

ACK 6-5-10

MERRITT & COMPANY

S O L I C I T O R S

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We do not accept service by Email

Our ref: GM/CES/WRI013-18-5

Your ref:

RED/NM/MAROW/KW

Date: 30th April 2010

Please ask for: Gerard Moran

E-mail: gm@merritts-solicitors.co.uk

Direct Dial to Mr Moran's Secretary 01642 875160

Durham County Council
County Hall
DURHAM 1 5UQ

Dear Sirs

**Re: Our Clients P & R Wright
Alleged Public Right of Way - Burnhope Old Mineral Line**

We refer to your letter of the 10th March and have taken our clients instructions. We are extremely surprised that this matter has been resurrected after a lapse of nearly 9 years! We enclose a copy of a letter which we sent to the Council on the 10th January 2001.

Since that date any attempts to exercise rights of way over our clients land have been resisted, indeed correspondence was entered into in 2008 with Derwentside District Council to fence off the land to ensure that there was no motor cycles ridden off road by members of the public.

We enclose a copy of a letter dated 23rd July 2008 from the then Council.

Yours faithfully

MERRITT & COMPANY

Enc/

Gerard Moran

*Helen Baxter, *Paul Johnstone

Consultants: Noel Coward, David Holtham

Associate Solicitors: Alison Goncalves *Michael Cassidy, Julie Coward

Conveyancing Executive: Tina Allen

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The Manor House
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Our Ref: GM/CES/WRI012/1

Your Ref: E/C/AC/AS

Please ask for: Mr. Moran
E-mail - GM@merrittandco.demon.co.uk

Date: 10 January, 2001

Mrs. A. Christie
Environment & Technical Services
Durham County Council
County Hall
DURHAM
DH1 5UQ

Dear Mrs. Christie,

Re: ALLEDGE PUBLIC RIGHT OF WAY - BURNHOPE OLD MINERAL LINE

Thank you for the copy correspondence in respect of the above.

I have managed to take brief instructions from my clients.

You will appreciate that they do not wish to become embroiled in lengthy correspondence nor indeed instruct me to deal with matters since this could incur them considerable costs through no fault of their own which they are unable to recover from any third party.

However I can say that my clients instructions are that so far as they are concerned the land in question has not been used freely as a public right of way for 20 years plus.

Certainly there is no question of equestrian usage being allowed by my clients during their ownership of the land.

We are surprised that public rights of way are being claimed since my instructions are that there is a perfectly good public right of way some 50 yards from the land in question.

Clearly they have no knowledge as to whether rights of way were sought to be exercised by the public over the land when it was owned by British Coal.

I would have thought however that rights of way on foot and indeed equestrian

Noel Coward, ♦Grahame Rickelton, David Holtham, Gerard Moran, *Paula Warburton

Associate Solicitors: †Helen Baxter, Alison Goncalves
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*Member of the Society of Trust & Estate Practitioners
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WRI012/1/6321LE-1.DOC

usage would have been difficult if not impossible when the land was owned by British Coal since it was subject to open casting. With all the attendant noise and works being carried out on the land horseriding in such a dangerous environment would not have been attempted.

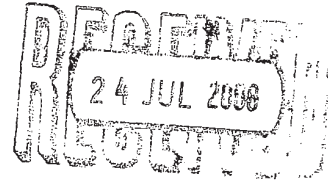
Yours sincerely

GERARD MORAN
MERRITT & COMPANY

cc.client.



Your Ref:
Our Ref: BHP/2008/00063
Officer: JL
Ext: 8233
Date: 23 July 2008
Email: j.laidlaw@derwentside.gov.uk



Direct Dial Tel no. (01207) 218233

Merritt & Company
Solicitors
The Manor House
83, High Street
Stockton on Tees
TS15 9BG

FAO Gerard Moran

Dear Sir,

**Motorcycles ridden off road on private land to the north side of Holmside Lane,
Burnhope, Co Durham – Title number DU173786**

Thank you for your early response to my previous letter in relation to motorcycles being ridden off road on the above land.

I note the positive response from your clients with the intention to fence off the land to ensure no unauthorised access.

It is anticipated that this action combined with police prosecutions against the riders and their machines will go some way to reducing the problem of off road motorcycles in this area.

Mike Clark
Executive Director

Environmental Services Directorate, Civic Centre, Consett, County Durham, DH8 5JA.

Main Telephone: (01207) 218000 Fax: (01207) 218200 Web: www.derwentside.gov.uk

*CC to Wright
25/7/08*

ould be obliged if you could inform me when the fence has been erected.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'J. Laidlaw', written over a faint, illegible stamp or background.

J. Laidlaw
Planning Enforcement Officer

MERRITT & COMPANY

S O L I C I T O R S

16 MAR 2010

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Our ref: GM/CES/WRI013-18-5

Your ref: red/nm/arow/kw

Please ask for: Gerard Moran

Date: 15th March 2010

E-mail: gm@merritts-solicitors.co.uk

Direct Dial to Mr Moran's Secretary 01642 875160

Kirsty Ward
Rights of Way Orders Officer
Durham County Council
County Hall
DURHAM
DH1 5UQ

Dear Sirs

**Re: Our Clients P & R Wright
Applications to register a public footpath and bridleway along the Burnhope
Old Mineral Line**

We acknowledge receipt of your letter of the 10th March 2010 which we are somewhat surprised to have received.

We were involved in correspondence with the County Council almost 10 years ago regarding the old mineral line.

We enclose a copy of a letter which we wrote to the Council on the 10th January 2001. Clearly we have heard nothing more in the intervening 9 years.

Why has this issue been resurrected?

Yours faithfully


Merritt & Company

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Association and Member of the Employment Lawyers Association

Kirsty Ward

From: [REDACTED]
Sent: 25 March 2010 21:50
To: Kirsty Ward
Subject: Applications to register a public footpath and bridleway along the Burnhope old mineral line.

Hello Kirsty,
I refer to your letter of 10th March 2010 regarding the above issue.
Your letter was presented to the Burnhope Parish Meeting held on 25th March.
Members agreed that they had no further evidence to provide but fully supported the proposals as detailed in you letter.
Peter Hughes
Clerk
Burnhope Parish Council

Kirsty Ward


From: [REDACTED]
Sent: 12 March 2010 15:00
To: Kirsty Ward
Subject: Burnhope Mineral Line

Dear Kirsty,

Thank you for the communication you sent to me on this matter.

I was involved in the previous application in 1999 and I still use this route as do other riders. I have used the track on horseback from 1983-85 and from 1995 to the present day. Had it not been for the intervention of opencast workings and the consequent disruption of use on this track and adjacent bridleways I would have ridden this route for well over twenty years.

Regards,

 Marilyn Gibson

British Horse Society, County Access & Bridleways Officer, Durham