

# **NOTICE OF ORDER**

## **Wildlife and Countryside Act 1981 – Section 53**

Northumberland County Council

Definitive Map Modification Order (No 16) 2018 Public Bridleway No 53 (Parish of Lowick); Public Bridleway No 34 (Parish of Kyloe)

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 **20 October 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 modify the definitive map and statement for the area by:-

### **Former Berwick Borough**

#### **Parish of Lowick**

#### **Bridleway No 53**

Adding thereto a public bridleway (and upgrading part of Public Footpath No 29), from the C18 road at the junction with the U1046 road west of Catton Ridge (Grid Reference NU 0387 3740) in a general north-easterly direction for a distance of 2670 metres to join alleged Public Bridleway No 34 in the Parish of Kyloe, 23 metres south-west of Bogle Houses. (GR NU 0670 3972).

#### **Parish of Kyloe**

#### **Bridleway No 34**

Adding thereto a public bridleway (and upgrading part of Public Footpath No 22), from alleged Public Bridleway No 53 in the Parish of Lowick, 25 metres south-west of Bogle Houses (GR NU 0670 3972) in a general north-easterly direction for a distance of 995 metres to join the U34 road, 285 metres north-east of Blawearie (GR NU 0633 3943).

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](mailto:helen.sparks@planninginspectorate.gov.uk)

Please quote reference number ROW/3245678 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). The contact is Mr John McErlane, Infrastructure Records, Local Services Group, County Hall, Morpeth, Northumberland,

NE61 2EF. To arrange a viewing of the documents, please Telephone 01670 624136 or email: [John.McErlane@northumberland.gov.uk](mailto:John.McErlane@northumberland.gov.uk)

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

#### **Within 2 weeks of the start date [by 3 November 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 15 December 2020]**

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 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 26 January 2021]**

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 16) 2018**

**Public Bridleway No 53 (Parish of Lowick)  
Public Bridleway No 34 (Parish of Kyoie)**

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)(ii) & (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 the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description; 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.

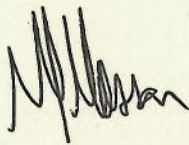
The authority has consulted every local authority whose area includes the land to which the order relates. The Northumberland County Council hereby order that:

1. For the purposes of this Order the relevant date is 1 September 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 16) 2018.

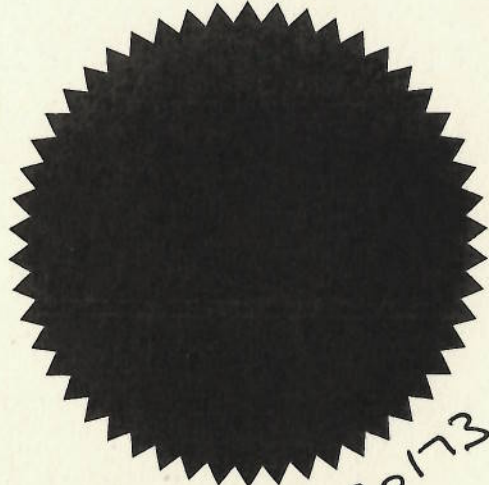


IN WITNESS whereof the Common Seal of the County Council of Northumberland was hereunto affixed on the 14<sup>th</sup> day of December 2018

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



Duly Authorised Officer



20173

# **Modification Order (No 16) 2018**

## **Index**

### **Former Berwick Borough**

<b>Parish</b>	<b>Path No.</b>	<b>Modification</b>	<b>OS Map</b>	<b>Definitive</b>	<b>Nos.</b>	<b>Map Nos.</b>
Kyloe	Footpath No 22			Part upgrade to BR 34	NU03NE	22
Kyloe	Bridleway No 34			Addition & upgrade of part of FP 22	NU03NE	22
Lowick	Footpath No 29			Part upgrade to BR 53	NU03NW/NE	21/22
Lowick	Bridleway No 53			Addition & upgrade of part of FP 29	NU03NW/NE	21/22



## Schedule

### Modification Order (No 16) 2018

#### Description of Modification to Definitive Map and Statement

##### Former Berwick Borough

<b>Parish of Lowick</b>	<b>Bridleway No 53</b>	<b>(NU03NW/NE)</b>
Part I	Map:	Adding thereto, a public bridleway, (and upgrading part of Public Footpath No 29), from a point marked P on the C18 road at the junction with the U1046 road west of Catton Ridge in a general north-easterly direction for a distance of 2670 metres to a point marked Q on alleged Public Bridleway No 34 in the Parish of Kyloe, 25 metres south-west of Bogle Houses.
Part II	Statement:	<p>To be prepared as follows:</p> <p>A 3 metre wide bridleway from the C18 road at the junction with the U1046 road west of Catton Ridge through a field gate in an easterly direction for a distance of 155 metres crossing an arable field to a post and wire fence then continuing in an easterly direction over rough pasture for a distance of 155 metres then northerly for a distance of 220 metres to join a semi metalled track then continuing along the track in an easterly direction for a distance of 830 metres then in a north-easterly direction as a grass surfaced track for a distance of 140 metres through a gate then continuing as a forest track for a distance of 1170 metres to join Public Bridleway No 34 in the Parish of Kyloe, 25 metres south-west of Bogle Houses.</p>
<b>Parish of Kyloe</b>	<b>Bridleway No 34</b>	<b>(NU03NE)</b>
Part I	Map:	Adding thereto, a public bridleway, (and upgrading part of Public Footpath No 22), from a point marked Q on alleged Public Bridleway No 53 in the Parish of Lowick, 23 metres south-west of Bogle Houses in a general north-easterly direction for a distance of 995 metres to a point marked T on the U34 road, 285 metres north-east of Blawearie.
Part II	Statement:	<p>To be prepared as follows:</p> <p>A 3 metre wide bridleway from Public Bridleway No 53 in the Parish of Lowick 25 metres south-west of Bogle Houses in a north-easterly direction for a distance of 720 metres following the forest track to the junction with Public Footpath No 22, 15 metres east of Blawearie then continuing as a 3 metre wide track within an 8 to 9 metre wide corridor for a distance of 275 metres crossing Public Bridleway No 24 to join the U34 road, 285 metres north-east of Blawearie.</p>



**Parish of Lowick**

**Footpath No 29**

**(NU03NW/NE)**

**Part I      Map:**      Deleting thereto, the footpath from a point marked U on alleged Public Bridleway No 53, 420 metres east of the C18 road opposite North Wood to a point marked V on alleged Public Bridleway No 53, 1220 metres east of the C18 road opposite North Wood, as a consequence of this section being upgraded to Public Bridleway (Public Bridleway No 53) status.

**Part II      Statement:**      To be amended as follows:  
From the Holburn - New Haggerston road at the south-west corner of Kyloe Wood in an easterly direction for a distance of 450 metres to the junction with Public Bridleway No 53 then resuming from Public Bridleway No 53, 1220 metres east of the C18 road in a south-easterly direction by Shiellow Craggs and Moles Cottage to the former Belford Rural District boundary joining Footpath No 12 in the Parish of Middleton.

**Parish of Kyloe**

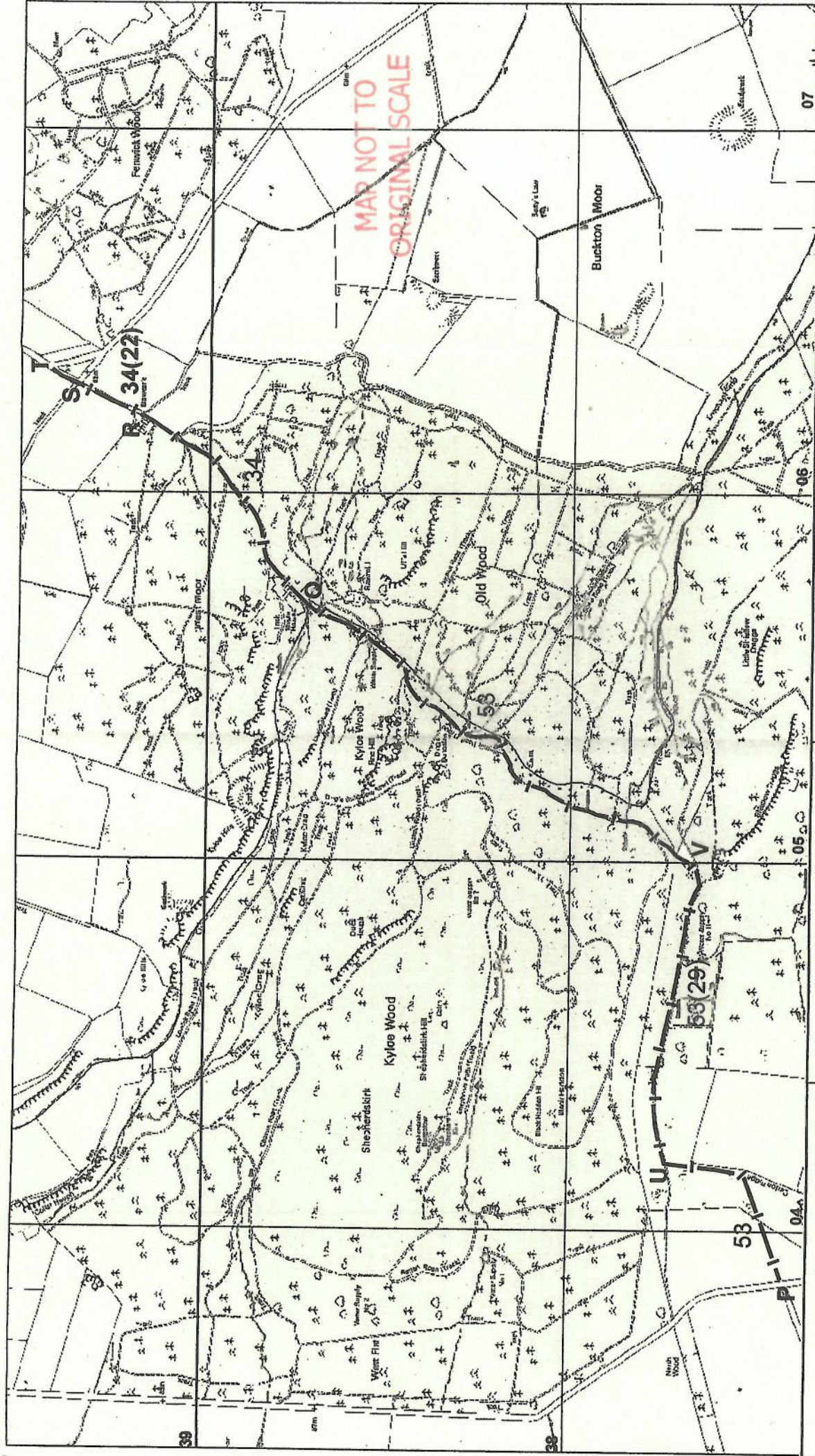
**Footpath No 22**

**(NU03NE)**

**Part I      Map:**      Deleting thereto, the footpath from a point marked R, 15 metres east of Blawearie to a point marked S at the junction with existing Public Bridleway No 24, as a consequence of this section being upgraded to bridleway (Public Bridleway No 34) status.

**Part II      Statement:**      To be amended as follows:  
From Public Bridleway No 34, 15 metres east of Blawearie in a southerly direction along the east side of Kyloe Wood to meet Footpath No 31 in the Parish of Lowick at the former Glendale Rural District Boundary.





<p><b>Northumberland County Council</b> Infrastructure Local Services County Hall Morpeth Northumberland Telephone 0845 600 6400 NES1 2EF</p> <p><small>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.</small></p> <p><small>NORTHUMBERLAND COUNTY COUNCIL - OS Licence No. 100049048</small></p>	<p><b>Wildlife and Countryside Act, 1981</b></p> <p><b>Definitive Map of Public Rights of Way for the County of Northumberland</b></p>	<p><b>The Northumberland County Council</b></p> <p><b>Modification Order (No.16) 2018</b></p>	<p><b>Legend:</b></p> <ul style="list-style-type: none"> <li>Public Footpath to be deleted</li> <li>Public Footpath</li> <li>Public Bridleway</li> <li>Restricted Byway</li> <li>Byway Open to All Traffic</li> </ul> <table border="1"> <tr> <td>O.S. Map NU 03 NWINE</td> <td>Definitive Map No. 21/22</td> <td>Scale: 1/10,000</td> </tr> <tr> <td>Former District(s) Berwick</td> <td>Parish(es) Kyloe/Lowick</td> <td>Date: October 2018</td> </tr> </table>	O.S. Map NU 03 NWINE	Definitive Map No. 21/22	Scale: 1/10,000	Former District(s) Berwick	Parish(es) Kyloe/Lowick	Date: October 2018
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