

NOTICE OF ORDER Highways Act 1980

Newcastle Upon Tyne City Council
The Newcastle City Council (Footpath 4 Brunswick and Footpath 6 Dinnington)
Diversion Order 2018

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 **08 December 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 divert the public footpaths described in the schedules below, as shown on the Order Map.

SCHEDULE

PART 1 – DESCRIPTION OF SITE OF EXISTING FOOTPATH

Footpath 6 Dinnington

The whole width of that part of Footpath 6 Dinnington commencing at the point marked A on the Order Map (grid reference 422415E 572211N), being a point located 2.5 metres from the north west corner of the agricultural building located in the eastern part of the farm yard at Morley Hill Farm, and then running in a northerly direction for 13 metres to the point marked B on the Order Map (grid reference 422418E 572223N), being a point located adjacent to the south west corner of the garage a Morley Hill Cottage.

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Footpath 4 Brunswick

The whole width of that part of Footpath 4 Brunswick commencing at the point marked B on the Order Map (grid reference 422418E 572223N), being a point located at the south west corner of the garage a Morley Hill Cottage, and from there running in a northerly direction for 123 metres to the point marked C on the Order Map (grid reference 422425E 572346N), at the field boundary. From C it continues in an easterly direction for 107 metres to the point marked D on the Order Map (grid reference 422530E 572355N), being a point adjacent to the south western corner of Brunswick Industrial Estate, and then from point D continuing in a northerly direction for 294 metres to point E on the Order Map (grid reference 422525E 572648N), which is located 84 metres west of the junction between Sandy Lane and the western junction to Brunswick Industrial Estate.

PART 2 – DESCRIPTION OF SITE OF NEW FOOTPATH

Footpath 6 Dinnington

The new footpath (being 1.5 metres in width) will commence at point A on the Order Map (grid reference 422415E 572211N) and then running in an easterly direction for 51 metres to the field boundary at point F on the Order Map (grid reference 422467E 572211N), being 12 metres to the east of the north eastern corner of the agricultural building located in the eastern part of the farm yard at Morley Hill Farm.

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Footpath 4 Brunswick

The new footpath (being 1.5 metres in width) will commence at the point marked F on the Order Map (grid reference 422467E 572211N) and will then run in an easterly direction for 65 metres across an agricultural field to the point marked G on the Order Map (grid reference 422531E 572216N) at the field boundary. From point G the new footpath turns in a northerly direction for 138 metres to the point marked D on the Order Map (grid reference 422530E 572355N), being adjacent to the south western corner of Brunswick Industrial Estate, and then from point D it continues in a north westerly direction for 4 metres to the point marked H on the Order Map (grid reference 422528E 572357N), being located on the north side of the field boundary. From point H it continues in a northerly direction for 291 metres to the point marked I on the Order Map (grid reference 422522E 572648N), which is located 87 metres west of the junction of Sandy Lane and Brunswick Industrial Estate.

Any queries relating to this Order should be referred to Clive Richards 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 4445502. Email: clive.richards@planninginspectorate.gov.uk. Please quote reference number ROW/3247279 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 Customer Services, Newcastle Central Library, Charles Avison Building, 33 New Bridge Street West, Newcastle upon Tyne, NE1 8AX between the hours of 10am and 4:30pm (Mon-Fri). **Due to the Covid-19 crisis you are advised to contact the Council to make the necessary arrangements. It may be that alternative arrangements will need to be made such as emailing/posting documents if the offices are in lockdown.** Council Contact: Simon Carey, Public Rights of Way Officer, Tel: 0191 2778955, Email: simon.carey@newcastle.gov.uk

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 22 December 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 09 February 2021]

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 23 March 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 inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

COUNCIL OF THE CITY OF NEWCASTLE UPON TYNE

THE NEWCASTLE CITY COUNCIL (FOOTPATH 4 BRUNSWICK and FOOTPATH 6 DINNINGTON) DIVERSION ORDER 2018

This Order is made by the Council of the City of Newcastle upon Tyne ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owners of the land crossed by the footpath described in paragraph 1 of this Order it is expedient that the line of the path should be diverted.

Banks Property Limited has agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over land at Morley Hill Farm and to the west of Brunswick Industrial Estate (running between Sandy Lane to the north and Morley Hill Cottage to the south) and shown by a continuous bold line on the Map contained in this Order ("the Order Map") and described in Part 1 of the Schedule to this order shall be stopped up after the expiry of the period of 6 months from the date of confirmation of this Order.
2. There shall at the end of the expiry of the period of 6 months from the date of confirmation of this Order be a public footpath over the land at Morley Hill Farm and to the west of Brunswick Industrial Estate (running between Sandy Lane to the north and Morley Hill Cottage to the south) described in Part 2 of the Schedule and shown by a bold broken line on the Order Map.
3. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

Footpath 6 Dinnington

The whole width of that part of Footpath 6 Dinnington commencing at the point marked A on the Order Map (grid reference 422415E 572211N), being a point located 2.5 metres from the north west corner of the agricultural building located in the eastern part of the farm yard, and then running in a northerly direction for 13 metres to the point marked B on the Order Map (grid reference 422418E 572223N), being a point located adjacent to the south west corner of the garage at Morley Hill Cottage.

Footpath 4 Brunswick

The whole width of that part of Footpath 4 Brunswick commencing at the point marked B on the Order Map (grid reference 422418E 572223N), being a point located at the south west corner of the garage at Morley Hill Cottage, and from there running in a northerly direction for 123 metres to the point marked C on the Order Map (grid reference 422425E 572346N), at the field boundary. From point C it continues in an easterly direction for 107 metres to the point marked D on the Order Map (grid reference 422530E 572355N), being a point adjacent to the south western corner of Brunswick Industrial Estate, and then from point D continuing in a northerly direction for 294 metres to point E on the Order Map (grid reference 422525E 572648N), which is located 84 metres west of the junction between Sandy Lane and the western junction to Brunswick Industrial Estate.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Footpath 6 Dinnington

The new footpath (being 1.5 metres in width) commencing at point A on the Order Map (grid reference 422415E 572211N) and then running in an easterly direction for 51 metres to the field boundary at point F on the Order Map (grid reference 422467E 572211N), being 13 metres to the east of the north eastern corner of the agricultural building located in the eastern part of the farm yard.

Footpath 4 Brunswick

The new footpath (being 1.5 metres in width) commencing at the point marked F on the Order Map (grid reference 422467E 572211N) and then running in an easterly direction for 65 metres across an agricultural field to the point marked G on the Order Map (grid reference 422531E 572216N) at the field boundary. From point G the new footpath turns in a northerly direction for 138 metres to the point marked D on the Order Map (grid reference 422530E 572355N), being adjacent to the south western corner of the Brunswick Industrial Estate, and then from point D it continues in a north westerly direction for 4 metres to the point marked H on the Order Map (grid reference 422528E 572357N), being located on the north side of the field boundary. From point H it continues in a northerly direction for 291 metres to the point marked I on the Order Map (grid reference 422522E 572648N), which is located 87 metres west of the junction of Sandy Lane and Brunswick Industrial Estate.

PART 3

LIMITATIONS AND CONDITIONS

A gap to British Standard 5709:2018 will be installed at points D and I on the Order Map and a gate to British Standard 5709:2018 will be installed at the point marked F on the Order Map.

THE COMMON SEAL of THE COUNCIL OF)

THE CITY OF NEWCASTLE UPON TYNE)

was hereunto affixed this 15th)

day of November 2018)

in the presence of:-)



~~Lord Mayor~~
SHERIFF AND DEPUTY LORD MAYOR

DB Cook
.....
David B. Cook

~~Assistant Director Legal~~/Senior Solicitor

C. Winter
.....
CRAIG WINTER

Key

- - - Footpath to be retained
- Footpath to be extinguished
A-B-C-D-E 537 metres
- - - Diverted Route of Footpath
A-F-G-D-H-I 549 metres

THE COMMON SEAL OF THE COUNCIL
OF THE CITY OF NEWCASTLE
UPON TYNE was hereunto affixed
in the presence of:-

DB Cook
SHERIFF AND DEPUTY LORD MAYOR
David B. Cook

C. Winter
SENIOR SOLICITOR
CRAG WINTER



Footpath 4 Brunswick and Footpath 6
Dinnington
Diversion Order 2018
Order Map

Map Ref: FP4.6/B/DO/2017

Drawn: SC
Date: 14.06.2018

Scale bar: 50 75 0 50 Metres

Scale: 1:2500@A4

If any part of this map document is illegible or you require a large print version, please
contact any member of the Environment & Regeneration GIS Team on (0191) 232 8520

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MAP NOT TO
ORIGINAL SCALE

THIS ORDER IS HEREBY CONFIRMED AS AN UNOPPOSED ORDER

GIVEN this day of 2018

THE COMMON SEAL of THE COUNCIL OF)
THE CITY OF NEWCASTLE UPON TYNE)
was hereunto affixed this)
..... day of2018)

in the presence of:-)

Lord Mayor

Assistant Director Legal/Senior Solicitor