

# **NOTICE OF ORDER**

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

NORTHUMBERLAND COUNTY COUNCIL

Definitive Map Modification Order (No 13) 2018 Byway Open to All Traffic No 39 (Parish of Chollerton)

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 April 2021**.

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 Tynedale District**

#### **Byway Open to All Traffic No 39 (Parish of Chollerton)**

Adding thereto, a byway open to all traffic, from a point marked M on the C213 road 700 metres east of Barrasford Park Flats, in a general southerly and south-easterly direction for a distance of 1610 metres to a point marked N on the U8154 road, 20 metres west of St Mary's Church, Great Swinburne.

The Order also makes an administrative amendment to the Definitive Statement of existing Public Bridleway No 23 noting that the bridleway terminates on BOAT No 39.

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/3240110 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by accessing the following link:-  
<https://www.northumberland.gov.uk/About/Maps/Public-rights-of-way.aspx#ordersandnotices>  
or by contacting Mr John McErlane, Definitive Map Officer, Reception, Northumberland County Council, County Hall, Morpeth, NE61 2EF. Telephone Number: 07966331757.

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

#### **Within 2 weeks of the start date [by 22 April 2021]**

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 3 June 2021]**

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 15 July 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.

Notice of order for w/r

**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 13) 2018**

**Byway Open to All Traffic No 39 (Parish of Chollerton)**

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) & (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:

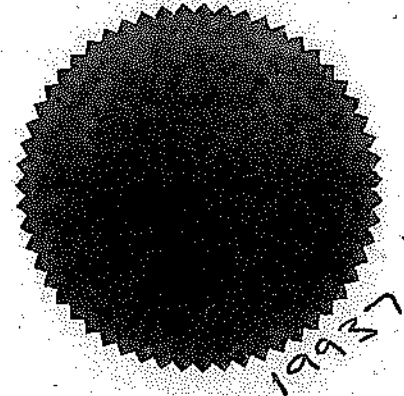
1. For the purposes of this Order the relevant date is 1 May 2018.
2. The Definitive Map and Statement of Public Rights of Way for the County of Northumberland shall be modified as described in the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Northumberland County Council Definitive Map Modification Order (No 13) 2018.

IN WITNESS whereof the Common Seal of the County Council of Northumberland was hereunto affixed on the 22nd day of October 2018

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

*N. H. H. H.*

Duly Authorised Officer



# Definitive Map Modification Order (No 13) 2018

## Index

### Former Tynedale District

Parish	Path No.	Modification	OS Map Nos.	Definitive Map Nos.
Chollerton	BOAT No 39	Addition	NY97NW	167
Chollerton	Bridleway No 23	Amend statement	NY97NW	167

## Schedule

### Definitive Map Modification Order (No 13) 2018

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

##### Former Tynedale District

Parish of Chollerton

Byway Open to All Traffic No 39

(NY 97 NW)

Part I Map: Adding thereto, a byway open to all traffic, from a point marked M on the C213 road 700 metres east of Barrasford Park Flats, in a general southerly and south-easterly direction for a distance of 1610 metres to a point marked N on the U8154 road, 20 metres west of St Mary's Church, Great Swinburne.

Part II Statement: To be prepared as follows:  
A 14 metre wide metalled byway open to all traffic, from the C213 road 700 metres east of Barrasford Park Flats, in a south-westerly direction for a distance of 45 metres then as an 11 metre wide byway incorporating a 3 metre wide track in a south-easterly and southerly direction for a distance of 465 metres to a field gate on the northern bank of the Barrasford Quarry haul road. Crossing the road for a distance of 15 metres to another field gate then continuing as a 6 metre wide grass surfaced byway in a general southerly and south-easterly direction for a distance of 505 metres across pasture fields to a field gate then continuing as a stone/gravel path crossing the Swin Burn via a bridge, at level, in a general south-westerly and south-easterly direction for a distance of 430 metres to a field gate immediately north-east of Mill Cottage then as a 7 metre wide metalled byway for a distance of 150 metres to a point on the U8154 road, 20 metres west of St Mary's Church, Great Swinburne.

Parish of Chollerton

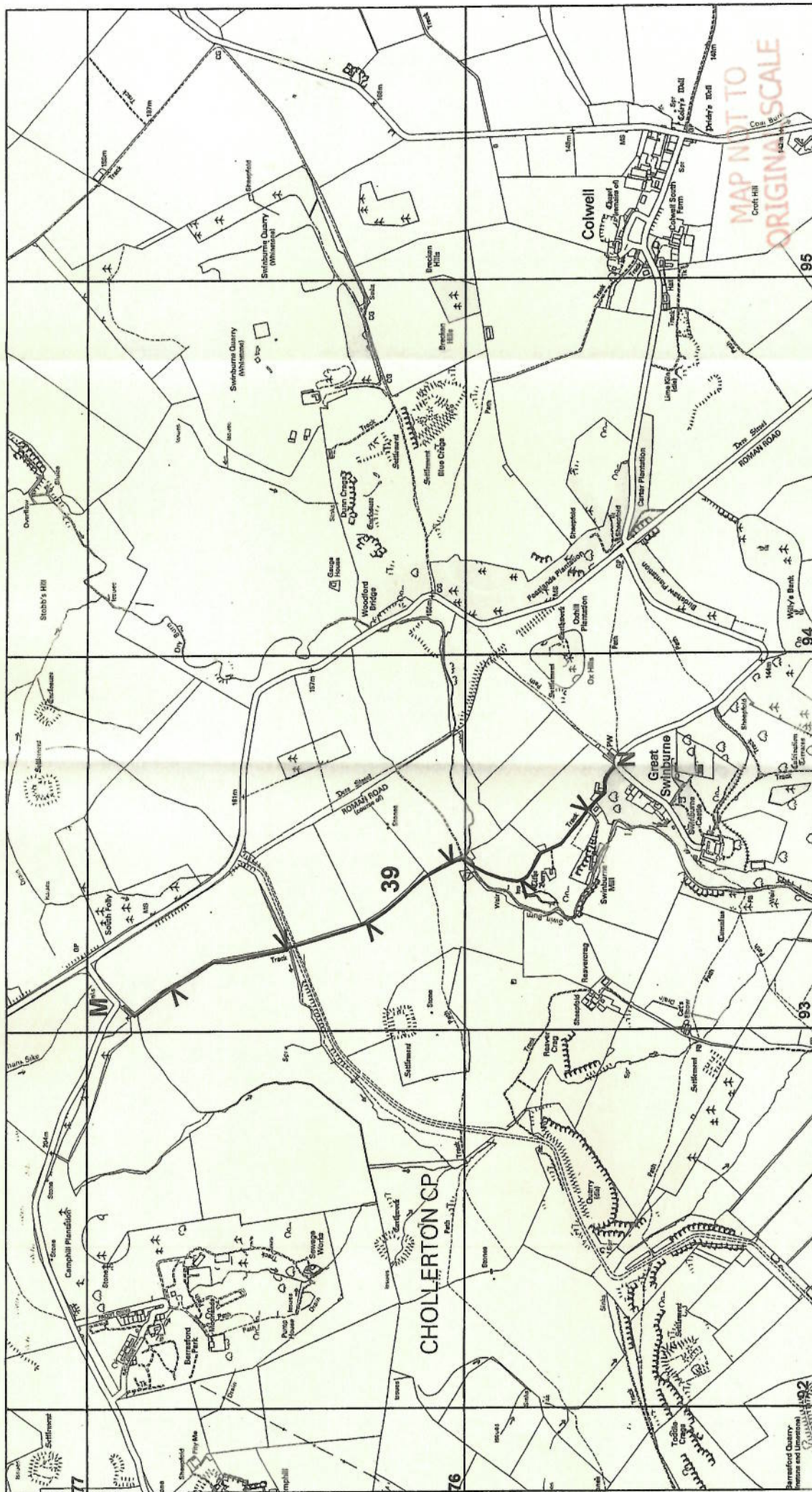
Bridleway No 23

(NY 97 NW)

Part I Map: The map is unaffected.

Part II Statement: To be amended as follows:  
From Bridleway No 22 south of Greens Fell in a north-easterly direction to join Byway Open to All Traffic No 39 north of the footbridge over the Swinburn.





<p><b>Northumberland</b> County Council</p> <p>Infrastructure Local Services County Hall Morpeth Northumberland Telephone 0845 600 6400 NE61 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 of this map is illegal and may lead to prosecution or civil proceedings.</small></p> <p><small>NORTHUMBERLAND COUNTY COUNCIL - OS Licence No. 100049048</small></p>	<p>Wildlife and Countryside Act, 1981</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.13) 2018</b></p>	<p>Public Footpath to be deleted Public Footpath Public Bridleway Restricted Byway Byway Open to All Traffic</p> <p>O.S. Map NY 97 NW Former District(s) Tynedale</p> <p>Definitive Map No 167 Parish(es) Chollerton</p> <p>Scale 1/10,000 Date: May 2018</p>
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