

NOTICE OF ORDER
HIGHWAYS ACT 1980 – SECTION 26
WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53

Durham County Council
(Public Bridleway No.25 Muggleswick Parish And No.68 And 69 Lanchester
Parish) Public Footpath Creation and Definitive Map and Statement
Modification Order 2019

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 **11 March 2020**.

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 create a 3164 mtr public bridleway (Muggleswick no. 25/ Lanchester no. 68 and 69) in an easterly direction along a track from the end of unc road 17.2 south of the Old Post Office Waskerley Village to the Waskerley Way, along the railway path to Red House crossing, then along the farm track past the farm to join unc road 18.3 to the north of Bee Cottage at Oxen Law as shown on the order map. The above order will also modify the Definitive Map and Statement of the Public Rights of Way for County Durham by adding the bridleway described.

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@planninginspectorate.gov.uk Please quote reference number ROW/3234925 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the offices of Durham County Council, County Hall, Durham, DH1 5UL (Monday to Friday: 9.00 a.m. to 4.00 p.m. To arrange a viewing of the documents contact telephone number: 03000 269724 or 03000 265331.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 25 March 2020]

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 - 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 6 May 2020]

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

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 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).

Within 14 weeks of the start date [by 17 June 2020]

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.

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.

Notice of order for w/r

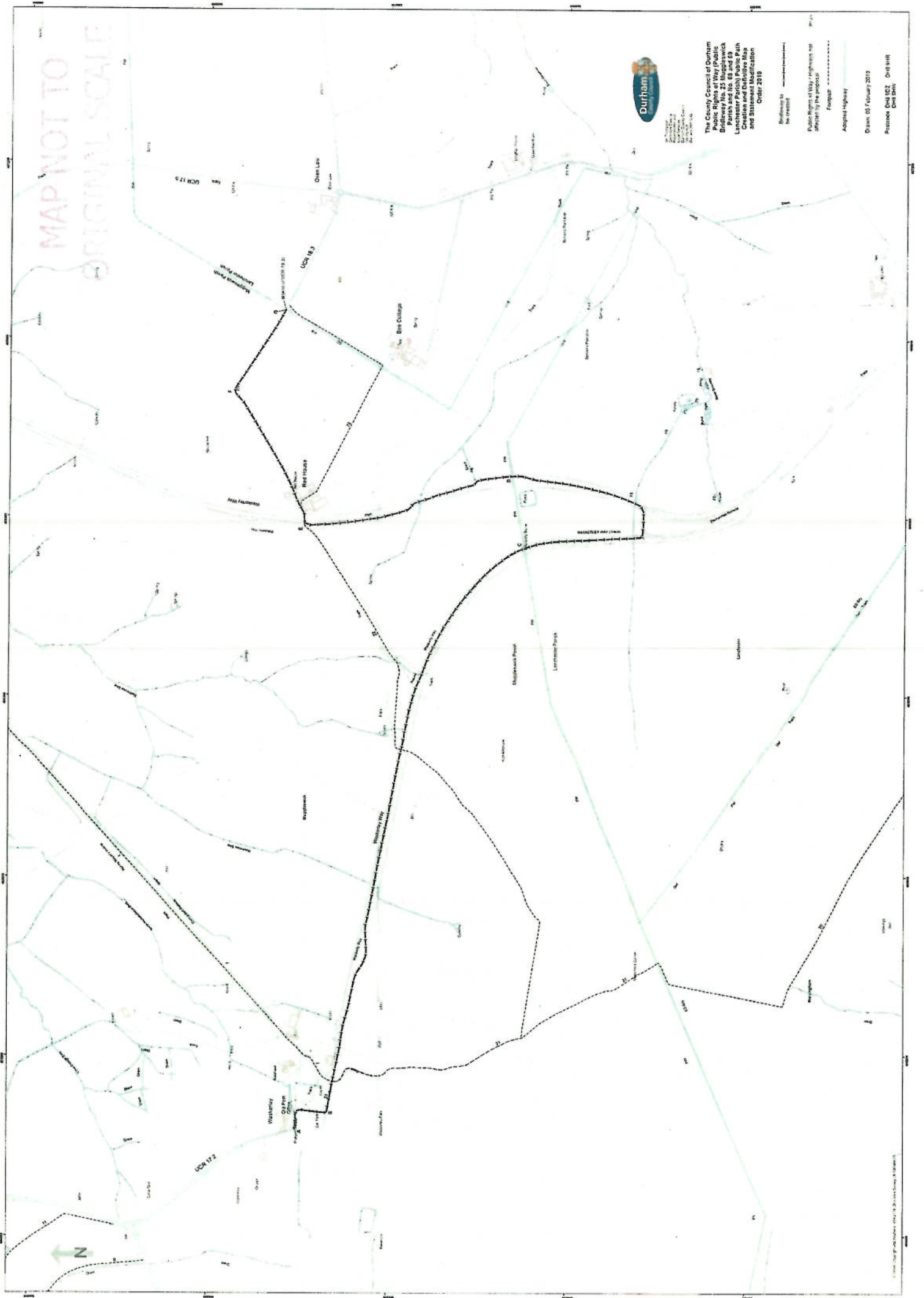
MAP NOT TO ORIGINAL SCALE



The County Council of Durham
 is hereby giving notice of the Public
 Bill (No. 25) of the Durham
 Parish and No. 48 and 49
 Lanchester Parish Public Path
 Order 2010 for the purposes
 and Statement Modification
 Order 2010

Public Rights of Way - Highway not affected by the proposal
 Footpath
 Appointed Highway

Drawn: 01 February 2010
 Proposed: 01st Feb 2010
 Date: 01st Feb 2010



**PUBLIC PATH CREATION AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDER**

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE COUNTY COUNCIL OF DURHAM
(PUBLIC BRIDLEWAY NO.25 MUGGLESWICK PARISH AND NO.68 AND 69
LANCHESTER PARISH)
PUBLIC FOOTPATH CREATION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**

This Order is made by the County Council of Durham ("the authority") under section 26 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that, having regard to the matters set out in section 26(1), there is a need for a public bridleway over the land to which this order relates, and that it is expedient that the line of the way should be created.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the County Durham Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(iii) of the 1981 Act, namely, the creation (as authorised by this order) of a new right of way 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 bridleway.

BY THIS ORDER:

1. There shall be at the end of 7 days from the date of confirmation of this order a public bridleway over the land at in Muggleswick and Lanchester Parishes described in Part 1 the Schedule to this order and shown by a bold broken line with cross bars on the map attached to this order, and thereupon the Definitive Map and Statement of Public Rights of Way for County Durham shall be modified as described in Part 3 of the Schedule to this order.
2. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 2 of the Schedule

SCHEDULE

PART 1 DESCRIPTION OF LAND

<u>No. of Path</u>	<u>Position</u>
Public Bridleway No. 25 Muggleswick Parish Part 11st section (width 3 metres)	Public Bridleway commencing from a point at the end of unclassified road 17.2, south of the Old Post Office Waskerley Village (grid reference 405037.545403). Proceeding for 1474 metres in an easterly then southerly direction along a track and through a bridle gate onto the Waskerley Way and continuing along this railway path in an east south-easterly and then south-easterly direction to a point on the Waskerley Way on the Muggleswick/Lanchester parish boundary (406334.544893) (A-C)
Public Bridleway No. 68 Lanchester Parish (width 3 metres)	Public Bridleway commencing at a point on the Waskerley Way on the Muggleswick/Lanchester parish boundary (406334.544893) and proceeding along the railway path for 628 metres in a southerly, easterly, northerly and northerly direction to a point on the Waskerley Way on the Lanchester/Muggleswick parish boundary to the east of a pond (406494.544922) (C-D)
Public Bridleway No. 25 Muggleswick Parish 2 nd section (width 3 metres) Except at point F where 7 metres	Public Bridleway commencing at a point on the Waskerley Way on the Lanchester/Muggleswick parish boundary to the east of a pond (406494.544922) and proceeding initially for 493 metres along the railway path in a north north-westerly direction to a point to the west of Red House (406386.545384). Leaving the Waskerley Way and continuing for 566 metres along a track, in a north-easterly direction past Red House, turning in a south-easterly direction to a point on the Muggleswick/Lanchester parish boundary, to the north of Bee Cottage 406863.545432). (D-E-G)
Public Bridleway No. 69 Lanchester Parish (width 3 metres)	Public Bridleway commencing from a point at the Muggleswick/Lanchester parish boundary to the north of Bee Cottage (406863.545432) proceeding along a track for 3 metres to a field gate (406866.545431) (G-H)

**PART 2
LIMITATIONS AND CONDITIONS**

<u>No. of Path</u>	<u>Position</u>
Public Bridleway No. 25 Muggleswick Parish	The limitation applies to the position of Bridleway No. 25 as described in Part 1 of this schedule and consists of bridle gates, in accordance with BS5709:2018, at grid reference 405073.545334 (B) and at 406386.545384 (E) and a field gate and cattle grid at 406690.545542 (F).
Public Bridleway No. 69 Lanchester Parish	The limitation applies to the position of Bridleway No. 68 as described in Part 1 of this schedule and consists of a field gate at 406866.545431 (H)

**PART 3
NEW STATEMENT
DEFINITIVE STATEMENT OF PUBLIC RIGHTS OF WAY**

	No: 25
Town/Parish:	Muggleswick
Status	Bridleway
OS Explorer:	307
1 st section	
Starting Point:	A point at the junction with unclassified road 17.2, south of the old post office Waskerley Village (grid reference 405037.545403).
Description of Route:	Proceeding for 1474 metres in an easterly then southerly direction along a track and through a bridle gate onto the Waskerley Way and continuing along this railway path in an east south-easterly and then south-easterly direction
Ultimate Destination:	A point on the Waskerley Way on the Muggleswick/Lanchester parish boundary (406334.544893)
Details of Features:	1 x bridle gates
Width of path	3 Metres
2 nd section	
Starting Point:	A point on the Waskerley Way on the Lanchester/Muggleswick parish boundary to the east of a pond (406494.544922)
Description of Route:	Along the railway path in a north north, westerly

direction to a bridle gate on the railway path to the west of Red House (406386.545384). Leaving the Waskerley Way and continuing for 566 metres along a track, in a north-easterly direction past Red House, turning in a south-easterly direction

Ultimate Destination: A point on the Muggleswick/Lanchester parish boundary, to the north of Bee Cottage (406863.545432)

Details of Features: 2 x bridle gates
1 x field gate alongside cattle grid
1 x field gate

Width of path 3 Metres except at field gate alongside cattle grid where widens to 7 metres

Total length of Path: 2533 Metres

Type of Construction: Stone and fibredec (Waskerley Way)

Sections Metalled: None

Sections Ploughed: None

General Conditions of:

(a)	Path	Variable
(b)	Stiles and Gates	Good
(c)	Bridges	N/A
(d)	Stepping Stones	N/A

Details of any Signs and Notices
Boards:
NOTES: Created by The Durham County Council (Public Bridleway No.25 Muggleswick Parish and No. 68 and 69 Lanchester Parish) Public Path Creation and Definitive Map & Statement Modification Order 2019

**NEW STATEMENT
DEFINITIVE STATEMENT OF PUBLIC RIGHTS OF WAY**

No: 68

Town/Parish: Lanchester

Status: Bridleway

OS Explorer: 307

Starting Point: A point on the Waskerley Way on the Muggleswick/Lanchester parish boundary (406334.544893)

Description of Route: Along the railway path in a southerly, easterly, northerly and northerly direction

Ultimate Destination: A point on the Waskerley Way on the Lanchester/Muggleswick parish boundary to the east of a pond (406494.544922)

Details of Features: None

Width of Path: 3 Metres

Length of Path: 628 metres

Type of Construction: Fibredec

Sections Metalled: None

Sections Ploughed: None

General Conditions of:

(a)	Path	Good
(b)	Stiles and Gates	N/A
(c)	Bridges	N/A
(d)	Stepping Stones	N/A

Details of any Signs and Notices Boards:

NOTES: Created by The Durham County Council (Public Bridleway No.25 Muggleswick Parish and No. 68 and 69 Lanchester Parish) Public Path Creation and Definitive Map & Statement Modification Order 2019

**NEW STATEMENT
DEFINITIVE STATEMENT OF PUBLIC RIGHTS OF WAY**

No: 69

Town/Parish: Lanchester

Status: Bridleway

OS Explorer: 307

Starting Point: The Muggleswick/Lanchester parish boundary to the north of Bee Cottage (406863.545432).

Description of Route: Track for 3 metres length

Ultimate Destination: Gate to the north of Bee Cottage, Oxen Law (406866.545431)

Details of Features: Field gate at end

Width of Path: 3 Metres

Length of Path: 3 Metres

Type of Construction: Stone

Sections Metalled: None

Sections Ploughed: None

General Conditions of:

(a)	Path	Ok
(b)	Stiles and Gates	Good
(c)	Bridges	N/A
(d)	Stepping Stones	N/A

Details of any Signs and Notices Boards:

NOTES: Created by The Durham County Council (Public Bridleway No.25 Muggleswick Parish and No. 68 and 69 Lanchester Parish) Public Path Creation and Definitive Map & Statement Modification Order 2019

MODIFICATION OF DEFINITIVE STATEMENT
(New text in bold, deleted text struck through)

Variation of Particulars of Path or Way

1/18/9

No: 21

Town/Parish: Muggleswick Name of Path:

Status: Footpath

OS Sheet: NZ 04 NE & NZ 04 SE 307
Explorer

Starting Point: Junction with ~~adopted highway unclassified road 17.2, south of the Old Post Office Waskerley Village (405037, 545403)~~ **Footpath 1 on the Waskerley Way south of Waskerley Village at 405141.545319.**

Description of Route: ~~Proceeding in an easterly then southerly direction through a field and pedestrian gate onto the Waskerley Way (dismantled railway), turning easterly to its~~ **from the** junction with Public Footpath No.1 the path leaves the Waskerley Way along a track through a field gate on to moor in a generally south easterly direction past its junction with Public Footpath No.22 and on through field gate to join Public Footpath No.70 Wolsingham

Ultimate Destination: Junction with Public Footpath No.70 Wolsingham Parish at Parish Boundary (405408, 544595)

Details of Features: 3 2 x field gates
1 x pedestrian gate

Width of Path: ~~Diverted sections 1.8 metres~~

Length of Path: ~~988~~ 811 metres

Type of Construction:

Sections Metalled:

Sections Ploughed:

General Conditions of:

- (a) Path ~~Nearly untraceable~~
- (b) Stiles and Gates Good
- (c) Bridges
- (d) Stepping Stones

Details of any Signs and Notices Boards: No

Ministry of Supply (Depot at Burnhill) have made attempts to close this route – one War Department Notice still stands just through gate near Waskerley School – still used by walkers and motor cyclists in Reliability Trials

NOTES: Rights of Way Act, 1932

Part Diverted by the Durham County Council (Footpath No's 1 & 21 Muggleswick Parish) Public Path Diversion Order 2000 – confirmed 17/01/2001

Termination of Northern end of path altered following The Durham County Council (Public Bridleway No.25 Muggleswick Parish and No. 68 and 69 Lanchester Parish) Public Path Creation and Definitive Map & Statement Modification Order 2019

MODIFICATION OF DEFINITIVE STATEMENT

(New text in bold, deleted text struck through)

1/18/9

No: 22

Town/Parish: Muggleswick

Name of Path:

Status: Footpath

OS Sheet: ~~NZ 04 NE & NZ 04 SE~~ **307**
Explorer

Starting Point: Footpath No. 21.

Description of Route: Easterly across railway, across field to cart bridge ~~over railway at red House~~ and Waskerley Way (bridleway 25) at Red House crossing. Recommencing through gate into yard and over field to Parish boundary at Bee Cottage.

Ultimate Destination: Parish boundary at Bee Cottage.

Details of Features: 6 x field gates
1 x cart bridge
1 x stile
1 x level crossing

Width of Path: Undefined

Length of Path: 1714 Metres

Type of Construction:

Sections Metalled:

Sections Ploughed:

General Conditions of:

- (a) Path
- (b) Stiles and Gates Good
- (c) Bridges Good
- (d) Stepping Stones
- (e) Obstructions Fence dividing one field

Details of any Signs and Notices Boards:

NOTES: Rights of Way Act, 1932.

Termination of Northern end of path altered following The Durham County Council (Public Bridleway No.25 Muggleswick Parish and No. 68 and 69 Lanchester Parish) Public Path Creation and Definitive Map & Statement Modification Order 2019

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM
ON THE 7th DAY OF MARCH 2019**

David H. Taylor

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Authorised Sealing Officer



