

Monday, 22 March 2021 at 4.30 pm in the Virtual Via Teams - Link to View to follow shortly

Item	Business
1	Apologies for Absence
2	Minutes (Pages 3 - 4) The committee is asked to approve the minutes of the previous meeting held on 16 November 2020.
3	Application for a Definitive Map Modification Order to Upgrade the Status of Public Footpath LA/27 and RY/21 to Bridleway (Pages 5 - 58) Report of the Strategic Director, Legal and Corporate Services
4	Progress on Rights of Way Matters (Pages 59 - 62) Report of the Strategic Director, Corporate Services and Governance and the Strategic Director, Communities and Environment

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GATESHEAD METROPOLITAN BOROUGH COUNCIL

RIGHTS OF WAY COMMITTEE MEETING

Monday, 16 November 2020

PRESENT: Councillor K Wood (Chair)

Councillor(s): S Dickie, D Bradford, A Geddes, M Ord,
J Simpson and A Wheeler

RW35 MINUTES

RESOLVED - That the minutes of the meeting held on 18 November 2019 be agreed as a correct record.

RW36 PROGRESS ON RIGHTS OF WAY MATTERS

It was requested that Item 4, the Claim for a Footpath at Sherburn Towers, Rowlands Gill, be removed from the list. Several new items have been added to the current matters. It was proposed, Item 7 be brought to this meeting, however, the British Horse Society requested the matter be deferred so officers are preparing to bring Items 7, Cushy Cow Lane and Item 8, Barlow Lane to the March meeting of the Committee.

Officers highlighted some of the principal works carried out between March 2020 and November 2020. It has been noted that some of the footpaths have become more popular since lockdown and officers have assisted landowners with signage around social distancing and making sure walkers/riders/cyclists keep to the appropriate paths.

Work has been carried out in several areas of Gateshead again despite the restrictions of the pandemic. Areas include replacement stile steps, kissing gates and drainage and surface improvements. One path in Bill Quay was experiencing a lot of route damage and the routes have now been removed and the path repaired.

RESOLVED – that the information contained within the report and presentation be noted.

Chair.....

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Report for Rights of Way Committee 22 March 2021

TITLE OF REPORT: Application for a Definitive Map Modification Order to upgrade the status of public footpath RY/27 and RY/21 to bridleway

REPORT OF: Strategic Director, Legal and Corporate Services

Summary

This report to Committee sets out, summarises, and evaluates the evidence gathered and submitted to the Council to determine whether there is sufficient evidence to make a definitive map modification order to upgrade a public right of way on the definitive map and statement.

1. Purpose of the report

To investigate an application and evidence for a definitive map modification order as to whether bridleway rights exist over two existing public footpaths at Cushy Cow Lane, Ryton, Gateshead as shown by a broken black line on the plan at Appendix 2 to the report.

2. Background

- 2.1 By virtue of Section 53(2)(b) of the Wildlife and Countryside Act 1981, the 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 in consequence of events described in Section 53(3).
- 2.2 The relevant statutory provision which applies where an existing public footpath on the Definitive Map and Statement is being upgraded to public bridleway status, on the basis of historical documentary evidence, is Section 53(3)(c)(ii) of the Wildlife and Countryside Act 1981. This requires the 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’.
- 2.3 The main issue is whether the evidence is sufficient to show, on the balance of probabilities, that the existing public footpaths should be recorded as a public bridleway. The definition of a bridleway under Section 66(1) is

‘a highway over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway’.

- 2.4 All the relevant statutory provisions and competing rights and interests have been considered in making this report. The recommendation is in accordance with the law and proportionate having regard to individuals’ rights and the public interest.

The Application

- 2.5 The Council received an application (set out at appendix 1) on the 20th February 2020 which was dated 20th February 2020 to upgrade a footpath to a bridleway onto the definitive map and statement of public rights of way. The applicant submitted historical map evidence and no user evidence forms to support the claim. The historical map evidence is set out at Appendix 3 to the report.
- 2.6 Following receipt of the application, the Council displayed notices along the current public footpath route requesting any persons who use it on horseback/as a bridleway to complete a user evidence form. The local user groups were also contacted to determine if any of their members used the claimed right of way and wanted to submit evidence. Following this, no user evidence forms were received.
- 2.7 On investigating the claim, the Council in its capacity as Surveying Authority, inspected documentary evidence and this is set out at paragraph 4 below.
- 2.8 In addition to the above investigations, the landowners of the claimed upgrade route on the north side of the A695, RY/27/4, were sent landowner evidence forms to determine whether they recognised the footpath as a bridleway or whether they had done anything to rebut any presumption of dedication of the claimed right of way as a bridleway. The council put notices on the south side of the A695, RY/27/3, RY/27/2, RY/21/1 and RY/21/2 as this land is unregistered. The Council did not receive any landowner evidence in response.

3 Site Investigation

The route which is subject to the claimed upgrade is indicated on the plan at Appendix 2 from point A to point B. It is approximately 660 metres in length and commences at Point A, where there is a fingerpost on Cushy Cow Lane, Ryton. A well worn muddy track continues along the field edge in a southerly direction. On approaching the south side of the A695 the path turns easterly and stops on reaching the tarmacked highway. The only potential safe way of crossing this major road is an underpass to the west which is currently unusable. Once across the A695 onto the north side the claimed upgrade route continues from the fingerpost in a south easterly direction initially climbing steps to a wooden stile. The stoned path continues in a south easterly direction towards Stephens

Hall North Farm where it crosses over footpaths Ryton 23 and 25. The claimed upgrade route continues for approximately 320 metres in a south easterly direction to Lead Road, point B on the plan.

4 Consideration of the Claim

4.1 In determining the application, the committee must decide the following:

- (a) if there is evidence to demonstrate, on the balance of probability, the existence of a public bridleway from point A to point B over footpath RY27 and RY21 which is currently recorded as a public footpath. The burden of proving this falls to the applicant and matters such as suitability of a way and possible nuisance or need are irrelevant and cannot be taken into account when reaching a decision.

4.2 Documentary Evidence

The application was submitted with the following documentary evidence:

1) OS 1:25,000

The route, the continuation of Cushy Cow Lane to Stephen's Hall, is shown with the purple line added by applicant. Note currently there is a gap between the footpaths north and south of the A 695.

2) Definitive map

The route follows footpaths RY/27/4, RY 27/3, RY/27/2, RY /21/2 and RY/21/1, all in Ryton Parish, Gateshead, indicated with purple arrow added by applicant.

3) Gateshead Adopted roads map

The route is indicated approximately with the purple line added by the applicant. Cushy Cow Lane in the north and Lead Lane to the south are both adopted, as are the tracks either side of the bypass leading to the underpass.

4) Satellite view

Purple arrows alongside route added by applicant.

5) Ryton Tithe map 1841

The purple oval added by applicant indicates the area of interest shown in the detail. Cushy Cow Lane is shown continuing through a gate southwards, this route is labelled "from Greenside" as it comes from south of the wagonway. This route is not included within any parcels of land but is shown by a dotted track. Tithe maps are solely concerned with identifying titheable land. They were not intended to establish or record rights of way. They are generally good evidence of the topography of the roads they portray, especially those which form boundaries of titheable land.

6) Ryton Woodside Tithe 1840 Thomas Bell

This shows dotted track with parcel 2.the southern part.

7a) Boundary Remark Book Ryton 1854 Durham 1627

The claimed route is shown as a dotted track. RH shown on the map stands for 'root of hedge'.

7b) OS Durham I 6 inch 1858

Shows the claimed route as a solid lined track.

8) OS 1st 25 inch Durham I.16 1856-95

The claimed route starts at the end of plot 363- Cushy Cow Lane then continues through plot 224 which is recorded as arable. The claimed route continues through plot 250 which is recorded as pasture then becoming plot 718 which is recorded as a road.

9) Ryton Book of Reference

Shows recorded plots 363,224,250 and 718 as previously mentioned.

10) Bell Map 1861 Plan of Western Coal District of Durham and Northumberland

Shows the claimed route as a dotted and solid lined track.

11) 1 inch 1st topographical 105 SW 1864

Shows the claimed route as a continuous solid lined track.

12) OS 25 inch I.16 1895 NLS

Shows the claimed route as a continuous solid lined track.

13) OS 1 inch sheet 20 1898 outline NLS

Shows the claimed route as a dotted and solid lined track.

14) Bartholomew 1902 Sheet 2, Northumberland south NLS

Shows the claimed route as a solid lined track. The explanatory note shows that the claimed route was not recorded as a footpath or bridleway.

15) OS 6 inch Durham 1 1914 NLS

Shows the claimed route as a dotted and solid lined track.

16) OS 1 inch 1961 NLS

Shows the route as a staggered and solid lined route.

17) 1910 Finance Act Plan Durham I.16

The claimed route is shown by a solid lined route that passes through plot 933 which shows no deductions. Under the 1910 Act, all land was required to be valued unless exempted. Routes shown on the base plans which correspond with known public highways, usually vehicular are not normally shown as included in the hereditaments. Instead they are uncoloured and unnumbered. Landowners were not obliged to claim reductions and many did not, lack of a deduction does not mean no rights of way existed.

18) Photographic evidence

These photos show the path from Cushy Cow Lane to Lead Road. Photos of underpass and track on the north side of the A695 are not included in the claim.

4.3 In addition to the documentary evidence submitted in support by the Applicant, the Council also carried out its own research and inspected the following documentary evidence:

a) NZ17SE – A Published 1950

Clearly shown as a continuous route.

b) Definitive statements 1967

Description of route: -

RY/21- Leave main road E. of Folly, passing Stephen Hall, where lane joins paths 23,25,27. Query-is this lane public for vehicles or is it footpath rights only.

RY/27- Lead N. from Stephens Hall be cart road to wood stile and along W. side of hedge to field gate to field gate. Cross railway, through field gate, following hedge to field gate leading into Cushy Cow Lane.

c) Definitive statements 2018

Description of route:-

RY/21- South of Stephen's Hall, from road (going to Greenside), proceeds north along farm accommodation track west side of Stephen's Hall to junction, south east of Stephen's Hall Farm.

RY/27:- From south east of Stephen's Hall North Farm proceeds northerly at edge of fields, across Ryton FP 95 and Ryton/Crawcrook Bypass to Cushy Cow Lane ending at junction Ryton FP 26 and Croft Close.

d) Ryton Crawcook By-pass Side Roads Order 1987

An internal search of the Council's records was undertaken and the Ryton-Crawcrook By-Pass Side Roads Order 1987 was found. This showed highways and private accesses that were to be stopped up and new highways to be created. Upon closer examination, Schedule 3 sets out at number 4, part of Footpath 27 to be stopped up, where it crosses the line of the new bypass. This is also included in number 10 which is to stop up a private means of access to agriculture which runs along the same stretch as Footpath 27. In brackets it classifies the reference of the new highway as a bridleway. The new highway provided is the underpass. We are not able to draw any helpful conclusions from this and are therefore not attaching any weight to this document. An extract is appended at Appendix 3.

Conclusion of Documentary Evidence

4.4 After assessing the documentary evidence above, the cumulative evidence suggests that historically a track existed over the claimed route. There is no documentary evidence to indicate it was an occupation road. It can be concluded that the claimed route is clearly shown as an established route with possibly higher rights than a footpath that is part of a local highway network. The weight attaching to the evidence as a whole must be assessed. Historical evidence does not need to be supported by public user evidence in order to demonstrate higher public rights. Those rights could exist even though the landowners have not witnessed any bicycle or equestrian use by the public.

Such use would not be allowed whilst they are recorded as public footpaths. Although the fact that the claimed route is shown on preordinance survey maps is not evidence that it is or has been used by the public, it is more than likely that it has been used for that time and recognised as a highway for it to be shown on those maps. In light of the map evidence, officers would recommend that there is sufficient evidence of the claimed upgrade route as a bridleway on the balance of probabilities and therefore to make a definitive map modification order to upgrade the footpath to a bridleway between points A and B.

Recommendation

Officers recommend that approval is sought from The Public Rights of Way Committee for the following:

1. The making of a definitive map modification order to add the claimed bridleway at Cushy Cow Lane, Ryton, Gateshead on the current alignment of the footpath as shown with a line from point A to point B on the plan at Appendix 2 onto the Definitive Map and Statement of Public Rights of Way.
2. Grant delegated authority to the Strategic Director of Corporate Services and Governance to undertake to consult statutory consultees and make a definitive map and modification order to upgrade the current footpaths to a bridleway at Cushy Cow Lane as shown from point A to point B on the plan at Appendix 2; and If no objections are received to confirm the order or if objections are received and not subsequently withdrawn, to send the order to the Secretary of State for confirmation as an opposed order.

1 FINANCIAL IMPLICATIONS

None

2 EQUAL OPPORTUNITIES IMPLICATIONS

None

3 STAFFING IMPLICATIONS

None

4 ACCOMMODATION IMPLICATIONS

None

5 CRIME & DISORDER IMPLICATIONS

None

6 ENVIRONMENTAL IMPLICATIONS

None

7 HUMAN RIGHTS IMPLICATIONS

The applicable rights to be considered are the right to protection of property, right to a fair trial and right to respect for private life. However the Wildlife and Countryside Act 1981 and the Highways Act 1980 provides a legal basis for interference with these rights and the risk of these rights being infringed is addressed via the fact that any orders made are subject to an objection period and the statutory legal process.

8 WARD IMPLICATIONS

Ryton, Crookhill and Stella.
Crawcrook and Greenside.

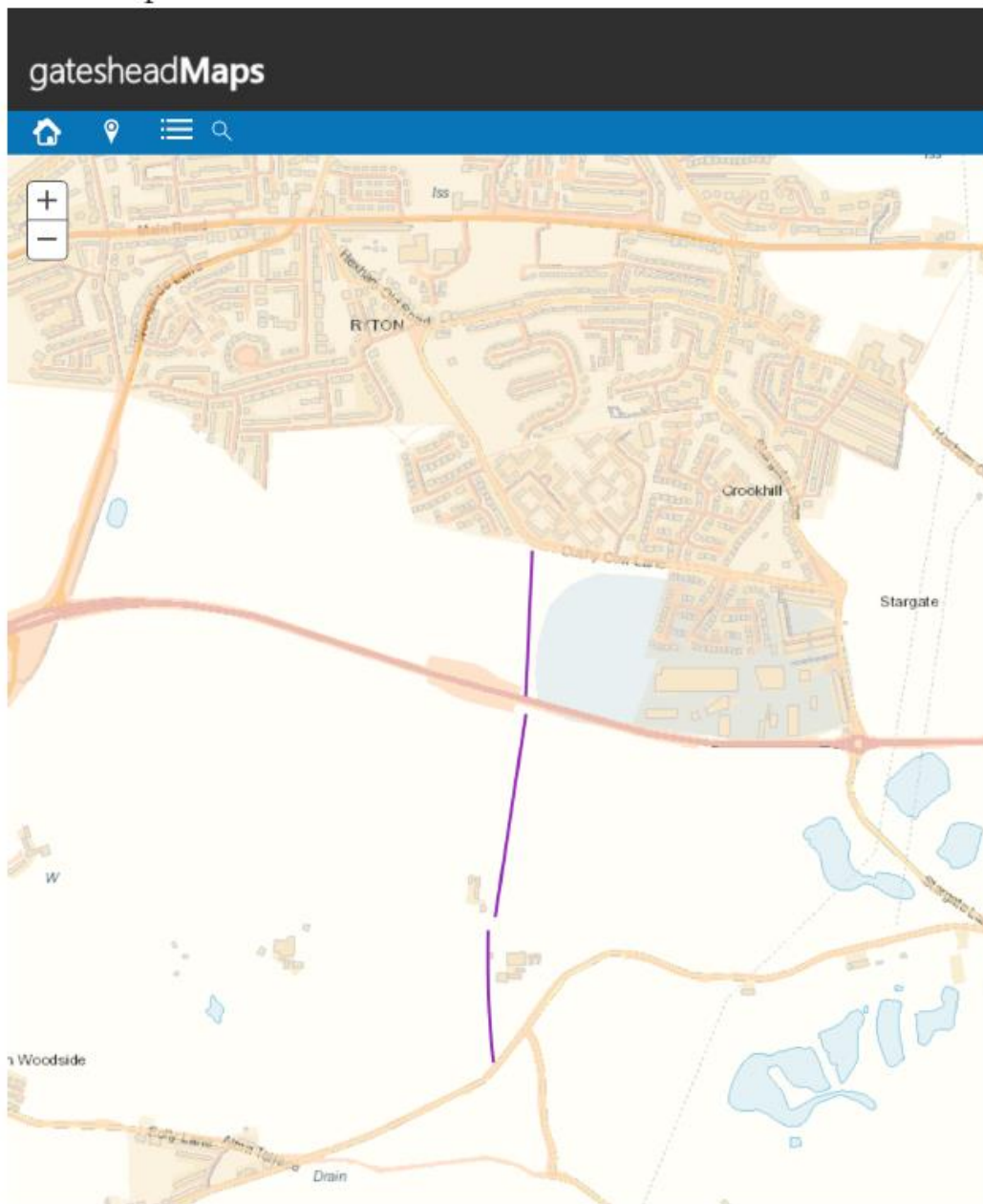
9 BACKGROUND INFORMATION

None

Contact: Umi Filby Ext. 2219

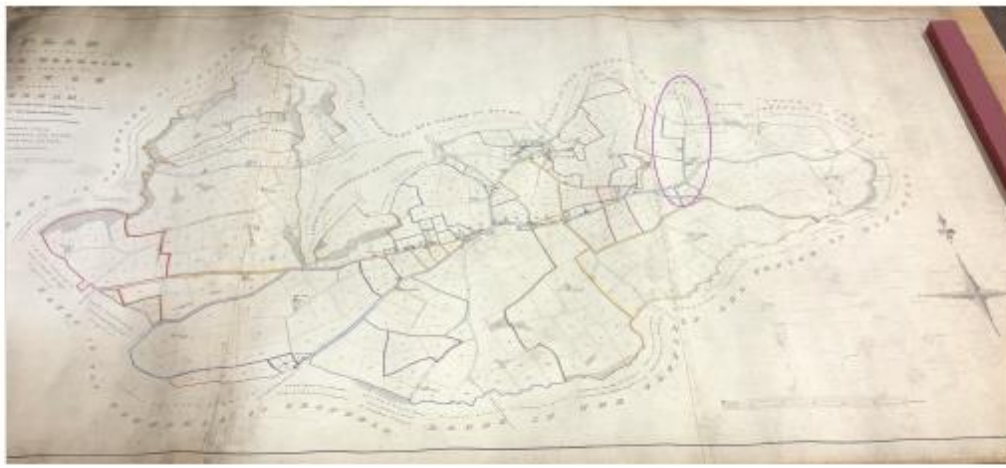
Appendix 2 – Plan of the claimed route
Appendix 3 – Map evidence

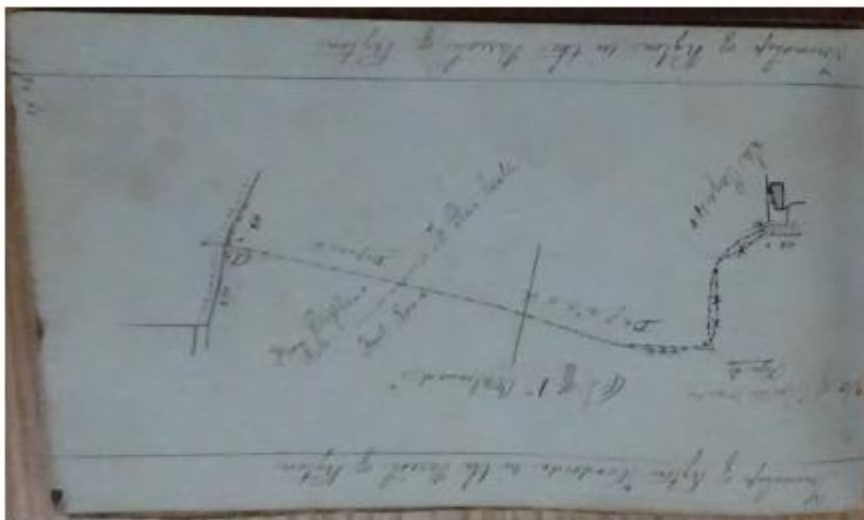
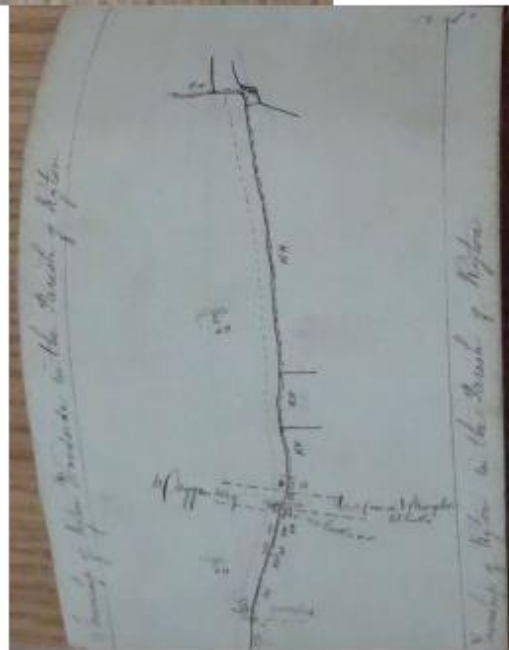
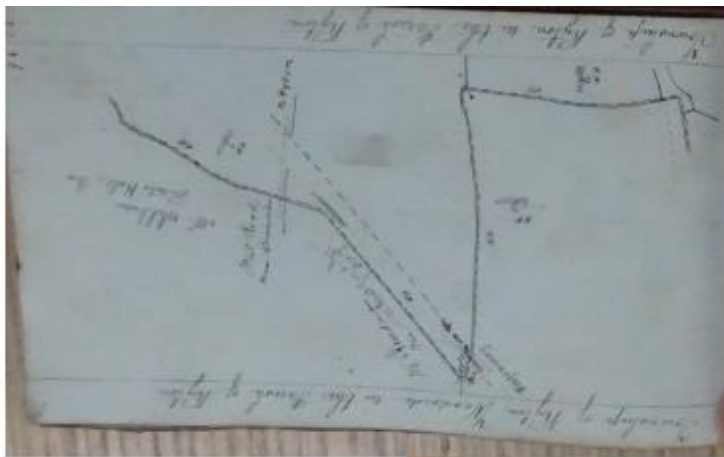
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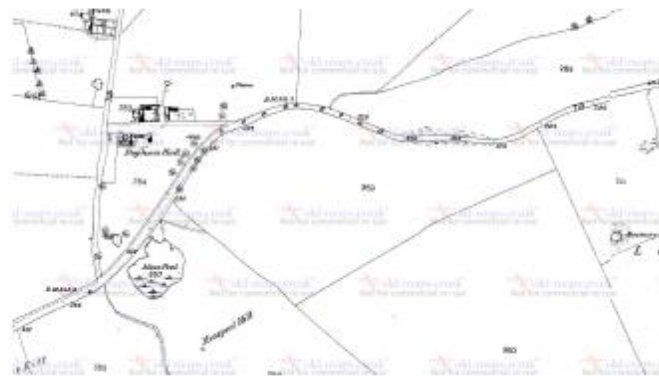
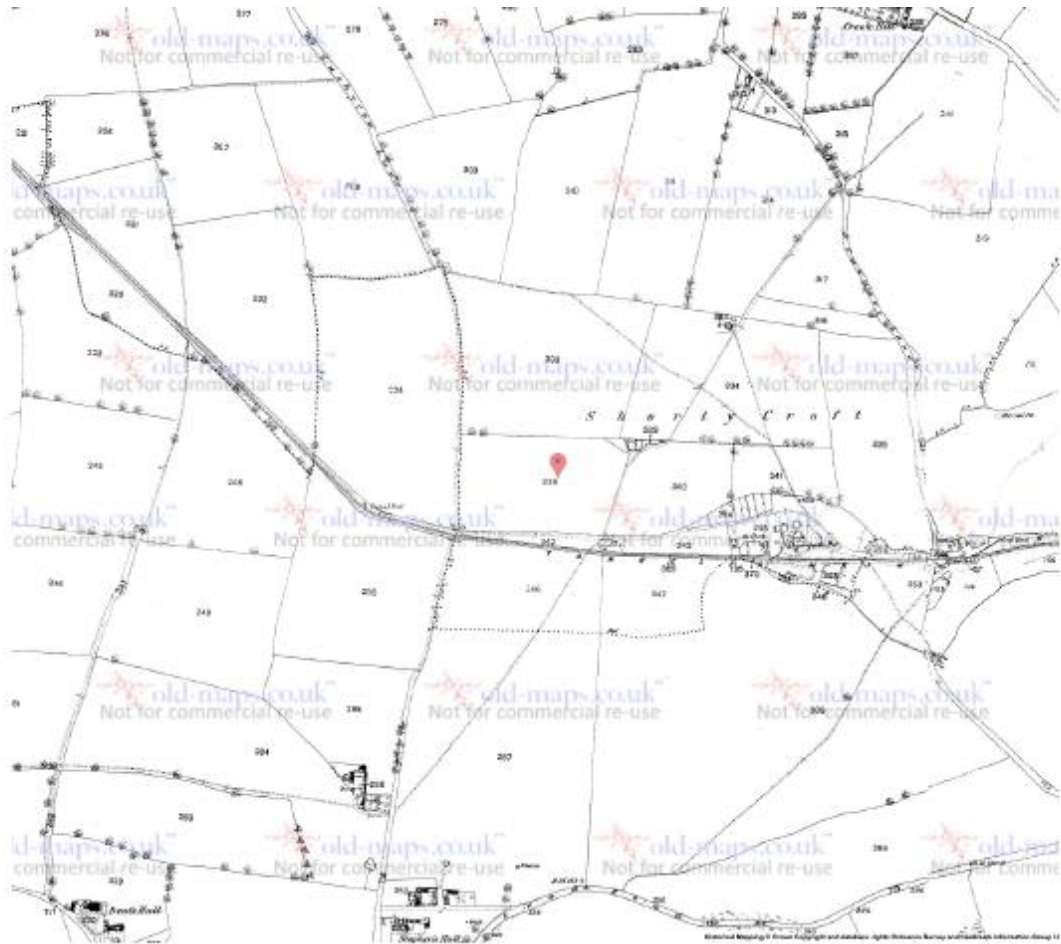


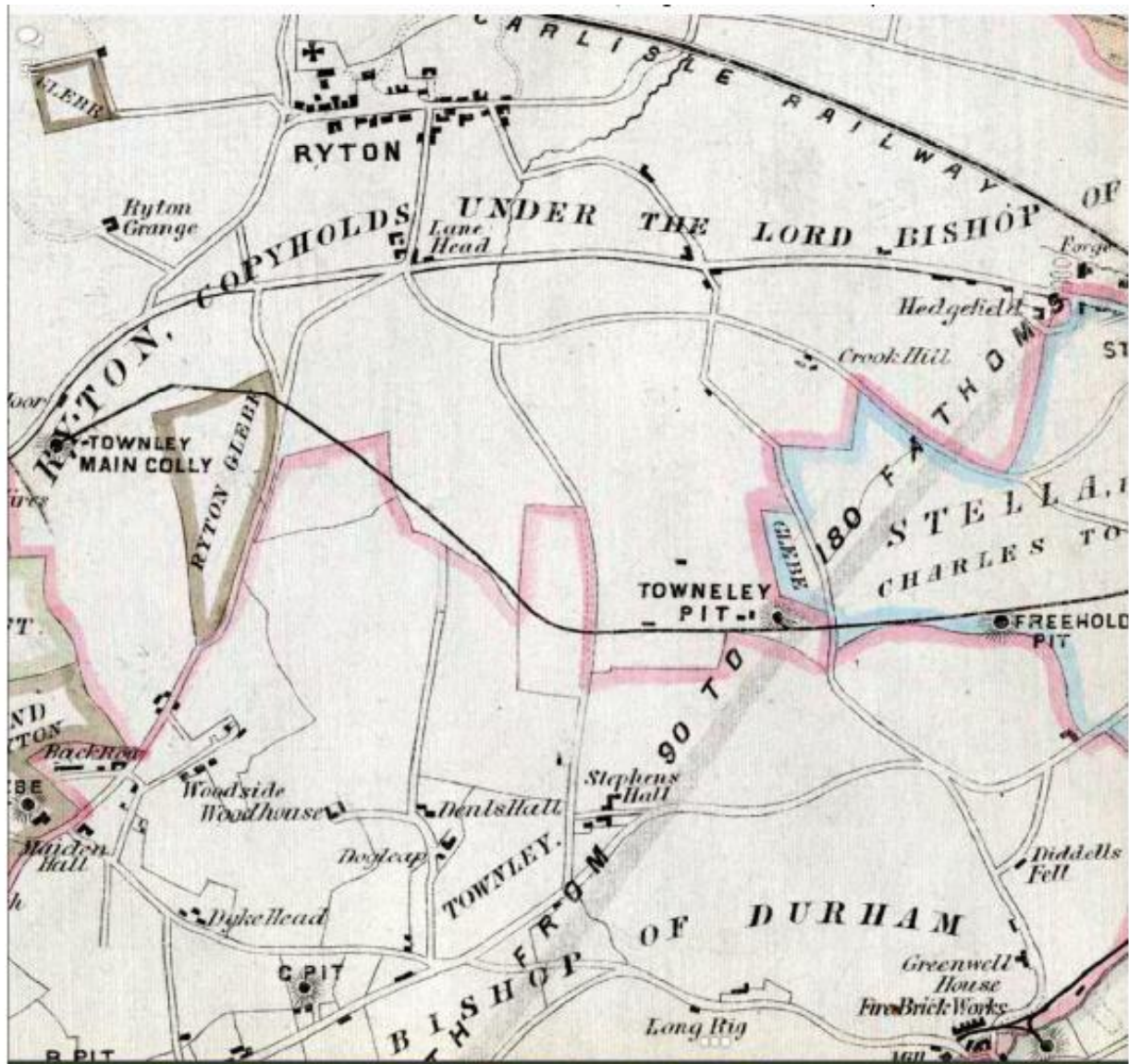




Maps home > OS Six-inch England and Wales, 1842-1952



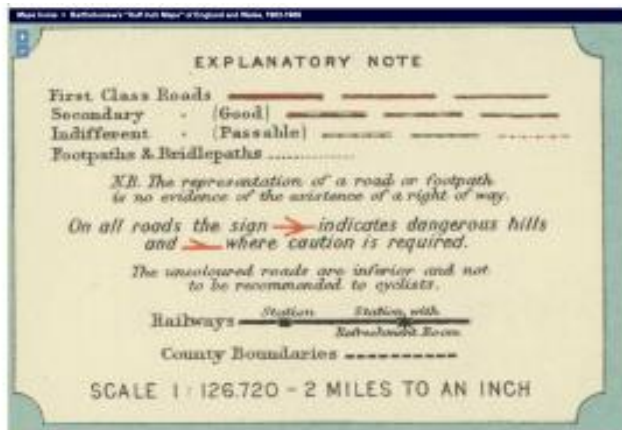






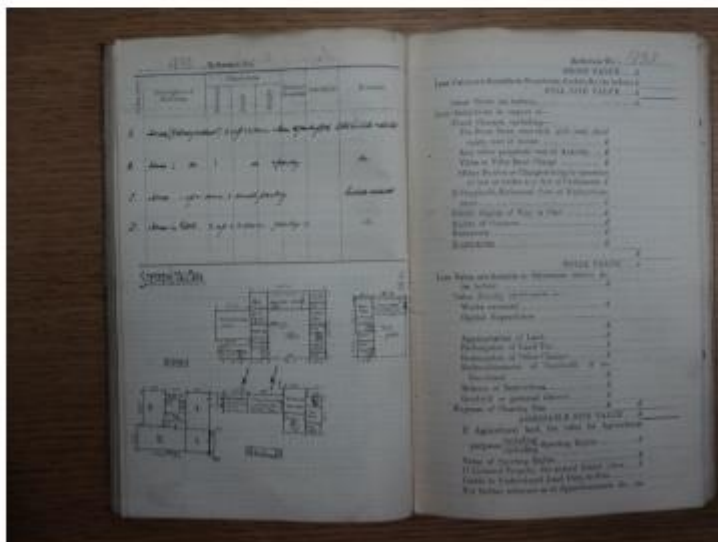
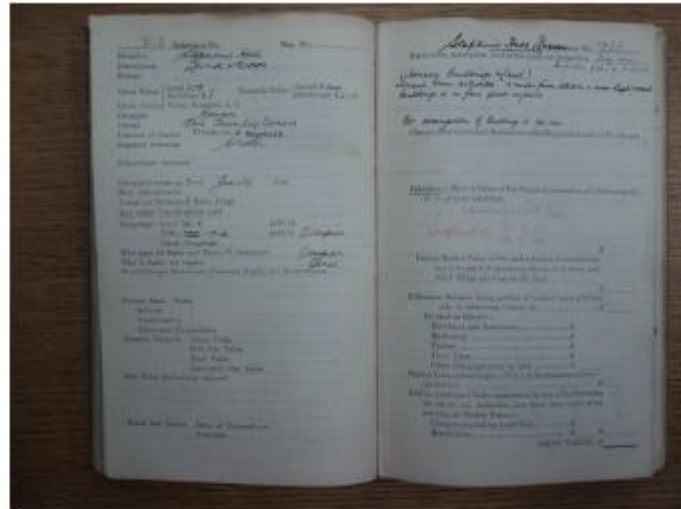


















NZ16SE - A (includes: Blaydon; Newburn; Newcastle upon Tyne; Ryto...

Surveyed / Revised: 1940 to 1950, Published: 1952

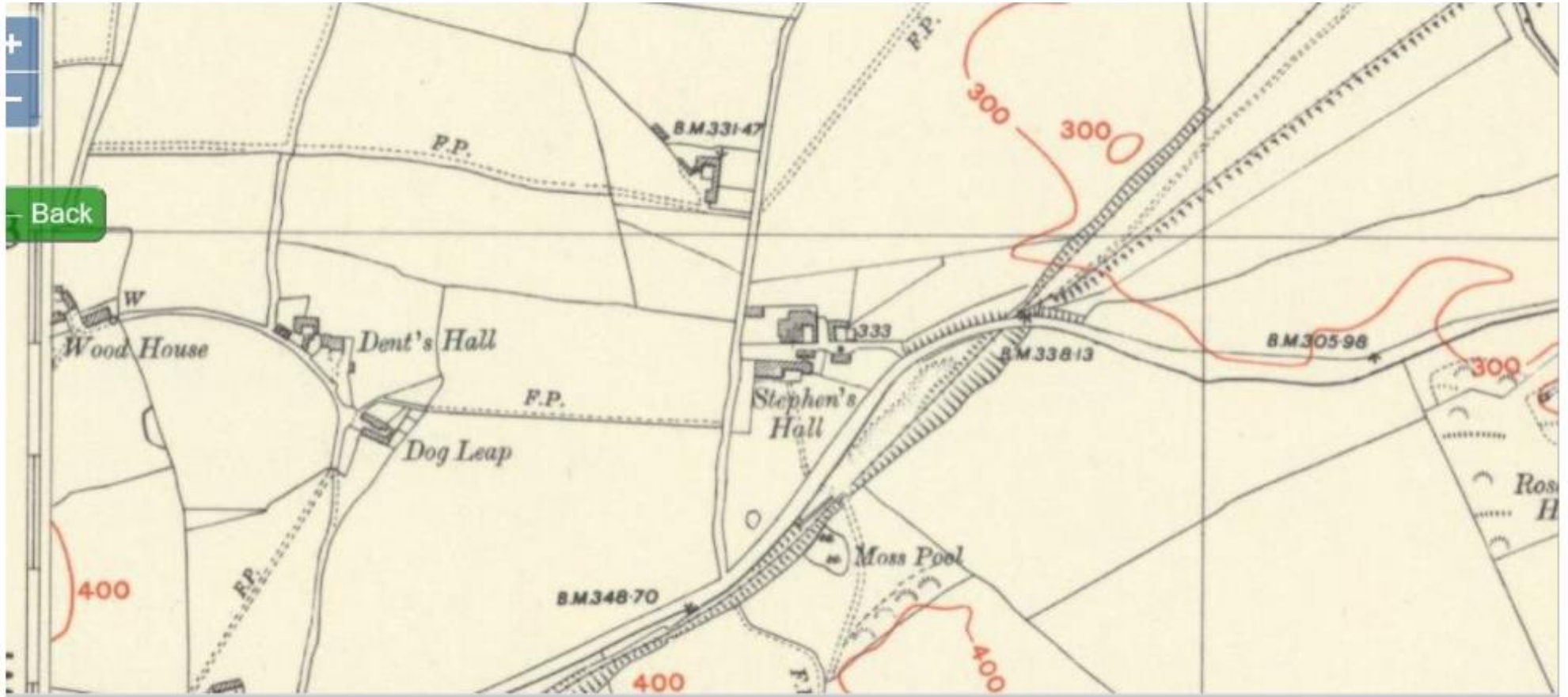
Size: map 47-50 x 47-50 cm (ca. 19 x 20 inches), on sheet ca. 68 x 58 cm (27 x 23 inches)

[aps home](#) > [Ordnance Survey](#) > [National Grid maps, 1944-1970](#)



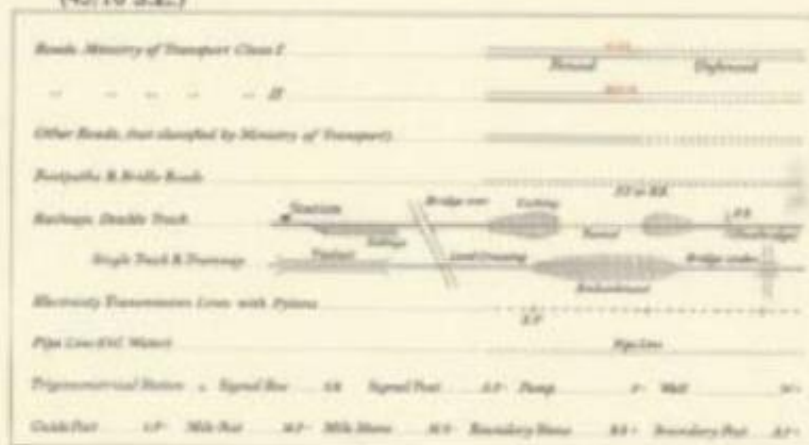


Back



The representation on this map of a Road, Track or Footpath, is no evidence of the existence of a right of way.

SHEET NZ 16 S.E.
(43/16 S.E.)



B

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~~Borough~~ Urban District of Ryton Path No. 21

Name of Path

Status Footpath

Ordnance Sheet—Durham (6") 1.16 (2 1/2") 45/16

1. Starting Point Lane branching from main road E. of Folly.

2. Description of Route Leave main road E. of Folly, passing Stephen Hall, where lane joins paths 23, 25, 27. Query - is this lane public for vehicles, or is it a footpath right only.

3. Ultimate Destination Past Stephen Hall.

4. Details of Features

5. Width of Path Not defined

6. Type of Construction Earth and grass

7. Sections Metalled Non metalled

8. Sections Ploughed Not ploughed

9. General Condition of :

(a) Path Fairly good

(b) Stiles and Gates

(c) Bridges

(d) Stepping Stones

10. Details of any notice boards

11. Unrestricted use for 99 years.

~~Borough~~ Urban District of Ryton Path No. 27

Name of Path

Status Footpath

Ordnance Sheet—Durham (6") 1.16 (2 1/2") 45/16

1. Starting Point Stephens Hall
2. Description of Route Lead N. From Stephens Hall be cart road to wood stile and along W. side of hedge to field gate. Cross railway, through field gate, following hedge to field gate leading into Cushycow Lane, Ryton.

3. Ultimate Destination Cushycow Lane, Ryton.

4. Details of Features Cart road, railway, field gate.

5. Width of Path Not defined

6. Type of Construction Earth and grass

7. Sections Metalled Non metalled

8. Sections Ploughed Not ploughed

9. General Condition of :

(a) Path Fairly good

(b) Stiles and Gates Fairly good

(c) Bridges

(d) Stepping Stones

10. Details of any notice boards

11. Unrestricted use for 20 years.

GATESHEAD METROPOLITAN BOROUGH COUNCIL
PUBLIC RIGHTS OF WAY DEFINITIVE STATEMENT

Parish/District	Ryton
Path Number	21
Name of Path	-
Status	Footpath
Ordnance Sheet No	NZ 16 SE
Start	1558 6270
Finish	1561 6302

Description of Route	South of Stephen's Hall, from road (going to Greenside), proceeds north along farm accommodation track west side of Stephen's Hall to junction, south east of Stephen's Hall North Farm.
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Details of Features

Length of Path	320 metres
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Width of Path

Notes

GATESHEAD METROPOLITAN BOROUGH COUNCIL
PUBLIC RIGHTS OF WAY DEFINITIVE STATEMENT

Parish/District	Ryton
Path Number	27
Name of Path	Cushy Cow Lane
Status	Footpath
Ordnance Sheet No	NZ 16 SE
Start	1561 6302
Finish	1566 6367
Description of Route	From south east of Stephen's Hall North Farm proceeds northerly at edge of fields, across Ryton FP 95 and Ryton/Crawcrook Bypass to Cushy Cow Lane ending at junction Ryton FP 26 and Croft Close.

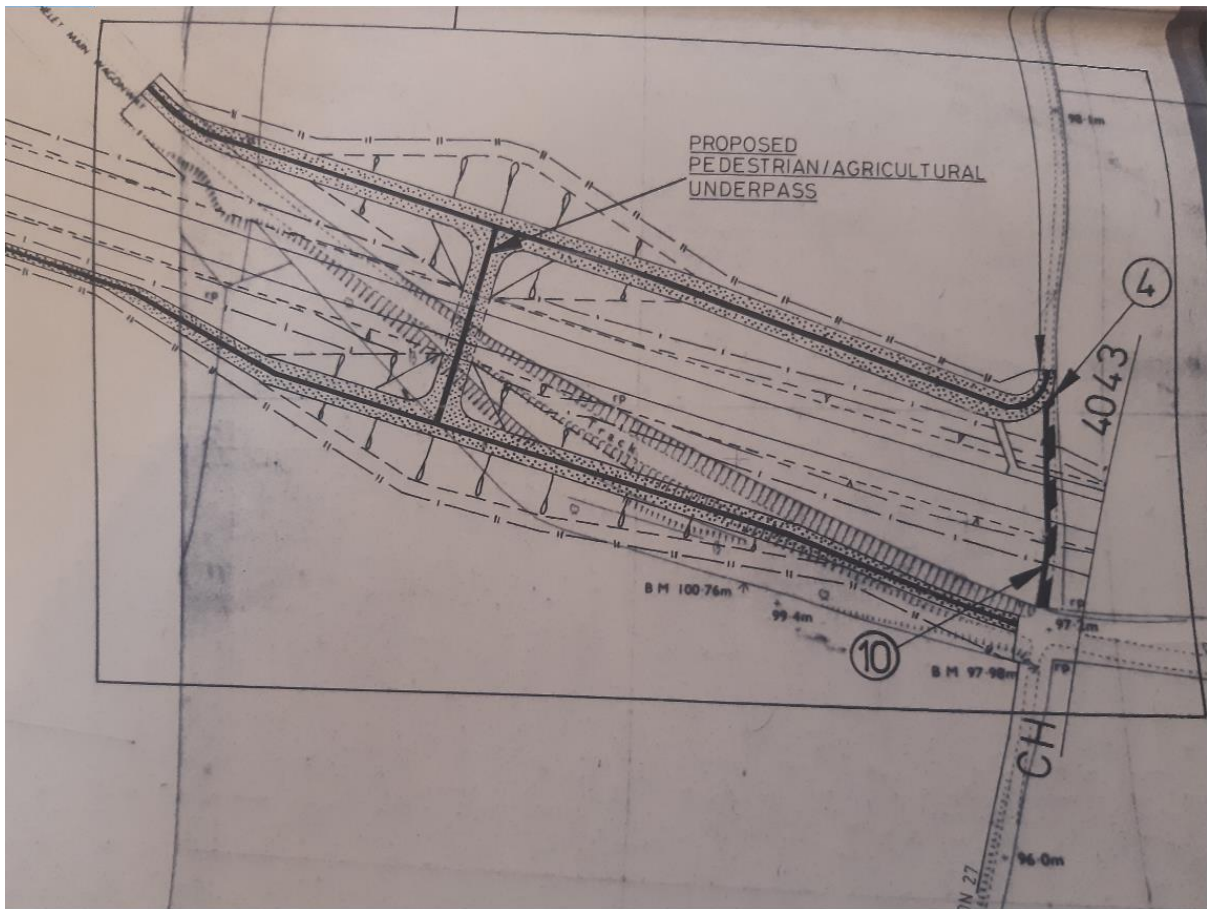
Details of Features

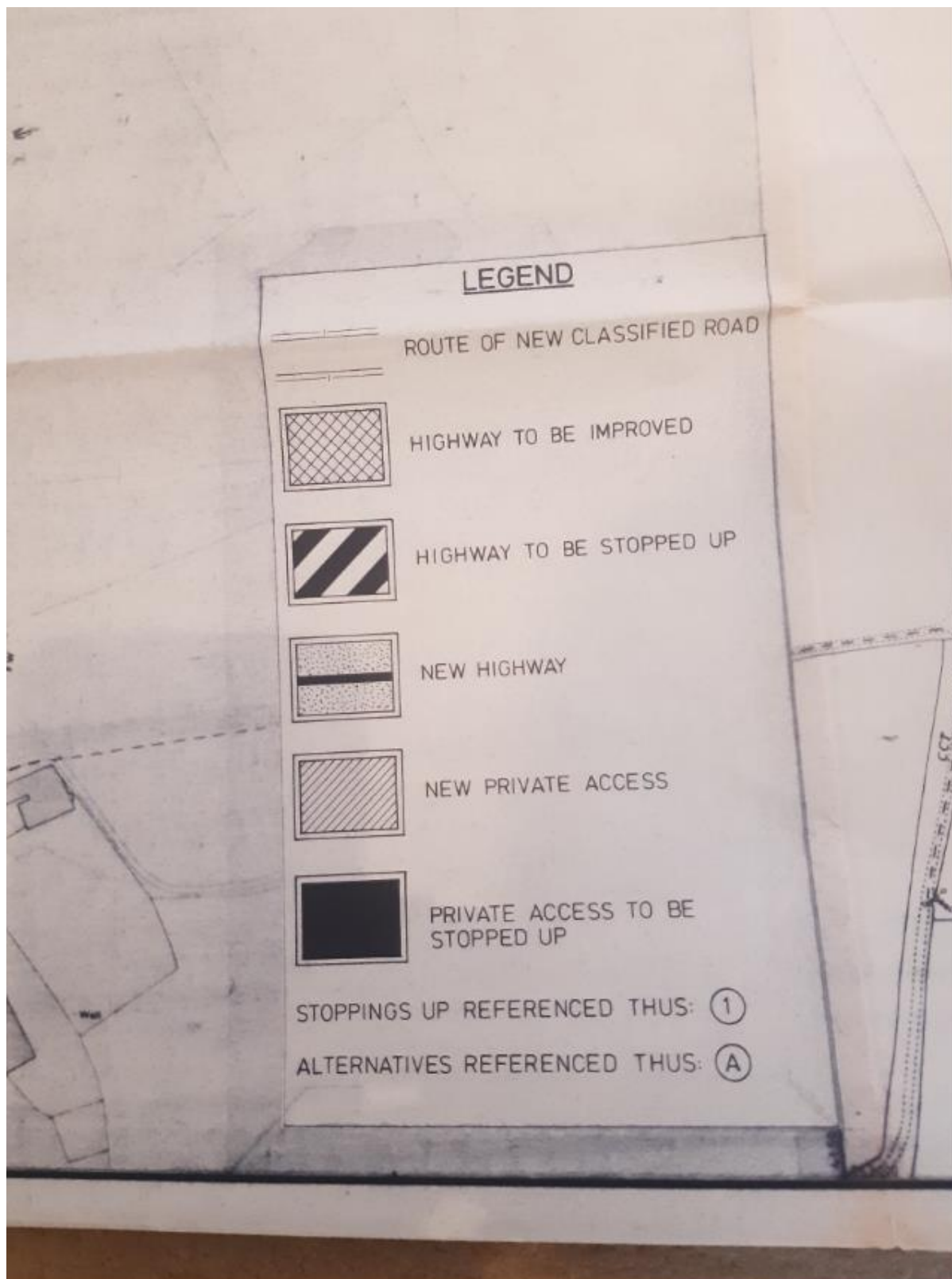
Length of Path **690 metres**

Width of Path

Notes

D





THE BOROUGH COUNCIL OF GATESHEAD

(RYTON - CRAWCROOK BY-PASS) (CLASSIFIED ROAD)

(SIDE ROADS) ORDER 1987

The Borough Council of Gateshead make this Order in exercise of their powers under Sections 14 and 125 of the Highways Act 1980 and of all other enabling powers:-

1. The Council are authorised in relation to the Classified Road to:-

- (a) carry out improvement of highways;
- (b) stop up highways;
- (c) Construct new highways;
- (d) stop up private means of access to premises; and
- (e) provide new means of access to premises;

all as indicated (in the manner specified in article 2(1) hereof) in the Schedule's numbered 1 to 5 to this Order and as shown (in the manner specified in article 2(2) hereof) on the site plans numbered 1-5 correspondent to the relevant numbered Schedule.

2.1 The works authorised by article 1 of this Order are indicated in the said Schedules to this Order in the following manner:-

- (a) highways to be improved are named;
- (b) lengths of highways to be stopped up are described (all distances stated being approximate only);
- (c) new highways to be constructed are indicated by the statement in the Schedules of the reference letters which are given to those new highways on the site plans showing the routes along which they are to be constructed, and where a new highway is to be constructed in connection with the stopping up of a length of highway described in the Schedules, its reference letter is placed opposite to the description of that length and where a new highway is to be a footpath or bridleway the word "footpath" or "bridleway" (as the case may be) is placed in brackets beneath the reference letter;

- (d) lengths of private means of access to be stopped up are numbered and described (all distances stated being approximate only): and
 - (e) new means of access to be provided are indicated by the statement in the Schedules of the reference letters which are given to those new means of access on the site plans and the words "private means of access" are placed in brackets beneath the reference letter given in the said Schedule.
- 2.2 The works are authorised by article 1 of this Order are shown on the site plans in the following manner:-
- (a) lengths of highway to be improved are shown by cross hatching and where the improvement of a length of highway involves its re-alignment, the cross hatching shows the re-aligned position;
 - (b) lengths of highway to be stopped up are shown by zebra hatching and a reference number;
 - (c) routes of new highways to be constructed are shown by stipple and a reference letter is given to each new highway and the centre line of each new highway (except footpath) is shown by an unbroken black line;
 - (d) lengths of private means of access to be stopped up are shown by solid black bands; and
 - (e) routes of new means of access to be provided are shown by diagonal hatching and a reference letter is given to each new means of access;
- and each site plan marks the route of the classified road in relation to the works shown on that plan.
3. Where immediately before a length of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or any sewer or sewage disposal work of a sewage authority, then, subject to Sections 21 and 22 of the Highways Act 1980, those undertakers or that authority, as the case may be, shall have the same rights as respects that apparatus, sewer or work as they had immediately before the stopping up took place.

4. In this Order:-

"the classified road" means the highway which the Council propose to construct from Beweshill Lane Ryton to West Wood Farm access Crawcrook and which has been classified by the Secretary of State for Transport as a classified road for the purposes of Section 12(3) of the Highways Act 1980;

"the Council" means the Borough Council of Gateshead

"improvement" in relation to a highway, includes raising, lowering or otherwise altering that highway and "improved" shall be construed accordingly;

"site plan" means one of the site plans numbered 1 - 5 in the series RYTONCCR/A695/3203-7 contained in the folder marked The Borough Council of Gateshead (Ryton-Crawcrook By-Pass) (Classified Road) (Side Roads) Order 1987 sealed with the Common Seal of the Council and deposited at the offices of the Council at the Director of Legal Services Department, Civic Centre, Regent Street, Gateshead. A certified copy has been deposited at the Department of Transport No.2 Marsham Street, London SW1.

5. This Order may be cited as The Borough Council of Gateshead (Ryton-Crawcrook By-Pass) (Classified Road) (Side Roads) Order 1987.

Given under the Common Seal of the Borough Council of Gateshead this
14th day of December 1987

THE COMMON SEAL of the)
BOROUGH COUNCIL OF GATESHEAD was)
hereunto affixed in the presence of)



J.P. Hutton
Mayor

[Signature]
Director of Legal Services
3VAAIG

SCHEDULE 2

LOCALITY

Crawcrook

HIGHWAYS TO BE IMPROVED

Two separate sections of Greenside Road (classified)

HIGHWAYS TO BE STOPPED UP

- | | <u>REF OF NEW
HIGHWAY</u> |
|--|-------------------------------|
| 1. Public footpath Ryton 57 from a point 210m. south-west of Westwood View for a distance of 153m. south-westwards. | Classified road |
| 2. Public footpath Ryton 49 from a point 115m. south of Westwood View for a distance of 59m. southwards. | Classified road |
| 3. Public footpath Ryton 39 from Greenside Road southwards for a distance of 53m. | Classified road |
| 4. Public footpath Ryton 35 from a point 400m. east of Mount View for a length of 32m. eastwards | Classified road |
| 5. Public footpath Ryton 33 from a point 182m. north of Maiden Lane for a distance of 45m. northwards. | Classified road |
| 6. Greenside Road from its junction with Maiden Lane for a distance of 22m. north-westwards | A B and Classified road |
| 7. Maiden Lane from its junction with Greenside Road for a distance of 232m. eastwards. | Classified road |
| 8. Greenside Road (Sunnygill Terrace) from a point 247m. south-east of its junction with Maiden Lane for a length of 2m. | A and B |

PRIVATE ACCESSES TO BE STOPPED UP

- | | |
|---|---|
| 9. Access to Fell Farm from a point 210m. south-west of Westwood View for a distance of 153m. south-westwards | Classified road |
| 10. Access to Phoenix Quarry from its junction with Greenside Road for a distance of 53m. southwards | C
(private means of access) and
Classified road |
| 11. Private access to agricultural land forming part of Glebe Farm from a point 400m. each of Mount View for a length of 32m. eastwards. (Co-existent with Ryton footpath No.35) | |
| 12. Private access to agricultural land forming part of Glebe Farm from a point 182m. north of Maiden Lane for a distance of 45m. northwards. (Co-existent with Ryton footpath No.33) | |

SCHEDULE 3

LOCALITY Woodside Lane

HIGHWAYS TO BE IMPROVED

Woodside Lane (Classified) (Two sections)

HIGHWAYS TO BE STOPPED UP

REF. OF NEW HIGHWAY

- | | |
|--|-----------------------------|
| 1. Public footpath Ryton 38 from a point 110m. north of Green Grove (Woodside Lane) for a distance of 80m. northwards. | A and
Classified |
| 2. Public footpath Ryton 28 from its junction with Woodside Lane in a south-easterly direction for a distance of 104m | Classified
road |
| 3. Public footpath Ryton 24 from a point 93m. south of Towneley Main Wagonway for a distance of 27m. southwards | Classified
road |
| 4. Public footpath Ryton 27 from its junction with Towneley Main Wagonway for a distance of 50m. northwards. | B
(Bridleway) |
| 5. Public footpath Ryton 95 from a point 74lm. south-east of Western Way for a distance of 162m. south-eastwards | B
(Bridleway) |
| 6. Woodside Lane West from a point 124m. north of No.12 Green Grove for a distance of 156m. northwards. | A and
Classified
road |
| 7. Woodside Lane East from a point 112m. north of its southern junction with Woodside Lane West for a distance of 66m. northwards. | |

PRIVATE ACCESSES TO BE STOPPED UP

- | | |
|---|-----------------------------|
| 8. Private means of access to agricultural land forming part of Glebe Farm from a point 110m. north of Green Grove (Woodside Lane) for a distance of 80m. northwards. (Co-existent with Ryton Footpath No.38) | A and
Classified
road |
| 9. Private means of access to agricultural land forming part of Stephen's Hall Farm from its junction with Woodside Lane in a south easterly direction for a distance of 104m. (Co-existent with Ryton footpath No.28). | |
| 10. Private means of access to agricultural land forming part of Stephen's Hall Farm from its junction with Towneley Main Wagonway for a distance of 50m. northwards (Co-existent with Ryton Footpath No.27). | B
(Bridleway) |
| 11. Private means of access to agricultural land forming part of Stephen's Hall Farm from a point 74lm. south-east of Western Way for a distance of 162m. south-eastwards (Co-existent with Ryton Footpath No.95). | B
(Bridleway) |

SCHEDULE 4

LOCALITY Stargate

HIGHWAYS TO BE IMPROVED

Stargate Lane (unclassified) (two sections)

HIGHWAYS TO BE STOPPED UP

REF. OF NEW
HIGHWAY

- | | |
|---|-----------------|
| 1. Public footpath Ryton 95 from a point 296m. west of Stargate Lane for a distance of 201m. westwards | Classified road |
| 2. Public Footpath Ryton 25 from a point 389m. north-east of Stephen's Hall Farm for a distance of 33m. north-eastwards. | Classified road |
| 3. Public Footpath Ryton 95 from Stargate Lane, in a north-westerly direction from 108m. and then a westerly direction for 75m. | |
| 4. Public footpath Ryton 82 from its junction with Stargate Lane for a distance of 67m. eastwards. | Classified road |
| 5. Stargate Lane from a point 18m. south of No.75 Low Row for a distance of 48m. southwards. | Classified road |

PRIVATE ACCESSES TO BE STOPPED UP

- | | |
|---|-----------------|
| 6. Access to Stargate Colliery Spoil Heap from Stargate Industrial Estate Road for a distance of 30m. southwards | Classified road |
| 7. Towneley Main Wagonway from a point 316m. west of Stargate Lane for a distance of 182m. westwards (Co-existent with Ryton footpath No.95). | Classified road |

SCHEDULE 5

LOCALITY Path Head

HIGHWAYS TO BE IMPROVED

Beweshill Lane

Ryton Quarries Access Road

Unnamed road between Summerhill and Ryton Quarries Access Road

HIGHWAYS TO BE STOPPED UP

REF. OF NEW
HIGHWAY

1. Ryton Greenside Quarries Access Road from the access to Mill Farm House for a distance of 80m. westwards
2. Unnamed footpath from a point 18m. south-west of No.37 Summerhill for a distance of 68m. south-westwards
3. Summerhill from a point 55m. south west of its junction with Hexham Old Road in a south-westerly direction for 9m.

B and
Classified
road

Classified
road

PRIVATE ACCESSES TO BE STOPPED UP

4. Private means of access to Mill Farm House from its junction with Ryton Greenside Quarries Access Road for a distance of 2m. southwards.

A B and
Classified
road

CONFIRMATION OF THE BOROUGH COUNCIL OF GATESHEAD (RYTON - CRAWCROOK BY-PASS)
(CLASSIFIED ROAD) (SIDE ROADS) ORDER 1987

The Secretary of State for Transport hereby confirms the foregoing Order. The Secretary of State is satisfied. -

- a. as respects each highway the stopping up of which is authorised by this Order, that another reasonably convenient route is available or will be provided before that highway is stopped up, and
- b. as respects each private means of access the stopping up of which is authorised by the Order, that other reasonably convenient means of access to the relevant premises are available or will be provided in pursuance of the Order before that private means of access is stopped up or that no access to the relevant premises is reasonably required.

Signed by authority of the Secretary of State

11th July

1988



Director (Transport)
Northern Region
Department of Transport

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Report to Rights of Way Committee

22nd March 2021

TITLE OF REPORT: Progress of Rights of Way Matters

REPORT OF: Strategic Director, Corporate Services and Governance and Strategic Director, Housing Environment and Healthy Communities

Purpose of the Report

1. To update Committee on the progress of Rights of Way cases, plus the principle works carried out on the network between November 2020 and March 2021.

Background

2. The rights of way matters and completed matters are set out in Appendix 2.

Recommendations

3. It is recommended that the Committee note the report and the updates highlighted in bold.

Contact: Umi Filby extension 2219 and Zoe Jones extension 3094

1. FINANCIAL IMPLICATIONS

Nil

2. RISK MANAGEMENT IMPLICATIONS

Nil

3. HUMAN RESOURCES IMPLICATIONS

Nil

4. EQUALITY AND DIVERSITY IMPLICATIONS

Nil

5. CRIME AND DISORDER IMPLICATIONS

Nil

6. SUSTAINABILITY IMPLICATIONS

Nil

7. HUMAN RIGHTS IMPLICATIONS

Nil

8. WARD IMPLICATIONS

Chopwell and Rowlands Gill, Blaydon, Ryton Crookhill and Stella, Whickham North, Lamesley, Crawcrook and Greenside, Dunston Hill and Whickham South and Sunnyside, Winlaton and High Spen

9. BACKGROUND INFORMATION

Nil

Current Matters

Item No	Case	Ward	Application/ Proposal	Progress/Action
1	North View	Winlaton & High Spen	Definitive Map Modification Order	The order has been made but objections have been received. The Order will need to be sent to the Secretary of State for the Environment, Food and Rural Affairs. This is being prepared to be submitted in due course.
2	Application to add a bridleway between RB 44 and Derwent Walk.	Whickham North, Blaydon	Definitive Map Modification Order	The definitive map modification order has been drafted and waiting for instruction to advertise it.
3	Claim at Thomas Street Eighton Banks Right of Way 62	Lamesley	Definitive Map Modification Order	The order has been made but objections have been received. The papers have been prepared and the Order will be sent to the Secretary of State for the Environment, Food and Rural Affairs for confirmation in due course.
4	Creation Agreement for Footpath Ryton 120	Ryton	Public Path Creation Agreement	Committee approved the making of a public path creation agreement on 12 th October 2012. The draft agreement was sent to the landowner's agent on the 31 October 2017 but they have indicated that they will not be responding until opportunities for the land to the south of the development site are considered.
5	Clarty Lane Upgrade public footpath LA/33 to bridleway	Lamesley	Definitive Map Modification Order	Following committee on 18 th November 2019, instructions are with legal to progress making the order.
Page 67	Cushy Cow Lane Upgrade public footpath RY/27 to bridleway.	Ryton Crookhill Stella Crawcrook Greenside	Definitive Map Modification Order	In progress, application was due to be brought to committee on the 16 th November, but more time was requested by the BHS to gather more user evidence. Being brought to this committee.
	Claim for a Bridleway at Barlow Lane, Barlow.	Winlaton High Spen Crawcrook Greenside	Definitive Map Modification Order	An application has been received on the 26 th March 2020 to record a Bridleway onto the definitive map and statement at Barlow Lane, Barlow. This is now being investigated.
8	Blackhall Mill to Chopwell Upgrade public footpaths BL/11/1, BL/19/1, BL/19/2 and BL/19/3 to bridleway.	Chopwell Rowlands Gill	Definitive Map Modification Order	An application has been received on the 17 th August 2020 to upgrade public footpaths BL/11/1, BL/19/1, BL/19/2 and BL/19/3 to bridleway at Blackhall Mill and Chopwell.
9	Blackhall Mill to Armondside Upgrade public footpath BL/28/1 to bridleway.	Chopwell Rowlands Gill	Definitive Map Modification Order	An application has been received on the 17 th August 2020 to upgrade public footpaths BL/28/1 to bridleway at Blackhall Mill.
10	Claim for a Bridleway at Horsegate, Chopwell.	Chopwell Rowlands Gill	Definitive Map Modification Order	An application has been received on the 17 th August 2020 to record a Bridleway onto the definitive map and statement at Horsegate, Chopwell.

Completed Matters

None

PRINCIPAL WORKS CARRIED OUT ON THE RIGHTS OF WAY NETWORK – November 2020 and March 2021

November 2020	B6317, Main Street, Crawcrook. Ryton 65	Repair stone steps.
November 2020	Stargate Roundabout, A695 Blaydon 83	Repair fence line and access.
November 2020	'Dilly Line' Greenside. Ryton 103	Repair access controls.
December 2020	A693, Watergate Bank, Whickham. Whickham 91	Stile repair.
January 2021	Keelman's Way, Ryton. Ryton 75	Revetment improvements.
January 2021	St Cuthbert's Road, Marley Hill Whickham 99	Reinstating of footpath, vegetation cutback.
February 2021	Wellington Road, Dunston. Whickham 4	Hedge laying.
February 2021	A695, Crawcrook Ryton 49	Reinstating footpath, vegetation cutback.
February 2021	Keelman's Way, Clara Vale. Ryton 75	Closure due to landslide.
February 2021	Bradley Fell Road, Greenside. Ryton 1	Vegetation cutback and access improvements.
March 2021	Birkland Lane, Kibblesworth. Lamsley 72	Repair horse stile and fencing.
March 20201	Barlow Lane, Greenside. Ryton 103	Repair steps.