

NORTHUMBERLAND COUNTY COUNCIL

**NORTH NORTHUMBERLAND LOCAL AREA COUNCIL
(RIGHTS OF WAY) SUB-COMMITTEE**

At a meeting of the **North Northumberland Local Area Council (Rights of Way) Sub-committee** held in Chairman's Dining Room, County Hall, Morpeth on Wednesday, 13 February 2019 at 10:00 am.

PRESENT

Councillor T. Thorne
(Chairman, in the chair)

MEMBERS

G Castle
A Murray

G Renner-Thompson
C Seymour

OFFICERS

A Bell
LM Bennett
D Brookes
N Masson
J McErlane

Definitive Map and Search Officer
Senior Democratic Services Officer
Infrastructure Records Manager
Principal Solicitor
Definitive Map and Search Officer

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R. Moore.

13. MINUTES

RESOLVED that the the minutes of the meeting of the North Northumberland Local Area Council (Rights of Way) Sub-Committee held on Wednesday, 19 December 2019, as circulated, be confirmed as a true record and signed by the Chair.

**14. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
ALLEGED RESTRICTED BYWAYS NOS 6 & 29
PARISHES OF DODDINGTON & CHATTON**

The Infrastructure Records Manager introduced the report in which Members were asked to give consideration to all the relevant evidence gathered in support and rebuttal of a proposal to upgrade to restricted byway existing Parish of Doddington Public Footpath No 6 and Parish of Chatton Public Footpath No 29 from Parish of Doddington Byway Open to All Traffic No 21 (U1053 road) north-east of Doddington

Ch.'s Initials.....

Quarry in a general southerly direction crossing the Doddington / Chatton parish boundary to join the C38 road north-west of Weetwood Hall. (Report attached to the signed minutes as page 1 of Appendix A.)

Councillor G. Castle proposed acceptance of the recommendation as set out in the report. This was seconded by Councillor C. Seymour.

Upon being put to the vote the motion was unanimously agreed and it was

RESOLVED that, in light of the evidence submitted, it appeared that public vehicular rights or public bridleway rights had not, on the balance of probability, been proven to exist over the route.

**15. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
ALLEGED PUBLIC BRIDLEWAY NO 6
PARISH OF MIDDLETON**

The Infrastructure Records Manager introduced the report in which Members were asked to give consideration to all the relevant evidence gathered in support and rebuttal of a proposal to upgrade to public bridleway, Parish of Middleton Public Footpath No 6 from existing Public Bridleway No 1 west of Greymare Farm in a general south-easterly direction passing to the south of Lower & Upper Swinhoe Lakes to join the U2038 road north-west of Swinhoe Farm. (Report attached to the signed minutes as page 57 of Appendix A.)

Councillor G. Renner-Thompson proposed acceptance of the recommendation as set out in the report. This was seconded by Councillor C. Seymour.

Upon being put to the vote the motion was unanimously agreed and it was

RESOLVED that there was insufficient evidence to indicate that public vehicular rights or public bridleway rights had, on the balance of probability, been proven to exist over the route.

**16. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
ALLEGED BYWAY OPEN TO ALL TRAFFIC No 1
NEWTON-BY-THE-SEA (part 1)**

The Infrastructure Records Manager introduced the report in which Members were asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over a short length of the U3072 road, which is also recorded as being part of Public Footpath No 1, in the vicinity of Newton Link House. (Report attached to the signed minutes as page 121 of Appendix A.)

Ch.'s Initials.....

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Councillor G. Castle proposed acceptance of the recommendation as set out in the report. This was seconded by Councillor G. Renner-Thompson.

Upon being put to the vote the motion was unanimously agreed and it was

RESOLVED that

- (i) there was sufficient evidence to indicate, on a balance of probabilities, that public vehicular rights exist over the route K-L;
- (ii) there was sufficient evidence to indicate, on a balance of probabilities, that public bridleway rights exist over the route J-K, and that this section be included in a future Definitive Map Modification Order to upgrade this short length of public footpath to public bridleway;
- (iii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorised vehicular rights over the K-L route;
- (iv) the K-L section be included in a future Definitive Map Modification Order upgrading this short length of public footpath to byway open to all traffic status.

**17. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
ALLEGED BYWAY OPEN TO ALL TRAFFIC No 1
NEWTON-BY-THE-SEA (part 2)**

The Infrastructure Records Manager introduced the report in which Members were asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over a short length of the C72 road, which is also recorded as being part of Public Footpath No 1, in the vicinity of Low Newton. (Report attached to the signed minutes as page 175 of Appendix A.)

Councillor G. Castle proposed acceptance of the recommendation as set out in the report. This was seconded by Councillor G. Renner-Thompson.

Upon being put to the vote the motion was unanimously agreed and it was

RESOLVED that

- (i) there was sufficient evidence to indicate, on a balance of probabilities, that public vehicular rights exist over the route A-B;
- (ii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorised vehicular rights over this route;
- (iii) the route be included in a future Definitive Map Modification Order upgrading this short length of public footpath to byway open to all traffic status.

Ch.'s Initials.....

North Northumberland (Rights of Way) Sub-Committee 13 February 2019

18. DATE OF FUTURE MEETING

It was noted that the next meeting would be held on Wednesday, 24 April 2019 at 10:00 am.

19. URGENT BUSINESS

Councillor G. Castle requested that clarification of the legal status of the cobbled parking area in Alwick be provided to a future meeting of the Sub-Committee.

CHAIR

DATE: