

TITLE OF REPORT: Progress of Rights of Way Matters

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

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 March 2016 and July 2016.

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.

APPENDIX 1

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, Birtley, Lamesley, Crawcrook and Greenside, Dunston Hill and Whickham South and Sunnyside, Winlaton and High Spen

9. BACKGROUND INFORMATION

Nil

APPENDIX 2

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 confirmation.
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 will be advertised shortly.
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 Order will need to be sent to the Secretary of State for confirmation.
4	Definitive Map	-----	To bring the definitive map and statements into line with the orders and ensure that they are up to date are reviewed and meet the statutory requirements.	Upon review of the definitive maps for Gateshead by the Legal and Rights of Way officers, it is apparent that there is no map for the excluded area being Gateshead central area and the other definitive maps need to be brought up to date in light of legal events that have occurred. A blank map and statement for the excluded area is now produced and each right of way is being added to it via a definitive map modification order. At the same time a legal event modification order is being drafted to bring the current maps up to date. Once all this work has been completed the maps will be consolidated to produce a single map of definitive rights of way for the Gateshead area. There is now a working copy definitive map on the Council's website.
5	Bridleway 35 Northside Birtley	Birtley	Creation and Extinguishment Orders	Committee approved the recommendation on the 24 th October 2008 to make a creation and extinguishment order. A creation order was made by the Council on the 19 th August 2014. The objection period came to an end on the 19 th September 2014. One objection was received to the Order, which was subsequently withdrawn. The works to install the bridleway cannot be completed until a survey is conducted of a nearby pond to establish amphibious species and their hibernation areas. The survey has revealed that there are no great crested newts in the nearby pond. The creation order was confirmed and came into operation on the 15 th December 2015. The Extinguishment Order will be progressed shortly.
6	Claim for a Footpath at Sherburn Towers, Rowlands Gill	Rowlands Gill, Blaydon	Definitive Map Modification Order	An application was received on the 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 the 9 th June 2016 and the objection period for that order expires on 3 rd August 2016.
7	Extinguishment of Footpaths 14 and 15 at Bill Quay	Felling	Extinguishment Order	Committee approved making of the extinguishment order on 18 th March 2016. The order was made on 26 th April 2016 and the objection period came to an end on 3 rd June 2016. Nine people replied to the online consultation on the order and all have been contacted either by e-mail or letter. To date 3 have replied withdrawing their objections whilst replies are awaited from the remaining 6 respondents.

PRINCIPAL WORKS CARRIED OUT ON THE RIGHTS OF WAY NETWORK – March 2016 – July 2016

March 2016	Bridleway Ryton 108,109,110 Burnhills, Greenside,	Access controls fitted and some surfacing
March 2016	Bowes Bridleway Lamesley 72, Birtley,	Repair work carried out to make surface suitable for use following flood damage.
March 2016	Footpath Ryton 76 Keelman's Way, Clara Vale	Erosion damage to riverbank following river swell. Path widened and fencing erected.
April 2016	Restricted Byway Ryton RB104 Clinty Burn, Greenside	Repair work carried out to make surface suitable for use following flood damage.
April 2016	Footpath Ryton 44 Bradley Fell, Greenside	Access improvements including new stiles