



# Order Decision

by **Michael R Lowe** BSc (Hons)

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 22 September 2015

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**Order Ref: FPS/H4505/4/6**

**The Borough Council of Gateshead**

- This Order is made under Section 119 of the Highways Act 1980 (the 1980 Act) and is known as the **Footpath Blaydon 11 (part) Diversion Order 2015**.
  - The Order is dated 13 January 2015 and proposes to divert part of Footpath 11 at Newhouse Farm, Chopwell, Gateshead as shown on the Order map and described in the schedule.
  - There was one objection outstanding when the Borough Council of Gateshead (the Council) submitted the Order for confirmation, subject to modifications, to the Secretary of State for Environment, Food and Rural Affairs.
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## Decision

1. I confirm the Order subject to the following modifications, which do not require advertisement:

In the description column of Part 3 of the Schedule delete the existing text and insert:

for Grid Reference NZ11145818 'Wooden wide-post and rail stile approved by the Borough Council of Gateshead as being in accordance with all relevant current legislation and guidance including BS5709:2006 at Point B on the Order map.' and

for Grid Reference NZ11155818 'Wooden wide-post and rail stile approved by the Borough Council of Gateshead as being in accordance with all relevant current legislation and guidance including BS5709:2006, near Point B on the Order map.'

## Background and Reasons

2. Following an application from the owner of Newhouse Farm, Chopwell the Council made the Order. Before making the Order the Authority carried out consultations and no objections or representations were received. After the publication of the Order one objection was made on the ground that no design standard is detailed for the two stiles that are proposed to be constructed across the diverted footpath.
3. The Council agrees that a specification for the stiles is required and has therefore submitted the Order to the Secretary of State seeking confirmation of the Order with modifications to the limitations and conditions. I agree that a design specification is appropriate and I have therefore modified the Council's Order in accordance with its request.
4. Having regard to the Council's Statement of Grounds on which it is considered the Order should be confirmed, I am satisfied that the Order meets the criteria for confirmation set out in section 119 of the 1980 Act when modified to amend description of the limitations and conditions of the stiles along the diverted route.

**Conclusion**

5. Having regard to all these and all other matters before me I conclude that the Order should be confirmed, with the modifications as set out above.

*Michael R Lowe*

INSPECTOR