



Northumberland

County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL
RIGHTS OF WAY SUB-COMMITTEE
26 October 2021

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

ALLEGED PUBLIC BRIDLEWAY / RESTRICTED BYWAY No 14 PARISH OF KILHAM

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 bridleway / vehicular rights over a route from the C33 road at the Scottish border, north of Yetholm Mains, in a general easterly direction, to the western end of existing Public Bridleway No 6 in the Parish of Kirknewton, south of Longknowe Hill, and also over a short spur between this route and existing Byway Open to All Traffic No 13, south-west of Thompson's Walls.

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 A-E;**
- (ii) there is sufficient evidence to show, on a balance of probabilities, that public vehicular rights exist over the route E-C-B;**
- (iii) the Natural Environment and Rural Communities Act 2006 would appear to have extinguished the public's motorized vehicular rights over the A-E-C-B route;**
- (iv) there is not sufficient evidence to indicate that a public right of way has been reasonably alleged to exist over the route C-D;**
- (v) the A-E-C-B route be included in a future Definitive Map Modification Order as a restricted byway.**

1.0 BACKGROUND

- 1.1** By virtue of section 53 of the Wildlife and Countryside Act, 1981 the County Council is required to keep the Definitive Map and Statement under

continuous review and make modification orders upon the discovery of evidence, which shows that the map and statement need to be modified.

- 1.2 The relevant statutory provision which applies to adding a public right of way to the Definitive Map and Statement, based on historical documentary evidence, is Section 53(3)(c)(i) of the Wildlife and Countryside Act, 1981. This requires the County Council (as Surveying Authority) to modify the Definitive Map and Statement following:

“the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:

“that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic;”

- 1.3 The relevant statutory provision which applies to upgrading an existing public right of way on the Definitive Map and Statement, based on historical documentary evidence, is Section 53(3)(c)(ii) of the Wildlife and Countryside Act, 1981. This requires the County Council (as Surveying Authority) to modify the Definitive Map and Statement following:

“the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows :

“that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.”

- 1.4 All the relevant statutory provisions and competing rights and interests have been considered in making this report. The recommendations are in accordance with the law and proportionate, having regard to individuals' rights and the public interest.

2.0 PUBLIC EVIDENCE

- 2.1 In December 2018, Ted Liddle of Hexham made a formal application seeking to modify the Definitive Map of Public Rights of Way by adding a public bridleway (mostly upgrading an existing public footpath to bridleway status) over a route between the C33 road, north of Yetholm Mains, and existing Public Bridleway No 6 in the Parish of Kirknewton, south of Longknowe Hill. In addition, the application sought to add a short spur of bridleway, between the abovementioned alleged bridleway and existing Byway Open to All Traffic No 13, south-west of Thompson's Walls.

- 2.2 Mr Liddle supplied the following analysis of the evidence to accompany his application:

“The route

1. The Staw Road was one of many cross-border routes used by cattle drovers in the 18th and 19th centuries (see '*Drove Roads of*

Northumberland' by Ian Roberts, Richard Carlton & Alan Rushworth. Published by the History Press 2010). Often the drovers used routes established centuries earlier.

2. That part of this historic route leading to West Newton, which is in the parish of Kirknewton today, is already recorded as a public bridleway. Similarly, part of the route to Thompson's Walls, now in the parish of Kilham, is already recorded as a byway open to all traffic.

The section of this old cross-border route on which this application focuses is that which is currently either recorded as a public footpath 225/004 in the parish of Kilham or is unrecorded. It can be seen on OS Outdoor Leisure OL16, Cheviot Hills.

3. The western end starts on the county road, C 33, just to the north of the Border between Scotland and England, close to Yetholm Mains at GR NT 839 298 (A). It follows the edge of the field for a few hundred yards to meet the line of public footpath 225/004 at (B). There is no existing recorded public path along (A) – (B).

From (B) it continues along the line of footpath 225/004, to (C) where the alleged route to Thompson's Walls branches off. The alleged route along this branch ends at (D) GR NT 863 300 where it meets the recorded BOAT 225/013. There is no existing recorded public path along (C) – (D).

The main route turns east continuing along the line of FP 225/004. Here it becomes undefined on the ground as it passes through an area of 'undivided moor' as described in 1866. But at (E), GR NT 874 297, where it passes into Kirknewton parish and becomes visible as a track on the ground, it continues as recorded public bridleway 226/006 to the hamlet of West Newton.

4. The surface of the alleged route is grass over a stone base for most of its distance. In places it is clearly defined as a track approximately 3-4 metres wide. There are field gates at the points where it crosses old walls or fences. However the section from (C) to (E), on the West Newton branch, is undefined and crosses a small but steep sided valley which is currently obstructed by young trees before crossing a rough pasture.

See photos showing the character of the route.

Documentary evidence

1. 1800 map showing the Staw Road

This map appears in the book mentioned above and is reproduced here by permission. It can be seen on page 58. The source given is NRO Kilham RCO13.

The alleged route is labelled 'Staw Road' on the section common to both branches and on the West Newton branch. Close to the

Scottish border it is labelled 'Road from Yetholm'. This indicates that it was known at this early date as a through route from Yetholm, and possibly from Kelso and beyond, into England with the two branches described above.

See extract and title page of reference book

2. 1828 Greenwood's map of Northumberland

The Thompson's Walls branch can be clearly seen on this map though the West Newton branch is not shown.

On this map the road ended close to Shotton. Research shows that this substantial farmhouse was built in 1828 so perhaps the map acknowledged this fact in spite of the earlier map and the ground features indicating that the line of the historic route reached the modern county road closer to Yetholm Mains than to Shotton.

The line of the public footpath which leaves the historic line of the Staw Road at (B) to cross an arable field in the direction of Shotton appears to follow the line of the public road as shown on Greenwood's map. Later OS maps show this also to be the line of a 'mill race'. That section across the field is not part of this application.

See extract

3. 1848 Tithe award for West Newton township

DT 494 M

On the plan the line of the West Newton branch of the Staw Road is labelled 'Bridle road'. At its west end where it leaves the township, it is labelled 'from Yetholm'. This shows that it was recognised as a through route at that time.

See extract

4. 1859 OS Boundary Remark Books

OS 26/8066 & OS 26/8067

These records are held at TNA at Kew. These two books contain annotated sketch maps drawn up by meresmen, surveyors appointed by each township, showing the boundary between the listed townships with nearby distinguishing features marked on the sketch maps. The purpose of this exercise was to ensure the accuracy of the boundary between adjacent townships.

These two books cover the townships, all in the parish of Kirknewton, crossed by the alleged route. These are Paston, Coldsmouth & Thompson's Walls, West Newton and a section of 'Undivided Common', common to the townships of Coldsmouth & Thompson's Walls, Grey's Forest & West Newton.

In both these books there is a page showing the line of the alleged route which is labelled 'The Staw Road' which indicates that it was a well known feature of the landscape at that time. On page 14 of OS

26/8067, there is the note saying that this road is '10 links wide'. A 'link' was a section of a Gunther's chain, used for measuring length in Britain from the 16th century onwards. It is the equivalent of 7.92" so the Staw Road at this time was approx 6.5 feet wide.

See extracts

5. 1866 West Newton Inclosure Award

QRA 59/1

The authorizing act for this award is dated 1864.

The plan is rather faint and is not orientated to north making it difficult to decipher. But it would appear that the alleged route making up the West Newton branch can be seen and it is labelled 'ancient public road' ie an acknowledged public road in existence before enclosure took place in 1866.

As the award is not available at Woodhorn, further details cannot be found.

See extract

6. 1866 OS 1st ed. scale 1:2,500 (25") sheets XVIII/3 & 4, XIX/1

OS Book of Reference for the parish of Kirknewton

These sheets are not available at Woodhorn but they can be seen on the website of www.old-maps.co.uk. It can be seen that the whole of the alleged route is shown as an unfenced track (double dashed line) in the parish of Kirknewton. There are bench marks and spot heights along the full length of the route. These are normally only found on public roads to which surveyors could obtain easy access.

Starting from the west end (A), the alleged route passes through the township of Paston. Then it continues through the township of Coldsmouth & Thompson's Walls in the direction of Thompson's Walls.

A section through 'Undivided moor for the townships of Coldsmouth & Thompson's Walls, Grey's Forest and West Newton' comes next (C-E). Finally it passes into the township of West Newton (at E). This last section coincides with that part of the historic route that is in the parish of Kirknewton today. From these maps the plot numbers can be recorded and their land use checked in the relevant Book of Reference for each township.

Township of Paston (page 11)

Plot 210 Arable, **road**, stream

Plot 212 Arable, **road**, stream etc

Plot 215 Arable, **road**, rough pasture

Township of Coldsmouth & Thompson's Walls (page 30)

Plot 12 Arable, rough pasture & **road**

Plot 10 Arable, rough pasture, **road** etc

Undivided moor, common to the townships of Coldsmouth & Thompson's Walls, Grey's Forest and West Newton (page 30)

Plot 1 Rough pasture, **road** & camps (remains of)

In each case, although the alleged route, which is shown as a double dashed line, is braced with the surrounding fields, it is the only such road shown going through these plots. This corresponds with the use of the singular 'road' as opposed to 'roads' in the description of the land use in the Book of Reference.

West Newton township (page 32)

Plot 51 Rough pasture, streams, **roads**, etc (this section is unfenced and crosses the slopes of Mid Hill and is already recorded as a public bridleway)

Plot 41 Public road (this section is a fenced lane and is already recorded as a public bridleway)

See extracts

6. 1896 OS 2nd ed. scale 1:10,560 (6")
XVIII NW & XVIII NE

Sheets

The extreme western end of the alleged route is shown on sheet XVIII NW. The remainder of the route is shown on sheet XVIII NE.

See extracts

7. 1903 & 1943 Bartholomew's cycling maps NLS website

These two maps were in a series of maps sold to the cycling public at a time when cyclists were only allowed to use public roads. Their purpose was to indicate the quality of the surface for cyclists. Although the application route was not recommended (see key), their line is shown on the maps indicating that it was permissible to use them.

It is interesting to note that the western end is shown crossing into Scotland at a point south of B. There is a clear track on the ground along that line today but the line of the alleged route is considered to be the historic line.

See extract

8. 1910 Finance Act Plans NRO 436/XVIII/3 & 4, NRO 436/XIX/1

Field Book

NRO 2000/7

Starting from the western end, the alleged route passes through the following hereditaments:

Plot 146	Shotton Farm	Owner B P Selby	Deduction for ROW/user £50
Plots 16 & 19	Thompson's Walls	Owner E G Baird	No deduction
Plot 85	Kilham Farm	Owner Earl of Tankerville	No deduction
Plot 165	West Newton Farm	Owner Hon F W Lambton	No deduction

There was no obligation on landowners to claim a deduction even if they knew that a route with public rights crossed their land. In Northumberland it has been observed that the owners of the larger estates seldom bothered with what to them must have appeared to have been a very small sum of money.

See extracts

Conclusion

The evidence above shows that this ancient cross-border route has been in existence for at least 200 years and possibly more. Please can you investigate if it should be added to the definitive map as a public bridleway for its full length."

3. LANDOWNER EVIDENCE

- 3.1 By email, on 19 February 2021, Womble Bond Dickinson made the following comments upon receipt of the Council's consultation letter:

"We are instructed by Thompson Walls Limited in relation to the above matter and we have been sent a copy of your letter to Adam Waugh dated 28 January 2021.

"I am currently in the process of reviewing the application, however this is proving difficult because of the quality of the plans on some of the pages of the application. Are you able to provide a better copy of the OS Maps and Finance Act record, as the reproduced extracts are indecipherable in the PDF copy I have been forwarded, or do they reflect the application as submitted.

"The application also refers to certain documents which are listed as being unavailable (eg the 1866 West Newton inclosure Award). Have you seen copies of these documents, or will you be seeking copies of these documents prior to writing your report?

"In addition, the application refers to the book "Drove Roads of Northumberland" but only produces the front page. I am not clear whether the applicant is suggesting that there is evidence in the book relating to the claimed route, or if he is citing the book only to reference the existence of drove roads in the English-Scottish Border.

"Finally I would be grateful if you could confirm whether the Council has made an assessment of the application and have an initial view of the Council's likely recommendation?"

4. CONSULTATION

- 4.1 In January 2021, 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". One reply was received and is included below.
- 4.2 By email, in March 2021, the British Horse Society responded to the consultation, stating:

"Parish of Kilham

Alleged public bridleway 14

This proposal is well supported by evidence going back to the early 19th century which indicates that it is one of the 'lost ways' that should be recorded for historic reasons. It will also provide a link between England and Scotland without the need to go over the top of the Border Ridge making it a useful link in the ridden network."

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

Thompsons Walls and Shotton are both identified on the map, but there is no evidence of a road or track resembling the route of alleged Restricted Byway No 14 or the spur route between that and existing BOAT No 13.

1820 Fryer's County Map

Again, Thompson's Walls and Shotton are both identified on the map, but there is no evidence of a road or track resembling the route of alleged Restricted Byway No 14 or the spur route between that and existing BOAT No 13.

1827 Cary's Map

As with previous maps, Thompsons Walls and Shotton are both identified, but there is no evidence of a road or track resembling the route of alleged Restricted Byway No 14 or the spur route between that and existing BOAT No 13.

1828 Greenwood's County Map

There is clear evidence of a road or track resembling the western part of the route of alleged Restricted Byway No 14. This route appears to join the C33 road immediately north of Shotton, whereas the application route joins the C33 road at the Scottish border, some 600 metres further to the south-west. The eastern part of the alleged Restricted

Byway No 14 route is not depicted on Greenwood's Map but, arguably, the C-D spur route south-west of Thompson's Walls is shown.

c1864 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an enclosed road / track along the bottom of the most westerly field (this corridor is identified as being 20 feet wide). Thereafter, there is clear evidence of an unenclosed path / track over the remainder of the route of alleged Restricted Byway No 14. This track passes through a series of numbered land parcels. In the accompanying Book of Reference, in the Township of Paston, parcel number 210 is described as "Arable, road & stream", number 212 is "Arable, road, stream &c" and 215 is "Arable, road, & rough pasture". In the Township of Coldsmouth and Thompson's Walls, number 12 is described as "Arable, rough pasture, & road", number 10 is "Arable, rough pasture, road &c" and number 11 (which is the moorland east of 10 and north of 13 and 14) as "Rough pasture, streams, & ruins". In the Undivided Moor common to the Townships of Coldsmouth Greys Forest etc, parcel number 1 is described as "Rough pasture, road, & camps (remains of)". This takes us through as far as Point B. Beyond point B, an easterly continuation to Westnewton appears to be covered by the following entries in the Township of Westnewton: 51 - "Rough pasture, streams, roads, &c"; 53 - "Rough pasture, streams, & roads" and 41 - "Public road". The spur, south-west of Thompson's Walls, is also covered by the Coldsmouth parcel numbers 10 and 11, referred to above.

1866 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a mainly unenclosed track over the route of alleged Restricted Byway No 14. Where the eastern section of track proceeds along the northern boundary of the "Undivided Moor" it is annotated in two places with "C.R." this indicates that the boundary (of the undivided moor) was along the Centre of the Road. In relation to the alleged spur, although a route is clearly depicted, most of it is identified on the opposite (i.e. western) side of the boundary fence to where the present day track (and application route) lies.

1866 Westnewton Common Inclosure Award

The area of land covered by the Award isn't easily identifiable, by reference to modern maps, but can be readily identified from the first edition OS maps from the 1860s. The northern boundary of the land subject to inclosure (i.e. where it abuts the lands belonging to Major General HP Davidson's Heirs) corresponds with the route of the alleged restricted byway, from point B, westwards to the north-west corner of the woodland. On the Award plan, there is clear evidence of an "Ancient Public Road" (identified as such in two places) running roughly north-south through the area of land being inclosed. Crossing the "T" of this ancient public road, along the northern boundary of the land being inclosed, is an east-west track. The centre line of that track would appear to be the northern boundary of the land that was subject to inclosure.

1899 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a predominantly unenclosed path / track over the route of alleged Restricted Byway No 14. The eastern portion is annotated "FP" in two places. This suggests that this part of the route was less significant (certainly less prominent) than it was previously. A spur route, south-west of Thompson's Walls, is clearly visible, though most of it appears to be on the opposite side of the field boundary.

Finance Act 1910 plan

There is clear evidence of an unenclosed track or path over the route of alleged Restricted Byway No 14. Unsurprisingly, given that almost all of it is unenclosed, the route of Restricted Byway No 14 is not shown as being separated from the surrounding land by coloured boundaries. The only part that was clearly enclosed (i.e. the A-E section), and which we might have expected to find separated from the surrounding land by coloured boundaries, if it had been accepted as a public road at that time, wasn't separated from the surrounding land by coloured boundaries either.

1924-5 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of a mostly unenclosed path / track over the route of alleged Restricted Byway No 14. North of Elsdonburn Shank, the route is annotated "FP". This implies that this section of the route had the appearance of being a footpath, when this map was surveyed. As with the 1899 map, a path or track resembling the alleged spur route, south-west of Thompson's Walls, is shown, but most of it is still on the opposite side of the field boundary.

1932 Glendale RDC Handover Map

Neither the route of alleged Restricted Byway No 14 nor the spur route, south-west of Thompson's Walls, were identified as publicly maintainable highways on this plan.

c.1938 Restriction of Ribbon Development Act 1935 Map & Schedule

No map for the Glendale RDC area appears to have survived. There does not appear to be any entries in the Schedule relating to either the alleged Restricted Byway No 14 route or the spur route south-west of Thompson's Walls.

c.1952 Definitive Map – original Survey Schedules & Map

The E-C-B portion of alleged Restricted Byway No 14 exists on the base map and is coloured purple (to indicate a public footpath). Most of the western section is identified as Footpath No 2 in the Parish of Paston, whilst the eastern section is identified as Footpath No 4 in the Parish of Coldsmouth and Thompson's Walls. At point B, the footpath is identified as joining the western end of Bridleway No 1 in the Parish of West Newton. The accompanying schedules indicate that the Paston and Coldsmouth paths were identified on the basis of "Evidence of old inhabitant" whereas the Westnewton path seems to have been

identified on the basis of 6" maps held at the Glendale Rural District Council offices.

Draft Map

As with the Survey map, the E-C-B portion of alleged Restricted Byway No 14 exists on the base map and is coloured purple (to indicate a public footpath). Most of the western section is identified as part of Footpath No 1 in the Parish of Paston, whilst the eastern section is identified as Footpath No 4 in the Parish of Coldsmouth and Thompson's Walls. At point B, the footpath is identified as joining the western end of Bridleway No 1 in the Parish of West Newton.

Provisional Map

As with the Draft Map, the E-C-B portion of alleged Restricted Byway No 14 exists on the base map and is coloured purple (to indicate a public footpath). Most of the western section is identified as part of Footpath No 1 in the Parish of Paston, whilst the eastern section is identified as Footpath No 4 in the Parish of Coldsmouth and Thompson's Walls. At point B, the footpath is identified as joining the western end of Bridleway No 1 in the Parish of West Newton.

1957-8 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an unenclosed track / path over the route of alleged Restricted Byway No 14.

1962 Original Definitive Map and Statement

The E-C-B portion of the route of alleged Restricted Byway No 14 is identified as being part of Public Footpath No 4 in the Parish of Kilham. At its eastern end the public footpath joins Public Footpath No 5 and Public Bridleway No 6 in the Parish of Kirknewton. The Kirknewton public bridleway is, in effect, a cul-de-sac, as far as horse riders and cyclists are concerned.

The original Definitive Statements for the routes intersecting with or proceeding along the route of the alleged restricted byway state as follows:

Footpath No 3 (Parish of Kilham)

"From FP 11 at the Kirknewton Parish Boundary in a north-westerly direction crossing and re-crossing this boundary by Hadden Hill, then in a westerly direction by Elsdonburn Shank to join FP 4 near the County Boundary."

Footpath No 4 (Parish of Kilham)

"From the Kilham – Kirk Yetholm Road, south of Shotton in a southerly and easterly direction by Fox Covert to join FP 5 at the Kirknewton Parish boundary."

Footpath No 5 (Parish of Kirknewton)

"From BR 6 west of Westnewton in a westerly and south-westerly direction to join FP 4 at the Kilham Parish boundary."

Bridleway No 6 (Parish of Kirknewton)

"From the Kilham – Westnewton road at Westnewton in a south-westerly direction by Mid Hill to join FP 4 at the Kilham Parish boundary."

First Review Definitive Map

The situation with regards to the alleged restricted byway route remained the same as that shown on the original Definitive Map.

1977-82 Ordnance Survey Map: Scale 1:10,000

There is clear evidence of an unenclosed track / path over two sections (i.e. roughly 50%) of the route of alleged Restricted Byway No 14.

2005 Ordnance Survey Explorer OL16 Map: Scale 1:25,000

There is evidence of a path / track over some of the western parts of the alleged Restricted Byway No 14 route and over all of the C-D spur route. The E-C-B section is identified with short green dashes (denoting the existence of public footpath rights).

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

Neither the A-E-C-B route of alleged Restricted Byway No 14, nor the C-D spur route were identified as publicly maintainable highways.

6. SITE INVESTIGATION

- 6.1 From a pedestrian wicket gate at Point B (the western end of existing Public Bridleway No 6 in the Parish of Kirknewton), there is some limited evidence of a path or track proceeding in a westerly direction following the route of existing Public Footpath No 4 (alleged Restricted Byway No 14). About 1 metre inside the boundary wall (which is low, crumbling and not stock-proof) is a parallel wire fence. The area of ground immediately east of Point B (i.e. on the existing bridleway) was somewhat waterlogged. After 120 metres the path / boundary wall make a slight turn to the left and a more distinct 1 to 2 metre wide grass and earth path / track proceeds downhill for a distance of 80 metres to a point where it is again somewhat waterlogged. Shortly after this point, the path and fence line diverge. A 1.8 metre wide grass / earth track proceeds in a general north-westerly direction for a distance of 350 metres, following the contour of the hill, then becomes much less distinct, proceeding in a general westerly direction across flatter ground for a distance of approximately 200 metres. A slightly more obvious 1.8 metre wide grass track then continues in a westerly direction for a distance of about 220 metres. A 0.3 to 0.5 metre wide grass path then descends in a south-westerly direction for 60 metres to a step stile. Beyond this, a 0.3 metre wide grass path proceeds in a south-westerly direction for 35 metres, then north-westerly for 30 metres, through a wooded valley bottom and over a stream up to another step stile. The alleged restricted byway then follows a boundary wall (no obvious path or track on the ground) north-westerly through pasture for 120 metres to a junction with existing Byway Open to All Traffic No 13, then continues,

largely undefined, in a westerly direction along the edge of the pasture for a further 255 metres to a field gate / junction with the southern end of the alleged bridleway spur route at Point C.

- 6.2 Through the field gate, a 3 to 3.3 metre wide grass track, on a firm terraced base, proceeds in a westerly direction for 440 metres to another field gate. A 3 metre wide grass track continues in a westerly direction for a further 190 metres, then appears to widen out to around 9 metres wide for approximately 170 metres, before narrowing back to 3 metres for the last 25 metres or so to a bridle gate. Beyond this gate, a less well defined 0.5 metre wide path / track continues westerly through another pasture for 310 metres to another field gate, then, barely visible for much of it, continues westerly through another pasture for a further 325 metres to another field gate. Beyond this gate, a 4.5 to 6 metre wide grass track, between a wall and grass embankment, continues in a westerly direction for 225 metres. Then a 3 metre wide grass track proceeds north-westerly for a distance of 120 metres to the corner of a small woodland area. A circa 6 metre wide stone / earth / grass track continues north-westerly between the woodland and the Shotton Burn for 150 metres (briefly reducing to 3 metres wide as it goes round a rocky outcrop), then a 6 metre wide grass track continues north-westerly for a further 225 metres to another field gate, at Point E. Here, existing Footpath No 4 continues northwards towards Shotton, but the alleged restricted byway continues north-westerly, along a 3 metre wide stone track, for a distance of 285 metres, and through a field gate to Point A on the C33 road, at the Scottish border, north of Yetholm Mains.
- 6.3 The alleged bridleway spur route begins on existing Public Footpath No 4 / alleged Restricted Byway No 14 at a field gate at Point C. A 3 to 3.7 metre wide stone / grass track proceeds in a north-easterly direction for a distance of 450 metres to join existing Byway Open to All Traffic No 13 at Point D, 505 metres south-west of Thompson's Walls.

7. COMMENTS RECEIVED ON THE DRAFT REPORT

- 7.1 In September 2021, 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 Sections 53 (3)(c)(i) and 53 (3)(c)(ii) of the Wildlife and Countryside Act 1981, require the County Council to modify the Definitive Map when evidence is discovered which, when considered with all other relevant evidence available to them shows:

that a right of way, which is not shown in the Map and Statement, subsists or is reasonably alleged to subsist over land in the area to which the Map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or; subject to section 54A, a byway open to all traffic [53(3)(c)(i)];

or

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

- 8.2 When considering an application / proposal for a modification order, Section 32 of the Highways Act 1980 provides for "any map, plan or history of the locality or other relevant document" to be tendered in evidence and such weight to be given to it as considered justified by the circumstances, including the antiquity of the tendered document, the status of the person by whom and the purpose for which it was made or compiled, and the custody in which it has been kept and from which it is produced.
- 8.3 Although Mr Liddle's application only sought to record this route as a public bridleway, when determining this application the Council must consider all the available evidence. It is sometimes the case that the evidence which is gathered may point to the existence of higher (or lower) public rights than those that were originally applied for.
- 8.4 The representation of a path or track on an Ordnance Survey Map is not evidence that it is a public right of way. It is only indicative of its physical existence at the time of the survey.
- 8.5 The route of alleged Restricted Byway No 14 has been consistently identified on Ordnance Survey maps between c.1864 and 1957. A route, broadly resembling the C-D spur, was depicted on OS maps between c 1864 and 1924-5, though not on the 1957 or the 1977-82 maps. Significantly, on the earlier maps, only the northern end of the C-D route conforms to that which has been applied for here. Those maps identify the majority of the route as being on the western side of the field boundary. Neither the main route nor the spur was shown on Armstrong's and Fryer's County Maps of 1769 and 1820, or on Cary's Map of 1827, but a route resembling the western portion of the main route is shown on Greenwood's County Map of 1828 and, it could be argued, that the C-D spur is also depicted on Greenwood's Map. On the plans produced in association with the Finance Act on 1910, the short enclosed A-E section of the route was not shown as being separated from the surrounding land by coloured boundaries. If it had been, this would have been a good indicator that the route was considered to be a public vehicular highway.
- 8.6 The single most significant piece of evidence is probably the Westnewton Common Inclosure Award (1866) plan. Although the Award plan exists at the Northumberland Archives at Woodhorn, there is no actual Award, to accompany that plan. It's possible that a transcript of the Award may be located within the Quarter Sessions enrolment books. What the plan does show is an "Ancient Public Road" proceeding roughly north-south over the western side of the Common, to the northern boundary of the Common and a junction with alleged Restricted Byway No 14. Whilst it is theoretically possible that this ancient public road continued northwards, independently of alleged Restricted Byway No 14, there is no evidence to suggest that it did. If, as seems likely, the ancient public road did not continue northwards, then there is a clear implication that a westerly (and, probably, an easterly) continuation of that road proceeded along the route of alleged Restricted Byway No 14. This route is identified with the letters A-C-D on the Award plan, so perhaps the routes status (and width) is set out in the Award. In addition, a footpath ("FP") is identified by the letters A-B, along the top north-western boundary of the Award plan.
- 8.7 The 1800 map of the Staw Road (apparently taken from Drove Roads of Northumberland by I Roberts et al (2010)) appears to be somewhat distorted. Nevertheless, the shape of the area of "Common Ground" on the right hand

side of the map appears to broadly resemble that shown on the First Edition OS Map, and the middle section broadly correlates with the middle portion of the claimed route now. At its western end the Staw Road would appear to follow a more northerly alignment to the one identified in this application, perhaps entering the Shotton Estate, connecting with what is now the C33 road in the vicinity of Shotton, having passed to the north of Shotton Hill.

- 8.8 The extracts of the West Newton Tithe Award that accompanied the application are relatively large scale. It seems as if the "Bridle Road" circled in the first extract relates to part of existing Public Bridleway no 6 in Kirknewton Parish, just to the east of Point E, and that the 2nd and 3rd extracts relate to the point where the route crosses a stream, in the wooded valley floor, north-north-east of Elsdonburnshank. The 'Bridle Road' label does suggest that a route of a higher status than public footpath was considered to exist on the Kirknewton side and that this route continued westwards, beyond the area covered by the Award (indeed, on to Yetholm), but a significant degree of caution must be exercised, because the function of a tithe award wasn't to determine the status of public highways.
- 8.9 In the Ordnance Survey Boundary Remarks Book, the Staw Road is clearly identified along the northern boundary of the undivided common, and the township boundary is clearly identified (by C.R.) as proceeding down the centre line of that road. The Staw Road is described as being 10 links wide. A link was seemingly $\frac{2}{3}$ of a foot, so ten links would be $6\frac{2}{3}$ feet (or 2 metres) wide. The surveyors were recording the physical attributes of the route, at that time. The public right of way might be more (or less) than this visible width. The note on Page 15 of the Boundary Remarks Book, dated 1859, is worth quoting:
- "This is a difference between the Tithe plans and the Estate plan of Elsdon Burn is showing the [location (?)] of the Staw Road and stream. The latter shows it correctly and the Tithe plans incorrectly. The meresmen state that the road and stream have undergone no alterations during the last 50 years and that they have the acknowledged boundary between Thompson's Walls and the Undivided Common. The difference therefore is owing to bad surveying or plotting. The tithe plans of Westnewton and Thompson's Walls also differ in showing the streams in BRB2682a page 14. The plan of Westnewton is correct."
- 8.10 The Survey maps produced in association with preparation of the first Definitive Map of Public Rights of Way, in the early 1950s, seem to be the first to indicate that the status of the B-C-E (Kilham) section of public right of way might not be the same as the (Kirknewton) public right of way east of Point E. The maps appear to have been prepared, and the routes themselves surveyed, on a parish area basis. Most public footpaths, crossing from Parish X to Parish Y, tended to be identified as public footpaths by both parishes. Most public bridleways, crossing from Parish X to Parish Y, tended to be identified as public bridleways by both parishes. But there were a few cases where a route crossing from Parish X to Parish Y was identified as a public footpath in one of the parishes, and as a public bridleway in the other (or, sometimes, not as a public right of way at all).
- 8.11 The Kirknewton bridleway joining the Kilham footpath situation does not appear to have been altered or challenged at the subsequent Draft Map or Provisional Map stages, so became the de facto position on the original

Definitive Map of Public Rights of Way published in 1962, and remains the position today.

- 8.12 Whilst it is certainly not impossible for a public bridleway to stop at a parish boundary, with the continuation, in the next parish, being no more than a public footpath, this situation is rather unlikely. Without some plausible explanation to justify a mismatch, we would expect a route crossing a parish boundary to have a uniform status. Of course, just because Parish X identify a route as a public bridleway and Parish Y identify it as a public footpath, we can't simply assume that it was Parish Y who made the mistake. There have been a number of instances, in recent years, where the committee has been asked to consider routes that have changed from footpath to bridleway. In most of these, it hasn't been possible to determine, on a balance of probabilities, whether the footpath section ought to be upgraded to bridleway, or the bridleway section ought to be downgraded to footpath. There simply wasn't sufficient evidence to form a proper opinion, so those particular anomalies remained unchanged.
- 8.13 In the case of alleged Public Bridleway / Restricted Byway No 14, there is more evidence available to assist us. In particular, the Kirknewton Inclosure Award (1866) plan, the c.1864 1:2500 scale Ordnance Survey maps with accompanying Books of Reference, and the OS Boundary Remarks Books suggest that a route of a higher status than public footpath (or public bridleway) exists over the B-C-E route, and that these higher rights most likely extend eastwards to Westnewton. Although later editions of the OS maps show the Kilham route (and also the Kirknewton Bridleway No 6 continuation) labelled, only, as "FP", this suggests that the importance of the route had declined significantly, so it only had the appearance of being a footpath. Any public vehicular or bridleway rights that existed over the route, wouldn't be lost just because, by the late 1800s / early 1900s, most use of it was now simply pedestrian, but this changed use might explain why those higher rights were overlooked by Kilham parish (and, perhaps, also Kirknewton parish), when the Definitive Map was being prepared.
- 8.14 In relation to the C-D spur route, the evidence appears to be less compelling. The historical Ordnance Survey information suggests that the majority of this link was actually on the opposite (i.e. western) side of the field boundary. It's easy to see why there might be a public highway at this location (it would be shorter and a lot less strenuous than following the two existing public rights of way between these points), but Greenwood's County Map is the only document suggesting a public highway connection and that, on its own, isn't considered sufficient (for a route on either side of the C-D boundary).
- 8.15 The British Horse Society consultation response indicated that the alleged bridleway rights appear to be well supported by the documentary evidence and that the route would be a useful link for equestrians. The landowners have engaged a firm of solicitors to consider the matter on their behalf, but have yet to submit any formal comments or evidence in relation to the alleged bridleway / vehicular rights.
- 8.16 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. At this stage, there is no evidence to suggest that any of these saving provisions would apply in this case.

- 8.17 Advice from the Planning Inspectorate in their 'consistency guidelines' states that it is important to have the correct width, where known, recorded in the definitive statement. Where no width can be determined by documentary means (such as an Inclosure Award, Highway Order or dedication document), there is usually a boundary to boundary presumption for public highways. The previously enclosed A-E section was identified on the 1st edition OS maps as having a width of 20 feet (i.e. 6.1 metres). It is proposed to apply that width to this section. It is proposed that the short enclosed section just south-east of here, between the woodland and the Shotton Burn, be identified with the same width (subject to the brief reduction to 3 metres, around the rocky outcrop pinch point identified in paragraph 6.2 above. It is further proposed that the 225 metre long 4.5 to 6 metre wide section just to the south-east of this be identified with that 4.5 to 6 metre width. The vast majority of the alleged Restricted Byway No 14 route would, historically, appear to have been unenclosed, so it is proposed that the remainder be recorded with the Council's standard default width of 5 metres (i.e. wide enough for two vehicles, travelling in opposite directions, to pass each other.
- 8.18 There is no evidence that the C-D spur route has ever been physically enclosed or had its width defined by any documentary means. Officer recommendation is that there is currently insufficient evidence to indicate that a public right of way has been reasonably alleged to exist over a direct route between C and D. However, if this route is considered to be a restricted byway then it is suggested that the same 5 metre default width be applied. If the route is considered to be no more than a public bridleway, then it is recommended that the Council's standard 3 metre width for public bridleways be applied.

9. CONCLUSION

- 9.1 In light of the documentary evidence available, it appears that public vehicular rights have been reasonably alleged to exist over the A-E part of the route of alleged Restricted Byway No 14 and shown to exist, on a balance of probabilities, over the E-C-B part of the route.
- 9.2 In light of the documentary evidence available, it appears that public highway rights have not been reasonably alleged to exist over a direct route between points C and D (on either side of the field boundary).
- 9.3 The Natural Environment and Rural Communities Act 2006 would appear to have extinguished the public's motor vehicular rights over the A-E-C-B route.

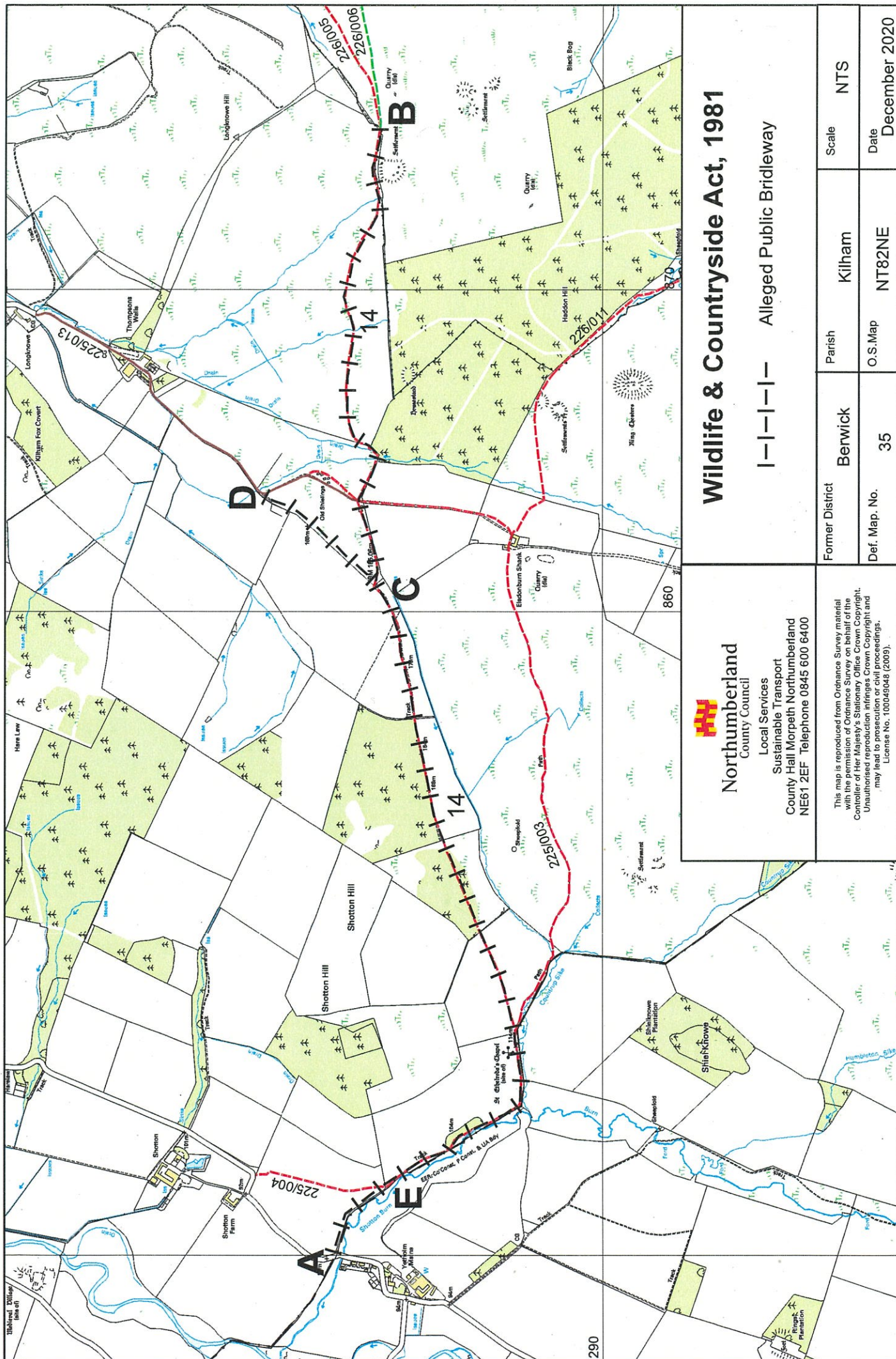
BACKGROUND PAPERS

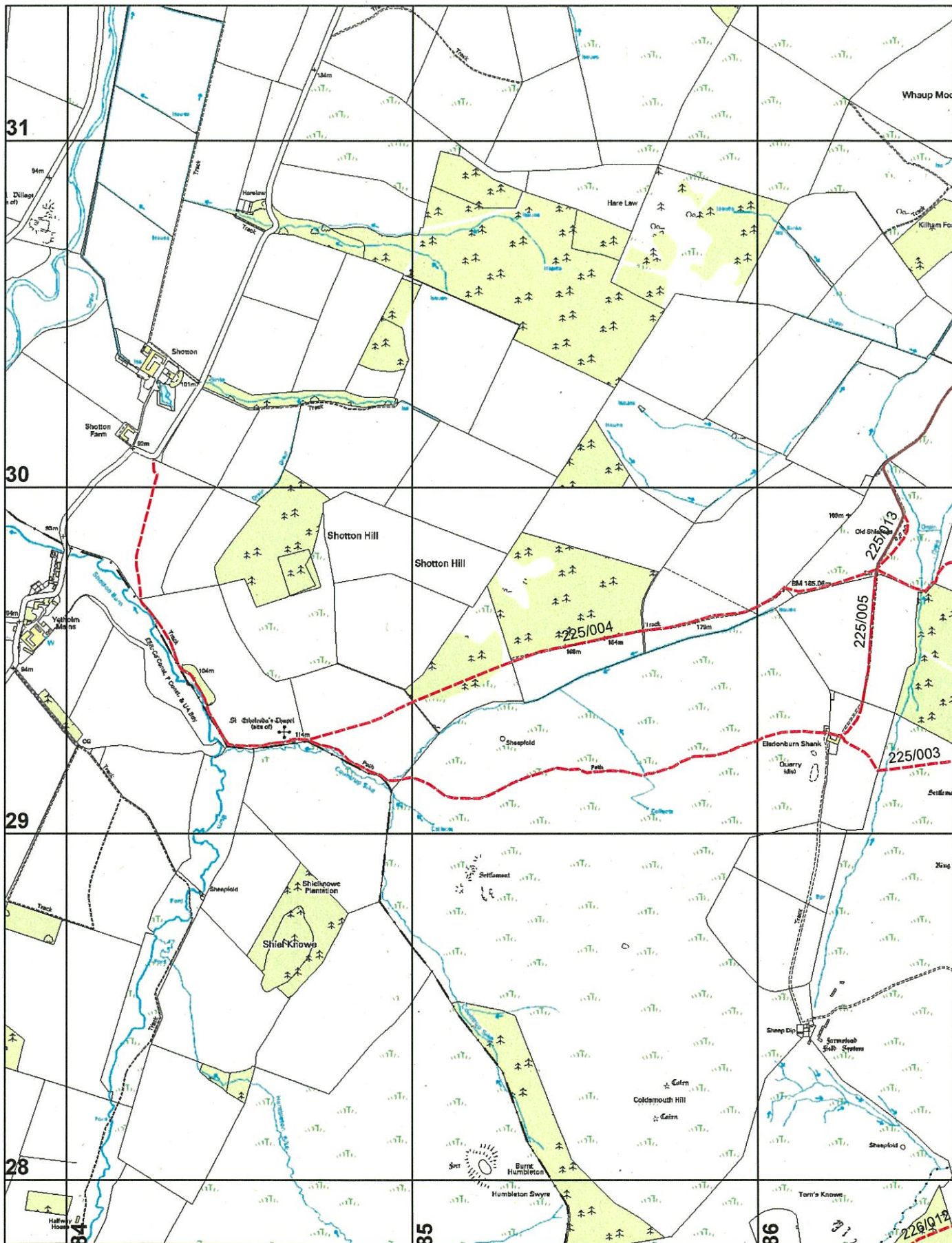
Local Services Group File: B/25/14z

Report Author

Alex Bell – Definitive Map Officer
(01670) 624133

Alex.Bell@Northumberland.gov.uk





Northumberland
County Council

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

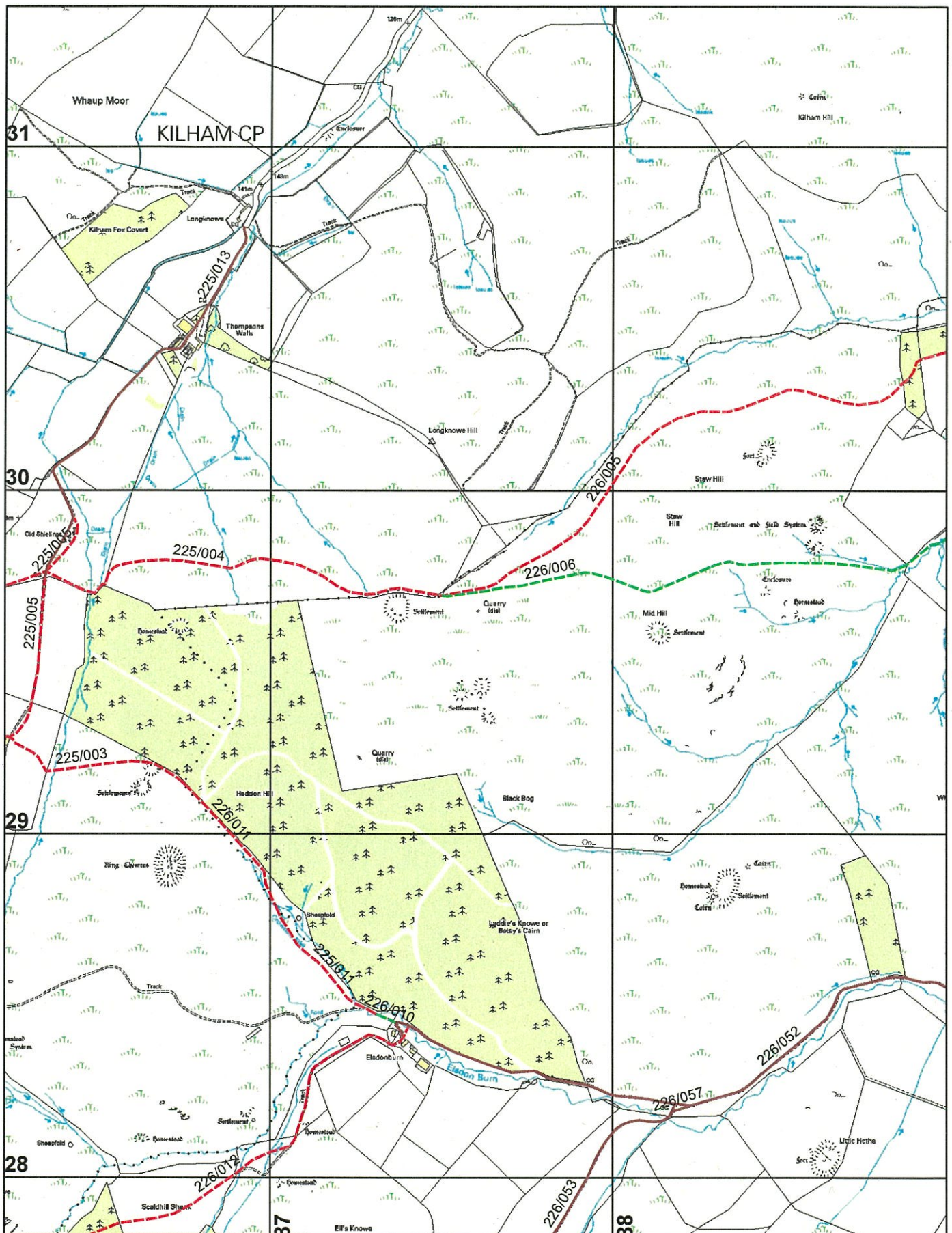
Legend

- 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: 1:15,000

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).



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: 1:15,000

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).

PUBLIC RIGHTS OF WAY

WILDLIFE AND COUNTRYSIDE ACT 1981, PART III
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF NORTHUMBERLAND

APPLICATION FOR MODIFICATION ORDER

Former Borough/District BERWICKParish KILHAM Rights of Way No. 225/004
(on Definitive Map)To: Asset & Infrastructure Manager
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EFI/We TED LIDDLE (Name)
of CHAPEL HOUSE STEEL (Address)
HEXHAM NE47 0HD

hereby apply for an order, under Section 53 (2) of the Wildlife and Countryside Act 1981, modifying the Definitive Map and Statement for the County of Northumberland, by:-

- ① Adding the (~~footpath~~) (bridleway) (~~restricted byway~~) (~~byway open to all traffic~~) (*Delete whichever is inapplicable*)
from NT 839 298 (A) NT 863 300 (C)
to NT 842 296 (B) NT 860 297 (D)

- ② (Upgrading) (~~downgrading~~) to a (~~footpath~~) (bridleway) (~~restricted byway~~) (~~byway open to all traffic~~) the (~~footpath~~) (~~bridleway~~) (~~restricted byway~~) (~~byway open to all traffic~~) (*Delete whichever is inapplicable*)
from NT 842 296 (B)
to NT 874 297 (E) junction with existing bridleway

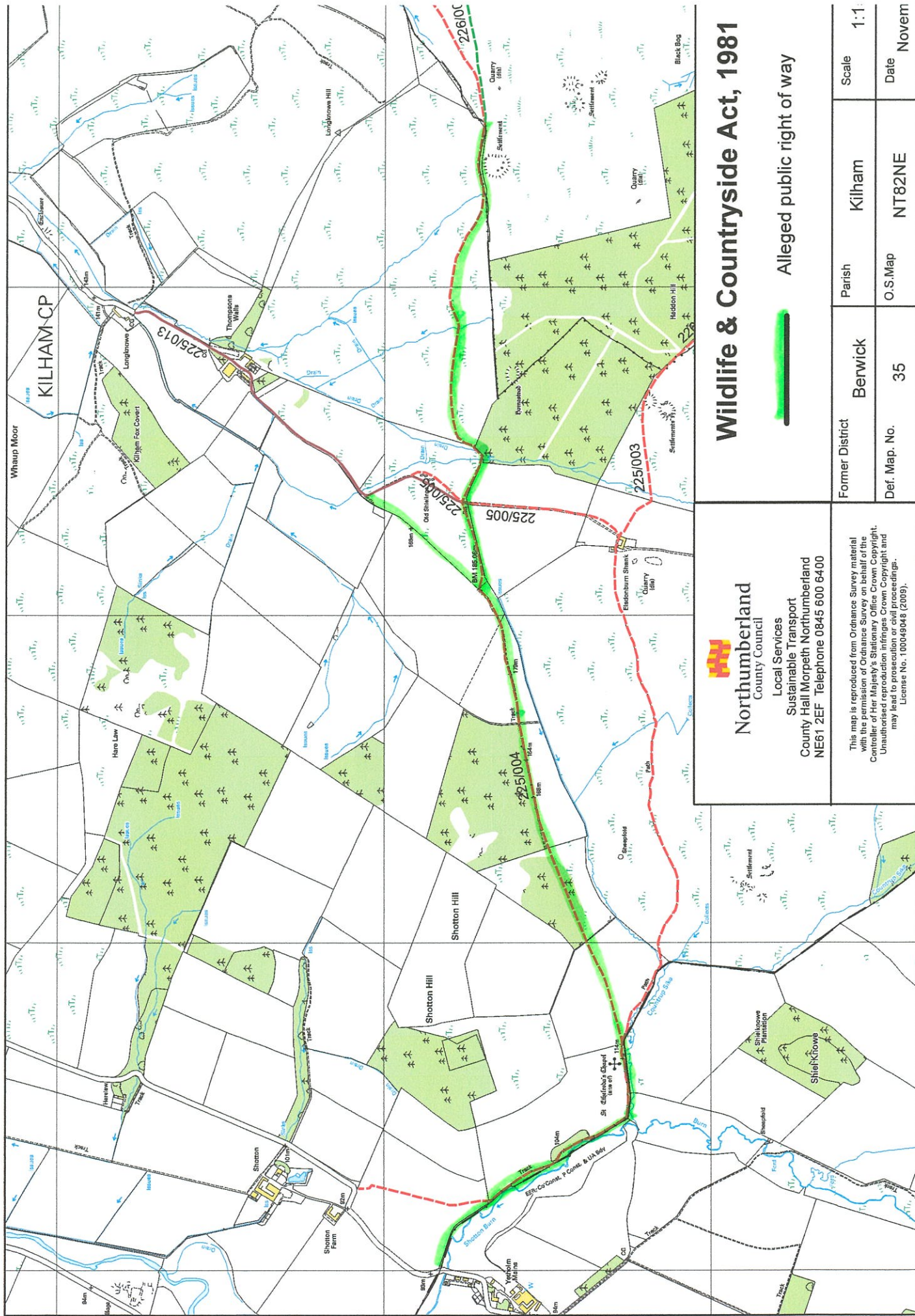
3. Deleting the (~~footpath~~) (bridleway) (~~restricted byway~~) (~~byway open to all traffic~~) (*Delete whichever is inapplicable*)
from
to

4. (Varying) (adding to) the particulars relating to the (~~footpath~~) (bridleway)) (~~restricted byway~~) (~~byway open to all traffic~~) (*Delete whichever is inapplicable*)
from
to

by providing that
as shown on the plan attached.

I/We attach copies of the following documentary evidence (including statements of witness) set out overleaf in support of this application.

Dated 05.12.18 Signed T LiddleNOTE: This application **must** be accompanied by a map showing the right(s) of way applied for. Legally such a map must be at a scale of not less than 2½" to 1 mile, but 6" to 1 mile (being the scale at which the Definitive Map is to be prepared and maintained) will normally be preferable.



Wildlife & Countryside Act, 1981

Alleged public right of way

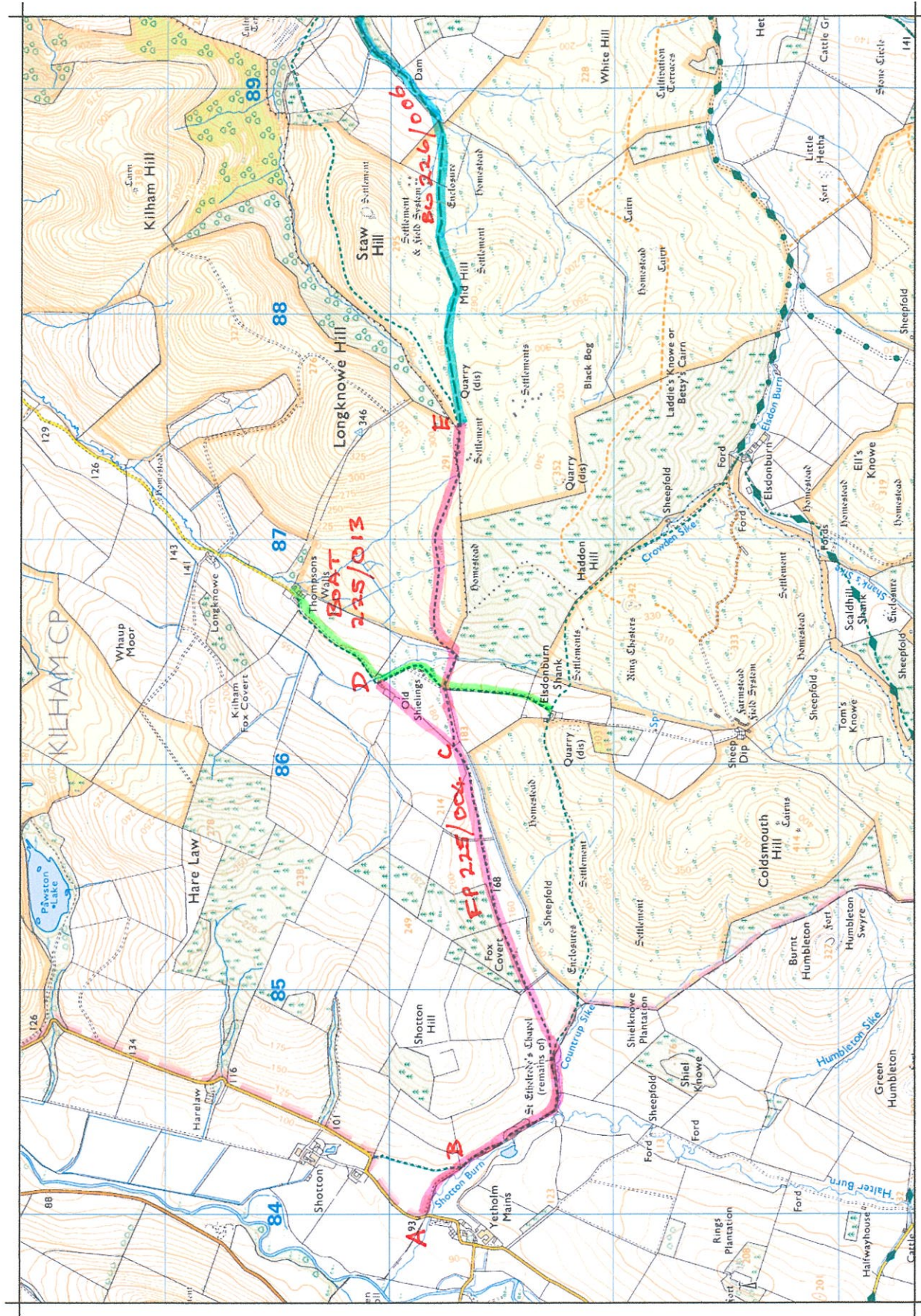


Northumberland
County Council

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

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 (2009).

Former District	Parish	Scale
Berwick	Kilham	1:1
Def. Map. No.	O.S. Map	Date
35	NT82NE	Novem



Map Scale 1:25,000

REFERENCE POINTS

This product includes mapping data licensed from Ordnance Survey under the terms of the Ordnance Survey Licence for the use of the data in the product. All rights reserved. License number 100045815



Mapping sourced from Ordnance Survey

The Staw Road to West Newton, with a branch to Thompson's Walls

The route

1. The Staw Road was one of many cross-border routes used by cattle drovers in the 18th and 19th centuries (see '*Drove Roads of Northumberland*' by Ian Roberts, Richard Carlton & Alan Rushworth. Published by the History Press 2010). Often the drovers used routes established centuries earlier.

2. That part of this historic route leading to West Newton, which is in the parish of Kirknewton today, is already recorded as a public bridleway. Similarly, part of the route to Thompson's Walls, now in the parish of Kilham, is already recorded as a byway open to all traffic.

The section of this old cross-border route on which this application focuses is that which is currently either recorded as a public footpath 225/004 in the parish of Kilham or is unrecorded. It can be seen on OS Outdoor Leisure OL16, Cheviot Hills.

3. The western end starts on the county road, C 33, just to the north of the Border between Scotland and England, close to Yetholm Mains at GR NT 839 298 (A). It follows the edge of the field for a few hundred yards to meet the line of public footpath 225/004 at (B). There is no existing recorded public path along (A) – (B).

From (B) it continues along the line of footpath 225/004, to (C) where the alleged route to Thompson's Walls branches off. The alleged route along this branch ends at (D) GR NT 863 300 where it meets the recorded BOAT 225/013. There is no existing recorded public path along (C) – (D).

The main route turns east continuing along the line of FP 225/004. Here it becomes undefined on the ground as it passes through an area of 'undivided moor' as described in 1866. But at (E), GR NT 874 297, where it passes into Kirknewton parish and becomes visible as a track on the ground, it continues as recorded public bridleway 226/006 to the hamlet of West Newton.

4. The surface of the alleged route is grass over a stone base for most of its distance. In places it is clearly defined as a track approximately 3-4 metres wide. There are field gates at the points where it crosses old walls or fences. However the section from (C) to (E), on the West Newton branch, is undefined and crosses a small but steep sided valley which is currently obstructed by young trees before crossing a rough pasture.

See photos showing the character of the route.

Documentary evidence

1. 1800 map showing the Staw Road

This map appears in the book mentioned above and is reproduced here by permission. It can be seen on page 58. The source given is NRO Kilham RCO13.

The alleged route is labelled 'Staw Road' on the section common to both branches and on the West Newton branch. Close to the Scottish border it is labelled 'Road from Yetholm'. This indicates that it was known at this early date as a through route from Yetholm, and possibly from Kelso and beyond, into England with the two branches described above.

See extract and title page of reference book

2. 1828 Greenwood's map of Northumberland

The Thompson's Walls branch can be clearly seen on this map though the West Newton branch is not shown.

On this map the road ended close to Shotton. Research shows that this substantial farmhouse was built in 1828 so perhaps the map acknowledged this fact in spite of the earlier map and the ground features indicating that the line of the historic route reached the modern county road closer to Yetholm Mains than to Shotton.

The line of the public footpath which leaves the historic line of the Staw Road at (B) to cross an arable field in the direction of Shotton appears to follow the line of the public road as shown on Greenwood's map. Later OS maps show this also to be the line of a 'mill race'. That section across the field is not part of this application.

See extract

3. 1848 Tithe award for West Newton township

DT 494 M

On the plan the line of the West Newton branch of the Staw Road is labelled 'Bridle road'. At its west end where it leaves the township, it is labelled 'from Yetholm'. This shows that it was recognised as a through route at that time.

See extract

4. 1859 OS Boundary Remark Books

OS 26/8066 & OS 26/8067

These records are held at TNA at Kew. These two books contain annotated sketch maps drawn up by meresmen, surveyors appointed by each township, showing the boundary between the listed townships with nearby distinguishing features marked on the sketch maps. The purpose of this exercise was to ensure the accuracy of the boundary between adjacent townships.

These two books cover the townships, all in the parish of Kirknewton, crossed by the alleged route. These are Paston, Coldsmouth & Thompson's Walls, West Newton and a section of 'Undivided Common', common to the townships of Coldsmouth & Thompson's Walls, Grey's Forest & West Newton.

In both these books there is a page showing the line of the alleged route which is labelled 'The Staw Road' which indicates that it was a well known feature of the landscape at that time. On page 14 of OS 26/8067, there is the note saying that this road is '10 links wide'. A 'link' was a section of a Gunther's chain, used for measuring length in Britain from the 16th century onwards. It is the equivalent of 7.92" so the Staw Road at this time was approx 6.5 feet wide.

See extracts

5. 1866 West Newton Inclosure Award

QRA 59/1

The authorizing act for this award is dated 1864.

The plan is rather faint and is not orientated to north making it difficult to decipher. But it would appear that the alleged route making up the West Newton branch can be seen and it is labelled 'ancient public road' ie an acknowledged public road in existence before enclosure took place in 1866.

As the award is not available at Woodhorn, further details cannot be found.

See extract

6. 1866 OS 1st ed. scale 1:2,500 (25")

sheets XVIII/3 & 4, XIX/1

OS Book of Reference for the parish of Kirknewton

These sheets are not available at Woodhorn but they can be seen on the website of www.old-maps.co.uk. It can be seen that the whole of the alleged route is shown as an unfenced track (double dashed line) in the parish of Kirknewton. There are bench marks

and spot heights along the full length of the route. These are normally only found on public roads to which surveyors could obtain easy access.

Starting from the west end (A), the alleged route passes through the township of Paston. Then it continues through the township of Coldsmouth & Thompson's Walls in the direction of Thompson's Walls.

A section through 'Undivided moor for the townships of Coldsmouth & Thompson's Walls, Grey's Forest and West Newton' comes next (C-E). Finally it passes into the township of West Newton (at E). This last section coincides with that part of the historic route that is in the parish of Kirknewton today. From these maps the plot numbers can be recorded and their land use checked in the relevant Book of Reference for each township.

Township of Paston (page 11)

Plot 210	Arable, road , stream
Plot 212	Arable, road , stream etc
Plot 215	Arable, road , rough pasture

Township of Coldsmouth & Thompson's Walls (page 30)

Plot 12	Arable, rough pasture & road
Plot 10	Arable, rough pasture, road etc

Undivided moor, common to the townships of Coldsmouth & Thompson's Walls, Grey's Forest and West Newton (page 30)

Plot 1	Rough pasture, road & camps (remains of)
--------	---

In each case, although the alleged route, which is shown as a double dashed line, is braced with the surrounding fields, it is the only such road shown going through these plots. This corresponds with the use of the singular 'road' as opposed to 'roads' in the description of the land use in the Book of Reference.

West Newton township (page 32)

Plot 51	Rough pasture, streams, roads , etc (this section is unfenced and crosses the slopes of Mid Hill and is already recorded as a public bridleway)
Plot 41	Public road (this section is a fenced lane and is already recorded as a public bridleway)

See extracts

6. 1896 OS 2nd ed. scale 1:10,560 (6")

Sheets XVIII NW & XVIII NE

The extreme western end of the alleged route is shown on sheet XVIII NW. The remainder of the route is shown on sheet XVIII NE.

See extracts

7. 1903 & 1943 Bartholomew's cycling maps

NLS website

These two maps were in a series of maps sold to the cycling public at a time when cyclists were only allowed to use public roads. Their purpose was to indicate the quality of the surface for cyclists. Although the application route was not recommended (see key), their line is shown on the maps indicating that it was permissible to use them.

It is interesting to note that the western end is shown crossing into Scotland at a point south of B. There is a clear track on the ground along that line today but the line of the alleged route is considered to be the historic line.

See extract

8. 1910 Finance Act Plans

NRO 436/XVIII/3 & 4, NRO 436/XIX/1

Field Book

NRO 2000/7

Starting from the western end, the alleged route passes through the following hereditaments:

Plot 146	Shotton Farm	Owner B P Selby	Deduction for ROW/user £50
Plots 16 & 19	Thompson's Walls	Owner E G Baird	No deduction
Plot 85	Kilham Farm	Owner Earl of Tankerville	No deduction
Plot 165	West Newton Farm	Owner Hon F W Lambton	No deduction

There was no obligation on landowners to claim a deduction even if they knew that a route with public rights crossed their land. In Northumberland it has been observed that the owners of the larger estates seldom bothered with what to them must have appeared to have been a very small sum of money.

See extracts

Conclusion

The evidence above shows that this ancient cross-border route has been in existence for at least 200 years and possibly more. Please can you investigate if it should be added to the definitive map as a public bridleway for its full length.

Sent to NCC November 2018

Beside the Shotton Burn, Kilham Parish



Change of status at parish boundary (E)

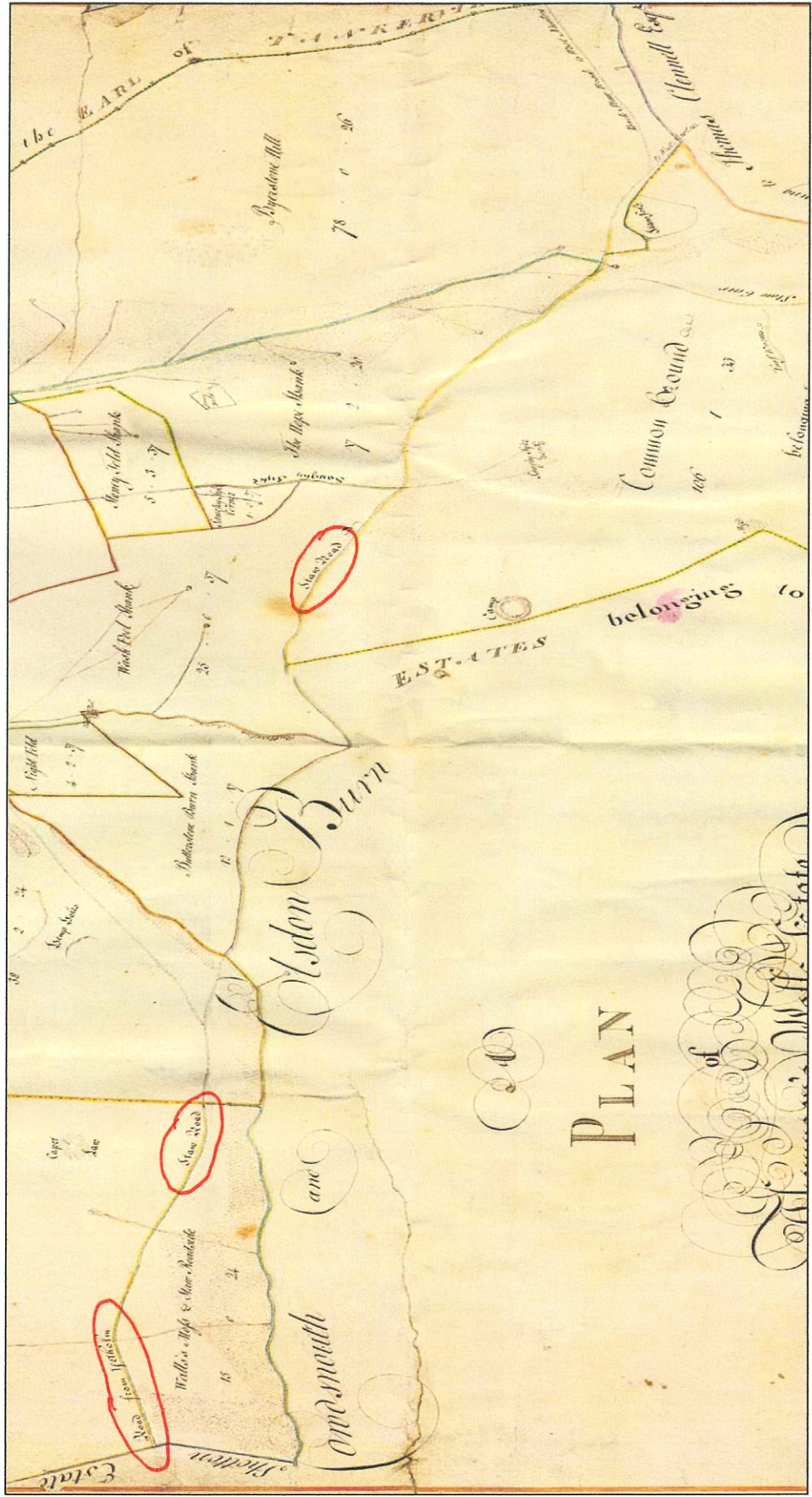


Old culvert on the Staw Road

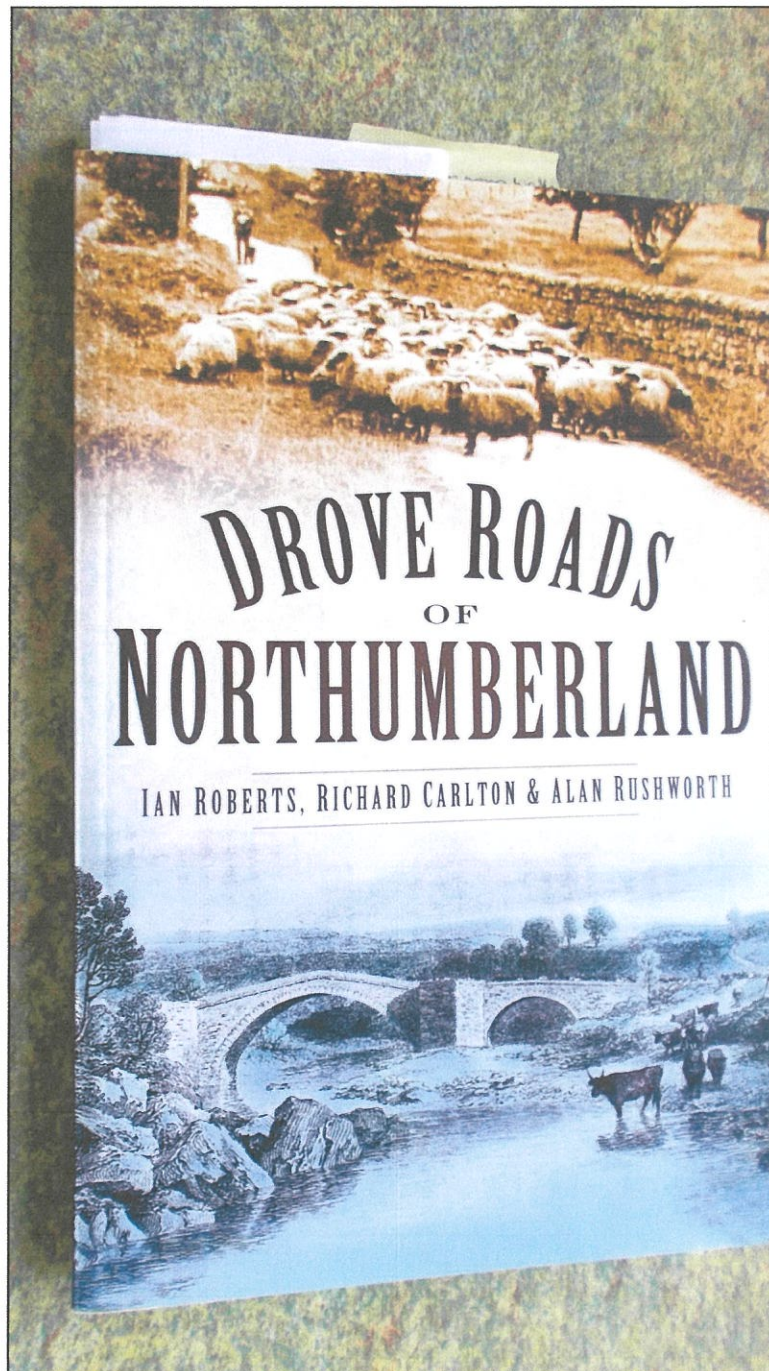


As a bridleway in Kirknewton Parish

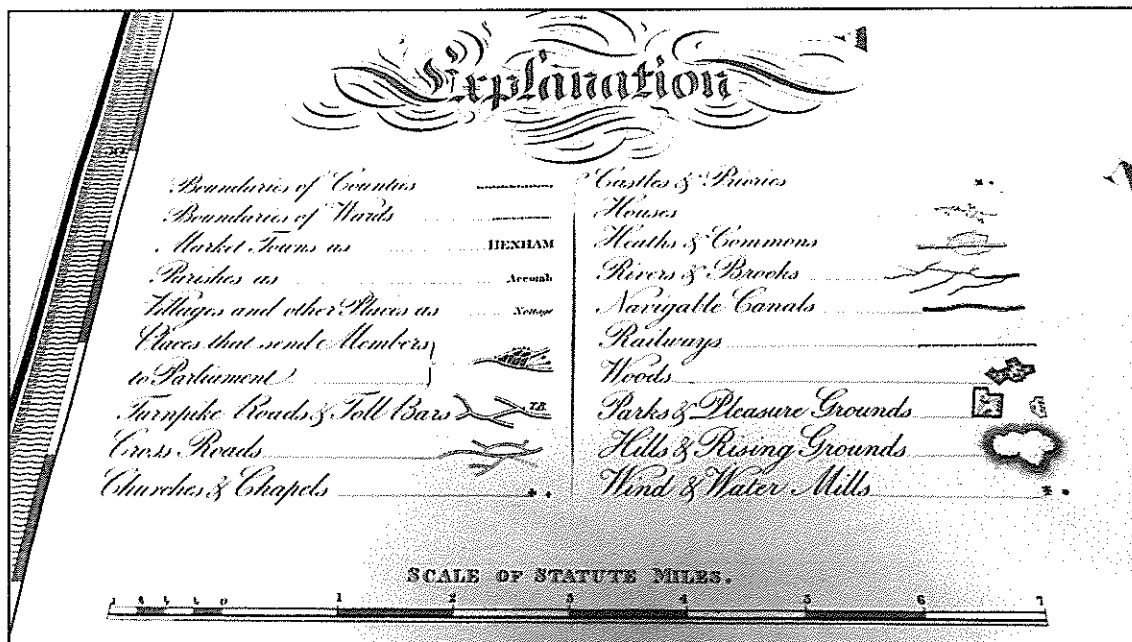




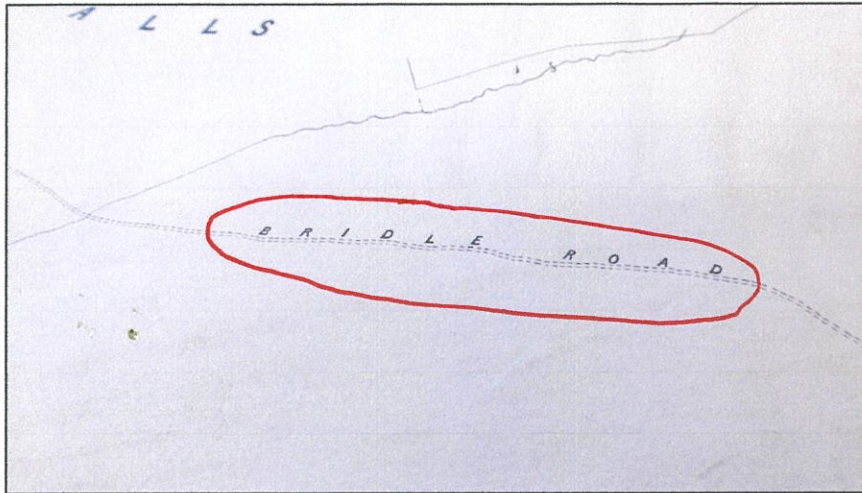
2010 Book on drove roads in Northumberland written by archaeologists and historians



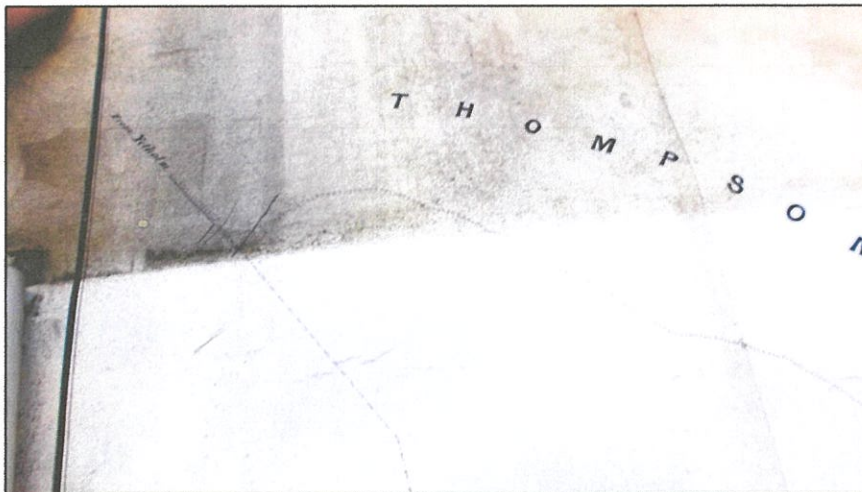
1828 Greenwood's map of Northumberland



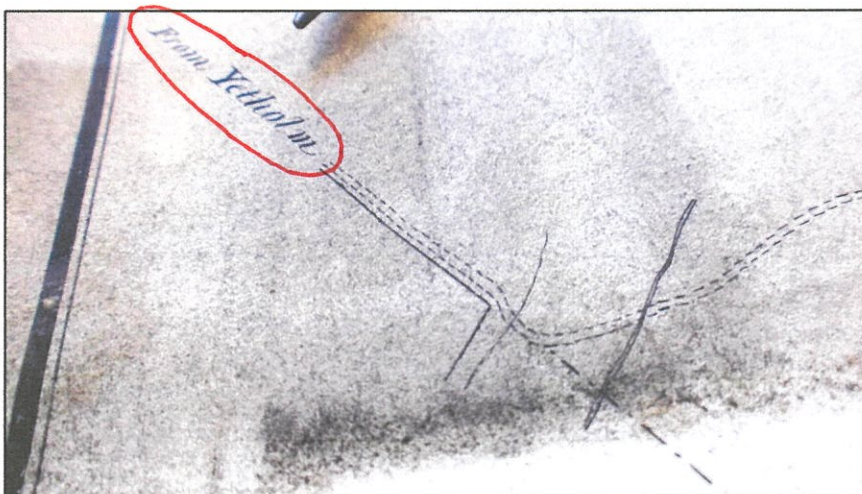
1848 Tithe award for West Newton township



East end



West end



Close up of west
end of alleged
route

County of Northumberland
N^o 2682^a

Perambulation of the Boundaries between

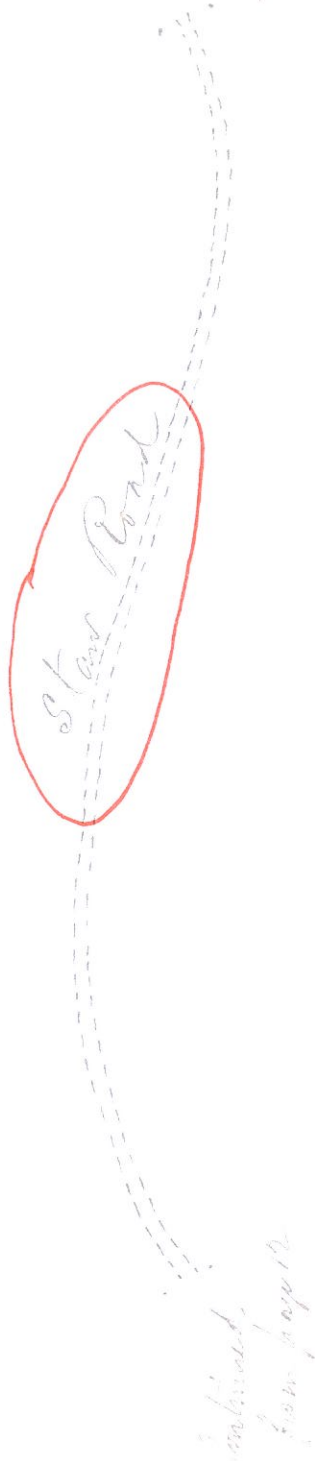
<i>Townships</i>	<i>Parishes</i>
<i>Coldsmouth & Thompson Walls } and Westnewton</i>	<i>Kirknewton</i>
<i>Undivided Common between Coldsmouth & Thompsons Wills & Grey's Forest Grey's Forest</i>	<i>B.R.B. 2682^b</i>
<i>Kilham</i>	<i>— 2663.</i>
<i>Paston</i>	<i>— 2682^b</i>
<i>— Roxburghshire —</i>	

0826/8066

from

to
K. C. 1/13

Diff. No. 3 in B. R. B. 2682, page 15) Transferred from the 4th trace of W. P. Weston
to the 1st trace



We divided common between Thompson & Bell hundred of page 15

id.

FILED

County of Northumberland
N^o 2682⁷

Perambulation of the Boundaries between

Townships

Parishes

Coldsmouth & Thompson's Walls
and

Grey's Forest

Undivided Common
common to the Townships
& Thompson's Walls
Grey's Forest & Westnewton

Westnewton

Kilham

Poston

Kirknewton

B.R.B. 2663

2683⁷

Roxburghshire



OS 26/8067

Monopoly of Edgemont and Thompson's Wells

will be transferred from the Estate plan of Edson Burr to 10/4/01.



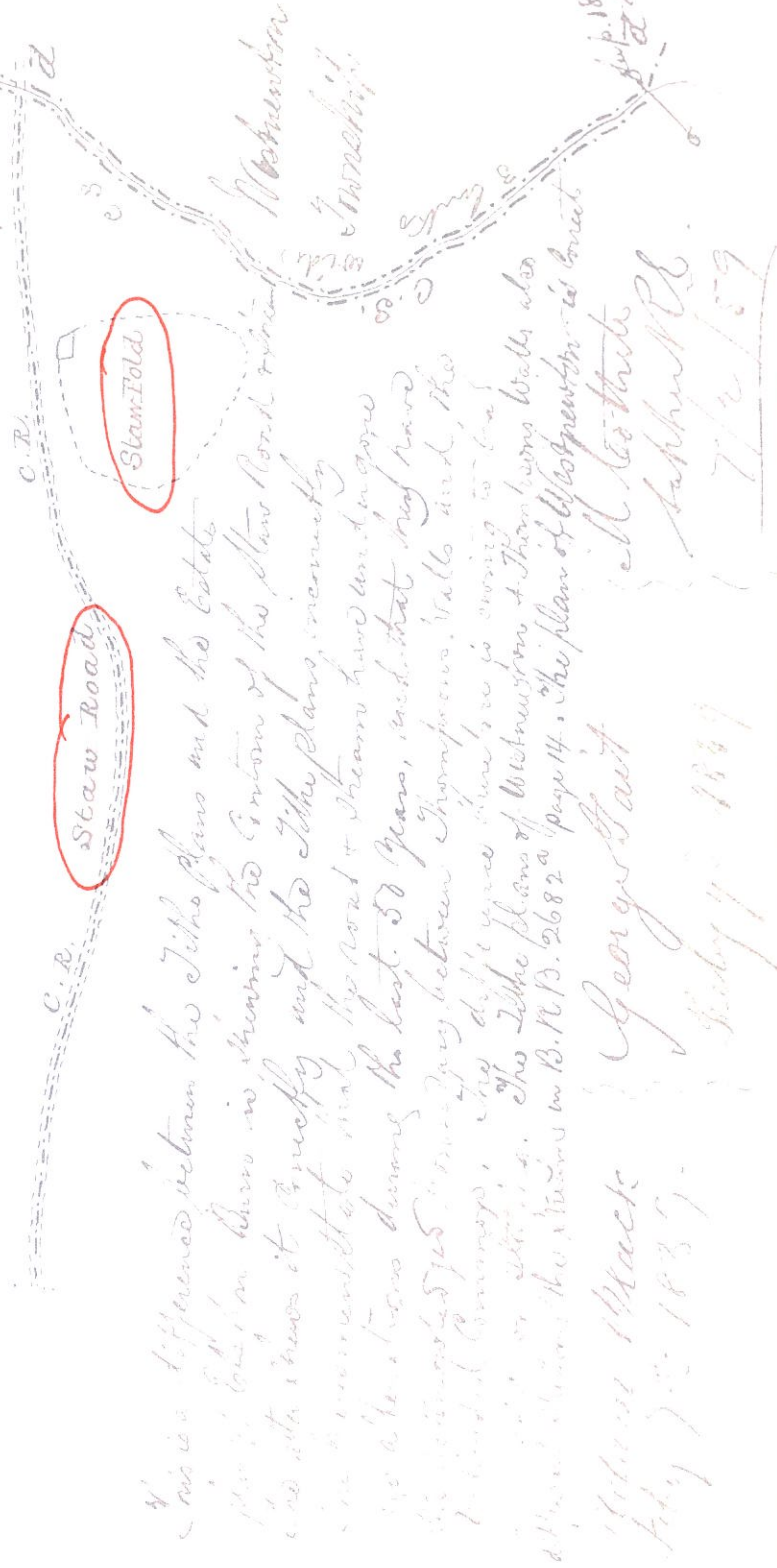
Edson Burr's Estate plan of 10/4/01

Bay before
the bridge
Dyke - 10-12-01
Dyke - 10-12-01
Dyke - 10-12-01

Undivided Common between Webster, Thompson's Wells, Thompson's

Diff No 3 transferred from the Estate Plans of Elston. B. R. 2682^a

Continued in B. R. 2682^a
page 14



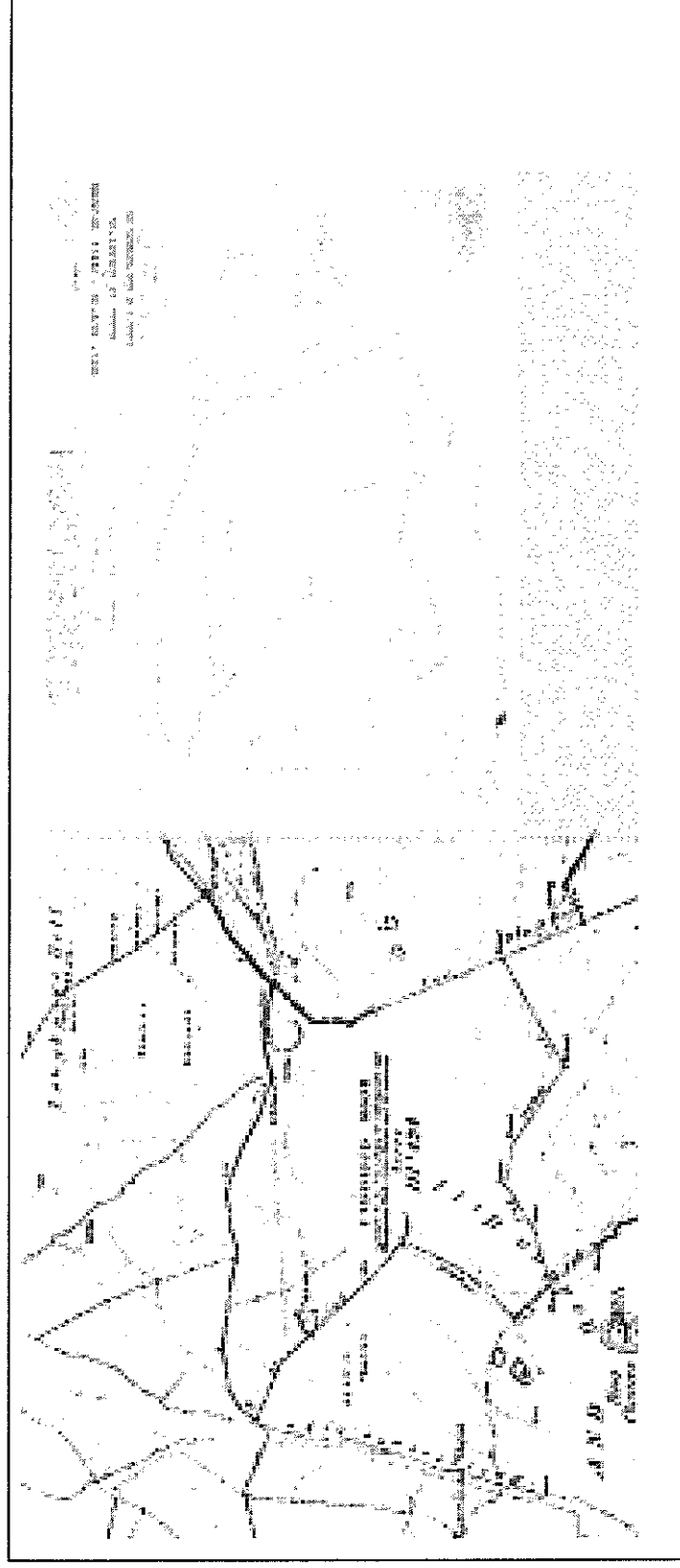
This is a difference between the title plans and the Estate plan of Elston when in showing the contour of the Staw Road and also shows it correctly and the title plans, incorrectly in a more or less state and the road & stream have been dug up & a new line shown during the last 50 years, and that they have the boundaries of the property between Thompsons, Wells and the Elston & Wetherston, they differ as there is now a road in the Elston & Wetherston. The title plans of Wetherston & Thompson Wells also show the line of the river in B. R. 2682^a page 14. The plan of Wetherston is correct.

Wetherston & Wetherston
July 1837.
George East
July 1837.

Wetherston & Wetherston
July 1837.
George East
July 1837.

Wetherston

1866 West Newton Inclosure award

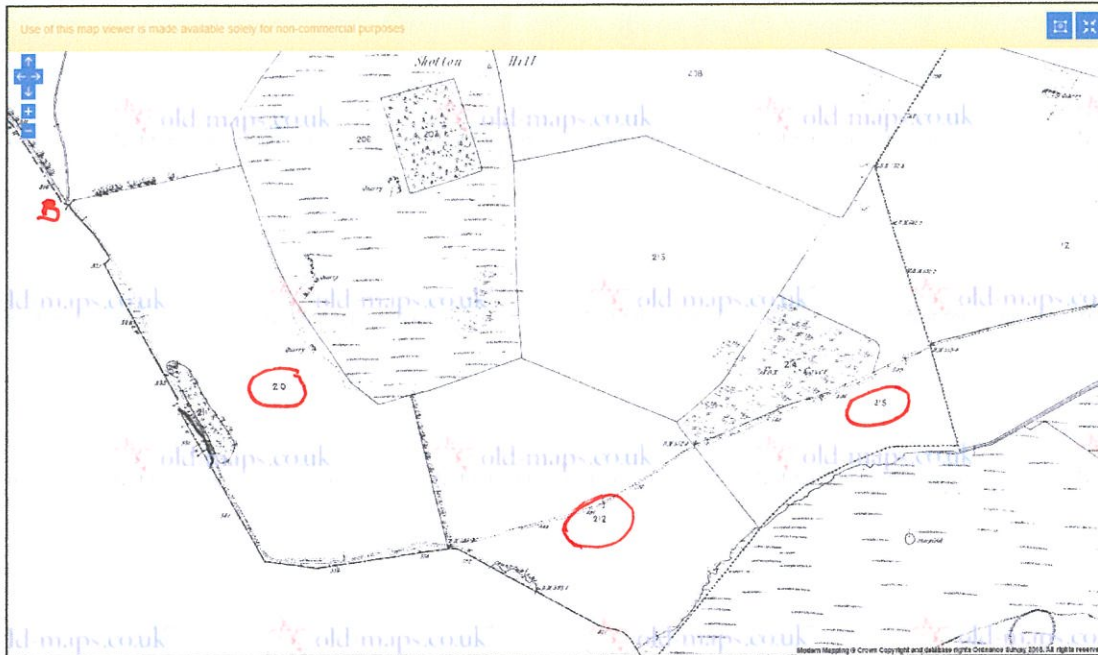


OS 1st ed for comparison

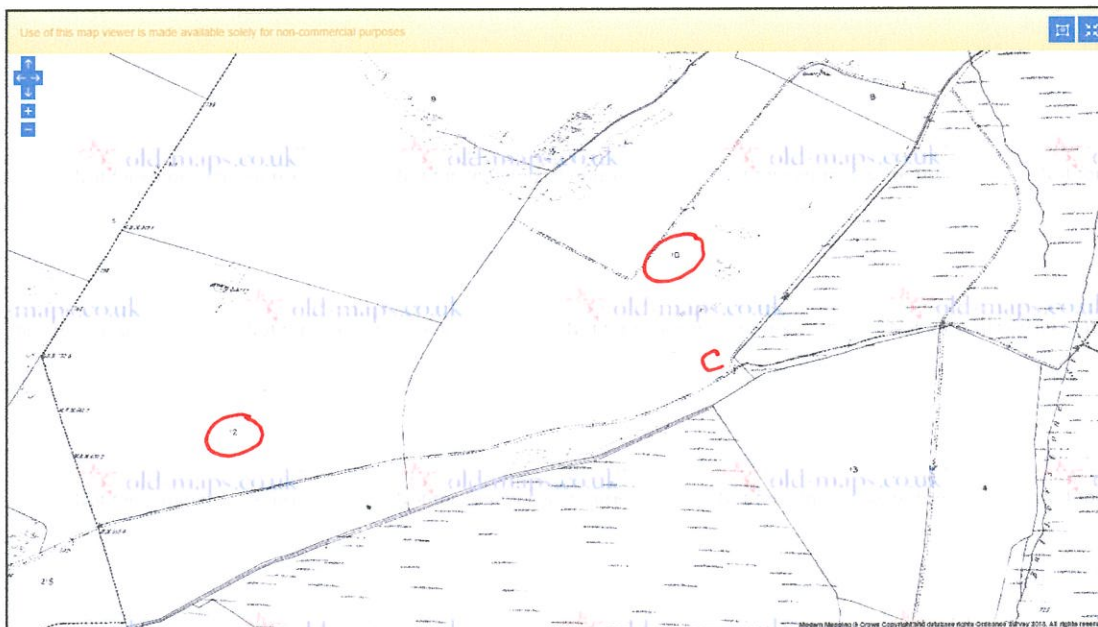
Labelled 'ancient public road'

1866 OS 1st ed. Scale 1:2,500 (25")

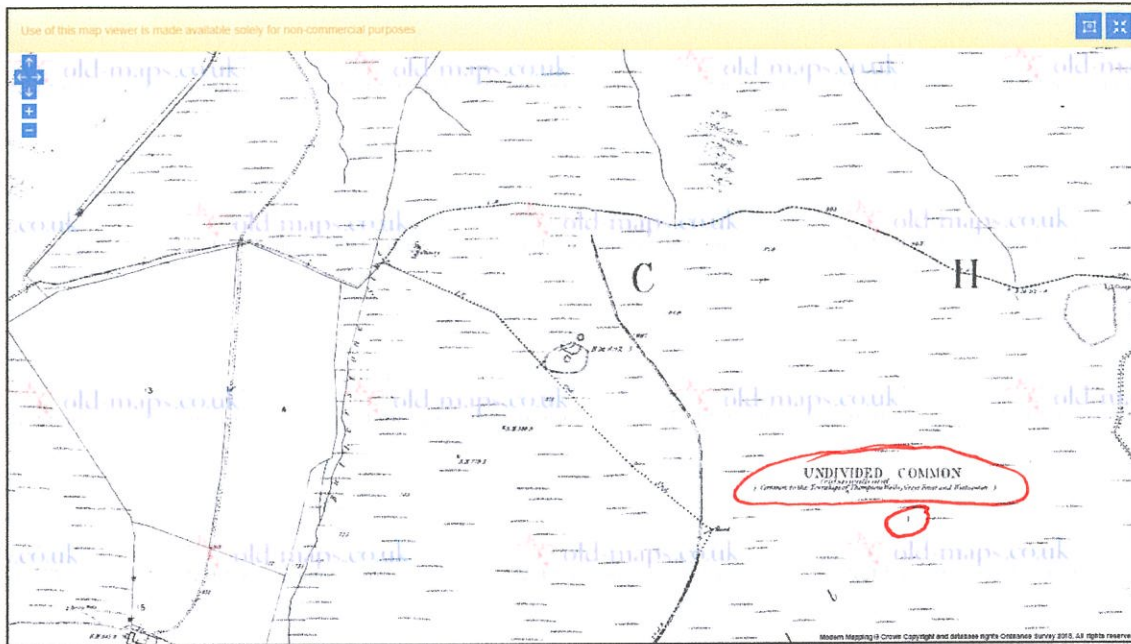
From: www.old-maps.co.uk



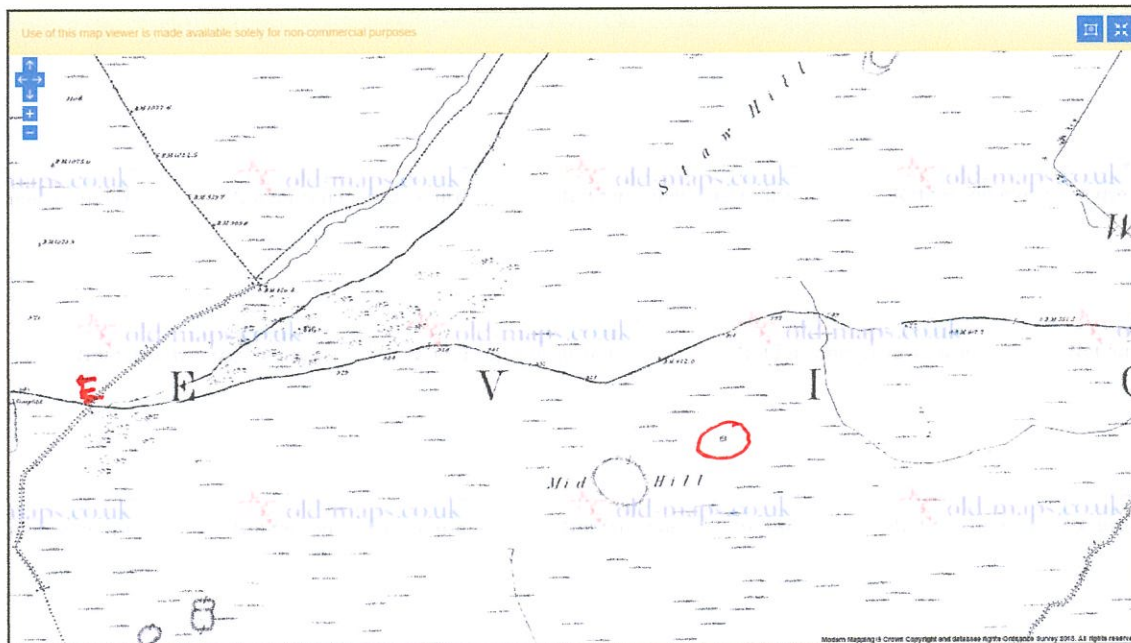
Paston township



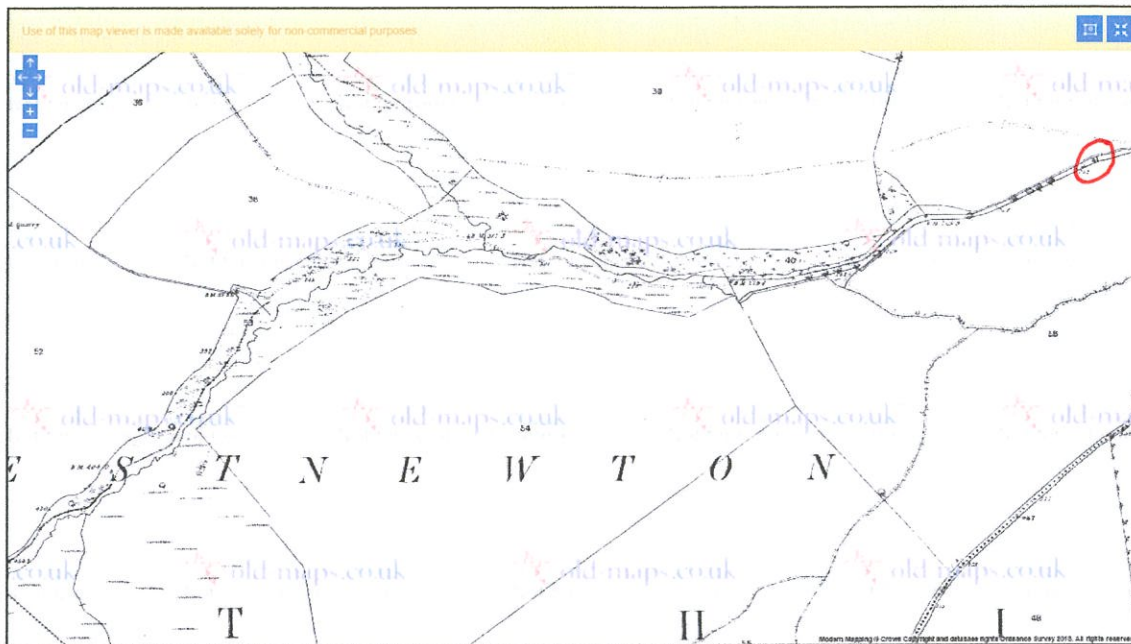
Coldsmouth & Thompson's Walls township



Undivided Moor, common to the townships of Coldsmouth & Thompson's Walls, Grey's Forest and West Newton



West Newton township



West Newton township

Description.
<i>brought forward.</i>
streams, & road. (pasture & trees).
(pasture & trees).
(pasture & trees).
(pasture & trees).
(pasture & trees).
(pasture & trees).
(pasture & trees).
Lake.
house.
& stream.
.
.
& stream.
& road.
& road.
.
pasture, old quarry, &c.
& road.
.
.
e & furze.
e & stream.
e, stream, road, &c.
ns.
(Harelaw).
& stream.
& stream.
h pasture, stream, & quarries.
e.
e.
l.
e & stream.
e & stream.
d (rough pasture).
le & stream.
le & road.
le.
le, rough pasture, &c.
l.
l.
le.
ses, yard, & garden.
<i>brought forward.</i>

No. of Sheet.	No. on Plan.	Area in Acres.	Description.
XVIII. 2.	190	2047.137	<i>Brought forward.</i>
"	191	12.756	Arable, road, & double fence.
"	192	1.876	Arable.
"	192a	1.727	Farmsteading (Shotton).
"	193	.007	House & yard.
"	194	.891	Houses, yard, garden, &c.
"	195	.580	Pond.
"	196	.994	Private road & small pond.
"	197	4.422	Arable, shed, & yard.
"	198	.113	Wood & stream.
XVIII. 3.	199	21.123	Arable & road.
"	200	4.763	Wood & stream.
"	201	23.194	Arable, shed, & road.
"	202	26.556	Arable.
XVIII. 2.	203	22.984	Arable & rough pasture.
"	204	.229	Houses, gardens, & yards.
XVIII. 3.	205	14.267	Arable & stream.
"	206	21.418	Arable & stream.
"	207	34.138	Rough pasture & quarry.
"	208	2.688	Wood.
XVIII. 2.	209	24.186	Arable & rough pasture.
XVIII. 3.	210	.398	Pasture & road.
"	211	25.918	Arable, road, & stream.
"	212	.772	Plantation.
"	213	22.463	Arable, road, stream, &c.
"	214	22.118	Arable.
"	215	4.765	Furze (fox cover).
"	216	12.364	Arable, road, & rough pasture.
		2354.847	

RECAPITULATION.

2302.232	Land.
30.945	Water.
17.936	Public roads.
3.784	Private roads.
2354.847	Total Area of the Township of Paston.

TOWNSHIP OF COLDSMOUTH AND THOMPSONS WALLS.

No. of Sheet.	No. on Plan.	Area in Acres.	Description.
XVIII. 3.	1	18-053	Arable, rough pasture, & stream.
"	2	057	Garden.
"	3	274	House & garden.
XVIII. 4.	4	633	Farmsteading.
XVIII. 3.	5	178	Pond.
"	6	25-114	Arable.
"	7	50-566	Arable, rough pasture, & streams.
"	8	1-878	Arable & quarry.
"	9	52-091	Arable, rough pasture, & stream.
"	10	45-816	Arable, rough pasture, road, &c.
XVIII. 4.	11	177-654	Rough pasture, streams, & ruins.
XVIII. 3.	12	38-048	Arable, rough pasture, & road.
"	13	15-141	Arable.
"	14	10-930	Arable & road.
"	15	739	House, garden, & yards.
"	16	13-018	Arable & road.
XVIII. 7.	17	13-003	Rough pasture & road.
"	18	19-987	Arable & road.
"	19	370-600	Rough pasture, streams, roads, &c.
"	20	468-693	Rough pasture, streams, roads, &c.
		1322-473	

RECAPITULATION.

1322-295	Land.
178	Water.
1322-473	Total Area of the Township of Coldsouth & Thompsons Walls

UNDIVIDED MOOR,

COMMON TO THE TOWNSHIPS OF COLDSMOUTH AND THOMPSONS WALLS, GREYS FOREST, AND WESTNEWTON.

XVIII. 4.	1	111-424	Rough pasture, road, & camps (remains of).
		111-424	Total Area of Undivided Moor.

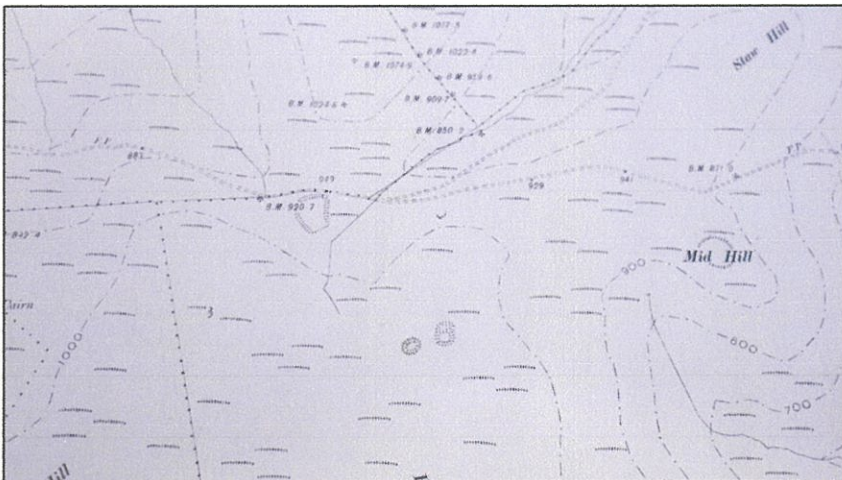
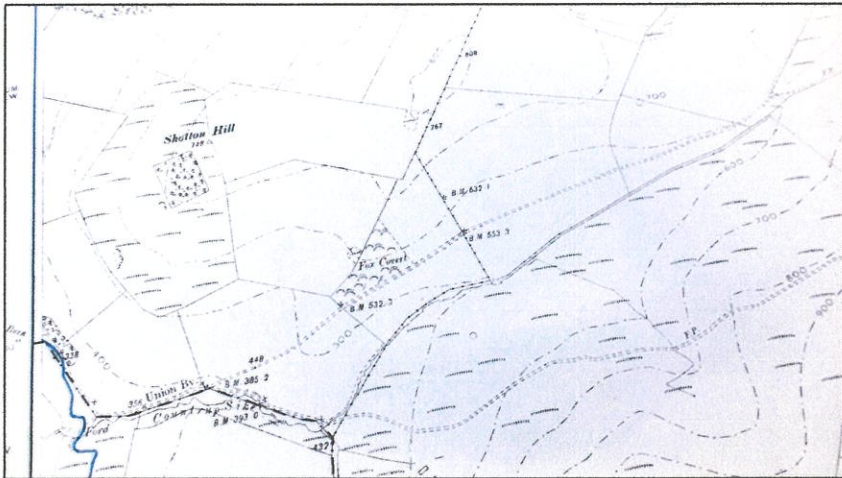
No. of Sheet.	No. on Plan.	Area in Acres.	Description.
XIX. 1.	41	485.745	<i>Brought forward.</i>
"	42	1.696	<u>Public road.</u>
"	43	.442	Pond.
"	44	1.568	Farmsteading.
"	45	.013	House.
"	46	.316	Wood.
"	47	.888	House, garden, &c.
"	48	5.576	Arable.
"	49	.754	Houses, gardens, & yard.
"	50	20.480	Arable & stream.
"	51	.045	Rough pasture.
XVIII. 4.	52	346.741	<u>Rough pasture, streams, roads, &c.</u>
"	53	28.379	Arable & old quarry.
"	54	39.567	Rough pasture, streams, & roads.
XIX. 1.	55	52.748	Arable.
"	56	48.058	Arable & stream.
"	57	40.889	Arable & stream.
"	58	1.297	Public road.
"	59	.221	Wood.
"		.081	Arable.
		1075.504	

RECAPITULATION.

1064.471	Land.
3.793	Water.
7.240	Public roads.
1075.504	Total Area of the Township of Westnewton.

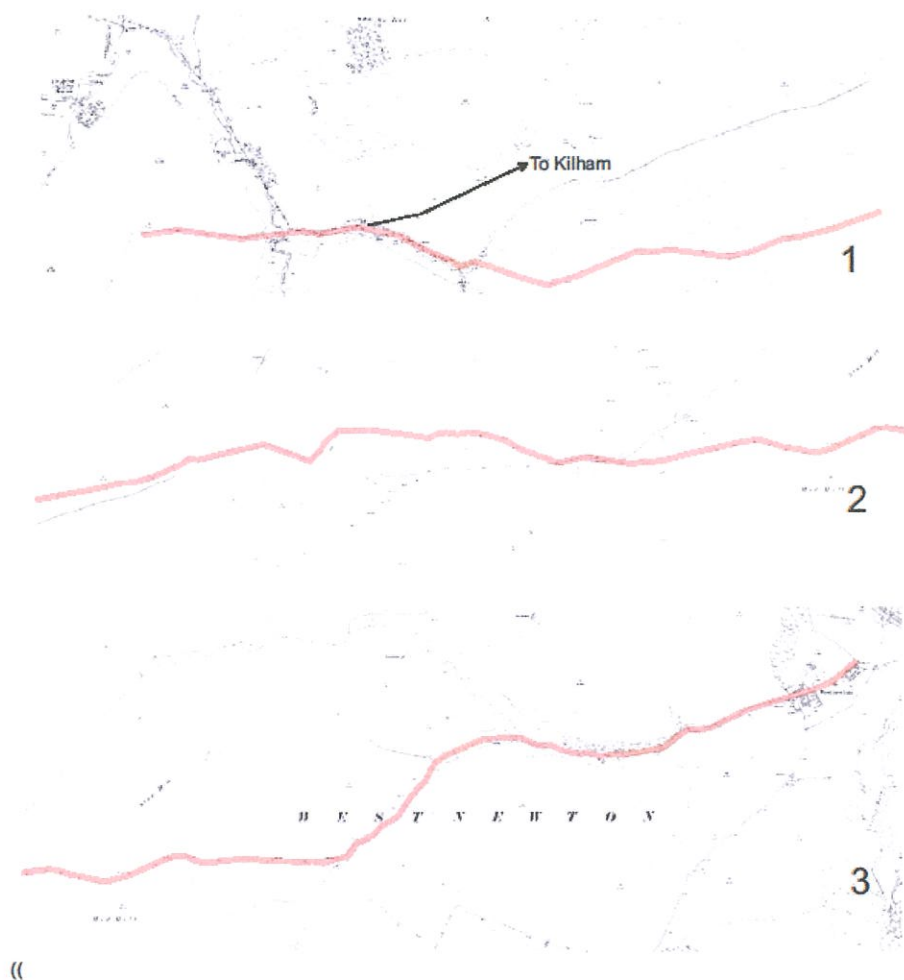
This is a detailed map of the Yetholm Mains area in Northumberland, showing the River Tyne, various bridges, and industrial sites. The map includes labels for 'Yetholm Mains', 'Shotton Burn', 'Mill Race', 'Weir', 'Mill Dam', 'Ford', 'F.B.', 'Post', 'Vale Br.', 'Mile 1/2', 'DALE UNION', 'PASTON Pa.', and 'NORTHUMB. XVIII. N.E.'.

(B) – (C) – (D)



East end (E)

1890s OS 1st ed scale 1:10,560

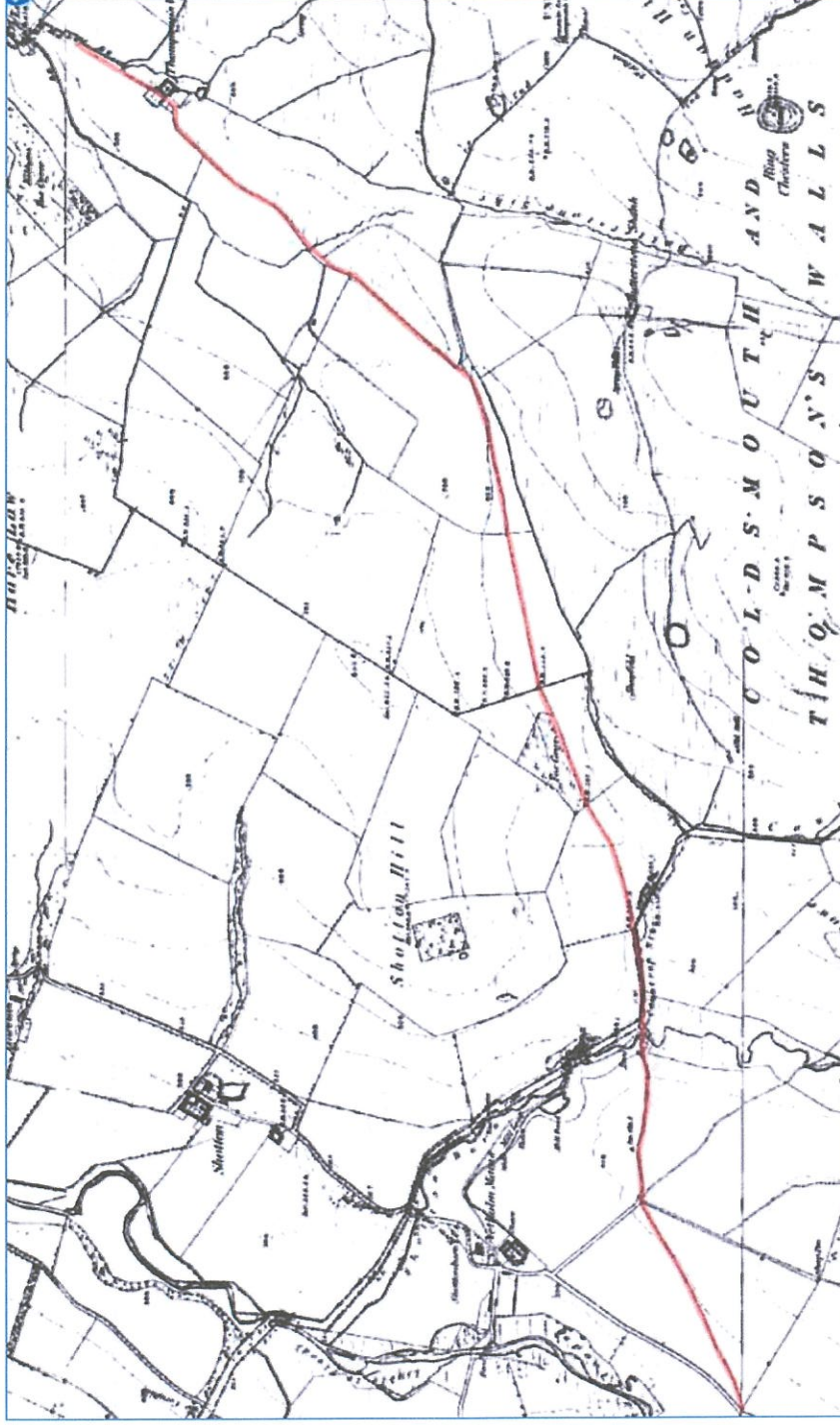


THE STAW ROAD (highlighted) on 1890s OS map
(Maps 1-3 - west to east)

From 'Drove Roads of Northumberland'

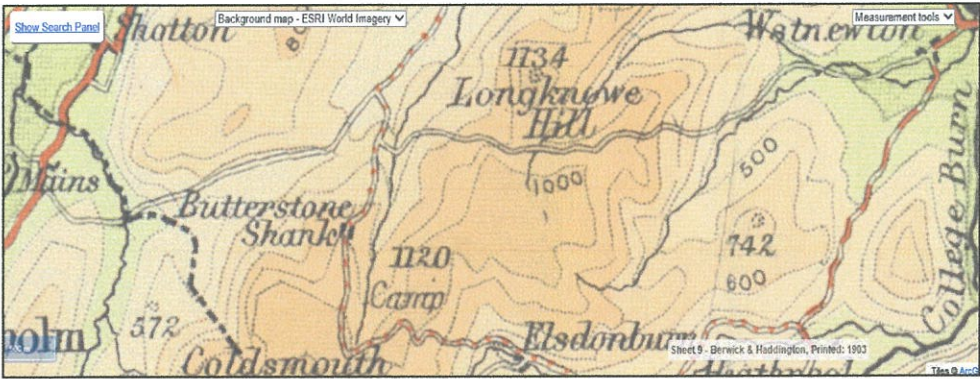
OS 1st ed, scale 1:10,560

The Staw Road, Kilham branch, highlighted in red



From 'Drove Roads of Northumberland'

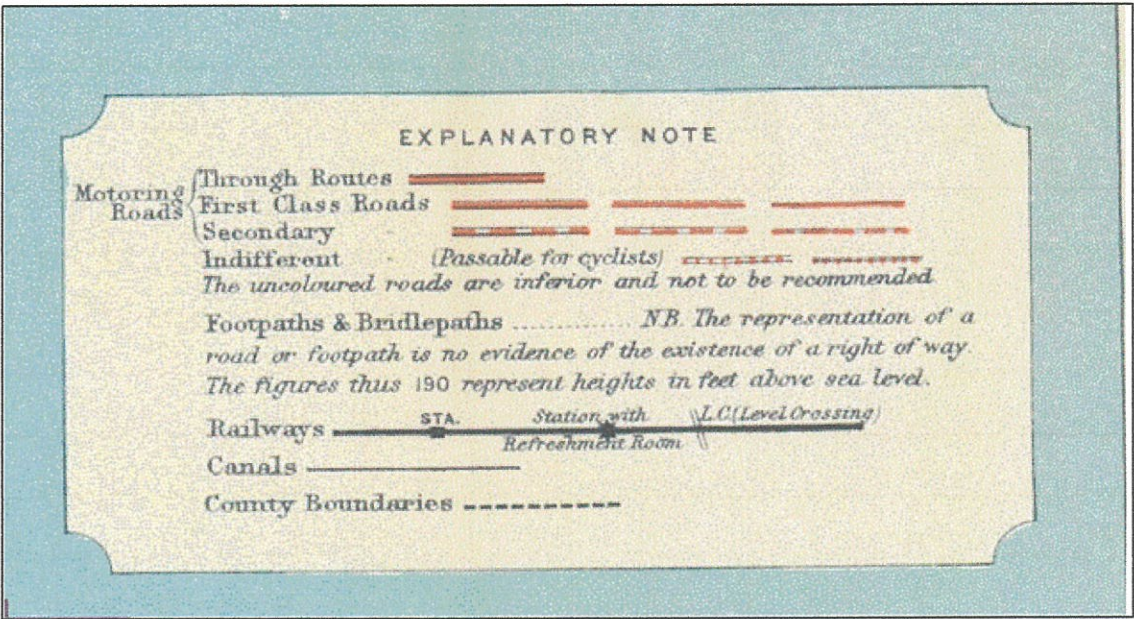
Bartholomew's 20th century maps



1903



1943



1910 Finance Act Field Book

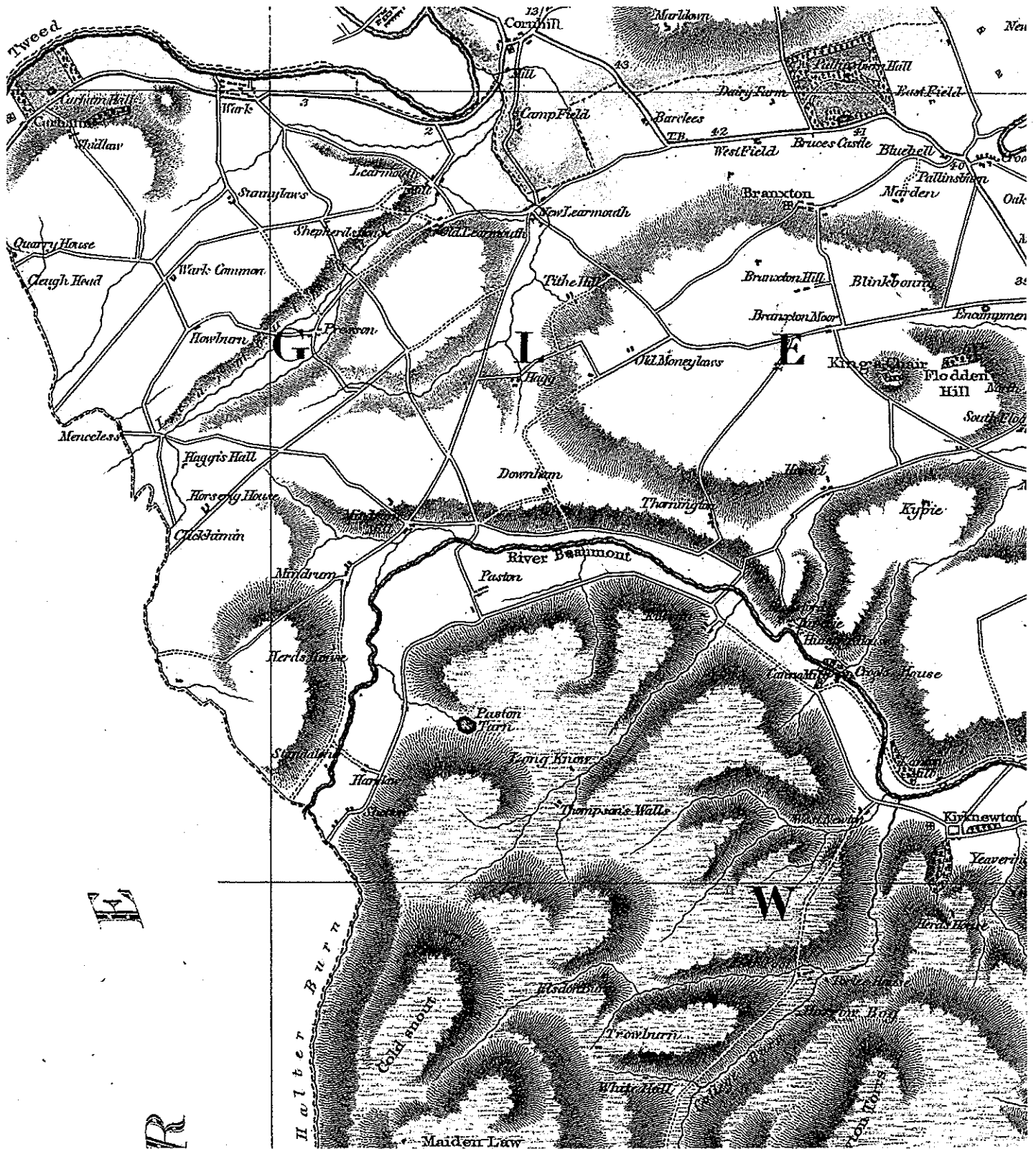
No.	Name of Property	Owner	Description of Property	Area	Value	Rate	Amount	Notes	Original Value	New Value	Difference	Remarks
144	Robert Brown	B. P. Selby	Land	Pasture	916 126 682	648						
145	B. P. Selby	B. P. Selby	do	do	80	68						
146	Herbert Bolal	do	Land	Shetton	820	547	520					
147	W. J. C. Rand	do	Land	Pasture	450	333	316					
148	James Drummond	do	do	do	20	30						
149	E. J. Baird	do	Woodlands	do	25	12 10	11 10					
150	B. P. Selby	B. P. Selby	do	Pasture	90	45	43					
151	do	do	do	do	1 4	1						
152	N. E. Ry. Co.	N. E. Ry. Co.	Land	do	3 23	18	15 10					
153	do	do	Police - Cottages	do								

No.	Name of Property	Owner	Description of Property	Area	Value	Rate	Amount	Notes	Original Value	New Value	Difference	Remarks
154	do	do	do	do								
155	do	do	do	do								
156	do	do	do	do								
157	do	do	do	do								
158	do	do	do	do								
159	do	do	do	do								
160	do	do	do	do								
161	do	do	do	do								
162	do	do	do	do								
163	do	do	do	do								
164	do	do	do	do								
165	do	do	do	do								
166	do	do	do	do								
167	do	do	do	do								
168	do	do	do	do								
169	do	do	do	do								
170	do	do	do	do								
171	do	do	do	do								
172	do	do	do	do								
173	do	do	do	do								
174	do	do	do	do								
175	do	do	do	do								
176	do	do	do	do								
177	do	do	do	do								
178	do	do	do	do								
179	do	do	do	do								
180	do	do	do	do								
181	do	do	do	do								
182	do	do	do	do								
183	do	do	do	do								
184	do	do	do	do								
185	do	do	do	do								
186	do	do	do	do								
187	do	do	do	do								
188	do	do	do	do								
189	do	do	do	do								
190	do	do	do	do								
191	do	do	do	do								
192	do	do	do	do								
193	do	do	do	do								
194	do	do	do	do								
195	do	do	do	do								
196	do	do	do	do								
197	do	do	do	do								
198	do	do	do	do								
199	do	do	do	do								
200	do	do	do	do								

Armstrong's County Map 1769



Fryer's County Map 1820

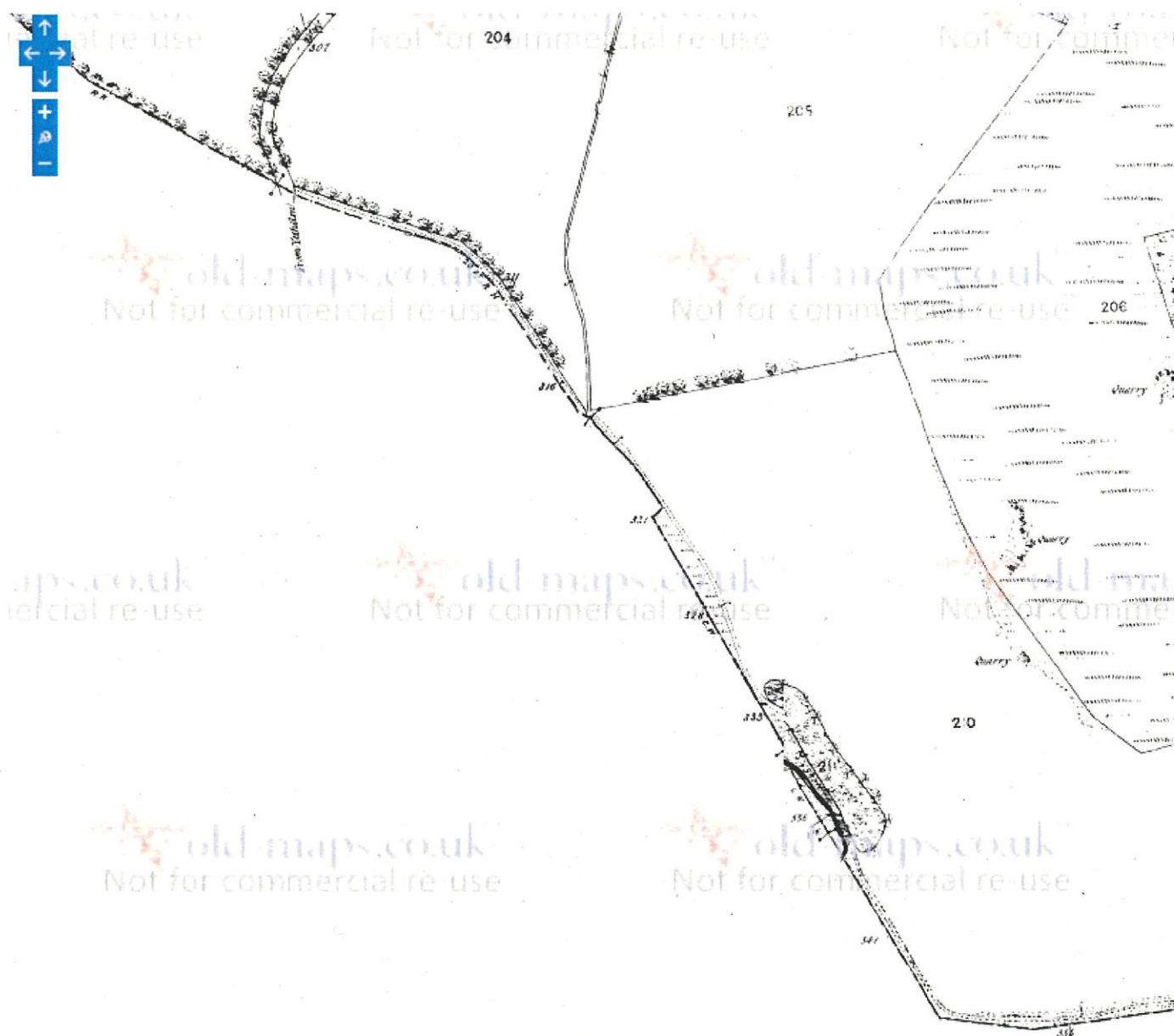


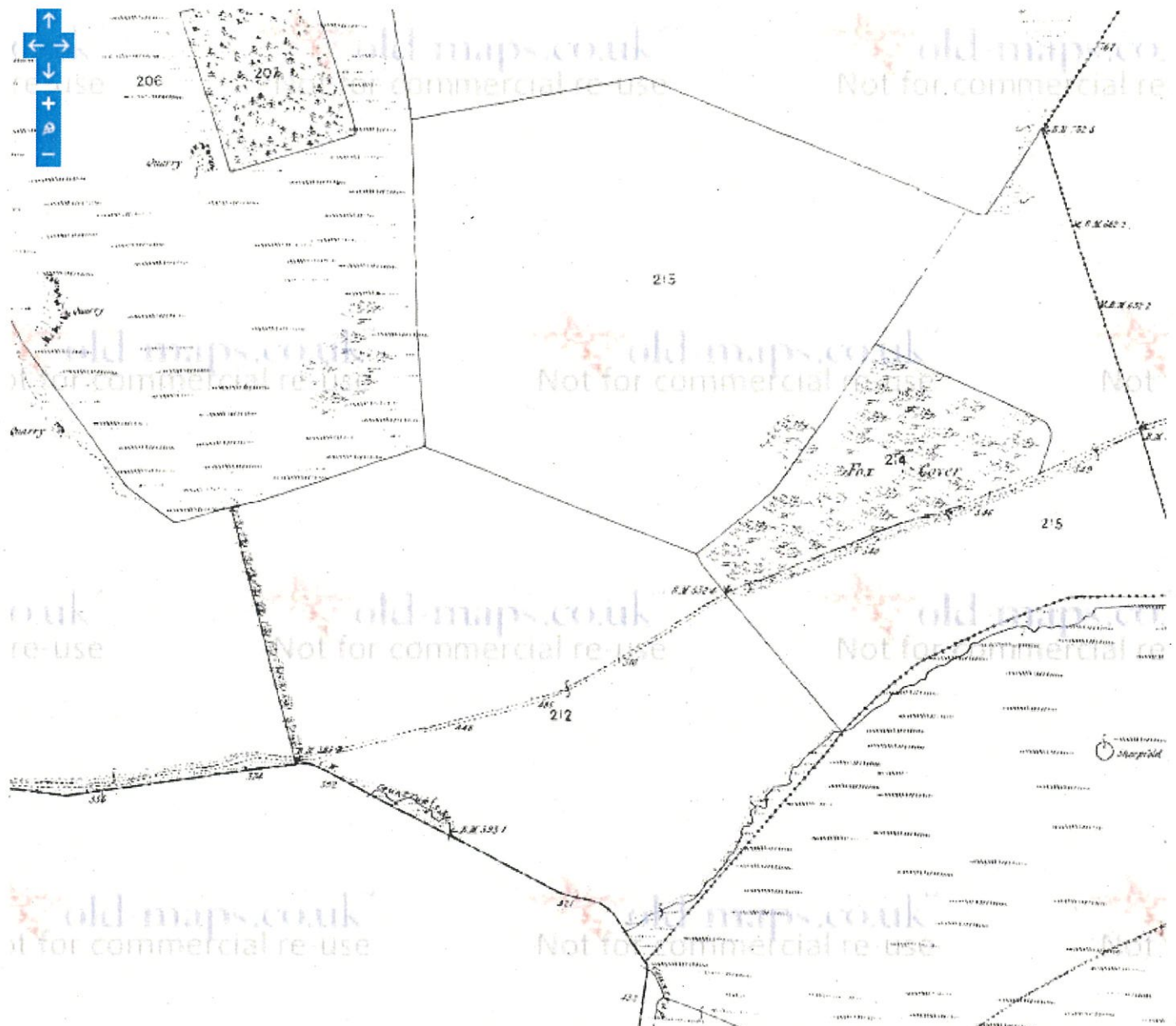


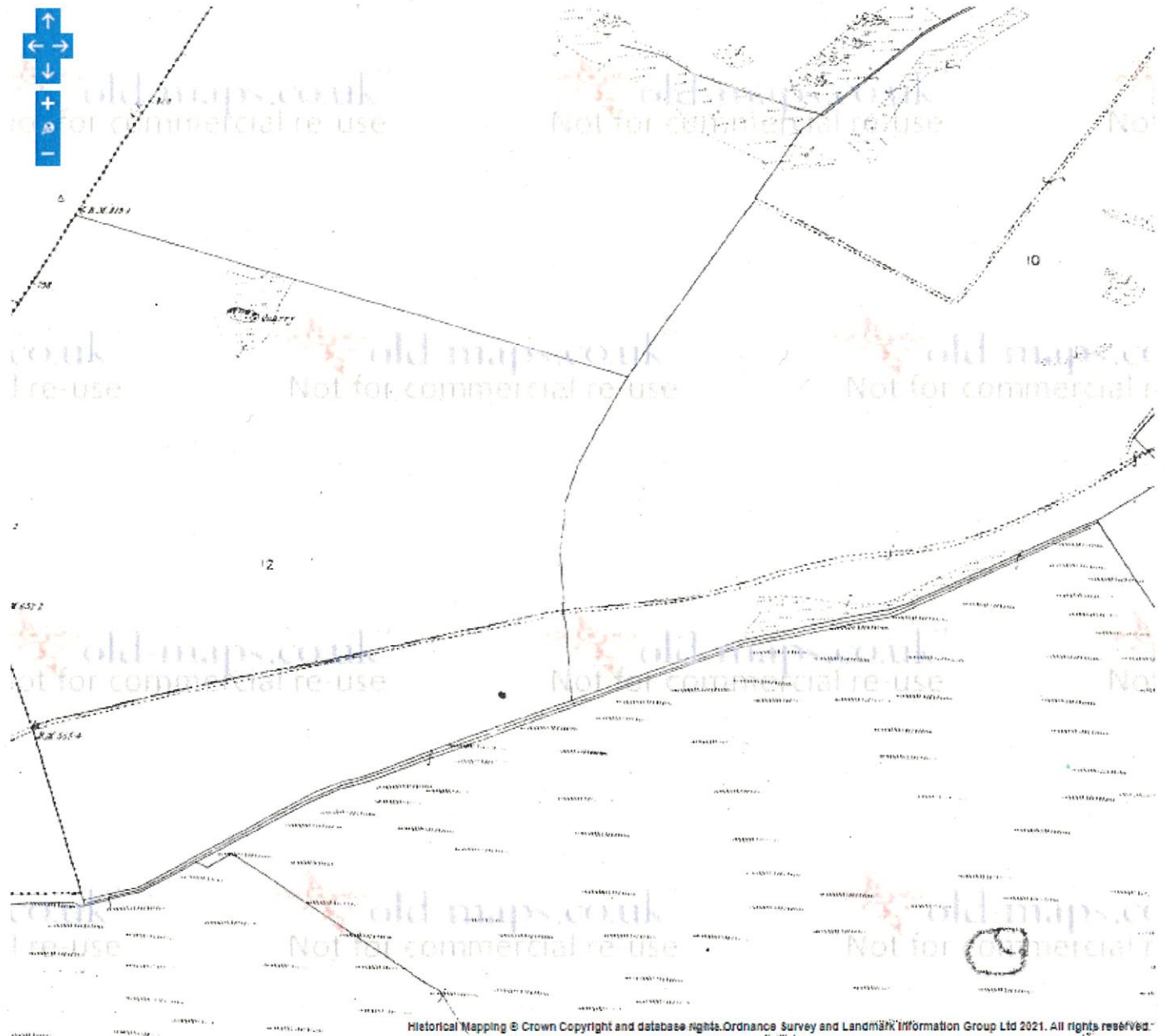
Greenwood's County Map
1828

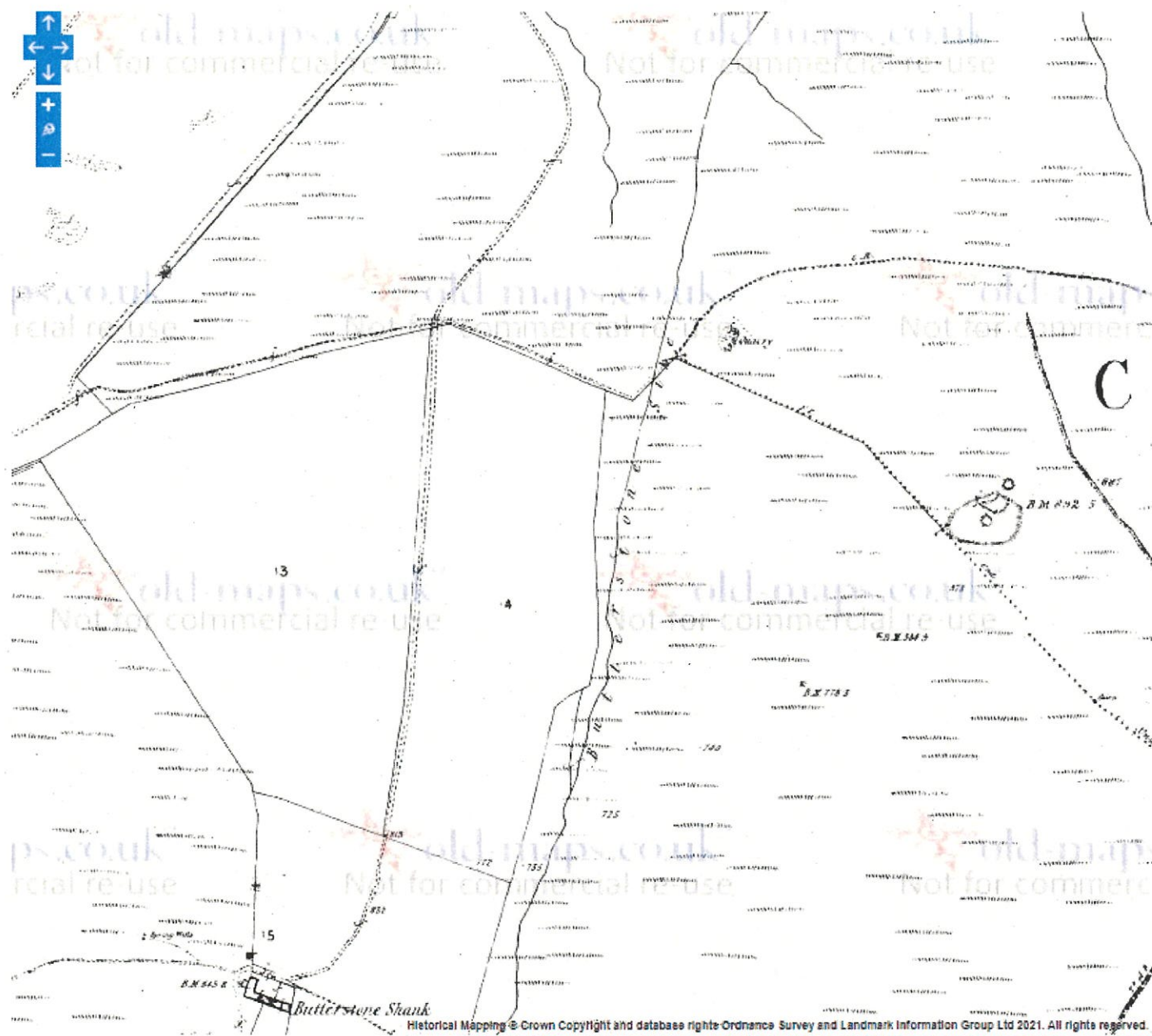


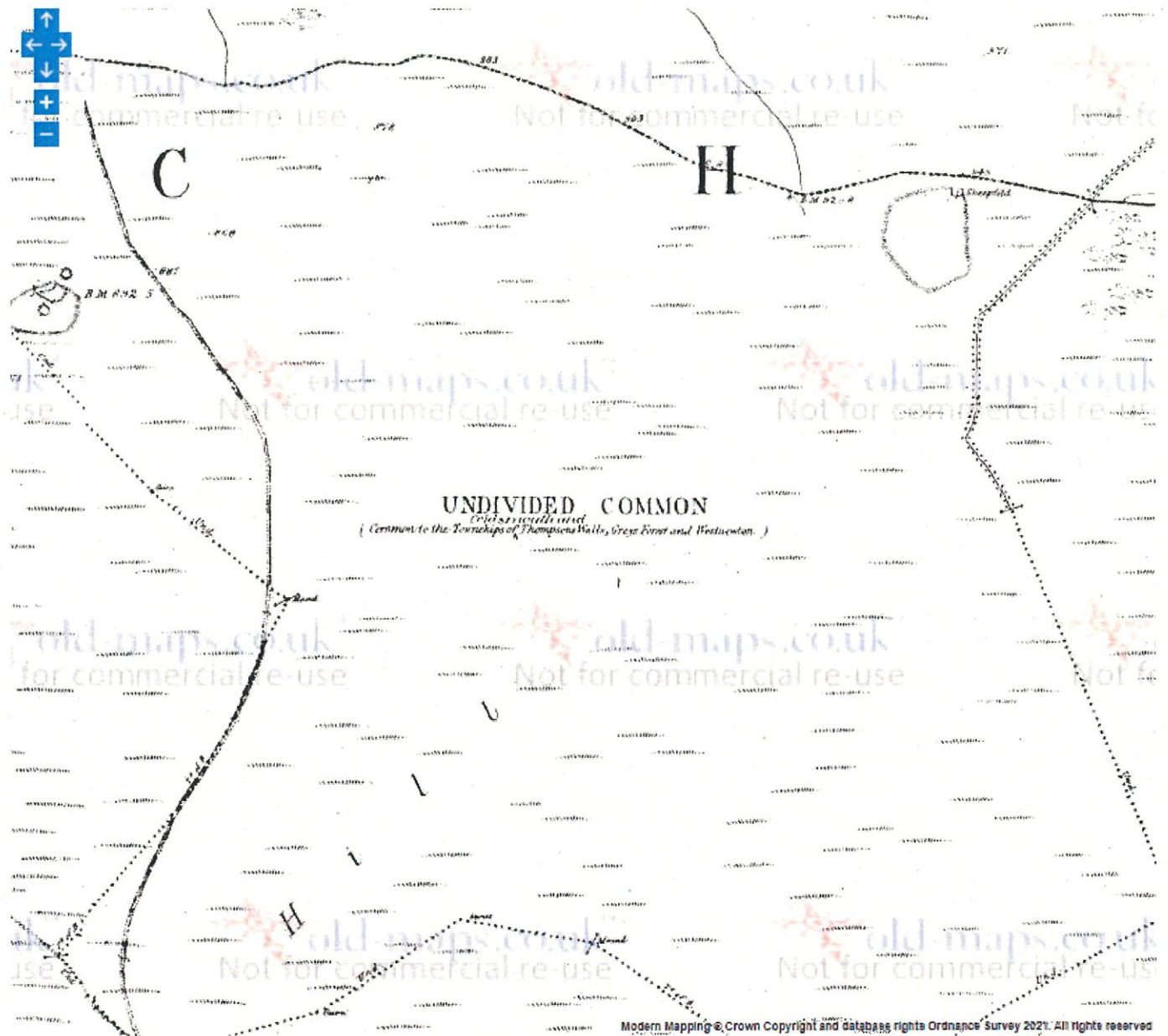
1st Edition 25" O.S. Map
c.1864



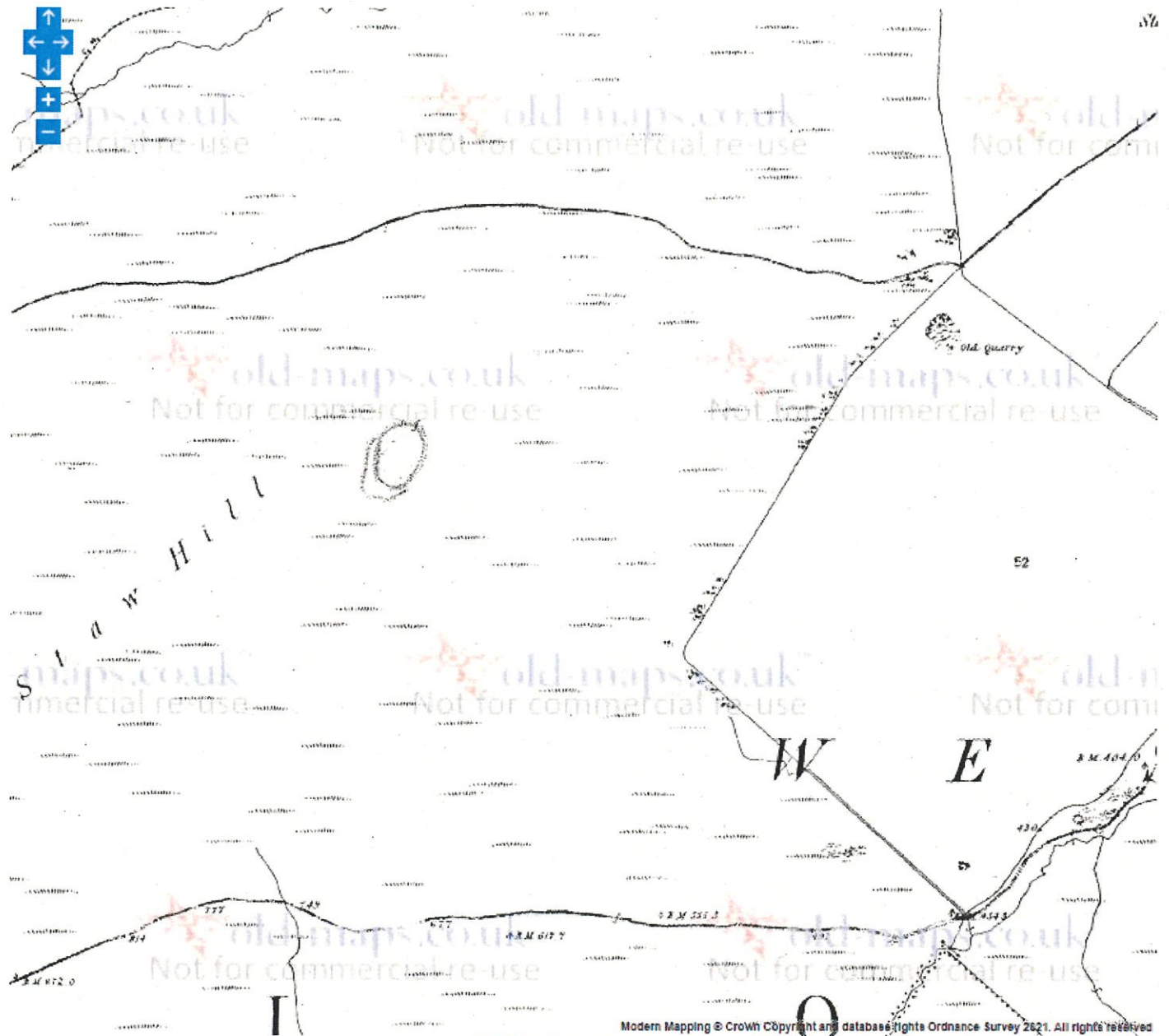




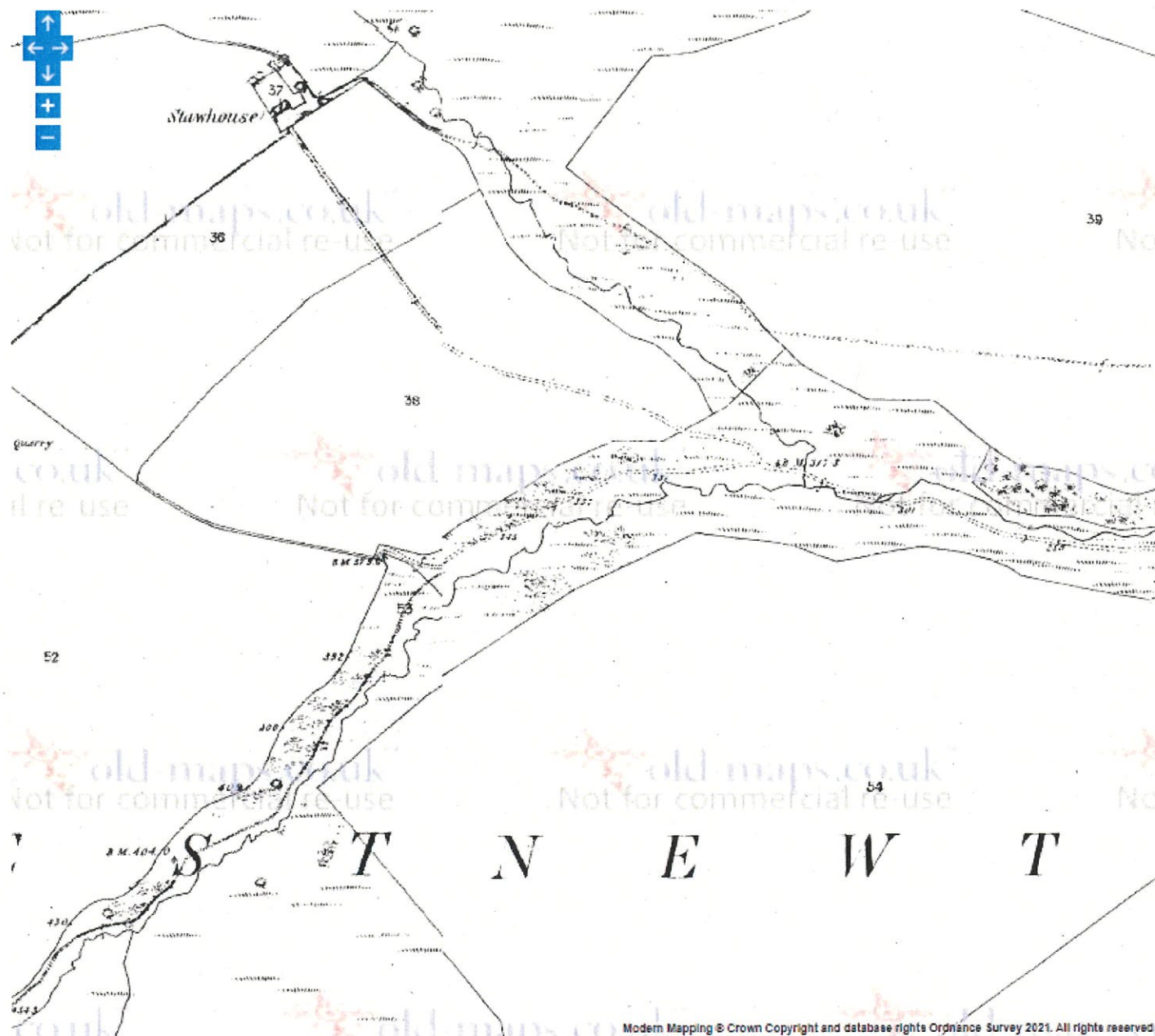


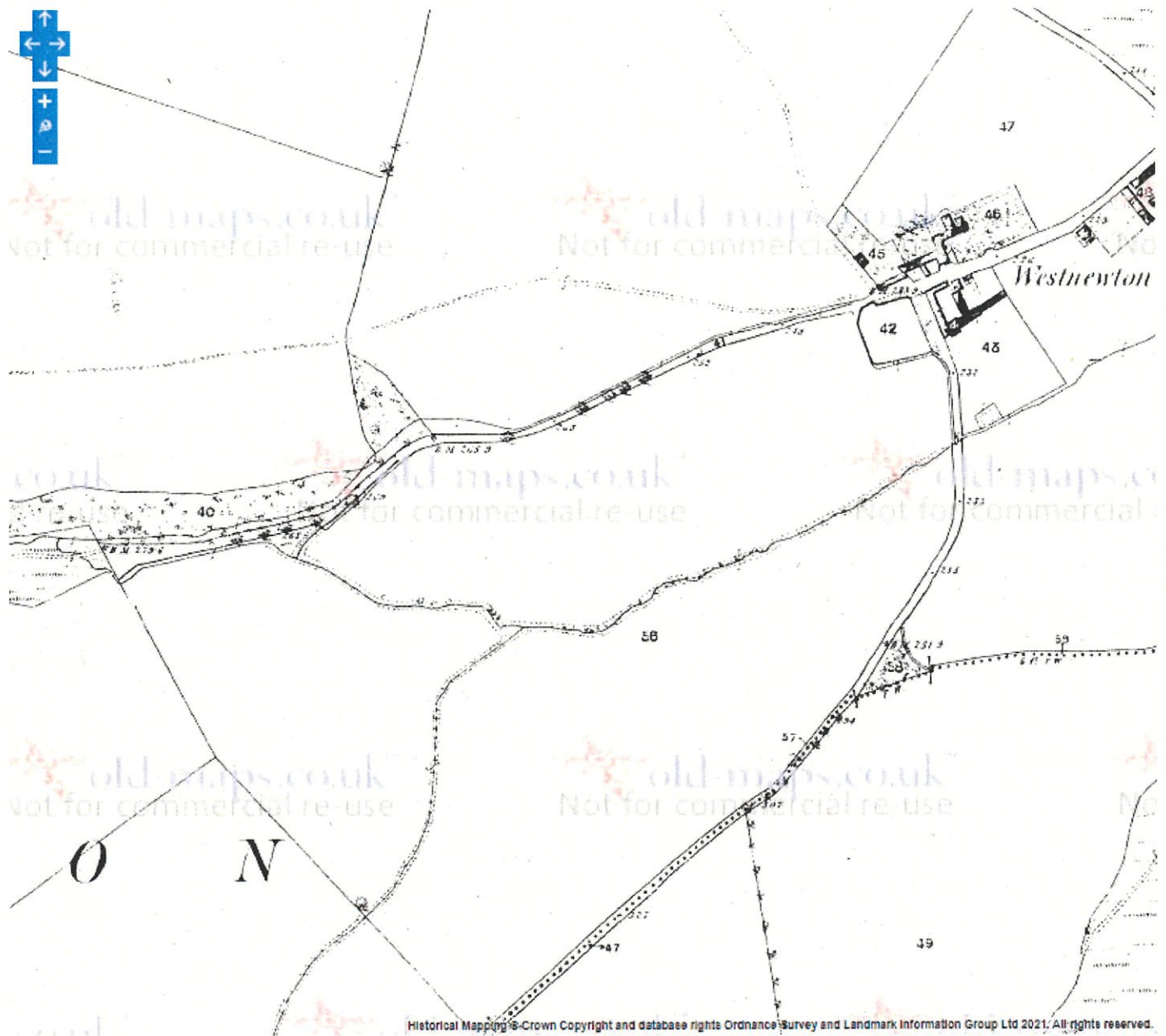


1st Edition 25" O.S. Map
c.1864



**1st Edition 25" O.S. Map
c.1864**





**1st Edition 25" O.S. Map
c.1864**



Modern Mapping © Crown Copyright and database rights Ordnance Survey 2021. All rights reserved
Website © Copyright and database rights Old-Maps.co.uk 2021. All rights reserved [website terms](#)

PARISH OF KIRKNEWTON,

IN THE

COUNTY OF NORTHUMBERLAND.

TOWNSHIP OF PASTON.

No. of Sheet.	No. on Plan.	Area in Acres.	Description.
XIII. 11.	1	20·978	Arable & half of stream.
"	2	10·126	Arable & stream.
"	3	·144	Stream.
"	4	·228	Pasture.
"	5	2·629	Wood & stream.
"	6	24·182	Arable.
"	7	·319	Arable.
"	8	1·084	Wood.
"	9	16·736	Arable.
"	10	18·060	Arable.
"	11	·080	Wood.
"	12	23·700	Arable.
"	13	·229	Wood.
"	14	·875	Wood.
"	15	5·511	Arable, road, & stream.
"	16	3·158	Arable, shingle, & road.
"	17	19·989	Arable & stream.
"	18	·846	Wood & stream.
"	19	16·815	Arable & stream.
"	20	·843	Wood.
"	21	16·573	Arable & stream.
"	22	·924	Wood.
"	23	8·257	Arable & stream.
"	24	2·438	Public road.
"	25	17·209	Arable & stream.
"	26	·713	Wood.
"	27	·040	Wood.
"	28	·050	House & yard.
XIII. 10.	29	2·069	Arable.
XIII. 11.	30	·528	Arable, streams, & pond.
"	31	·780	Wood.
"	32	32·441	Arable.
"	33	14·103	Arable & stream.
"	34	23·811	Arable & roads.
"	35	1·311	Pond.
"	36	12·726	Arable & wood.
"	37	8·063	Arable, house, yard, stream, &c.
"	38	1·187	Wood.
"	39	·250	Pond.
"	40	2·320	Farmsteadings & yards (Paston).
		312·325	Carried forward.

Description.
<i>forward.</i>
treams, & road.
pasture & trees).
pasture & trees).
pasture & trees).
pasture & trees).
pasture & trees).
pasture & trees).
lake.
se.
stream.
stream.
& road.
road.
pasture, old quarry, &c.
road.
& furze.
& stream.
stream, road, &c.
s.
(Harelaw).
stream.
stream.
pasture, stream, & quarries.
& stream.
& stream.
(rough pasture).
& stream.
& road.
rough pasture, &c.
yard, & garden.
<i>d forward.</i>

No. of Sheet.	No. on Plan.	Area in Acres.	Description.
XVIII. 2.	190	2047.137	<i>Brought forward.</i>
"	191	12.756	Arable, road, & double fence.
"	192	1.876	Arable.
"	192a	1.727	Farmsteading (Shotton).
"	193	.007	House & yard.
"	194	.891	Houses, yard, garden, &c.
"	195	.580	Pond.
"	196	.994	Private road & small pond.
"	197	4.422	Arable, shed, & yard.
"	198	.113	Wood & stream.
XVIII. 3.	199	21.123	Arable & road.
"	200	4.763	Wood & stream.
"	201	23.194	Arable, shed, & road.
"	202	26.556	Arable.
"	203	22.984	Arable & rough pasture.
XVIII. 2.	204	.229	Houses, gardens, & yards.
"	205	14.267	Arable & stream.
XVIII. 3.	206	21.418	Arable & stream.
"	207	34.138	Rough pasture & quarry.
"	208	2.688	Wood.
"	209	24.186	Arable & rough pasture.
XVIII. 2.	210	.398	Pasture & road.
XVIII. 3.	211	25.918	Arable, road, & stream.
"	212	.772	Plantation.
"	213	22.463	Arable, road, stream, &c.
"	214	22.118	Arable.
"	215	4.765	Furze (fox cover).
"	215	12.364	Arable, road, & rough pasture.
		2354.847	

RECAPITULATION.

2302.232	Land.
30.945	Water.
17.936	Public roads.
3.734	Private roads.
2354.847	Total Area of the Township of Paston.

TOWNSHIP OF COLDSMOUTH AND THOMPSONS WALLS.

No. of Sheet.	No. on Plan.	Area in Acres.	Description.
XVIII. 3.	1	18.053	Arable, rough pasture, & stream.
"	2	.057	Garden.
"	3	.274	House & garden.
XVIII. 4.	4	.633	Farmsteading.
XVIII. 3.	5	.178	Pond.
"	6	25.114	Arable.
"	7	50.566	Arable, rough pasture, & streams.
"	8	1.878	Arable & quarry.
"	9	52.091	Arable, rough pasture, & stream.
"	10	45.816	Arable, rough pasture, road, &c.
XVIII. 4.	11	177.654	Rough pasture, streams, & ruins.
XVIII. 3.	12	38.048	Arable, rough pasture, & road.
"	13	15.141	Arable.
"	14	10.930	Arable & road.
"	15	.739	House, garden, & yards.
"	16	13.018	Arable & road.
XVIII. 7.	17	13.003	Rough pasture & road.
"	18	19.987	Arable & road.
"	19	370.600	Rough pasture, streams, roads, &c.
"	20	468.693	Rough pasture, streams, roads, &c.
		1322.473	

RECAPITULATION.

1322.295	Land.
.178	Water.
1322.473	Total Area of the Township of Coldsmouth & Thompsons Walls

UNDIVIDED MOOR,

COMMON TO THE TOWNSHIPS OF COLDSMOUTH AND THOMPSONS WALLS,
GREYS FOREST, AND WESTNEWTON.

XVIII. 4.	1	111.424	Rough pasture, road, & camps (re- mains of).
		111.424	Total Area of Undivided Moor.

H AND THOMPSONS

ble, rough pasture, & stream.
den.
se & garden.
nstanding.
d.
le.
le, rough pasture, & streams.
le & quarry.
le, rough pasture, & stream.
le, rough pasture, road, &c.
gh pasture, streams, & ruins.
le, rough pasture, & road.
le.
le & road.
se, garden, & yards.
le & road.
h pasture & road.
le & road.
h pasture, streams, roads, &c.
h pasture, streams, roads, &c.

ON.

Area of the Township of
Ismouth & Thompsons Walls

R,

I AND THOMPSONS WALLS,
EWTON.

pasture, road, & camps (re-
is of).
Area of Undivided Moor.

TOWNSHIP OF WESTNEWTON.

No. of Sheet.	No. on Plan.	Area in Acres.	Description.
XIV. 13.	1	3.603	Wood.
"	2	4.336	Wood & road.
"	3	.029	Island (rough pasture).
"	4	.086	Island (wood).
"	5	.378	Island (wood).
"	6	.230	Island (wood).
"	7	.920	Wood.
"	8	.548	Houses, garden, &c. (Canno Mill).
"	9	1.259	Arable & road.
"	10	9.782	Arable & road.
"	11	3.124	Plantation.
"	12	3.175	Arable & road.
"	13	4.272	Arable.
"	14	9.945	Arable.
"	15	3.459	Arable, rough pasture, & road.
"	16	11.806	Arable, rough pasture, & road.
"	17	46.947	Arable, rough pasture, & stream.
"	18	52.300	Arable, stream, & road.
"	19	4.247	Public road.
"	20	14.480	Arable.
"	21	3.454	Rough pasture & stream.
"	22	.275	Wood.
"	23	11.444	Arable.
"	24	10.663	Bog.
"	25	3.564	Bog.
"	26	1.379	Bog.
"	27	.716	Bog.
"	28	8.295	Arable.
"	29	3.351	Bowmont Water.
"	30	3.034	Wood.
XIX. 1.	31	40.430	Rough pasture, streams, roads, &c.
XIV. 13.	32	22.107	Arable.
"	33	51.225	Arable.
XIX. 1.	34	50.496	Arable & road.
"	35	25.069	Rough pasture & streams.
XVIII. 4.	36	17.612	Arable & road.
"	37	.148	House & garden.
"	38	14.392	Arable & road.
XIX. 1.	39	39.893	Arable.
"	40	8.272	Wood & stream.
		485.745	Carried forward.

TOWNSHIP OF WESTNEWTON.

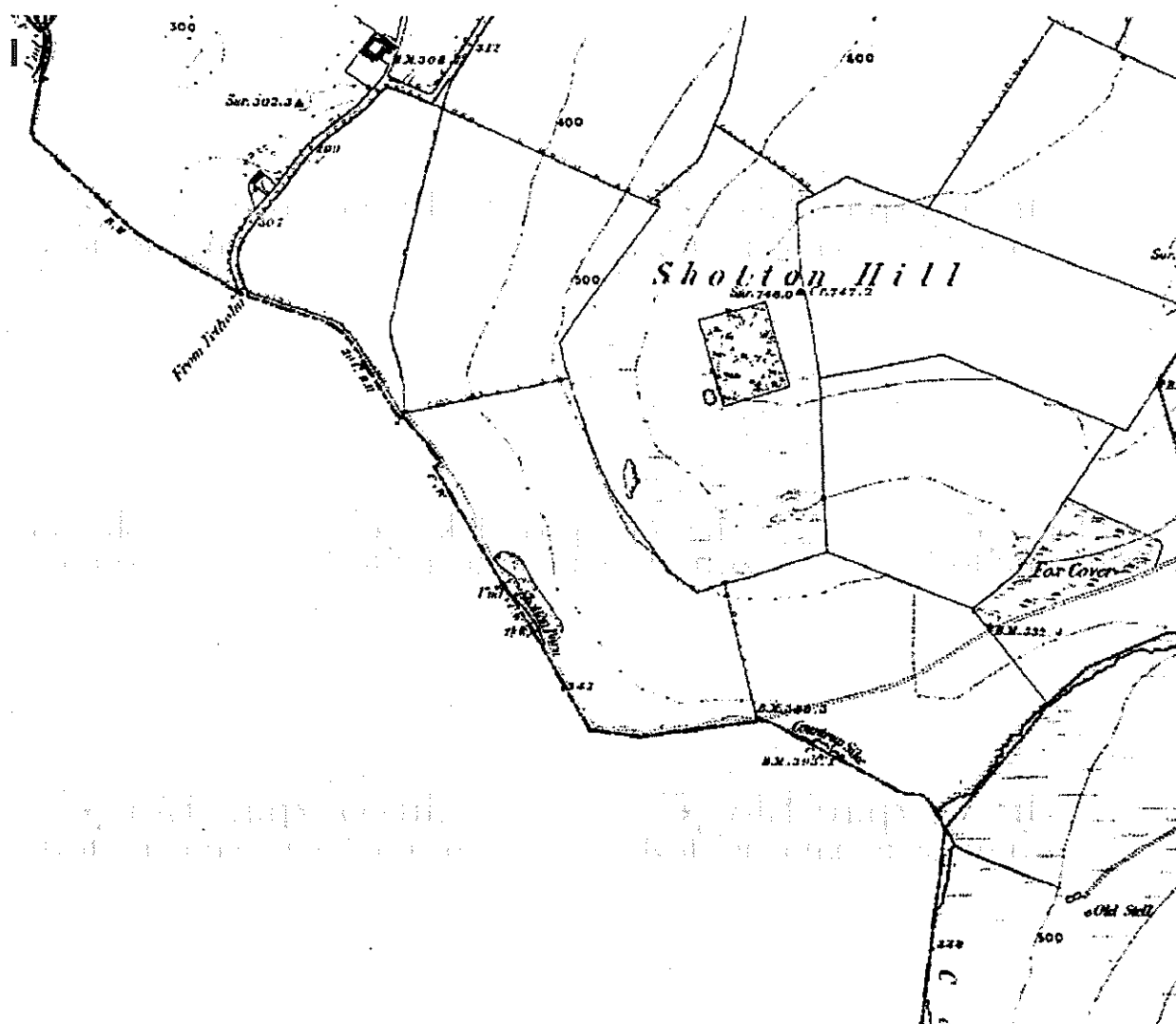
No. of Sheet.	No. on Plan.	Area in Acres.	Description.
		485.745	<i>Brought forward.</i>
XIX. 1.	41	1.696	Public road.
"	42	.442	Pond.
"	43	1.568	Farmsteading.
"	44	.013	House.
"	45	.316	Wood.
"	46	.888	House, garden, &c.
"	47	5.576	Arable.
"	48	.754	Houses, gardens, & yard.
"	49	20.480	Arable & stream.
"	50	.045	Rough pasture.
XVIII. 4.	51	346.741	Rough pasture, streams, roads, &c.
"	52	28.379	Arable & old quarry.
"	53	39.567	Rough pasture, streams, & roads.
XIX. 1.	54	52.748	Arable.
"	55	48.058	Arable & stream.
"	56	40.889	Arable & stream.
"	57	1.297	Public road.
"	58	.221	Wood.
"	59	.081	Arable.
		1075.504	

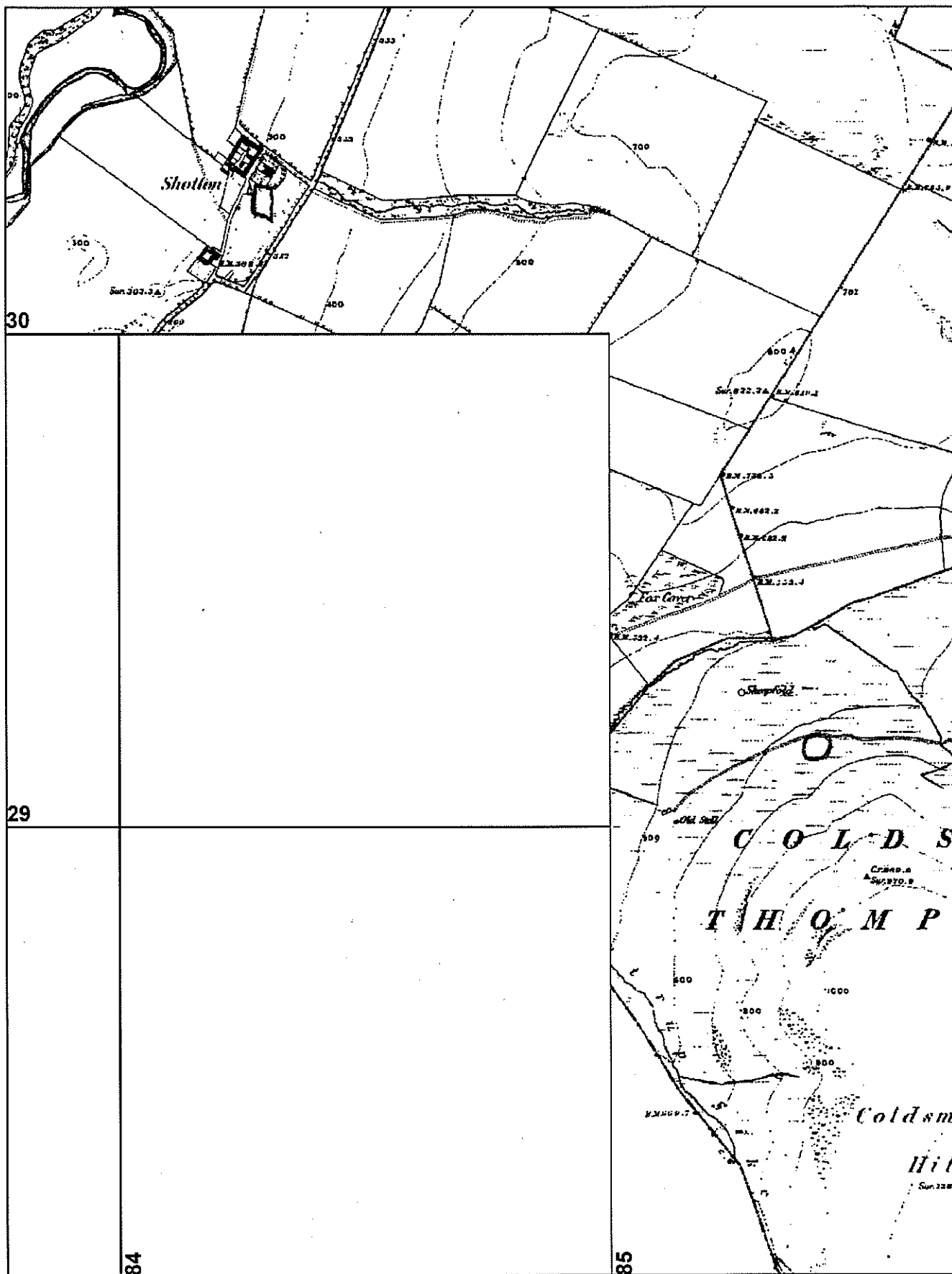
RECAPITULATION.

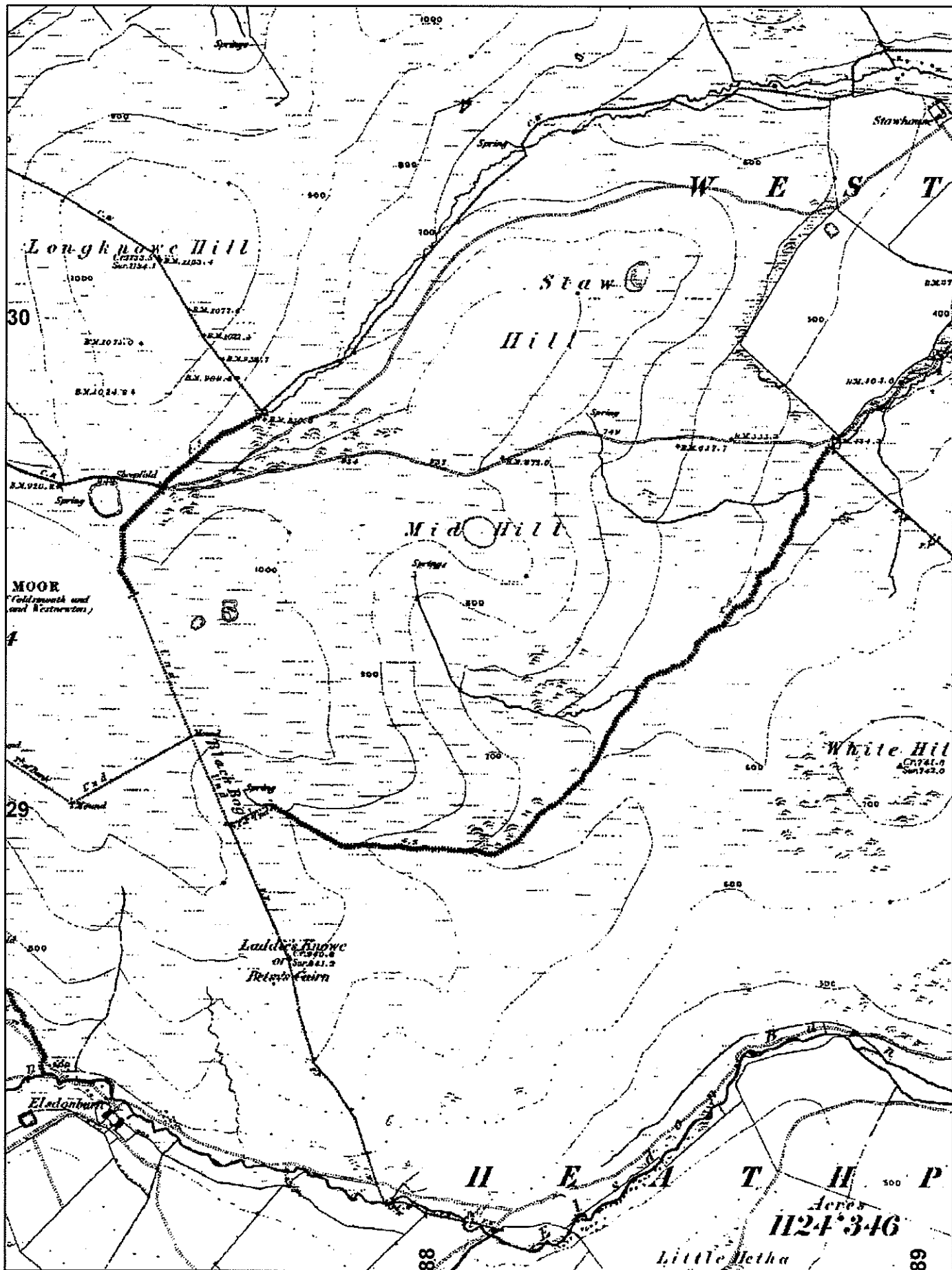
1064.471	Land.
3.793	Water.
7.240	Public roads.
1075.504	Total Area of the Township of Westnewton.

TOWNSHIP OF GREYS FOREST.

No. of Sheet.	No. on Plan.	Area in Acres.	Description.
XVIII. 8.	1	133.558	Rough pasture, streams, & road.
"	2	.152	Pond.
"	3	9.028	Arable & road.
"	4	.106	Garden.
"	5	.615	Houses, garden, & yards.
"	6	1.967	Arable & road.
"	7	8.612	Arable.
"	8	17.154	Arable & road.
"	9	15.139	Arable.
"	10	14.429	Arable.
"	11	4.483	Rough pasture & stream.
"	12	24.044	Rough pasture, streams, & road.
"	13	2.612	Rough pasture & road.
XVIII. 12.	14	12.922	Arable & road.
"	15	.040	Houses.
"	16	.125	Garden.
"	17	.270	Arable.
"	18	.441	Sheepfold.
"	19	4.968	Rough pasture.
"	20	1.155	Rough pasture (camp—remains of)
"	21	.069	Garden.
"	22	3.806	Pasture, roads, & streams.
"	23	.078	House, garden, & yard.
"	24	.325	Garden.
"	25	6.941	Arable & rough pasture.
"	26	4.253	Arable.
"	27	3.909	Arable & wood.
XIX. 9.	28	.327	Pasture & ruins.
XIX. 5.	30	149.310	Rough pasture, streams, & roads.
"	31	2.050	Arable.
"	32	.281	Houses, &c. (Heathpool Mill).
"	33	1.143	Arable.
"	34	.111	Garden.
"	35	12.397	Rough pasture, streams, & road.
XIX. 9.	36	828.887	Rough pasture, streams, roads, &c.
"	37	78.282	Wood.
"	37a	47.390	Wood.
XVIII. 16.	38	27.844	Stream.
"	39	.818	Arable.
"	40	.025	Island (pasture).
		1420.066	Carried forward.







Westnewton Inclosure Award (1866)

At the undersigned Inclosure Commissioners for England and Wales do hereby certify the accuracy of this map and that it is the map referred to in the annexed Award. In Testimony whereof we have hereunto subscribed our respective names and caused our official seal to be affixed, this twenty second day of December in the year of our Lord One thousand eight hundred and sixty six.

(Signed)
G. Darby (R.S.) G. Ridley



PLAN

OF

WEST NEWTON COMMON INCLOSURE

in the

PARISH OF KIRKNEWTON

AND

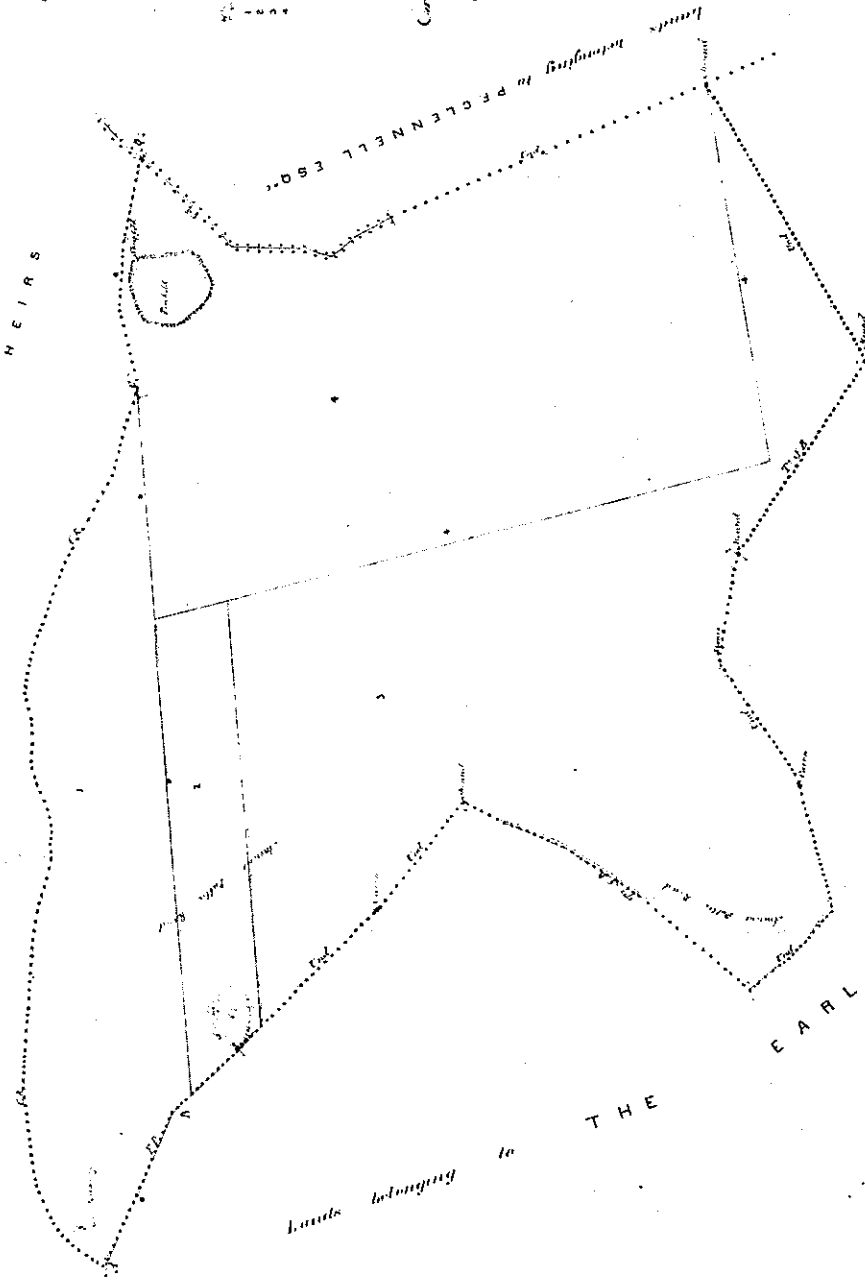
COUNTY OF NORTHUMBERLAND

as divided under the authority of the INCLOSURE COMMISSIONERS

1865

Indian to be returned here

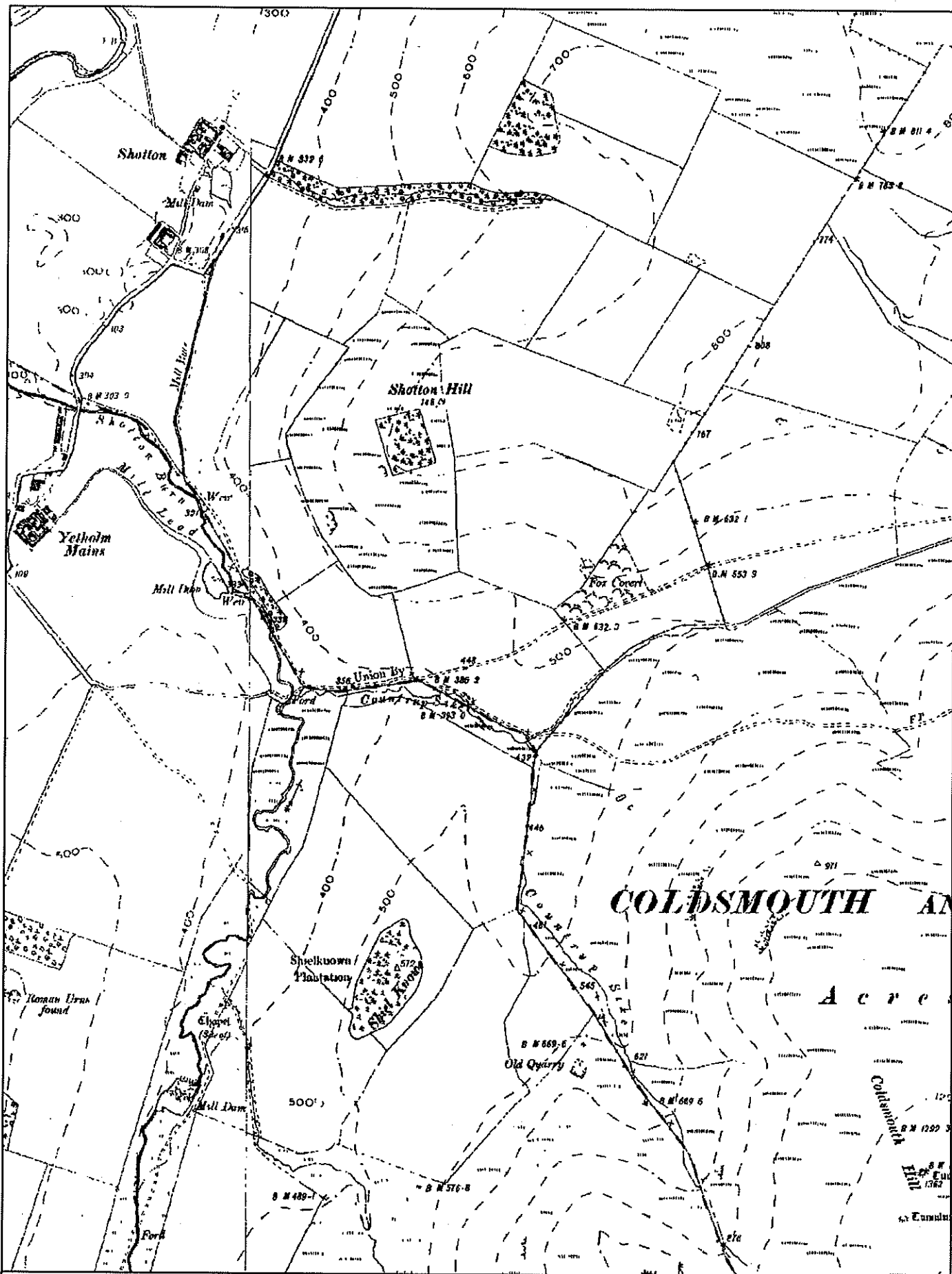
lands belonging to MAJOR GENERAL H. P. DAVISON'S HEIRS



Contents

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

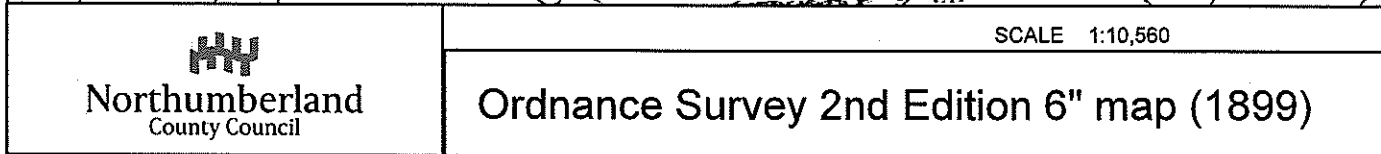
Examined and Approved
G. Darby (R.S.) G. Ridley
Inclosure Commissioners
13th Nov 1866



Northumberland
County Council

SCALE 1:10,560

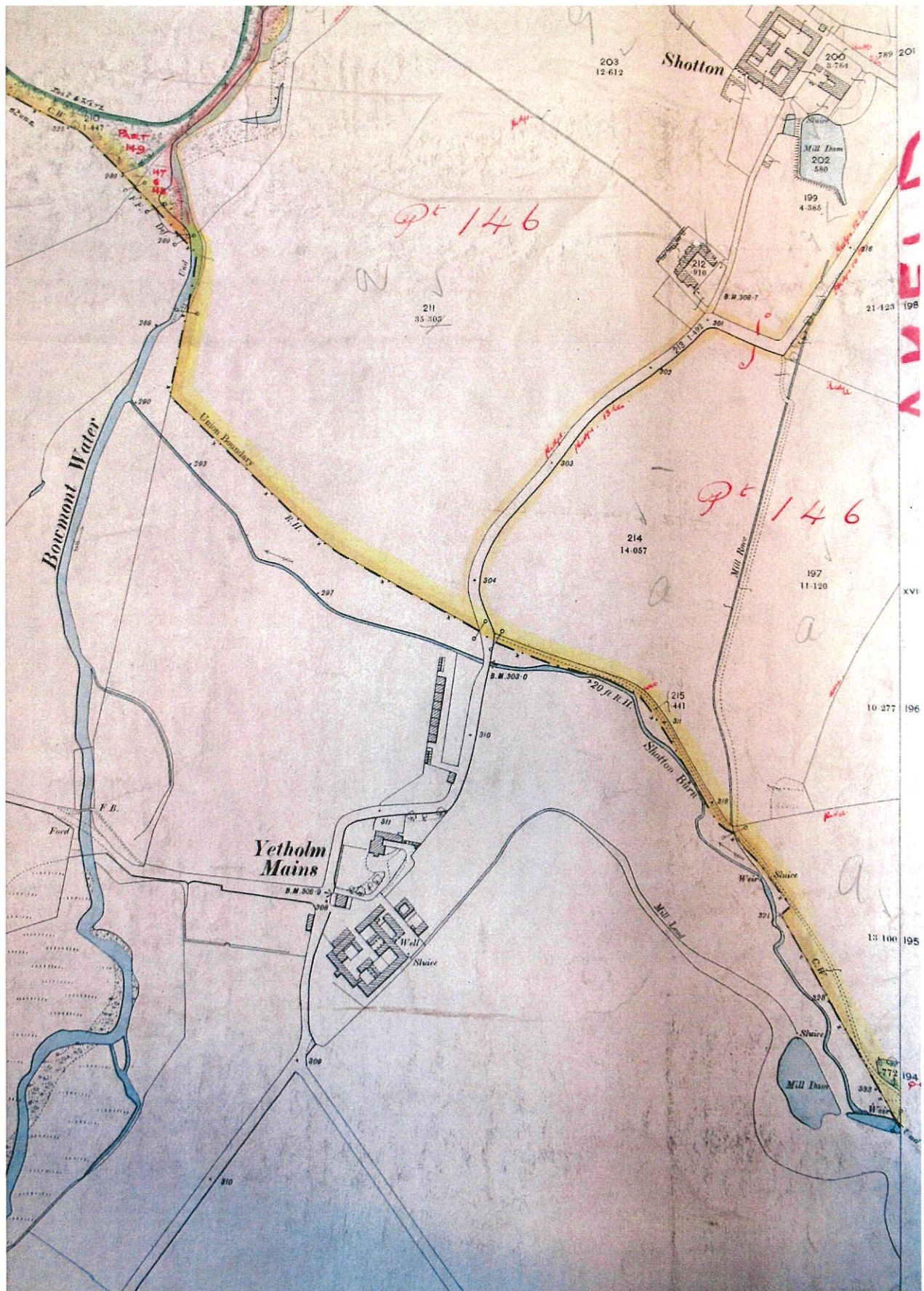
Ordnance Survey 2nd Edition 6" map (1899)



Northumberland
County Council

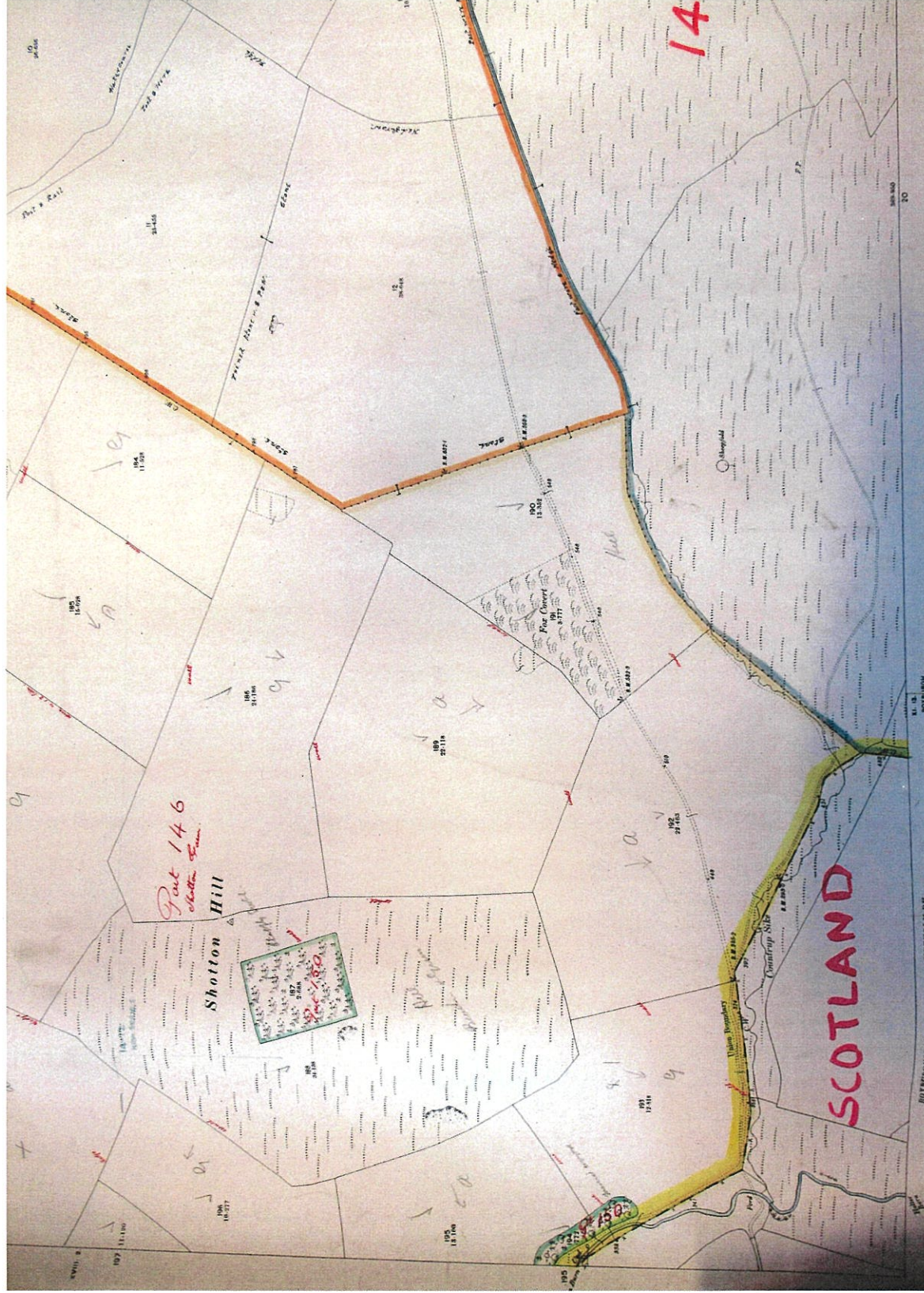
Ordnance Survey 2nd Edition 6" map (1899)

SCALE 1:10,560



(West end)

Finance Act 1910 Plan

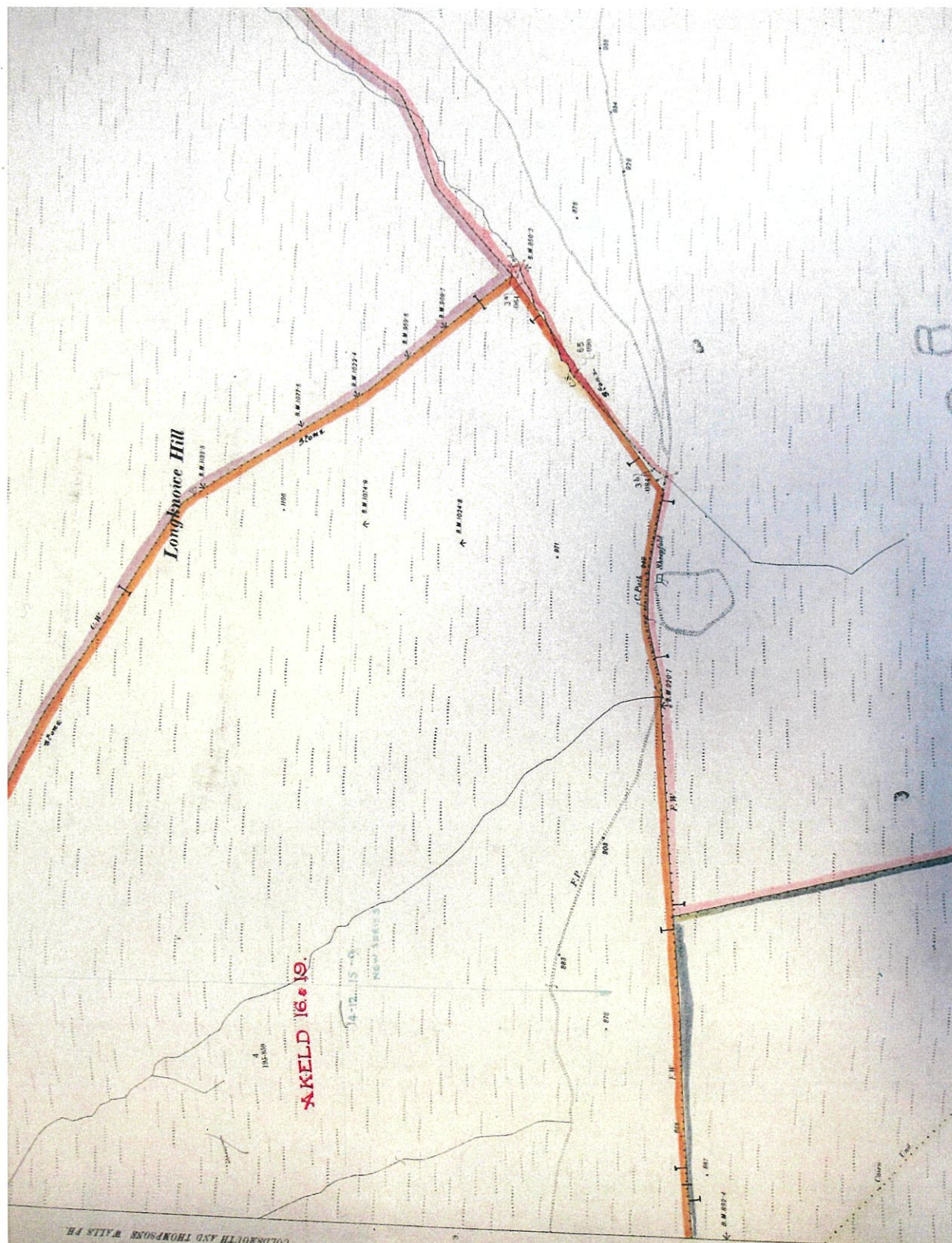


(Centre – West)

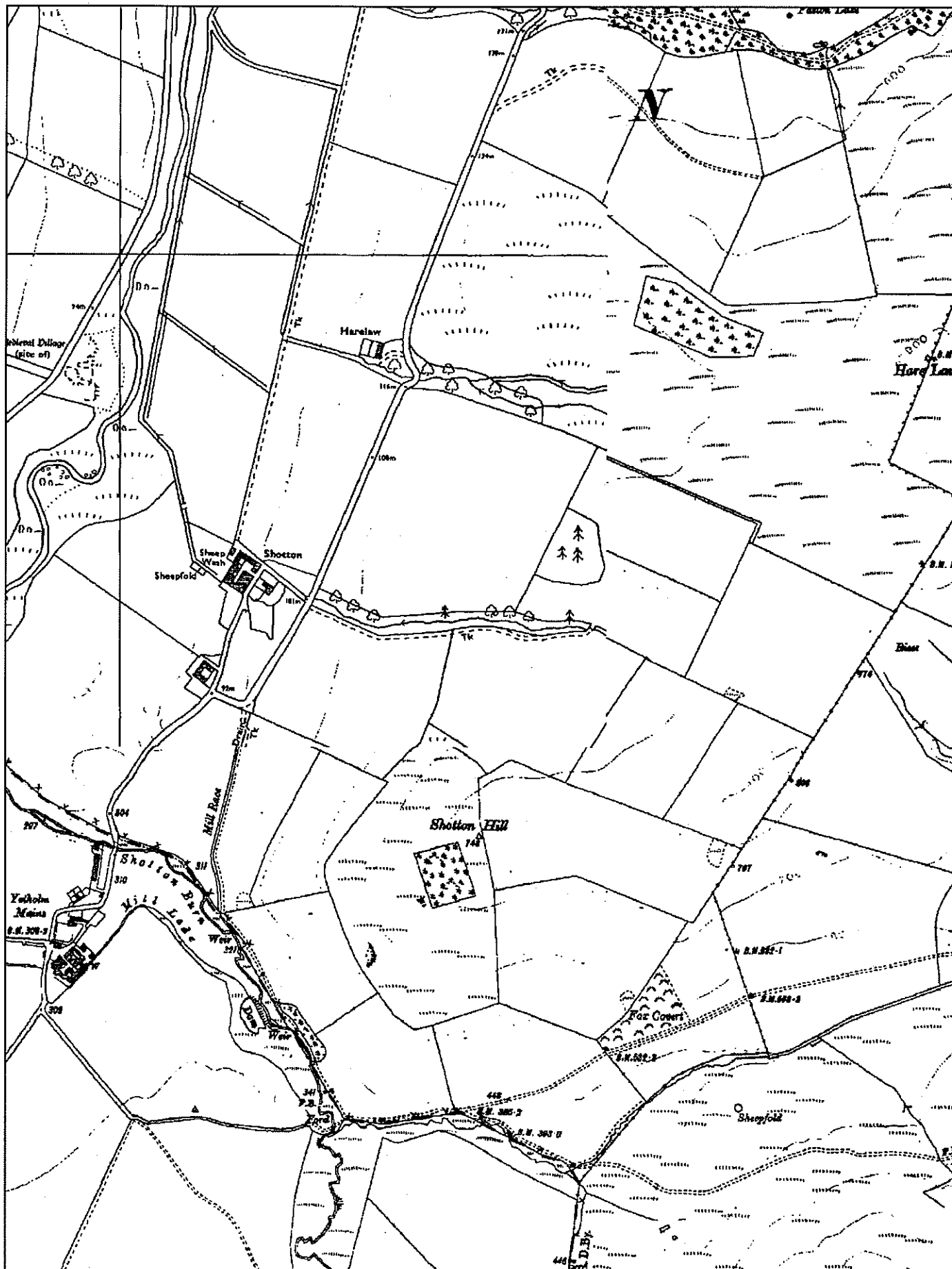
Finance Act 1910 Plan



(Centre - East)



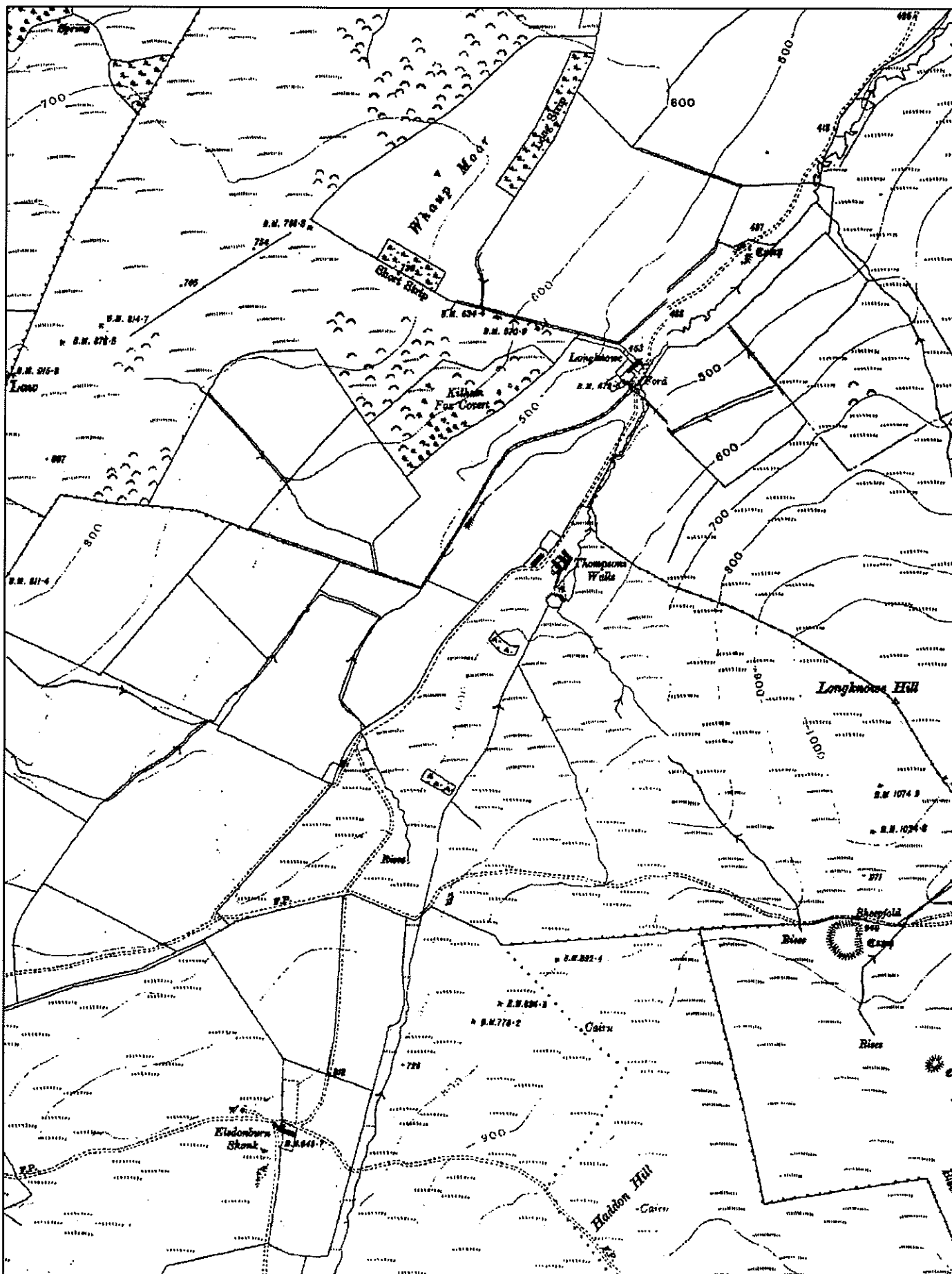
(East end)



Northumberland
County Council

SCALE 1:10,560

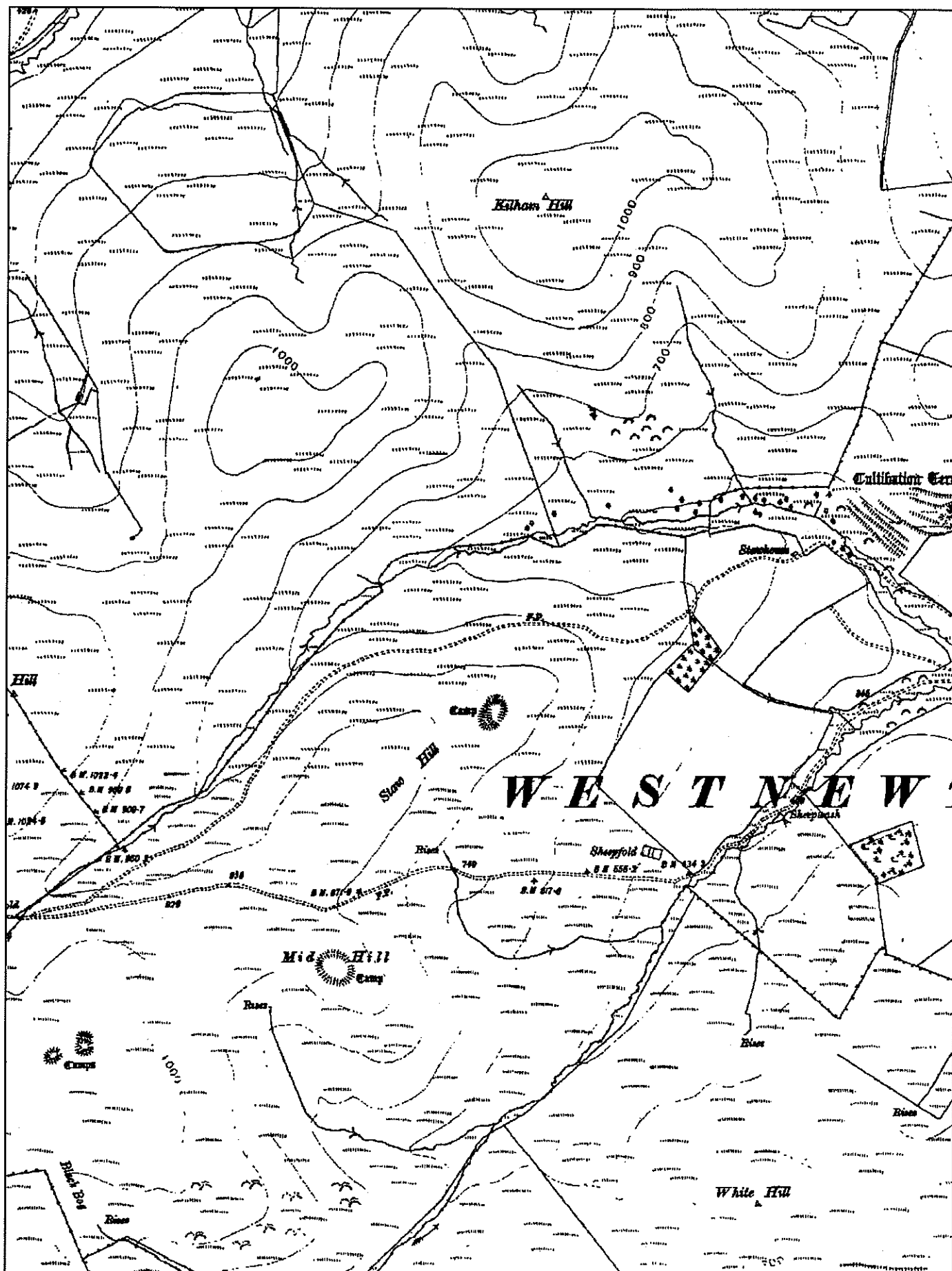
Ordnance Survey 3rd Edition 6" map (1924-5)



Northumberland
County Council

SCALE 1:10,560

Ordnance Survey 3rd Edition 6" map (1924-5)

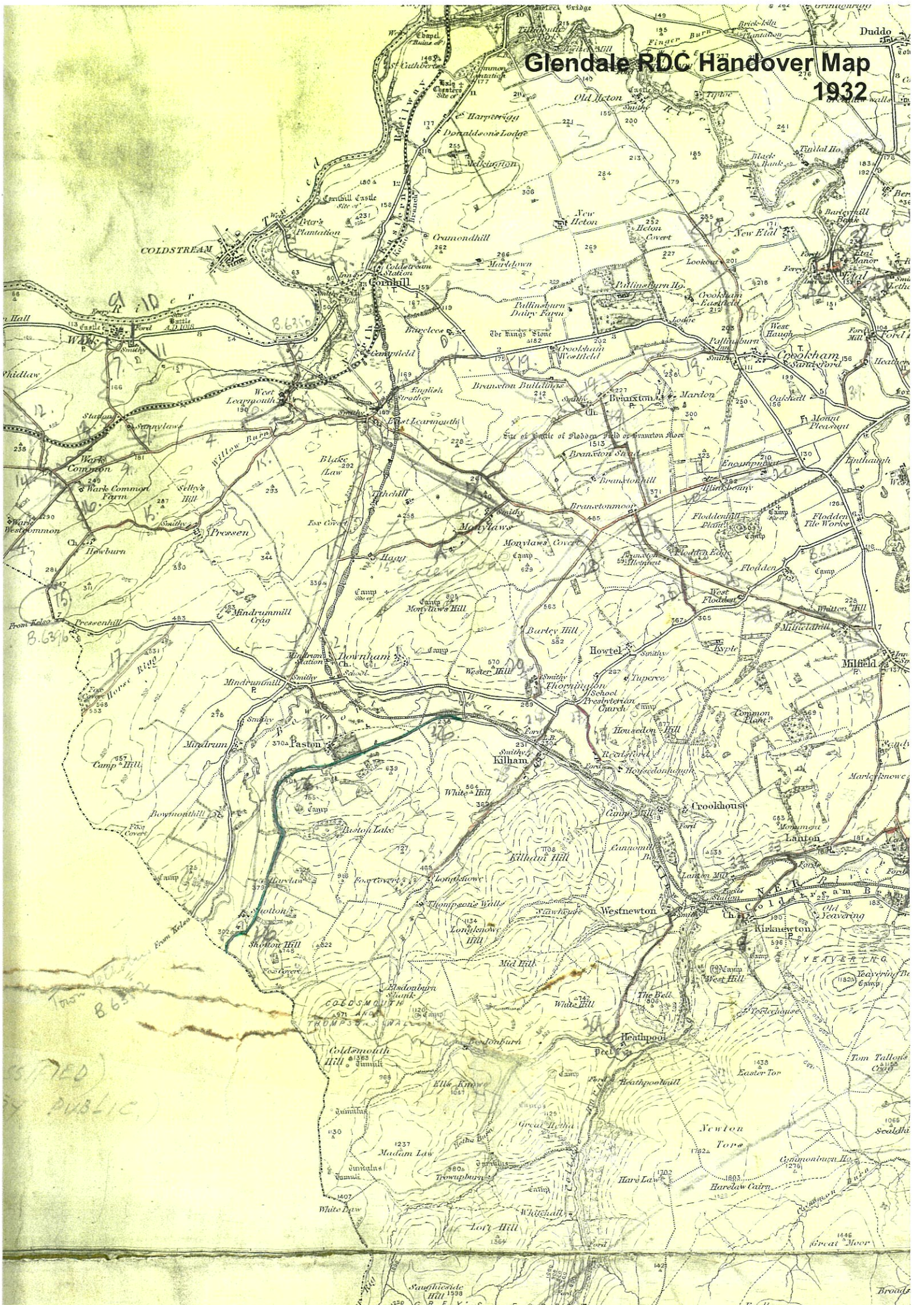


Northumberland
County Council

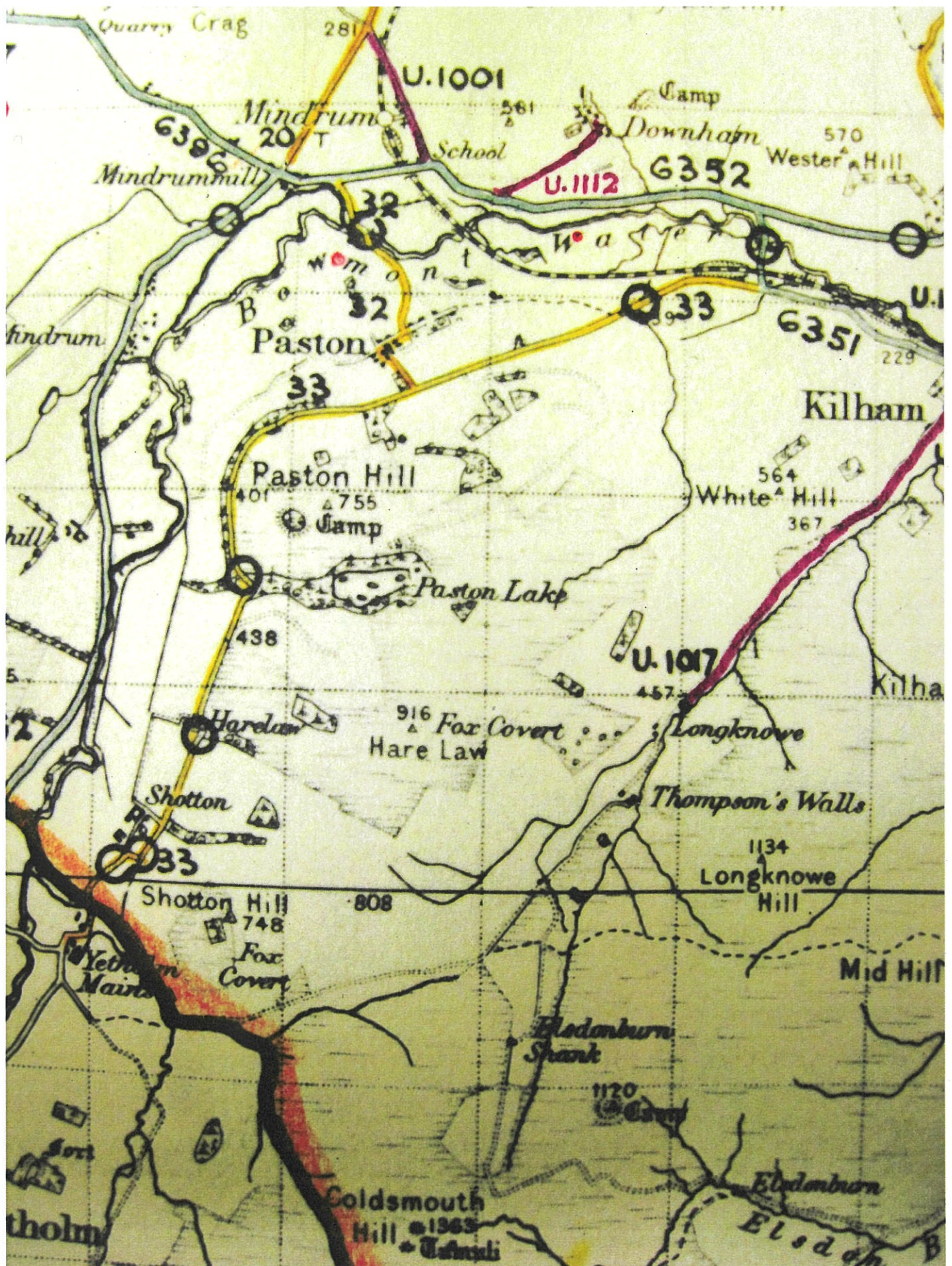
SCALE 1:10,560

Ordnance Survey 3rd Edition 6" map (1924-5)

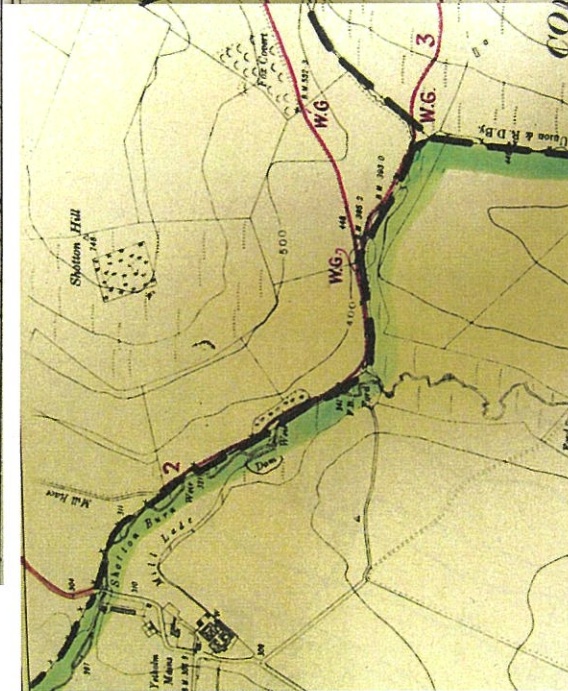
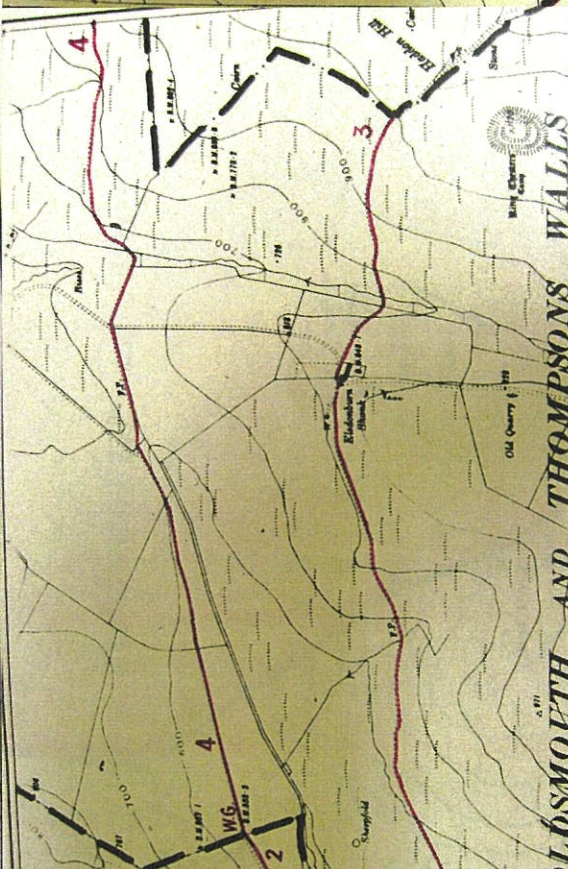
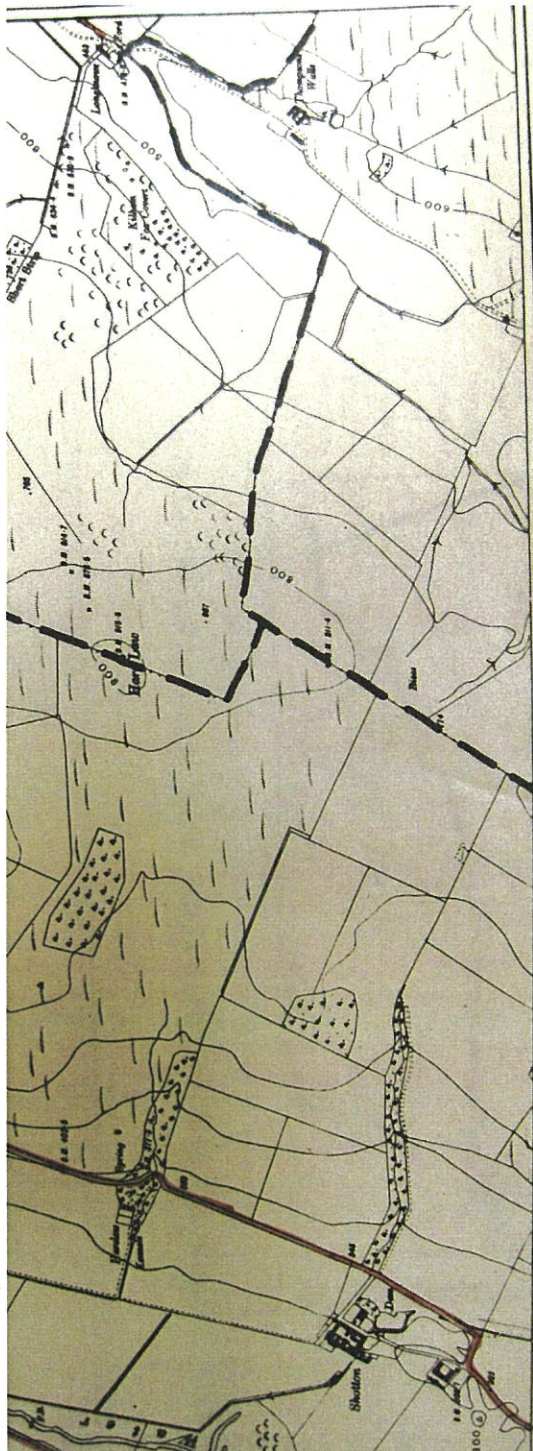
Glendale RDC Handover Map 1932



Extract from the Council's 1951 Highways Map



Survey Map



COLESMOUTH AND THOMPSONS WALLS

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.
SCHEDULE ACCOMPANYING SURVEY MAPS.Parish of PASTON in the Rural District ofGLENDALEBorough
Urban District } of (1)
(Delete whichever is inapplicable).

1. Number of highway on Map 2.
2. Kind of Path (i.e., F.P., B.R.) F.P.
3. Starts at Ythelm man's to Gleamere & Ythelm man's.
4. Name of Path (if any) _____
5. Is the Path well defined? Yes.
6. Is the Path metalled? If so, define length 60.
7. If its width can be stated, insert here _____
8. What is the present condition of the path, stiles, etc? fair
9. Is it subject to being ploughed out? no.
10. Details of any notice boards, direction signs or warning signs against trespassers, stating their location, wording on them, their condition and date of erection, if known 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
Miss Selby.
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>W. P. P. P.</u>	<u>2. Leman's farm</u> <u>Seahouses</u>	<u>25/7/24.</u>

Important:—Sheet No. of Map on which
Highway is shownO.S.T. 1103 N. X17. S.E.

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.
SCHEDULE ACCOMPANYING SURVEY MAPS.Parish of Colsonmouth and Thompsons Wains in the Rural District of
GreengateBorough
Urban District } of
(Delete whichever is inapplicable).

1. Number of highway on Map 4
2. Kind of Path (i.e., F.P., B.R.) F.P.
3. Starts at Golden Lane to West Newton
4. Name of Path (if any) ho.
5. Is the Path well defined? ho.
6. Is the Path metalled? If so, define length ho.
7. If its width can be stated, insert here ho.
8. What is the present condition of the path, stiles, etc? Good.
9. Is it subject to being ploughed out? ho.
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? ho.
13. Give particulars of any obstructions ho.
14. Names of owners of freehold and previous owners, if known, for past 30 years
Sir Alfred Gordon Bart.
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>A.P. Haver</u>	<u>2. Lanning Thomas</u> <u>Seahorse</u>	<u>18/5/24</u>

Important:—Sheet No. of Map on which
Highway is shownO.S.T. 1103 514 S.P.
O.S.T. 1105 514 S.W.

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.
SCHEDULE ACCOMPANYING SURVEY MAPS.Parish of WEST NEWTON in the Rural District of
GLENDALEBorough }
Urban District } of _____
(Delete whichever is inapplicable).

1. Number of highway on Map 1
2. Kind of Path (i.e., F.P., B.R.) B.R.
3. Starts at STAN COTTAGE A to BOUNDARY AT B
4. Name of Path (if any) _____
5. Is the Path well defined? YES
6. Is the Path metalled? If so, define length NO
7. If its width can be stated, insert here 3'
8. What is the present condition of the path, stiles, etc.? FAIR 3F6 + 1 B6
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

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. THE HON. CLAUD LAMBTON D.S.O.
15. What maps have been consulted, and where are they deposited?
6" GLENDALE RDC OFFICES
16. What records have been consulted, and where are they deposited?

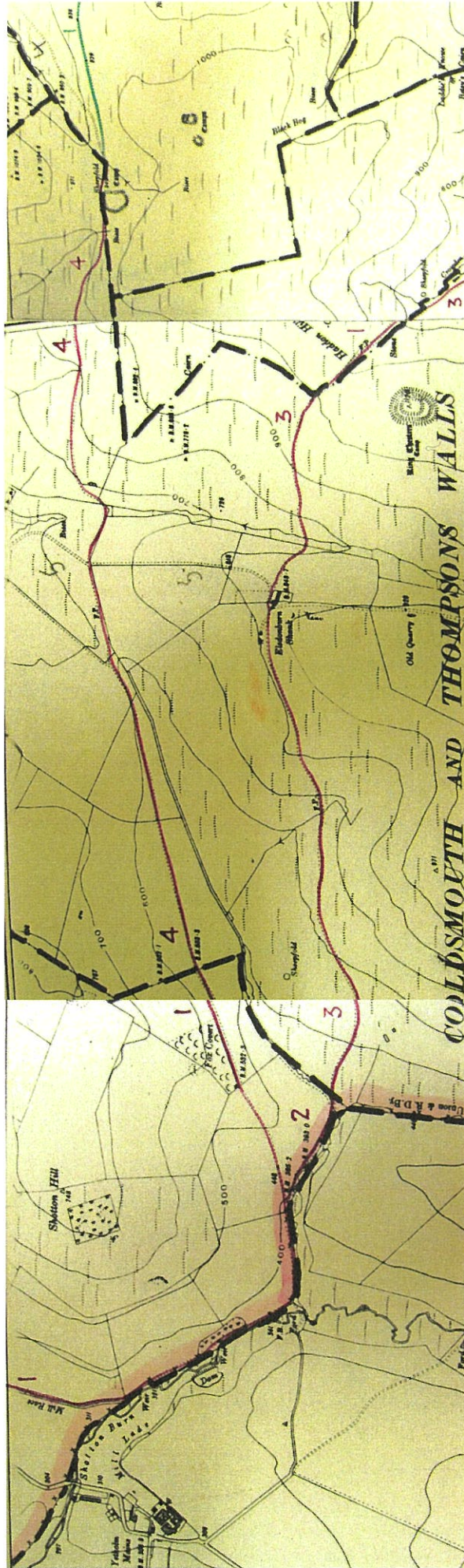
17. Any other relevant information

Surveyed by	Address	Dates of Survey
<u>[Signature]</u>		<u>[Signature]</u>

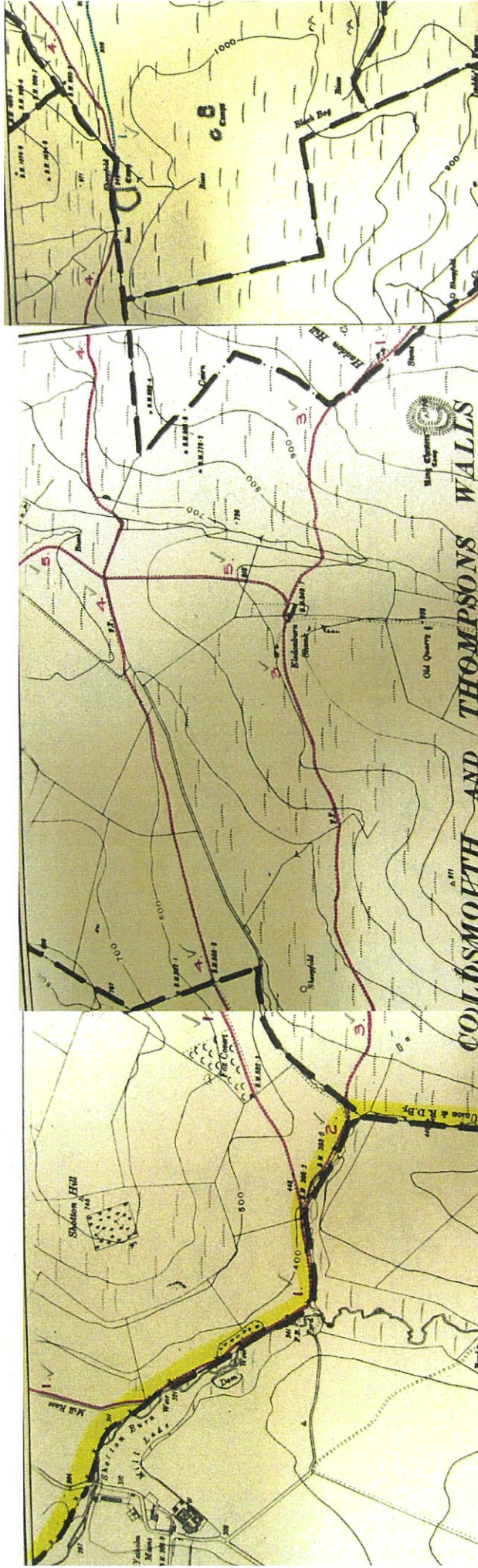
Important:—Sheet No. of Map on which
Highway is shown

_____/_____/_____

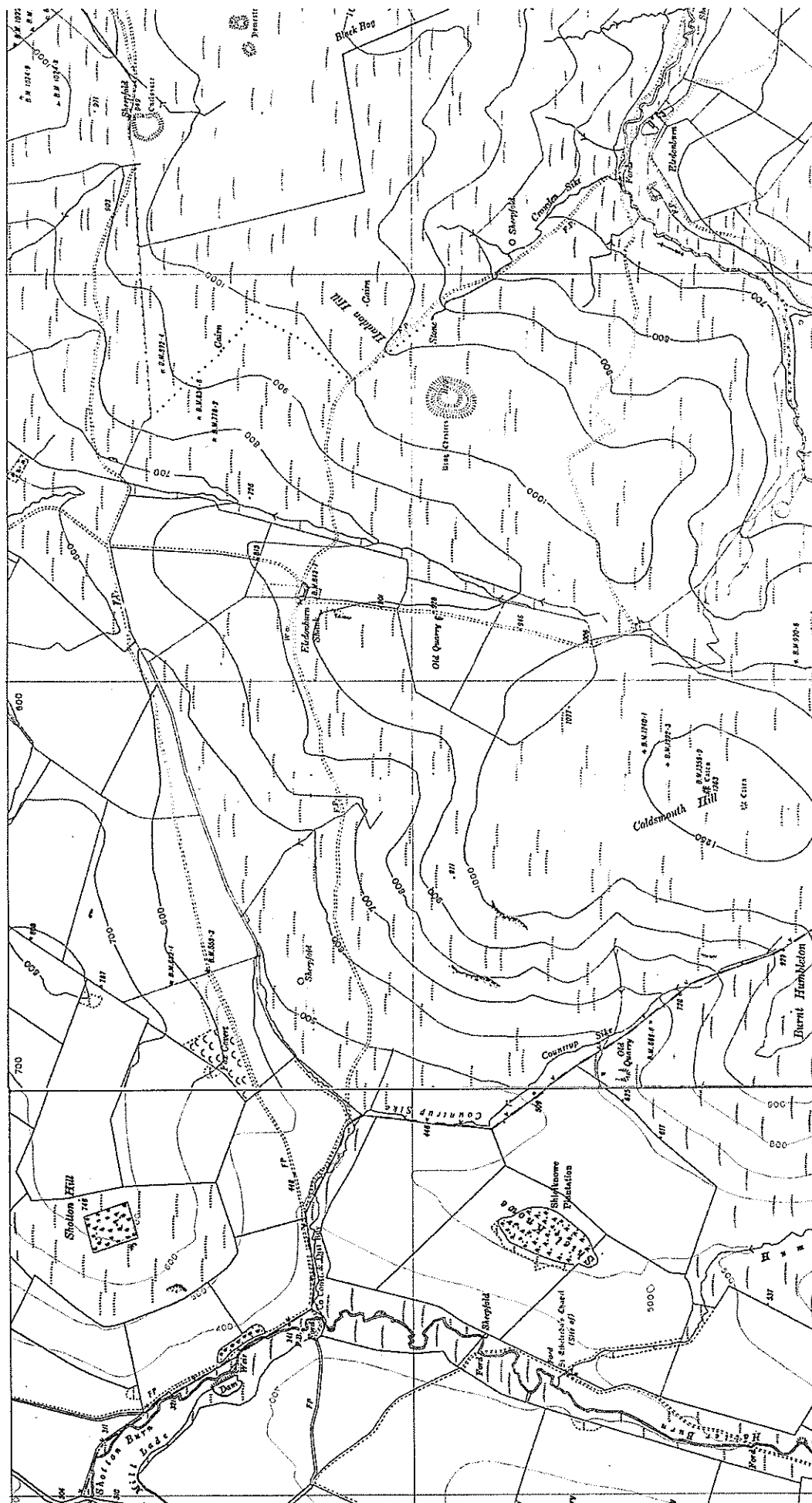
Draft Map



Provisional Map



1:10,560 O.S. Map
1957 - 58



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 GLENDALE
2. Parish KILHAM
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 F.P. 11 at the Kirknewton Parish Boundary
in a north-westerly direction crossing and re-crossing this boundary by
Hadden Hill, then in a westerly direction by Elsdonburn Shank to join F.P. 4
near the County Boundary.
.....
.....
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 GLENDALE
2. Parish KILHAM
3. Number of Footpath on Map 4: ✓
4. Name of Path
.....
5. Kind of Path (i.e. FP/BR) F.P.
6. General Description of Path From the Kilham - Kirk Yetholm Road, south of
.....
Shotton in a southerly and easterly direction by Fox Covert to join F.P. 5
.....
at the Kirknewton Parish boundary.
.....
.....
.....
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 GLENDALE
2. Parish KIRKNEWTON
3. Number of Footpath on Map 5 ✓
4. Name of Path
5. Kind of Path (i.e. FP/BR) F.P.
6. General Description of Path From B.R.6 west of Westnewton in a
..... westerly and south-westerly direction to join F.P.4 at the Kilham
..... Parish boundary.
.....
.....
.....
7. Other relevant information
.....
.....
.....
.....
.....

NORTHUMBERLAND COUNTY COUNCIL.

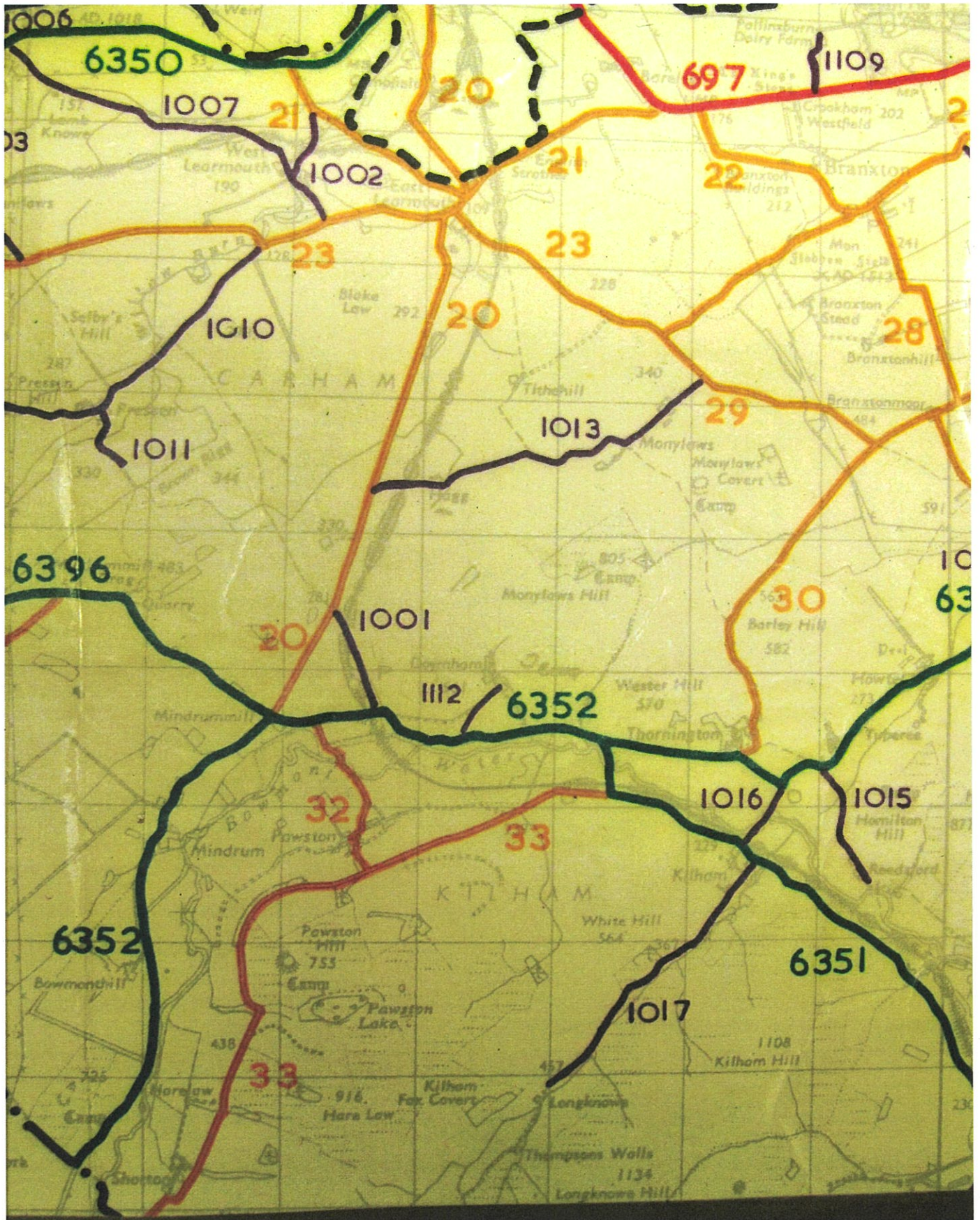
NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.

PART IV.

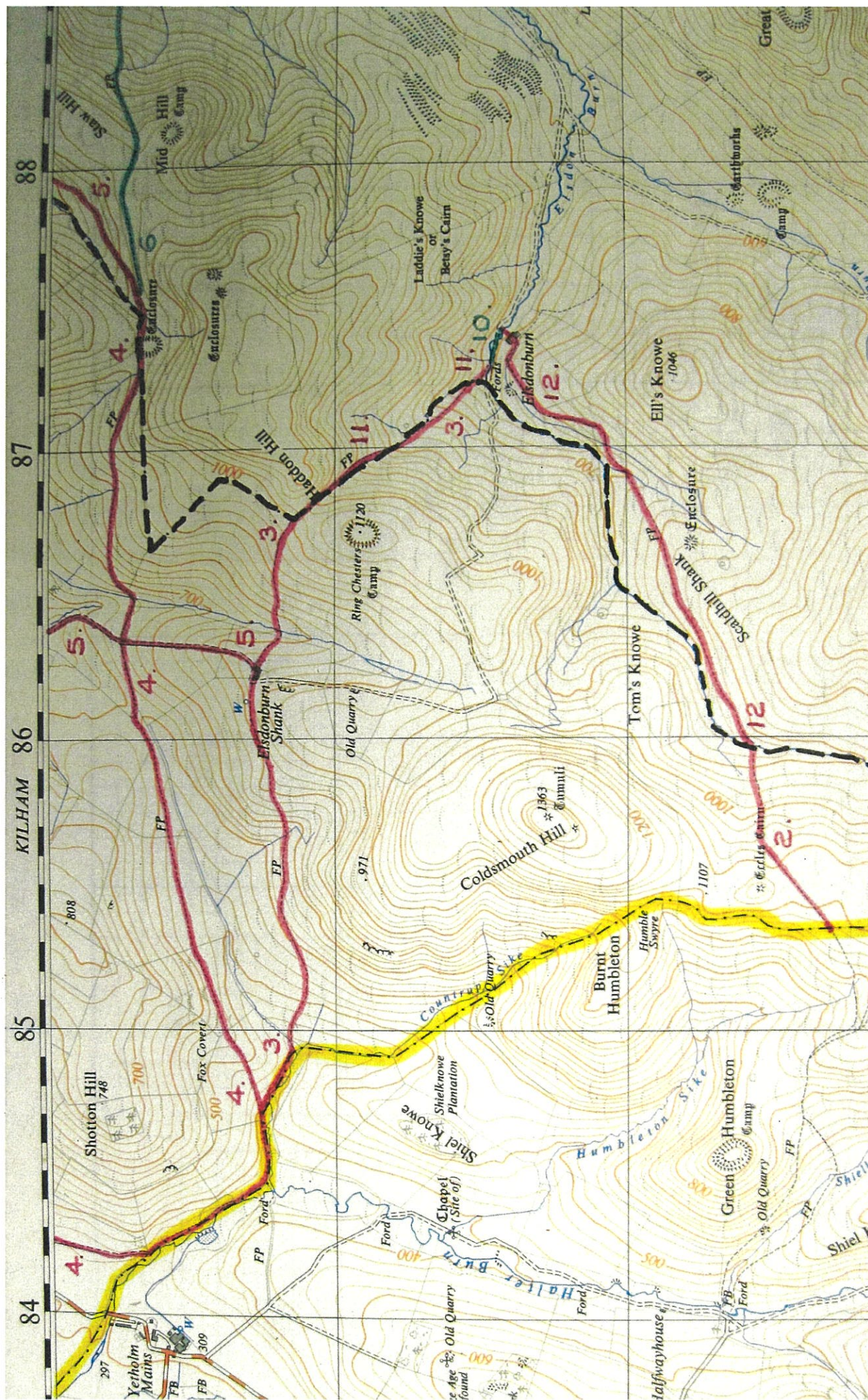
PUBLIC RIGHTS OF WAY - STATEMENT.

1. ~~Borough~~
Urban District
Rural District GLENDALE
2. Parish KIRKNEWTON
3. Number of Footpath on Map 6
4. Name of Path
5. Kind of Path (i.e. FP/BR) B.R. width 3 feet
6. General Description of Path From the Kilham - Westnewton road at
..... Westnewton in a south-westerly direction by Mid Hill to join F.P.4 at
..... the Kilham Parish boundary.
.....
.....
.....
7. Other relevant information
.....
.....
.....
.....
.....

Extract from the Council's 1964 Highways Map



First Review Definitive Map



This is a detailed topographic map of a mountainous region, likely in the Appalachian area. The map is oriented with North at the top and includes a grid system. Key features include:

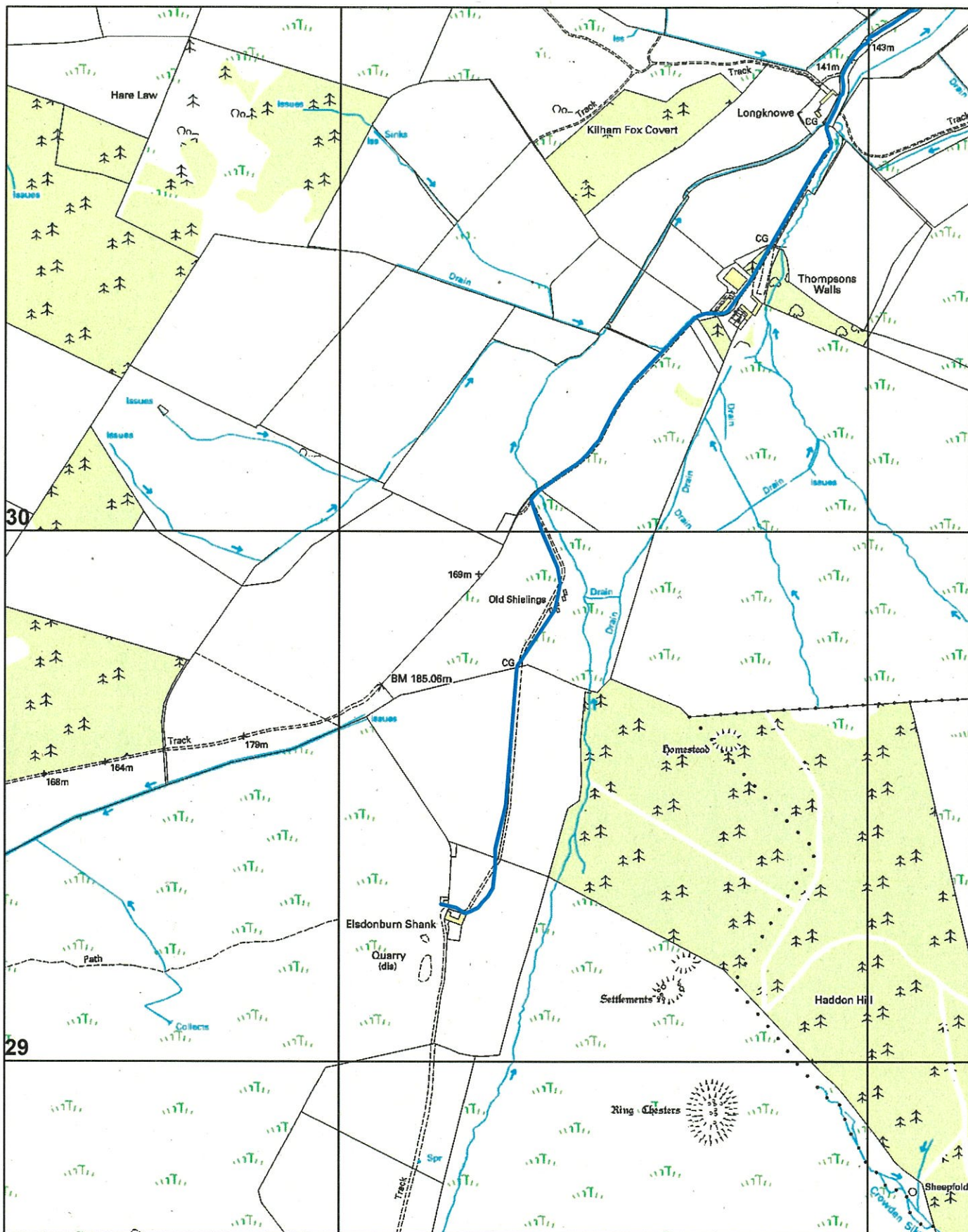
- Topography:** Contour lines indicate elevation, with peaks such as Shelton Hill, St. Stephen's Church, O'Steepold, Goldsmith's Hill, and Hambledon.
- Water Features:** A river or stream flows through the lower portion of the map, with several smaller creeks and brooks branching off.
- Infrastructure:** A network of roads is shown, including a main road running horizontally across the middle and several smaller roads connecting various locations.
- Landmarks:** Various landmarks are labeled, including "Shelton Hill", "St. Stephen's Church", "O'Steepold", "Goldsmith's Hill", "Hambledon", "Shelton Hill", "St. Stephen's Church", "O'Steepold", "Goldsmith's Hill", and "Hambledon".
- Grid System:** A grid system is overlaid on the map, with letters A through J along the top and numbers 1 through 10 along the right side.

Ordnance Survey Explorer Map OL16

1:25,000

(2005)






Northumberland
 County Council

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).

Drn:

AB

Date:

Sept 2021

Scale:

1:10,000