Gateshead Council

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RIGHTS OF WAY COMMITTEE AGENDA

Monday, 16 November 2020 at 4.30 pm in the This meeting will be held virtually. Link to view meeting to follow.

From the Chief Executive, Sheena Ramsey

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 18 November 2019.
3	**Progress on Rights of Way Matters** (Pages 5 - 10) Report of the Strategic Director, Corporate Services and Governance and the Strategic Director, Communities and Environment

Contact: Sonia Stewart, email: soniastewart@gateshead.gov.uk, Tel: 0191 433 3045,
Date: Monday, 9 November 2020

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GATESHEAD METROPOLITAN BOROUGH COUNCIL

RIGHTS OF WAY COMMITTEE MEETING

Monday, 18 November 2019

PRESENT: Councillor K Wood (Chair)

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

RW30 CONSTITUTION OF THE COMMITTEE

RESOLVED - That the constitution of the Committee for the 2019/20 municipal year be noted.

RW31 DECLARATIONS OF INTEREST

There were no declarations of interest.

RW32 MINUTES

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

RW33 RIGHTS OF WAY APPLICATIONS

The Committee received a report on an Application for a Definitive Map Modification Order to upgrade the status of public footpath LA33 to bridleway.

RESOLVED - (i) That the making of a definitive map modification order to add the claimed bridleway at Clarty Lane, Kibblesworth as shown with a broken black line from point A to point B on the plan at the appendix to the minute onto the Definitive Map and Statement of Public Rights of Way be approved.

(ii) That delegated authority be granted to the Strategic Director of Corporate Services and Governance to undertake the following:

- To consult statutory consultees and make a definitive map and modification order to add the bridleway at Clarty Lane as shown from point A to Point B as an appendix to the minutes.
- If no objections are received to confirm the order, if

objections are received and not subsequently withdrawn to send the order to the Secretary of State for confirmation as an opposed order.

(iii) that the possibility of the Bowes Valley Nature Reserve dedicating bridleway access from the claimed bridleway into the reserve be explored.

RW34 PROGRESS ON RIGHTS OF WAY MATTERS

The Committee were updated with regards to the following Legal Matters.

With regards to the claim for a Footpath at Sherburn Towers, Rowlands Gill, the objector has withdrawn their objection, there will now not need to be a Public Enquiry and the Secretary of State can now confirm the order.

Principal Works carried out between March 2019 and September 2019, include works at:

- Footpath Lamsley 9, construction of two stiles where they had previously been removed.
- Bridleway Felling 44, Lingey Lane to South Tyneside, removal of K Barriers and metal chicane bollards and fence repairs.
- Bridleway Felling 44/3. Access from Ridgeway, Leam Lane, installation of handrail and repair to steps.
- The annual strimming programme has also taken place as is agreed with the contractor.

RESOLVED - That the information contained within the report be noted.

Chair……..

Gateshead Council

Report to Rights of Way Committee

16th November 2020

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 March 2020 and November 2020.

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

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

9. BACKGROUND INFORMATION

Nil

APPENDIX 2

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	Claim for a Footpath at Sherburn Towers**,** Rowlands Gill	Rowlands Gill**,** Blaydon	Definitive Map Modification Order	An application was received on the 18th August 2015 to record a footpath onto the definitive map and statement at Sherburn Towers**,** Rowlands Gill**,** which was approved by committee on 18th March 2016**.** The order was made on the 9th June 2016 and the objection period for that order expired on 3rd August 2016**.** One objection was received to the order**,** which was not withdrawn. The papers were sent to Secretary of State for the Environment, Food and Rural Affairs on 18th 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. The order was confirmed. **Request confirmation this can now be removed form the list.**
5	Creation Agreement for Footpath Ryton 120	Ryton	Public Path Creation Agreement	Committee approved the making of a public path creation agreement on 12th 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.
6	Clarty Lane Upgrade public footpath LA/33 to bridleway	Lamesley	Definitive Map Modification Order	**Following committee on 18th November 2019, instructions are with legal to progress making the order.**
7	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 16th November, but more time was requested by the BHS to gather more user evidence.
8	Claim for a Bridleway at Barlow Lane, Barlow.	Winlaton High Spen Crawcrook Greenside	Definitive Map Modification Order	In progress, the application was received on the 26th March 2020 to record a Bridleway onto the definitive map and statement at Barlow Lane, Barlow.
9	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 17th 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.
10	Blackhall Mill to Armondside	Chopwell	Definitive Map	An application has been received on the 17th August 2020 to upgrade

	Upgrade public footpath BL/28/1 to bridleway.	Rowlands Gill	Modification Order	public footpaths BL/28/1 to bridleway at Blackhall Mill.
11	Claim for a Bridleway at Horsegate, Chopwell.	Chopwell Rowlands Gill	Definitive Map Modification Order	An application has been received on the 17th 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 – March 2020 and November 2020

March 2020	**Birkland Lane, Sunniside. Lamsley 10**	Access improvements and waymarker post replaced.
May 2020	**Annual strimming programme commenced.**	As agreed with contractor
June 2020	**Station Bank, Ryton. Ryton 84**	Stile steps replaced
June 2020	**Dykes Head Lane, Greenside. Ryton 54**	Stile steps replaced
June 2020	**Ashtree Lane, Barlow. Blaydon 40**	Waymarker post replaced
June 2020	**A695 access to Ryton 24**	Kissing gate and housing replaced
June 2020	**Long Bank access to Lamsley 72**	Steps and handrail replaced
July 2020	**Hill 60, Crawcrook Ryton 35**	Replace 2 x stile to comply with British Standards
July 2020	**Path Head Water Mill, A695 Blaydon 96**	Repair access steps
July 2020	**Derwent Country Park access Rowlands Gill.**	Removal of kissing gate and short section of fence installed leaving a gap for access.

	Blaydon 85	
August 2020	**Low Spen Bank Woods, Hookergate. Red Kite Trail. Blaydon 40**	Drainage and surface improvements.
September 2020	**Bill Quay, Felling 50**	Surface improvements
September 2020	**Leam Lane. Felling 44**	Completion of surface and drainage upgrade.
October 2020	**Leam Lane. Felling 25**	Access improvements and footbridge replaced

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