

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 July 2022 and November 2022.

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.

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, Pelaw and Heworth South, Windy Nook and Whitehills, Wardley and Leam Lane.

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 and objections have been received. The Order will need to be sent to the Secretary of State for the Environment, Food and Rural Affairs. This matter is currently being reviewed.
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. This matter is currently being reviewed.
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. This matter is currently being reviewed.
4	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. In progress, the Order has been drafted and Order Plan prepared. Once sealed, the Order will be advertised and if no objections are received, the Order will be confirmed, and the Definitive Map and Statement will be updated. If objections are received, the Order will be sent to the Secretary of State for Environment, Food and Rural Affairs.
5	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 16 th November, but more time was requested by the BHS to gather more user evidence. Following Committee on 22nd March 2021, this matter is being progressed. The Order is being drafted and Order Plan prepared. Once sealed, the Order will be advertised and if no objections are received, the Order will be confirmed, and the Definitive Map and Statement will be updated. If objections are received, the Order will be sent to the Secretary of State for Environment, Food and Rural Affairs.
6	Claim for a Bridleway at Barlow Lane, Barlow.	Winlaton High Spen Crawcrook Greenside	Definitive Map Modification Order	An application was received on 26 th March 2020 to record a Bridleway onto the Definitive Map and Statement at Barlow Lane, Barlow. Following Committee on 19th July 2021, this matter is being progressed. The Order is being drafted and Order Plan prepared. Once sealed, the Order will be advertised and if no objections are received, the Order will be confirmed, and the Definitive Map and Statement will be updated. If objections are received, the Order will be sent to the Secretary of State for Environment, Food and Rural Affairs.

7	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 was received on 14 th August 2020 to upgrade public footpaths BL/11/1, BL/19/1, BL/19/2 and BL/19/3 to bridleway status at Blackhall Mill and Chopwell. The application is currently being investigated and a Report will be prepared for Committee.
8	Claim for a Bridleway at Horsegate, Chopwell.	Chopwell Rowlands Gill	Definitive Map Modification Order	An application was received on 14 th August 2020 to record a Bridleway onto the Definitive Map and Statement at Horsegate, Chopwell. The application is currently being investigated and a Report will be prepared for Committee.
9	Mill Lane Urpeth to Riding Lane – claim to upgrade footpaths to a bridleway	Lamesley	Definitive Map Modification Order	An application was received on 19 th July 2021 to upgrade public footpaths LA/25, LA/26/1 and LA/26/2 to bridleway status at Mill Lane Urpeth to Riding Lane. The application is currently being investigated and a Report will be prepared for Committee.

Completed Matters

Item No	Case	Ward	Application/Proposal	Progress/Action
1	Claim for a Footpath at Sherburn Towers, Rowlands Gill	Rowlands Gill, Blaydon	Definitive Map Modification Order	An application was received on 18 th August 2015 to record a footpath onto the Definitive Map and Statement at Sherburn Towers, Rowlands Gill, which was approved by Committee on 18 th March 2016. The Order was made on 9 th June 2016 and the objection period for that Order expired on 3 rd August 2016. One objection was received to the Order, which was not withdrawn. The papers were sent to the Secretary of State for the Environment, Food and Rural Affairs on 18 th December 2018. The public Inquiry was withdrawn as the objector withdrew their objection. The decision from the Secretary of State was received on 22nd January 2020 and the Order was confirmed.
2	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 31 st 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. Legal have attempted to progress this matter however confirmation has been received that the site was transferred to the Woodland Trust in September 2021, the land is no longer in Homes England's management and the creation agreement was not progressed prior to the site transfer.

PRINCIPAL WORKS CARRIED OUT ON THE RIGHTS OF WAY NETWORK – July 2022 and November 2022.

July 2022	Low Spen Wood, Blaydon 120	Replace steps
August/September 2022	Kibblesworth, Lamesley 72	Removal of restrictions and resurfacing/drainage work
September 2022	Crawcrook, Ryton 33 & 35	Installation of 3 x directional fingerposts on A695
September 2022	Keelmans Way, Clara Vale	Work has commenced to reinstate the Keelmans Way

PLANNED WORKS TO BE CARRIED OUT ON THE RIGHTS OF WAY NETWORK – March 2022 and March 2023.

Lamesley 72	Sections 6,7 & 8, Kibblesworth	Removal of restrictions and resurfacing/drainage work Installation of restrictions which include RADAR kissing gate, horse friendly boom gate and accessible gap for cyclists.- Resurfacing/drainage complete on sections 7 & 8. Installation due October.
Lamesley 69	Section 3, Wrekenton	Removal of restrictions, update entrance and resurface – Due to commence November
Ryton 33 & 35	Crawcrook	Installation of directional fingerposts following near completion of development- Complete
Gateshead 1	Harlow Green	Resurfacing
Lamesley 57	Rockcliffe Way, Eighton Banks	Reinstating the public footpath

AREAS OF THE RIGHTS OF WAY NETWORK WITH ASB/MOTORBIKE ISSUES – March 2022 and July 2022.

BLAYDON BURN	Blaydon	Ongoing motorbike issues. Police aware.
MARLEY HILL	St Cuthberts Road, Marley Hill/Sunniside.	Working with the landowner to improve legal access and signage to reduce trespassing and anti-social behaviour. Highlighting the issue of motorbike misuse with the police/community safety officers.
WHITEHILLS	Leam Lane/Whitehill Drive	Ongoing motorbike misuse and fly tipping. Access restrictions have been damaged. Repairs and completion of boundary fence is ongoing.