

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Northumberland County Council  
Definitive Map Modification Order (No 19) 2014 Byways Open to all Traffic Nos  
41 & 27 (Parishes of Chollerton and Bavington)

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **10 May 2016**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by:-

#### **Former Tynedale District**

##### **Byway Open to All Traffic No 27 (Parish of Bavington)**

Adding thereto a byway open to all traffic, from a point marked W, at the junction of the C210 and C209 roads, 1320 metres west of Thockrington, in a general southerly direction for a distance of 540 metres along part of the C210 road to a point marked X on alleged Byway Open to All Traffic No 41 in the Parish of Chollerton, 50 metres north of Short Knowes.

##### **Byway Open to All Traffic No 41 (Parish of Chollerton)**

Adding thereto a byway open to all traffic, from a point marked X on alleged Byway Open to All Traffic No 27 in the Parish of Bavington, 50 metres north of Short Knowes, in a general south-easterly then southerly direction along part of the C210 road for a distance of 700 metres, to a point marked Y, at the existing northern end of Byway Open to All Traffic No 41, at Little Swinburne.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: [helen.sparks@pins.gsi.gov.uk](mailto:helen.sparks@pins.gsi.gov.uk)

Please quote reference number FPS/P2935/7/49 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment, during normal office hours (i.e. 9:00 – 5:00 pm Mondays to Thursdays and 9:00 – 4:30 Fridays), in the Infrastructure Records Team office at County Hall, Morpeth, Northumberland, NE61 2EF. To arrange a viewing, please contact Ms Barbara McCabe on Telephone Number 01670 622618.

## **Timetable for sending in statements of case and comments**

### **Within 2 weeks of the start date [by 24 May 2016]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

### **Within 8 weeks of the start date [by 5 July 2016]**

Everyone who has made an objection or representation or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to the Authority, the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Order.

### **Within 14 weeks of the start date [by 16 August 2016]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

# **Wildlife and Countryside Act 1981**

## **Definitive Map and Statement of Public Rights of Way for the County of Northumberland**

### **The Northumberland County Council**

#### **Definitive Map Modification Order (No 19) 2014**

##### **Byways Open to All Traffic Nos 41 & 27 (Parishes of Chollerton and Bavington)**

This Order is made by Northumberland County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Definitive Map and Statement of Public Rights of Way for the County of Northumberland require modification in consequence of the occurrence of events specified in Section 53(3)(c)(i) and (iii), namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic; and that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

The authority has consulted every local authority whose area includes the land to which the order relates. The Northumberland County Council hereby order that:

1. For the purposes of this Order the relevant date is 1 July 2014.
2. The Definitive Map and Statement of Public Rights of Way for the County of Northumberland shall be modified as described in the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Northumberland County Council Definitive Map Modification Order (No 19) 2014.

# Definitive Map Modification Order (No 19) 2014

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Parish	Path No.	Modification	OS Map Nos.	Def Map Nos.
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### Former Tynedale District

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Chollerton	BOAT 41	Addition (part)	NY 97 NW	167



# Definitive Map Modification Order (No 19) 2014

## Description of Modification to Definitive Map and Statement

### Former Tynedale District

**Bavington****Bridleway No 11****(NY 97 NW)**

Part I Map: The Map is unaffected

Part II Statement: To be amended as follows:  
From Bridleway No 4 in the Parish of Chollerton at the former Hexham Rural District Boundary, at the east side of Colt Crag Reservoir, in a north-easterly direction to join Byway Open to All Traffic No 27 (the C210 / Colt Crag Reservoir - Little Swinburne Road) opposite the junction with the road to Thockrington.

**Bavington****Byway Open to All Traffic No 27****(NY 97 NW)**

Part I Map: Adding thereto a byway open to all traffic, from a point marked W, at the junction of the C210 and C209 roads, 1320 metres west of Thockrington, in a general southerly direction for a distance of 540 metres along part of the C210 road to a point marked X on alleged Byway Open to All Traffic No 41 in the Parish of Chollerton, 50 metres north of Short Knowes.

Part II Statement: To be prepared as follows:  
As a 5.5 to 6 metre wide byway open to all traffic, from the junction of the C210 and C209 roads, 1320 metres west of Thockrington, in a south-easterly direction for a distance of 145 metres, then in a southerly direction for a distance of 395 metres to join Byway Open to All Traffic No 41 in the Parish of Chollerton, 50 metres north of Short Knowes.

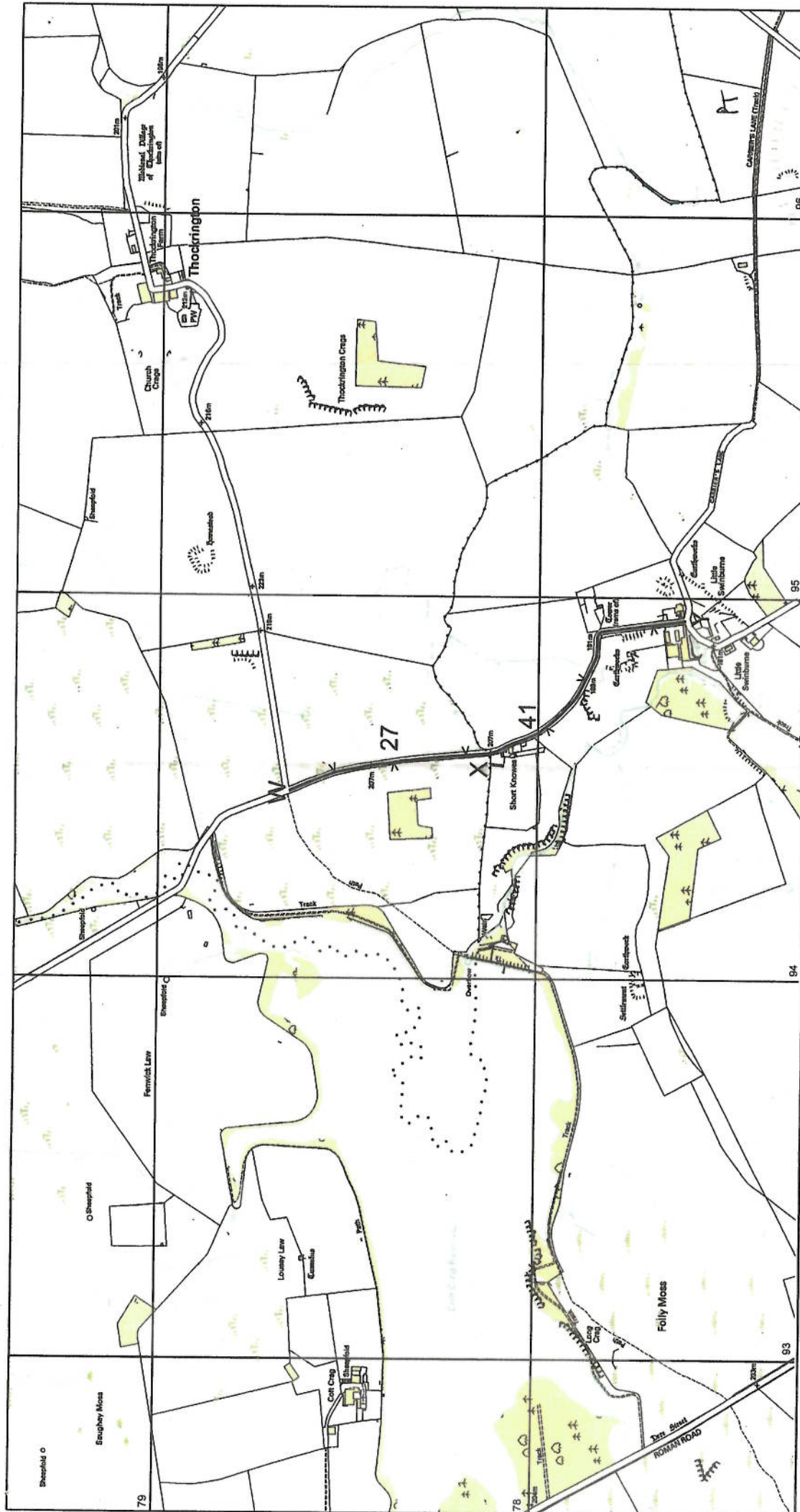
**Chollerton**

**Byway Open to All Traffic No 41**

**(NY 97 NW)**

- Part I      Map:      Adding thereto a byway open to all traffic, from a point marked X on alleged Byway Open to All Traffic No 27 in the Parish of Bavington, 50 metres north of Short Knowes, in a general south-easterly then southerly direction along part of the C210 road for a distance of 700 metres, to a point marked Y, at the existing northern end of Byway Open to All Traffic No 41, at Little Swinburne.
- Part II      Statement:      To be amended as follows:  
As a 6 to 7 metre wide byway open to all traffic (except for a 5.8 metre wide pinch point at Short Knowes) from Byway Open to All Traffic No 27 in the Parish of Bavington, 50 metres north of Short Knowes, in a south-easterly direction for a distance of 125 metres, thereafter continuing as a 5.4 to 6.2 metre wide byway for a further 275 metres, thereafter as a 6 to 7 metre wide byway in an easterly direction for a distance of 60 metres, then southerly direction for a distance of 240 metres to a junction with Footpath No 6, at Little Swinburne, thereafter as a 7.2 metre wide byway, in an easterly direction for a distance of 160 metres, thereafter as a 6.1 to 6.7 metre wide byway in a south-easterly direction for a distance of 130 metres, thereafter as a 5 metre wide byway in a south-easterly direction for a distance of 40 metres, then easterly direction for a distance of 175 metres, then south-easterly direction for a distance of 100 metres, then easterly direction for a distance of 110 metres, thereafter as a 7 to 8 metre wide byway in an easterly direction for a distance of 490 metres, thereafter as a 10 to 11 metre wide byway continuing in an easterly direction for a distance of 425 metres, to join the B6342 road, 390 metres south-west of Claverton Plantation.





**NORTHUMBERLAND**  
 Northumberland County Council  
 Sustainable Transport  
 Local Services  
 County Hall Morpeth Northumberland  
 Telephone 0845 600 6400 NE61 2EF

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Wildlife and Countryside Act, 1981

**Definitive Map of Public Rights of Way for the County of Northumberland**

**The Northumberland County Council**

**Modification Order (No. 19) 2014**

Public Footpath to be deleted	Public Footpath	Public Bridleway	Restricted Byway	Byway Open to All Traffic
O.S. Map NY 97 NW	Definitive Map No 167	Scale: 1/10,000	Date: July 2014	
Former District(s) Tyneside	Parish(es) Bavington/Chollerton			

IN WITNESS whereof the Common Seal of the County Council of Northumberland was hereunto affixed on the 29th day of September 2014

**The Common Seal of the County Council of Northumberland** was hereunto affixed in the presence of:-

*Peter Leach*

**Duly Authorised Officer**



13495



**The County Council of Northumberland** in exercise of their powers under section 53 of the 1981 Act, hereby confirm the foregoing Order:

**Definitive Map Modification Order (No 19) 2014**

In witness thereof, the Common Seal of the County Council of Northumberland was hereunto affixed this day the \_\_\_\_\_ of \_\_\_\_\_ 20

**The Common Seal of the County Council of Northumberland** was hereunto affixed in the presence of:-

**Duly Authorised Officer**