

DURHAM COUNTY COUNCIL

At a Remote Meeting of **Highways Committee** held via Microsoft Teams on **Monday 29 March 2021 at 9.30 am**

Present:

Councillor C Kay (Chair)

Members of the Committee:

Councillors S Dunn, D Hicks, K Hopper, K Liddell, O Milburn, S Morrison (Vice-Chair), R Ormerod, J Rowlandson, A Simpson, J Turnbull and M Wilson

1 Apologies for Absence

Apologies for absence were received from Councillors D Bell, H Bennett, J Considine, P Sexton and J Shuttleworth

2 Substitute Members

There were no substitutes.

3 Minutes of the Meeting held on 14 December 2020

The minutes of the meeting held on 14 December 2020 were confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest, if any

There were no declarations of interest.

5 Status of Public Footpath No. 56, Watergate Lane, Crook from Junction of A689 (Prospect Road) and the B6298 (New Road) to Rumby Hill Lane (C18a), Crook - Wildlife and Countryside Act 1981 - Definitive Map Modification Order Proposal

The committee considered a report of the Corporate Director of Regeneration and Local Services which presented for consideration all of the relevant evidence gathered in support of an application to modify the Definitive Map and Statement of Public Rights of Way, by upgrading public footpath No. 56, which ran from the

junction of the A689 (Prospect Road) and the B6298 (New Road) to Rumby Hill Lane (C18a), Crook, to public bridleway (for copy see file of Minutes).

J Upchurch, Definitive Map Officer explained that consultation on the proposed upgrade had been carried out, with 1 objection being received. Details of which were contained within Document D of the report. Durham County Council's response to the objections raised were further contained in Document D.a of the report.

In addition, support had been expressed by The British Horse Society and Ramblers Association to the proposed upgrade.

She further went on to summarise Durham County Council's assessment of the evidence, noting that the most important evidence was the Inclosure Award and Plan of 1761, and Greenwoods Map. Copies of which were shown in Documents F&G and K of the report.

As a point of clarification C Cuskin, Solicitor summarised for the committee the legal tests which must be applied when considering the application, noting that the committee's decision must be made based upon assessment of the relevant evidence provided and not issues such as suitability, or desirability of the route subject to application.

The Chair welcomed two members of the public who were present but had indicated that they did not wish to make representations, as they were satisfied with the content of the report.

Councillor Dunn commented that the application was extremely comprehensive and there was a significant amount of convincing evidence to support the application. He therefore **Moved** the recommendation as detailed in the report.

Councillor Morrison **Seconded** the recommendation as detailed in the report and further added her thanks to officers for compiling the complex report.

Resolved

- (i) That the committee make a Definitive Map Modification Order to amend the Definitive Map and Statement to upgrade c.750m of footpath No. 56 to public bridleway under section 53(3) of the Wildlife and Countryside Act 1981.
- (ii) That the committee note the Definitive Map Modification Order be referred to the Secretary of State for determination in the event objections are made.