Farm Cottages.	Alnwick.	0.76	0.76
U. 3097	Warkworth Streets. (See also U. 3043).	From C.105 at Warkworth south-westwards via Warkworth Avenue and then north-eastwards via Barns Road to join C.103 at Morwick Road.	Alnwick.	0.24	0.24
U. 3098	Shipleyhill Road.	From B.6347 south of Shipley Burn north-westwards to the west gable of Shipleyhill Farm House, (765 yards).	Alnwick.	0.43	0.43
U. 3099	Swarlandfence-Feltonfence.	From B.6345 at Swarlandfence south-eastwards to Feltonfence.	Morpeth.	0.30	0.30
U. 3100	Kirkwell Cottages, Hauxley.	From C.109 at Hauxley northwards to Kirkwell Cottages for a distance of 788 feet.	Alnwick.	0.15	0.15
U. 3101	Whittle Colliery Road.	From C.97 southwards for 80 yards towards Whittle Colliery.	Alnwick.	0.05	0.05
U. 3102	Greyfield Estate, Embleton.	From B.1339 at Embleton westwards to hoin U.3010, (333 yds), together with two cul-de-sacs off the southside, (100 yds and 117 yds).	Alnwick.	0.31	0.31
U. 3103	Christon Bank Farm Road.	From B.6347 at Christon Bank eastwards to Christon Bank Farm.	Alnwick.	0.23	0.23
U. 3104	Brockleyhall Farm Road.	From B.6347 at South Charlton northwards to entrance gate to Brockleyhall Farm, (577 yds).	Alnwick.	0.33	0.33
U. 3105	Rock Midstead Farm Road.	From B.6347 at a point 300 yards east of Drythropple south-westwards to Rock Midstead Farm Cottages for 180 yards.	Alnwick.	0.10	0.10
U. 3106	Powburn-Breamish House.	From A.697 near Branton Manse westwards to the Rural District boundary at Breamish House, (250 yds). (Continuing in Glendale Rural District as U.1092). (See Branton Township Division, 1893).	Alnwick.	0.14	0.14
U. 3107	Boatman's Place, Low Newton-by-the-Sea.	From C.72 at Low Newton-by-the-Sea south-westwards for 86 yards.	Alnwick.	0.05	0.05

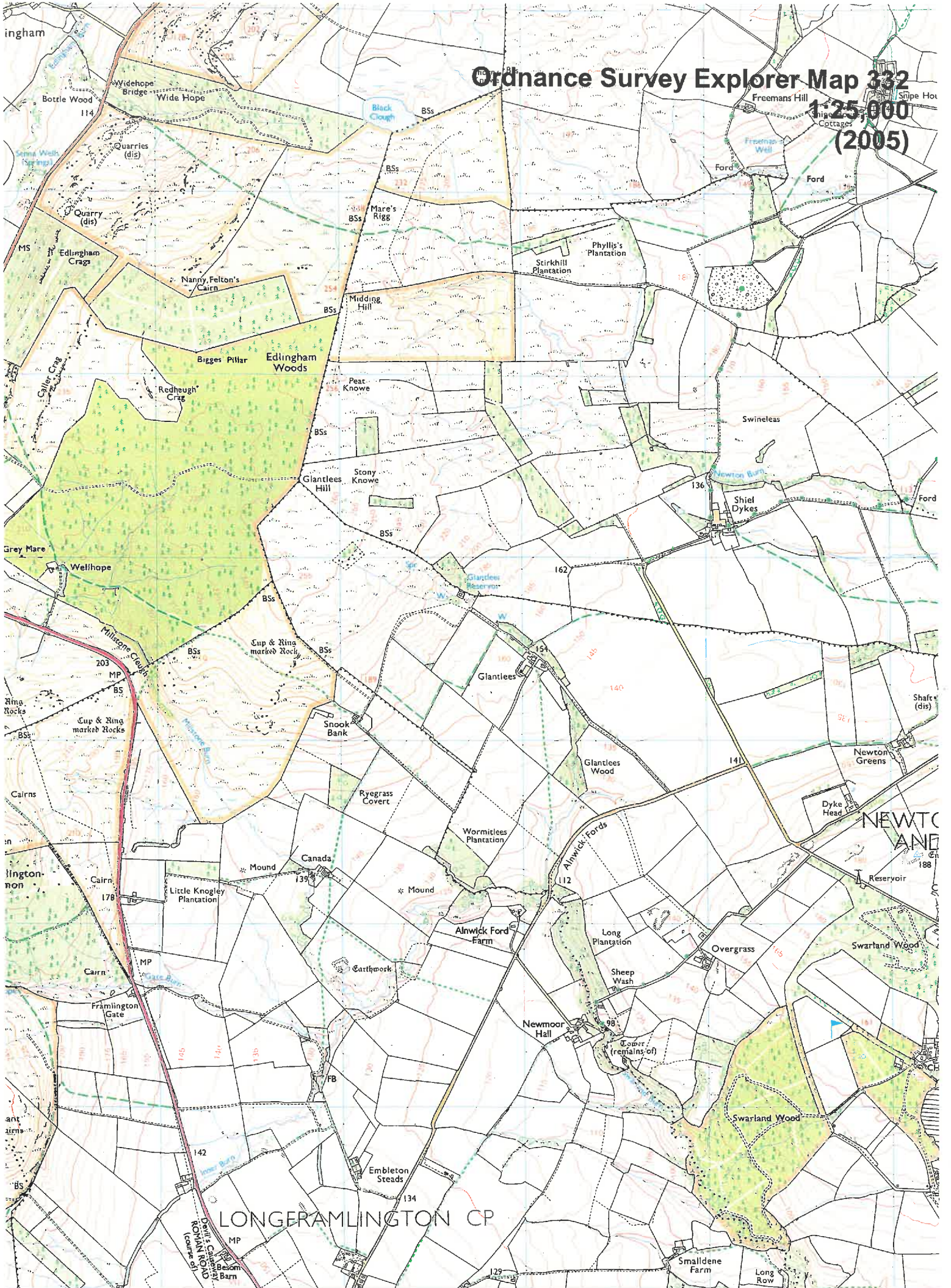
1974 County Road Schedule

Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Total Mileage
J. 3096	Glantlees Farm Road.	From C.106 at NU 147047 north-westwards to Glantlees Farm and Snook Bank Farm Cottages (NU 140055).	Alnwick Division		0.76
J. 3097	Markworth Streets. (See also U.2043).	From C.105 at Markworth (NU 246053) south-westwards via Markworth Avenue and then north-eastwards via Barns Road to join C.103 at Morwick Road (NU 245054).	Alnwick Division		0.24
J. 3098	Shipleyhill Road.	From B.6347 south of Shipley Burn (NU 152185) north-westwards to the west gable of Shipleyhill Farm House (NU 149190) (765 yards).	Alnwick Division		0.43
J. 3099	Swarlandfence-Feltonfence.	From B.6345 at Swarland (NU 157011) south-eastwards to Feltonfence (NU 159008).	Morpeth Division		0.30
J. 3100	Kirkwell Cottages, Hauxley.	From C.109 at Hauxley (NU 275031) northwards to Kirkwell Cottages for a distance of 788 feet.	Alnwick Division		0.15
J. 3101	Whittle Colliery Road.	From C.97 at NU 174067 southwards for 80 yards towards Whittle Colliery.	Alnwick Division		0.05
J. 3102	Greyfield Estate, Embleton.	From B.1339 at Embleton (NU 230228) westwards to join U.3010, (333 yards) together with two culs-de-sac off the southside, (100 yards and 117 yards).	Alnwick Division		0.31
J. 3103	Christon Bank Farm Road.	From B.6347 at Christon Bank (NU 207233) eastwards to Christon Bank Farm (NU 210223).	Alnwick Division		0.23
J. 3104	Brockleyhall Farm Road.	From B.6347 at South Charlton (NU 164203) northwards to entrance gate to Brockleyhall Farm (577 yards).	Alnwick Division		0.33



Ordnance Survey Explorer Map 332

1:25,000
(2005)



12 13 14 15 16

BERWICK-UPON-TWEED CO CONST

Longramlington
1:25,000

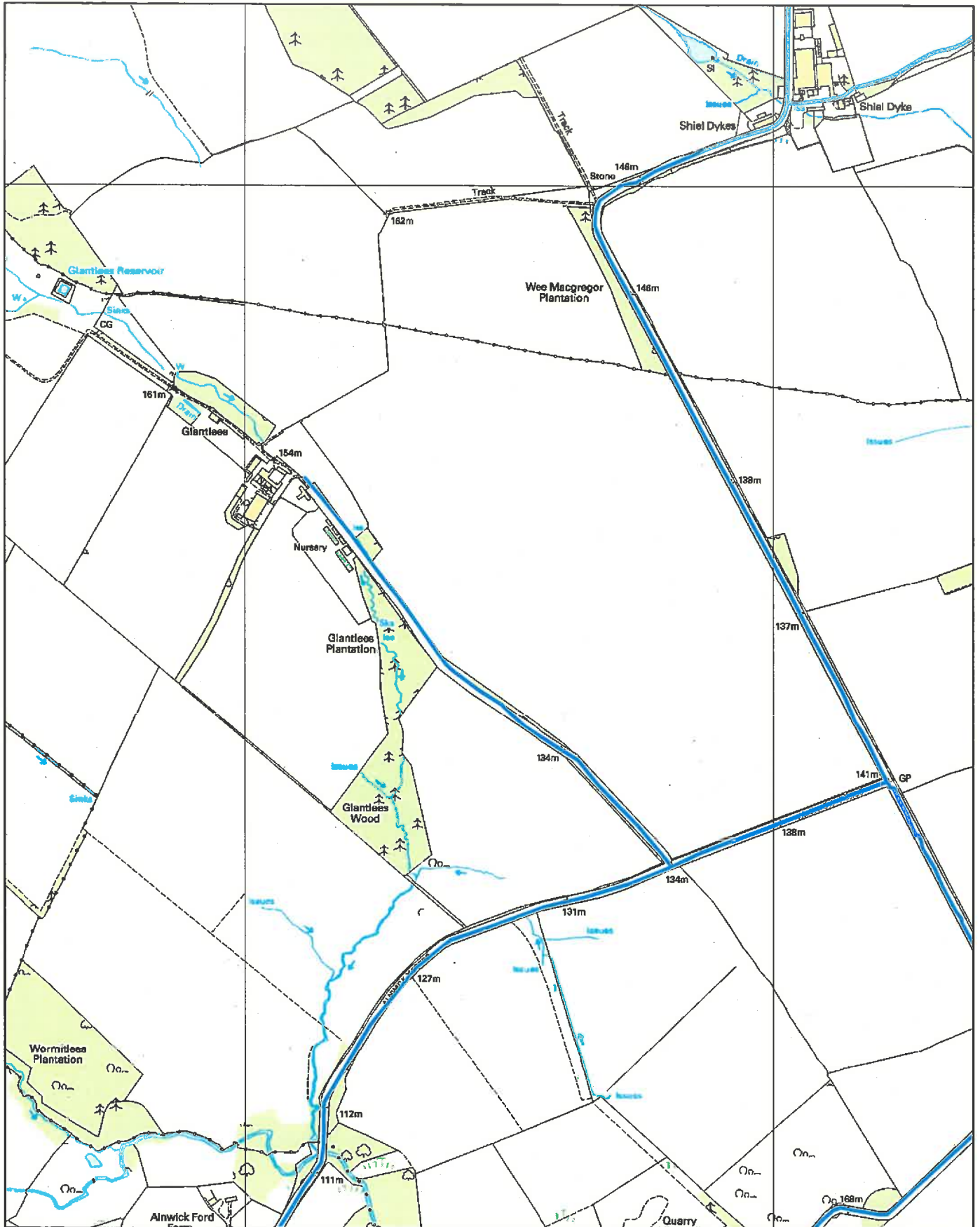
47

48

49

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

Road Number	Description	Length - Metres
U3092		
	U3049 JCT TO A1 JCT	726
	<i>Total length for U3092</i>	2,331
U3093		
	C97 JCT TO U3028 JCT	571
	<i>Total length for U3093</i>	571
U3094		
	B6346 JCT TO SHIPLEYLANE	141
	<i>Total length for U3094</i>	141
U3095		
	B6346 JCT TO C86 JCT	798
	<i>Total length for U3095</i>	798
U3096		
	C106 JCT TO SNOOK BANK FARM COTTAG	1,020
	<i>Total length for U3096</i>	1,020
U3097		
	NEW BARNS COURT	43
	LYSANDER COURT FOOTPATH	76
	NEW BARNS WAY	19
	NEW BARNS WAY	40
	LYSANDER COURT	48
	C105 JCT TO WEST CLOSE	129
	OLD BARNS	36
	WEST CLOSE	58
	WARKWORTH AVENUE	215
	BARNS ROAD	209
	WEST CLOSE FOOTWAY	25
	WEST CLOSE	57



Network Management
Information System

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

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License no. 100049048 (2015).

Drm:

Date:

Scale:

AB

Oct 2020

1:10,000