



Order Decision

Site visit on 21 March 2018

by Mark Yates BA(Hons) MIPROW

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

Decision date: 24 September 2018

Order Ref: ROW/3182651M

- This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the 1981 Act") and is known as The Northumberland County Council Definitive Map Modification Order (No 22) 2016.
- The Order was made by the County Council of Northumberland ("the Council") on 26 September 2016 and proposed to add two byways open to all traffic to the definitive map and statement, in the parishes of Ewart and Kirknewton, which form a continuous route, as detailed in the Order Map and Schedule.
- The Council submitted the Order for confirmation to the Secretary of State for Environment, Food and Rural Affairs.
- In accordance with Paragraph 8(2) of Schedule 15 to the 1981 Act I have given notice of my proposal to confirm the Order with modifications.

Summary of Decision: The Order is confirmed subject to the modifications set out below in the Formal Decision.

Procedural Matters

1. This decision should be read in conjunction with my interim decision of 27 April 2018, in respect of the Order, which outlined the main issues to be addressed, an assessment of the evidence and my conclusions.
2. No objections or representations were submitted in response to the interim decision.

Conclusion

3. For the reasons set down in the interim decision I conclude that the Order should be confirmed with the modifications detailed below.

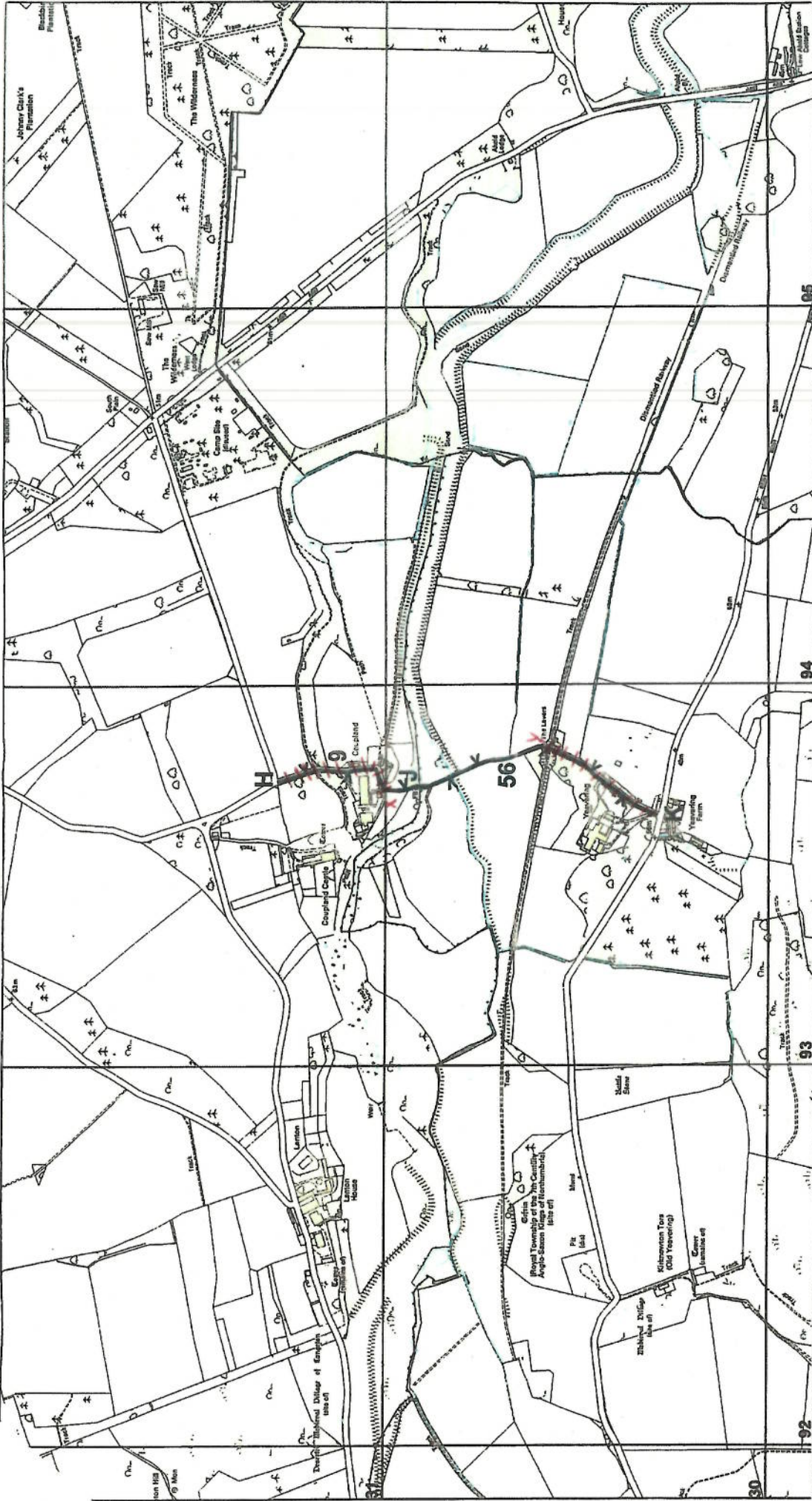
Formal Decision

4. I confirm the Order subject to the following modifications:
 - Delete the first description in the Order Schedule and insert "*Adding thereto a byway open to all traffic, from a point marked X, at the junction of the continuation of the U1019 road, in a southerly direction for a distance of 110 metres to a point marked J, on Byway Open to All Traffic No. 56 in the Parish of Kirknewton, at a ford through the River Glen*".
 - Delete the second description in the Order Schedule and insert "*As a 9 metre, narrowing to 5.2 metre, wide byway open to all traffic, from the junction of the continuation of the U1019 road and proceeding in a southerly direction for a distance of 100 metres, then continuing as a 5 metre wide byway, in a southerly direction for 10 metres through the River Glen to join Byway Open to All Traffic No. 56 in the Parish of Kirknewton, at a ford through the River Glen*".
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- Delete the third description in the Order Schedule and insert *"Adding thereto a byway open to all traffic, from a point marked J, on Byway Open to All Traffic No. 56 in the Parish of Kirknewton, at a ford through the River Glen, in a general south easterly direction for a distance of 390 metres to a point marked Y, at the junction of the continuation of the U1019 road"*.
- Delete the fourth description in the Order Schedule and insert *"As a 5 metre wide byway open to all traffic, from Byway Open to All Traffic No. 9 in the Parish of Ewart, at a ford through the River Glen, in a southerly direction for a distance of 5 metre. Thereafter as a 12 to 14 metre wide byway, continuing in a southerly direction for a further 20 metres. Then as a 6 metre wide byway, in a south-easterly direction for a distance of 95 metres, then as a 7.5 to 11 metre wide byway continuing in a south-easterly direction for a further 115 metres. Thereafter as an 8 to 10 metre wide byway in a southerly direction for a distance of 60 metres, then south-easterly direction for a distance of 95 metres to the junction of the continuation of the U1019 Road"*.
- Insert "X" on the Order Map to the north of point J.
- Insert "Y" on the Order Map to the north of the former railway line.
- Delete from the Order Map the section of the route between points H and X.
- Delete from the Order Map the section of the route between points K and Y.

Mark Yates

Inspector



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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.22) 2016**

Public Footpath to be deleted
 Public Footpath
 Public Bridleway
 Restricted Byway
 Byway Open to All Traffic

P.ther

O.S. Map NT 93 SW	Definitive Map No. 27	Scale: 1/10,000
Former District(s) Benwick	Parish(es) Ewart/Kirknewton	Date: May 2016