

**TITLE OF REPORT:** Progress of Rights of Way Matters

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

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### **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 2016 and March 2017.

### **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.

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## **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 in due course.
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 <sup>th</sup> October 2008 to make a creation and extinguishment order. A creation order was made by the Council on the 19 <sup>th</sup> August 2014. The objection period came to an end on the 19 <sup>th</sup> September 2014. One objection was received to the Order, which was subsequently withdrawn. The works to install the bridleway could not be completed until a survey was conducted of a nearby pond to establish amphibious species and their hibernation areas. The survey revealed that there are no great crested newts in the nearby pond. The creation order was confirmed and came into operation on the 15 <sup>th</sup> December 2015. The Extinguishment Order will be progressed in due course.
6	Claim for a Footpath at Sherburn Towers, Rowlands Gill	Rowlands Gill, Blaydon	Definitive Map Modification Order	An application was received on the 18 <sup>th</sup> August 2015 to record a footpath onto the definitive map and statement at Sherburn Towers, Rowlands Gill, which was approved by committee on 18 <sup>th</sup> March 2016. The order was made on the 9 <sup>th</sup> June 2016 and the objection period for that order expired on 3 <sup>rd</sup> August 2016. One objection was received to the order, which was not withdrawn and the Order will be sent to Secretary of State for the Environment, Food and Rural Affairs for confirmation in the next few months.
7	Extinguishment of Footpaths 14 and 15 at Bill Quay	Felling	Extinguishment Order	Committee approved the making of the extinguishment order on 18 <sup>th</sup> March 2016. The order was made on 26 <sup>th</sup> April 2016 and the objection period came to an end on 3 <sup>rd</sup> June 2016. There were still some objections outstanding to this order so the order was sent to the Secretary of State for the Environment, Food and Rural Affairs and now awaiting their

				decision.
8	Public Path Creation Order Bridleway Felling 50 at Bill Quay	Felling	Public Path Creation Order	Committee approved the making of the order on the 27 <sup>th</sup> March 2015. The order was advertised on the 8 <sup>th</sup> November 2016 and the objection period came to an end on the 16 <sup>th</sup> December 2016. Three comments were received, one comment in favour of the order and two objections. One objection has been withdrawn and one objection remains outstanding. The Council is currently trying to contact the remaining objector to see if they will be withdrawing their objection, if not, or if no contact can be established, the order will be sent to Secretary of State for the Environment, Food and Rural Affairs.

#### PRINCIPAL WORKS CARRIED OUT ON THE RIGHTS OF WAY NETWORK – November 2016 – March 2017

December 2016	Footpath Lamesley 13 at Burdon Moor	Boardwalk constructed over marshland which was previously impassable.
February 2017	Footpath Blaydon 33, part of Red Kite Trail, Victoria Garesfield	Revetment works to prevent further erosion and possible loss of a section of footpath.
February 2017	Footpath Blaydon 19, Blackhall Mill,	Major drainage works to alleviate flooding issues.