



RIGHTS OF WAY COMMITTEE AGENDA

Monday, 20 March 2023 at 4.30 pm in the Bridges Room - Civic Centre

From the Chief Executive, Sheena Ramsey

| Item | Business |
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| 1 | Apologies for Absence |
| 2 | Minutes (Pages 3 - 6) The committee is asked to approve the minutes of the previous meeting held on xxxxxx |
| 3 | Progress on Rights of Way Matters (Pages 7 - 14) 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, 21 November 2022

PRESENT: Councillor K Wood (Chair)
Councillor(s): S Dickie, D Bradford, M Ord and J Simpson

APOLOGIES: Councillor(s): A Geddes and A Wintcher

RW53 MINUTES

RESOLVED - That the minutes of the meeting held on 18 July 2022 be approved as a correct record.

RW54 PROPOSED CHANGE TO PUBLIC RIGHT OF WAY, BRIDLEWAY WHICKHAM 62 IN DERWENT WALK COUNTRY PARK, SWALWELL

The Committee received a report to seek approval to change a Right of Way Bridleway Whickham 62 in Derwent Walk.

The Definitive Statement states that the public right of way “continues North-West under Whickham BW 215; the Derwent Walk (dismantled railway) to Goodshield Haugh down a sunken track to a dead end”. The section of Bridleway Whickham 62 that is under Whickham 215 is now blocked by an embankment as the underpass has been filled in. This would have occurred during the creation of the Derwent Walk Country Park.

The existing Bridleway Whickham 62, between Points A and B and shown with a black line on the plan attached to this minute has created a cul-de-sac in that it does not lead to anywhere but an embankment which prevents access underneath Whickham 215 (dismantled railway) as shown Point B on the plan attached to this minute. Therefore there is no access from Point B to Point C. This effectively created two cul-de-sacs bridledways either side of Whickham 215 (dismantled railway).

In light of the embankment which has resulted in two cul-de-sac sections of Bridleway Whickham 62 and the fact that alternative routes have been created within the Derwent Walk Country Park, the Public Rights of Way Officer would recommend that it is expedient that Bridleway Whickham 62 be extinguished because it is unsafe for public use and not needed for public use now or in the future.

RESOLVED - (i) That a public path extinguishment order be made to extinguish Bridleway Whickham 62 from Point A to Point C as shown with a black line on the plan attached to the minute be approved.

- (ii) That delegated authority be granted to the Strategic Director of Corporate Services and Governance to undertake the following:
 - (a) To consult with the statutory consultees and make a public path extinguishment order to extinguish Bridleway Whickham 62 from Point A to Point C, as shown with a black line on the plan attached to this minute.
 - (b) 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 determination as an opposed order.

RW55 PROPOSED CHANGE TO PUBLIC RIGHT OF WAY, FOOTPATH WHICKHAM 194 IN DERWENT WALK COUNTRY PARK, SWALWELL

The Committee received a report in relation to a proposed change to a public right of way in Derwent Walk Country Park.

Footpath Whickham 194 is indicated with a solid black line, as shown from Point A to Point B on the attached plan to this minute. The existing Footpath Whickham 194 has created a cul-de-sac in that it does not lead to anywhere. The alignment runs across Swalwell Visitor Centre Car Park and is blocked by several boundary fences which would have been erected when Derwent Walk Country Park was created over 20 years ago.

Approval is sought from the Public Rights of Way Committee for the Proposal set out below:

- To extinguish Footpath Whickham 194 from Point A to Point B on the plan attached to this minute, on the grounds that it is no longer needed for use by the public. It is not currently used by the public and will not be used by the public in future as it is unsafe and inaccessible on its current alignment.

- RESOLVED -
- (i) that a public path extinguishment order be made to extinguish Footpath Whickham 194 from Point A to Point B as shown with a black line on the plan attached to the minute.
 - (ii) That delegated authority be granted to the Strategic Director of Corporate Services and Governance to undertake the following:
 - (a) To consult the statutory consultees and make a public path extinguishment order to extinguish Footpath Whickham 194 from Point A to Point B as shown with a black line on the plan attached to this minute.
 - (b) 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 determination as an opposed order.

RW56 PROGRESS ON RIGHTS OF WAY MATTERS

The Committee received a report to provide an update on progress on Rights of Way Case and the principle works carried out between July 2022 and November 2022.

The Committee were advised that with regards to the Legal Matters, Items 1 – 3 on the list were currently be reviewed.

The Committee were advised that the following works which had been undertaken on the Rights of Way Network:

- Low Spen Wood – Blaydon 120 – Steps replaced
- Kibblesworth – Lamesley 72 – Removal of restrictions and resurfacing and drainage work
- Crawcrook, Ryton 33 and 35 – installation of 3 x directional finger posts on A695
- Keelmans Way, Clara Vale – Work has commenced to re-instate the Keelmans Way

The Committee were also advised of the following planned works to be undertaken on the Rights of Way Network:

- Lamesley 72 – Sections 6, 7 and 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.
- Lamesley 69- Section 3, Wrekenton – Removal of restrictions, update entrance and resurface
- Ryton 33 and 35 – Crawcrook – Installation of directional fingerposts near completion of development
- Gateshead 1 – Harlow Green – Resurfacing
- Lamesley 57 – Rockcliffe Way, Eighton Banks – Reinstatement of public footpath

There continues to be ongoing issues with rights of way and anti-social behaviour involving fly-tipping, motorbikes and mopeds.

RESOLVED - That the information presented be noted.

Chair.....



Report to Rights of Way Committee

20th March 2023

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 2022 and March 2023.

Background

2. The Rights of Way 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: Sonya McCool extension 3862 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, 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 determination in due course. This matter is currently being reviewed. |
| Page 8 | Clarty Lane – Upgrade public footpath LA/33 to bridleway | Lamesley | Definitive Map Modification Order | The Order was made on 16th November 2022. The objection period ended on 9th February 2023. Objections have been received. Awaiting confirmation as to whether objections will be withdrawn. If the objections are withdrawn, the Order will be confirmed. If not, the Order will be sent to the Secretary of State for Environment, Food and Rural Affairs for determination. |
| | Cushy Cow Lane – Upgrade public footpath RY/27 to bridleway | Ryton Crookhill Stella Crawcrook Greenside | Definitive Map Modification Order | The Order was made on 8th February 2023. The objection period ends on 20th March 2023. 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 for determination. |
| 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. On 19th July 2021, Committee approved the making of a DMMO to add the claimed bridleway from Barlow Lane, Greenside to Barlow Lane, Barlow. Order to be made and advertised. |
| 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, evidence to be reviewed and a Report will be prepared for Committee in due course. |
| 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, evidence to be reviewed and a Report will be prepared for Committee in due course. |

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| 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, evidence to be reviewed and a Report will be prepared for Committee in due course. |
| 10 | Extinguishment of Bridleway WH/62 and Footpath WH/194 – Derwent Walk Country Park | Whickham North Whickham South & Sunnyside | Public Path Extinguishment Order | Following approval of Committee on 21st November 2022, the Order was made on 18th January 2023. The objection period ended on 20th February 2023. Representations received to be reviewed. If any objections received are not withdrawn, the Order will be sent to the Secretary of State for Environment, Food and Rural Affairs for determination. |

PRINCIPAL WORKS CARRIED OUT ON THE RIGHTS OF WAY NETWORK – November 2022 and March 2023.

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| December 2022 | Lamesley 35, Ouslaw Lane, Kibblesworth | Replace broken treads to make safe-further bridge works March 2023 |
| December 2022 | Felling 51, Bill Quay | Tree root damage removal-tree maintenance. |
| January 2023 | Whickham 215, Derwent Walk Country Park | Fence line installed at land slide site. |
| January 2023 | Ryton 28, Woodside, Ryton | Replace stile and remove barbwire. |
| January/February 2023 | Lamesley 72 & 19, Kibblesworth Bank, Kibblesworth | Installation of access restrictions. |
| February 2023 | Lamesley 69/48 Black Lane/Waverly Road, Wrekenton | Installation of new fence line and access restrictions- waiting for new vehicle access gate to complete. |
| February 2023 | Keelmans Way, Ryton Willows | Replace fire damaged gate and revetment. Replace damaged fence line. |
| February/March 2023 | Lamesley 69, Teams Colliery, Eighton Banks. | Resurfacing of bridleway and access paths, replace timber runners to assist drainage. Removal of access restrictions. |
| September 2022-March 2023 | Keelmans Way, Clara Vale | On going works to reinstate the Keelmans Way. Due to be completed by April 2023. |

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

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| 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 section 8. Section 6&7 due to be complete April 2023. Installation |
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| | | of access restrictions complete. |
| Lamesley 69 | Section 3, Wrekenton | Removal of restrictions, update entrance and resurface – Complete-March 2023 |
| Ryton 33 & 35 | Crawcrook | Installation of directional fingerposts following near completion of development- Complete |
| Gateshead 1 | Harlow Green | Resurfacing- Due to commence March 2023 |
| Lamesley 57 | Rockcliffe Way, Eighton Banks | Reinstate footpath- Met with landowner & land agent with agreement to install steps to reinstate footpath. Site inspection needed with Gateshead Council engineer to agree a way forward. |

AREAS OF THE RIGHTS OF WAY NETWORK WITH ASB/MOTORBIKE ISSUES

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| 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. |

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