

NOTICE OF ORDER

Wildlife and Countryside Act 1981-Section 53

Northumberland County Council
Definitive Map Modification Order (No 5) 2018 Byways Open to All Traffic Nos 38 & 22
(Parishes of Ingram & Whittingham)

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 **8 January 2020**.

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 **Wednesday 27th May 2020** 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 Alnwick District

Byway Open to All Traffic No 22 (Parish of Whittingham)

Adding thereto a byway open to all traffic, from a point marked H, on the C169 road, 840 metres west of Mile Moor Farm, in a general northerly direction for a distance of 885 metres along the U4064 road, to a point marked G, on alleged Byway Open to All Traffic No 38 in the Parish of Ingram, 1035 metres south of Clinch.

Former Berwick-Upon-Tweed Borough

Byway Open to All Traffic No 38 (Parish of Ingram)

Adding thereto a byway open to all traffic, from a point marked G on alleged Byway Open to All Traffic No 22 in the Parish of Whittingham, 1035 metres south of Clinch, in a general north-easterly direction for a distance of 1920 metres along the U1098 road, to a point marked F on the U1092 road, 510 metres north of Branton Middle Steads.

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/3227602 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 – 5:00pm 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 of the documents, please contact Mr Alex Bell on Telephone Number 01670 624133 or E-mail Address alex.bell@northumberland.gov.uk

Timetable for sending in statements of case

Within 8 weeks of the start date [by 4 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, 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 1 April 2020]

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 5) 2018

Byways Open to All Traffic Nos 38 & 22 (Parishes of Ingram & Whittingham)

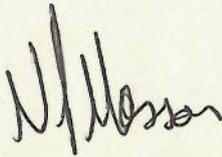
This Order is made by Northumberland County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Definitive Map and Statement of Public Rights of Way for the County of Northumberland require modification in consequence of the 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:

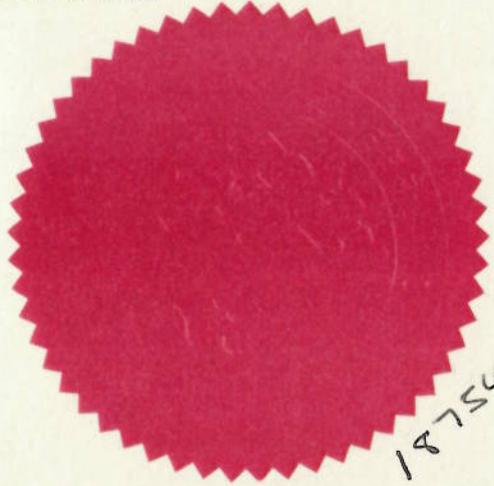
1. For the purposes of this Order the relevant date is 1 January 2018.
2. The Definitive Map and Statement of Public Rights of Way for the County of Northumberland shall be modified as described in the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Northumberland County Council Definitive Map Modification Order (No 5) 2018.

IN WITNESS whereof the Common Seal of the County Council of Northumberland was hereunto affixed on the 23rd day of April 2018

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



Duly Authorised Officer



18754

Definitive Map Modification Order (No 5) 2018

Index

Parish	Path No.	Modification	OS Map Nos.	Def Map Nos.
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Former Alnwick District

Whittingham	BOAT 22	Addition	NU 01 SW	66
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Former Berwick Borough

Ingram	FP 15	Amend Statement	NU 01 NW	55
Ingram	BOAT 38	Addition	NU 01 NW / SW	55 / 66

Schedule

Definitive Map Modification Order (No 5) 2018

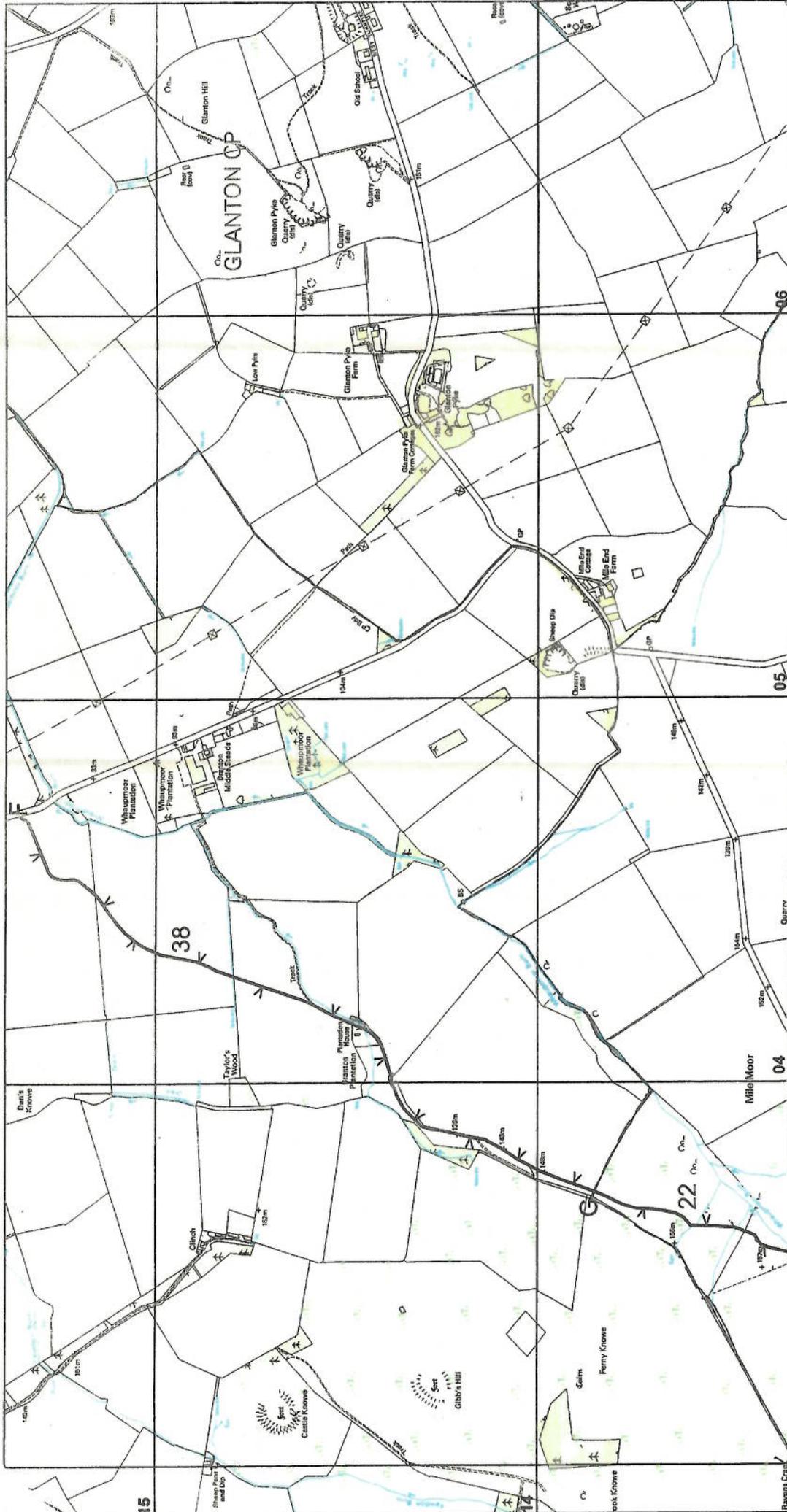
Description of Modification to Definitive Map and Statement

Former Alnwick District

Whittingham **Byway Open to All Traffic No 22** **(NU 01 SW)**

Part I Map: Adding thereto a byway open to all traffic, from a point marked H, on the C169 road, 840 metres west of Mile Moor Farm, in a general northerly direction for a distance of 885 metres along the U4064 road, to a point marked G, on alleged Byway Open to All Traffic No 38 in the Parish of Ingram, 1035 metres south of Clinch.

Part II Statement: To be prepared as follows:
As a 5 metre wide byway open to all traffic, from the C169 road, 840 metres west of Mile Moor Farm, in a general northerly direction for a distance of 885 metres to join Byway Open to All Traffic No 38 in the Parish of Ingram, 1035 metres south of Clinch.



Northumberland County Council
 Infrastructure 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.5) 2018

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

O.S. Map NU 01 NWSW Definitive Map No 5966 Scale: 1/10,000
 Former District(s) Berwick/ Alnwick Parish(es) Ingram/ Whittingham
 Date: January 2018

MAP NOT TO ORIGINAL SCALE