

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Northumberland County Council
Definitive Map Modification Order (No 3) 2015 Byways Open to All Traffic
Nos 30 & 36 (Parishes of Newton by the Sea & Beadnell)

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 **27 December 2018**.

Consideration of the Order will take the form of a hearing.

The Hearing will be held at the **Belsay Meeting Room, County Hall, Morpeth, Northumberland, NE61 2EF** on **Thursday 16 May 2019** at 10.00am.

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

Former Berwick-upon-Tweed Borough

Byway Open to All Traffic No 36 (Parish of Beadnell)

Adding thereto a byway open to all traffic, from a point marked F, at the junction of the U2041 and B1340 roads, 600 metres south-east of Tughall Cottage, in a south-westerly direction along the U2041 road for a distance of 165 metres, to a point marked J, on alleged Byway Open to All Traffic No 30 in the Parish of Newton-by-the-Sea, 790 metres south-east of Tughall Farm.

Former Alnwick District

Byway Open to All Traffic No 30 (Parish of Newton-by-the-Sea)

Adding thereto a byway open to all traffic, from a point marked J, on alleged Byway Open to All Traffic No 36 in the Parish of Beadnell, 790 metres south-east of Tughall, along the U2041 road in a south-easterly then easterly direction for a distance of 445 metres to a point marked H, on the B1340 road, 620 metres north-west of Newtonbarns Farm Cottages.

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

Please quote reference number ROW/3204661 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. 9:00am – 5:00pm Mondays to Thursdays and 9:00am – 4:30pm Fridays), in the Infrastructure Records Team office at County Hall, Morpeth, Northumberland, NE61 2EF. To arrange a viewing, please contact Mr Alex Bell on Telephone Number 01670 624133 and E-mail address alex.bell@northumberland.gov.uk

Timetable for sending in statements of case

Within 8 weeks of the start date [by 21 February 2019]

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 12 weeks of the start date [by 21 March 2019]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies will also be sent to 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 (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

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, the Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

All parties must keep to the timetable set out above and ensure that statements of case are received by the Secretary of State on time. Late documents will be returned.

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

Notice of order for hearing

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the hearing.

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 3) 2015

Byways Open to All Traffic Nos 30 & 36 (Parishes of Newton by the Sea and Beadnell)

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 May 2015.
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 3) 2015.

Definitive Map Modification Order (No 3) 2015

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Definitive Map Modification Order (No 3) 2015

Description of Modification to Definitive Map and Statement

Former Alnwick District

Newton-by-the-Sea Bridleway No 11 (NU 22 NW)

Part I Map: The Map is unaffected

Part II Statement: To be amended as follows:
From the public road at Brunton in a north-easterly direction along the left bank of the Brunton Burn to join Byway Open to All Traffic No 30 (the U2041 / former Alnwick - North Sunderland road), west of Brunton Bridge.

Newton-by-the-Sea Footpath No 12 (NU 22 NW)

Part I Map: The Map is unaffected

Part II Statement: To be amended as follows:
From Bridleway No 11 north-east of Low Brunton in a north-easterly direction to join Byway Open to All Traffic No 30 (the U2041 / former Alnwick - North Sunderland road), at the former Belford Rural District boundary.

Newton-by-the-Sea Footpath No 13 (NU 22 NW)

Part I Map: The Map is unaffected

Part II Statement: To be amended as follows:
From Footpath No 12, at its junction with Byway Open to All Traffic No 30 (the U2041 / former Alnwick - North Sunderland road) in a north-westerly direction to join Bridleway No 14 near the former Belford Rural District boundary.

Newton-by-the-Sea Byway Open to All Traffic No 30 (NU 22 NW)

Part I Map: Adding thereto a byway open to all traffic, from a point marked J, on alleged Byway Open to All Traffic No 36 in the Parish of Beadnell, 790 metres south-east of Tughall, along the U2041 road in a south-easterly then easterly direction for a distance of 445 metres to a point marked H, on the B1340 road, 620 metres north-west of Newtonbarns Farm Cottages.

Part II Statement: To be prepared as follows:
As a 9 metre wide, reducing to 7.5 metre wide byway open to all traffic, from Byway Open to All Traffic No 36 in the Parish of Beadnell, 790 metres south-east of Tughall, along the U2041 road in a south-easterly direction for a distance of 190 metres, thereafter continuing along the U2041 road, as an 8 metre wide byway in an easterly direction for a distance of 230 metres to Brunton Bridge, then as a 3.7 metre wide byway, in an easterly direction for a distance of 15 metres, crossing the bridge, then as a 5 metre wide byway continuing in an easterly direction for a further 10 metres to join the B1340 road, 620 metres north-west of Newtonbarns Farm Cottages.

Former Berwick-upon-Tweed Borough

Beadnell **Byway Open to All Traffic No 36** **(NU 22 NW)**

Part I Map: (NU 2168 2581)

Part II Statement: To be prepared as follows:
As an 8.5 to 10 metre wide byway open to all traffic, from the junction of the U2041 and B1340 roads, 600 metres south-east of Tughall Cottage, in a south-westerly direction, along the U2041 road for a distance of 165 metres, to join Byway Open to All Traffic No 30 in the Parish of Newton-by-the Sea, 790 metres south-east of Tughall Farm.

IN WITNESS whereof the Common Seal of the County Council of Northumberland was hereunto affixed on the 3rd day of August 2015

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



Duly Authorised Officer



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 3) 2015

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