



## Highways Committee

**Date** Monday 17 July 2023  
**Time** 9.30 am  
**Venue** Council Chamber, County Hall, Durham

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### Business

#### Part A

1. Apologies for Absence
2. Substitute Members
3. Minutes of the Meeting held on 22 May 2023 (Pages 3 - 6)
4. Declarations of Interest, if any
5. Definitive Map Modification Application to record Sleightholme Moor Road/Track as a Restricted Byway - Report of Corporate Management Team (Pages 7 - 52)
6. Such other business, as in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

**Helen Lynch**  
Head of Legal and Democratic Services

County Hall  
Durham  
7 July 2023

To: **The Members of the Highways Committee**

Councillor R Ormerod (Chair)  
Councillor G Hutchinson (Vice-Chair)

Councillors D Boyes, I Cochrane, T Duffy, C Kay, J Higgins,  
J Howey, L Maddison, R Manchester, E Mavin, D Oliver,  
E Peeke, I Roberts, K Robson, A Simpson, G Smith, A Sterling,  
F Tinsley, M Wilson and D Wood

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**Contact: Joanne McCall      Tel: 03000 269701**

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**DURHAM COUNTY COUNCIL**

At a Meeting of **Highways Committee** held in Committee Room 2, County Hall, Durham on **Monday 22 May 2023 at 9.30 am**

**Present:**

**Councillor R Ormerod (Chair)**

**Members of the Committee:**

Councillors J Higgins, J Howey, G Hutchinson (Vice-Chair), R Manchester, E Peeke, I Roberts, K Robson, A Simpson, A Sterling, M Wilson, D Wood and M Stead

**1 Apologies for Absence**

Apologies for absence were received from Councillors C Kay, E Mavin, D Oliver and F Tinsley.

**2 Substitute Members**

Councillor M Stead was present as substitute for Councillor E Mavin.

**3 Minutes**

The minutes of the meeting held on 21 April 2023 were confirmed as a correct record and signed by the Chair.

**4 Declarations of Interest**

There were no declarations of interest.

**5 Waldrige Parking & Waiting Restrictions, Traffic Regulation Order 2023**

The Committee considered a report of the Corporate Director of Regeneration, Economy and Growth which advised Members of objections received to the consultation concerning changes to the Traffic Regulation Order (TRO) in Waldrige and requested that they considered the objections made during the informal and formal consultation period (for copy see file of minutes).

D Lewin, the Strategic Traffic Manager provided a detailed presentation including a map indicating the location plan of proposals and associated buildings, aerial photos, photographs of the site, and details for the following restriction:

- To introduce 'no waiting at any time' restrictions for the full extent of the Waldrige 'spine road' and around its adjoining junctions with Chester Street (Back), Poplar Street, Lime Street & Cedar Street to maintain access at all times for all road users. A total of 8 objections were received during the informal and formal consultation period.

The Strategic Traffic Manager informed Members that separate to this proposal, local members were in the process of funding an off-street layby within the verge of Chester Street (Back)/Poplar Street which would accommodate up to 20 vehicles in an effort to improve parking availability within the village. The Strategic Traffic Manager confirmed that the layby was subject to planning permission.

The Chair advised that although local members were not present at the meeting, they were in full support of the proposal.

Mr M Weightman addressed the Committee in objection to the proposal and expressed his thanks for the opportunity to speak. He stated that the lane in question was one of three access routes into the village and in his opinion was minor in comparison to the other two. He explained that the streets in the village were navigated regularly by HGVs, large vans and refuse vehicles and explained that turning circles were available. Mr Weightman pointed out that there were many terraced streets in Chester-le-Street where access for emergency vehicles could be viewed as an issue and these streets were not dissimilar to the village of Waldrige.

Mr Weightman stressed that his main objection was the 4.5m extension of the yellow lines into the side streets as this would directly impact on residents who park outside their property. He felt that these residents would be treated unfairly and expressed concern that displaced cars would cause disruption and create conflict with neighbours.

The Strategic Traffic Manager advised that Highways had certain standards to apply and explained that by extending the yellow lines by 4.5m complied with standards for a turning circle for larger vehicles. He accepted that large vehicles had managed to make manoeuvres in the past but stressed that the current layout did not meet the required modelling and standards.

Councillor Stead informed the Committee that two properties in the area had modernised their yards to allow for parking and one property had constructed a garage. He stressed the importance of clearance within the village, particularly for large vehicles such as refuse vehicles and felt that the proposal would improve access for all.

In response to a question from Councillor Howey regarding Chester Street, the Strategic Traffic Manager confirmed that there were no frontages on Chester Street and explained that the purpose of the yellow lines was to help vehicles manoeuvre safely.

Councillor Wood accepted the rationale for the proposal at Chester Street but asked if local members had considered any alternative options for the side streets rather than the 4.5 extension of yellow lines. The Strategic Traffic Manager advised that the proposal was the bare minimum that Highways could implement to achieve the area needed to perform manoeuvres. In response to a further question from Councillor Wood regarding the two alternative access routes into the village, the Strategic Traffic Manager stated that they were unable to regulate the passage of traffic and confirmed that the proposal being considered was a result of a request from local members.

With regards to the alternative routes of access, E Brown, Traffic Engineer advised that local members had raised specific concern regarding safety on Spine Road as this road provided access to all residential streets.

Councillor Peeke asked if it was possible to introduce 'no access' on Chester Street. The Strategic Manager stated that this was not an option as this would encourage traffic to drive past frontages rather than the gable end of properties on Chester Street.

Councillor Stead stressed that all streets concerned were difficult in terms of access, particularly for large vehicles such as refuse vehicles and believed the proposal would help improve access in the area. He confirmed that he was in favour of the proposal.

The Chair agreed that the proposal would improve access and highlighted the importance of clearance for emergency vehicles.

Councillor Higgins acknowledged that there were many streets in County Durham where vehicles parked on junctions but he also emphasised the importance of clearance to allow access for emergency vehicles.

Councillor Higgins **moved** the proposal to be endorsed and this was **seconded** by Councillor Stead.

## **Resolved**

That the proposal, in principle, to introduce the Waldrige Parking and Waiting Restrictions, Traffic Regulation Order 2023, with the final decision to be made by the Corporate Director under delegated powers be endorsed.

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**Definitive Map Modification Application  
to record Sleightholme Moor  
Road/Track as a Restricted Byway**

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**Report of Corporate Management Team**

**Alan Patrickson, Corporate Director of Neighbourhoods and  
Climate Change**

**Councillor John Shuttleworth Cabinet Portfolio Holder for  
Highways**

**Electoral division(s) affected**

Bowes

**Purpose of the Report**

- 1 In this report the Highways Committee is asked to consider all the relevant evidence gathered in support of an application to modify the Definitive Map and Statement of Public Rights of Way with the addition of Sleightholme Moor Road/Track as a Restricted Byway. (**Document A**).

**Executive summary**

- 2 An application was received in 2019 from Ms Sylvia Briggs to modify the Definitive Map and statement with the addition of Sleightholme Moor Road to be recorded as either a BOAT (Byway open to all traffic) or a Restricted Byway. The applicant was uncertain of the current status of the route so left determination of the appropriate designation to the DMMO Officer. The application is based on historical documentary evidence, and more recent Highways evidence, that shows the former 'road' is an old route that pre-dates later Acts of Inclosure of the surrounding moor. The applied for section of Sleightholme Moor Road starts from the end of UNC 116.27 (Unclassified Road, Gilmonby Road) just to the north of Sleightholme Farm, and runs to the County Boundary whence it continues into North Yorkshire as unclassified road U7000/9/5. That section is also subject to a separate Definitive Map Application submitted to North Yorkshire CC to record it on the Yorkshire Definitive Map as a BOAT (Byway open to all Traffic), which

is yet to be determined. The road forms part of the W2W route 70 of the national cycle network, and a section of the northern extent of the route is recorded as part of the Pennine Way National Trail (**Document A**). However, the whole route is currently unrecorded as a highway of any description on the Definitive Map and Statement. The full length of the road was formerly recorded by North Riding County Council (a predecessor HA to North Yorkshire CC) as part of the North Riding of Yorkshire Highways network as an Unclassified Country Road before boundary changes in 1974 placed the majority of the route in County Durham.

### **Recommendations**

- 3 Based on the evidence submitted, pre 1835 mapping, and North Yorkshire Highways handover records, Officers are of the view that the route is a Restricted Byway and it is therefore recommended that the Committee agrees to make a Definitive Map Modification Order to record the road on the map and statement as a Restricted Byway, under the provisions of section 53(3)(c)(i) of the Wildlife and Countryside Act 1981.

### **Background**

- 4 The application submitted in 2021 by Mrs Sylvia Briggs is based on historic evidence that includes early pre-1835 mapping and Local Authority Highway records. Whilst the route is extremely popular and well used by the public, it is not recorded on the Definitive Map nor is it on the Listed of Streets (adopted highway) under Section 36 of the Highways Act. Public interest and concern over the routes status was generated due to the installation of gates by the Bowes Estate /Trustees of the Moor since c.2021. Whilst the gates stopped public vehicular traffic, public access was still available for walkers, cyclists, and horse riders. Objections to the application based on the applied for status has been submitted which claims that the road should be recorded as a BOAT (Byway Open to ALL Traffic). Some members of the public submitted corroboratory user evidence noting their use of the route by motor vehicle (Table 1, below).
- 5 However, following an investigation by PROW officers, the Highways Team, as well as legal advice, it was concluded that as the road had not been included on the County Council's list of streets immediately prior to the commencement of the Natural Environment and Rural Communities Act 2006 (NERC), namely 2 May 2006, and no other saving provision having been evidenced, then , Section 67 of that Act



applied to extinguish any public motor vehicle rights that may have previously existed over the route (see **Appendix 2**).

- 6 Consultation has been undertaken with the Trustees of the Moor, Bowes Estate, none of whom responded. User groups, UK Cycling, Sustrans, Green Lane Association (GLASS), British Driving UK and local councillors, were also sent consultation notices, none of whom responded. Objections have been received from Bowes Parish Council, Andy Brown Rights of Way Officer North Yorkshire County Council, and Bethan Brown Yorkshire Definitive Map Officer; we have received responses in support of the application from the Open Spaces Society, and the BHS (applicant is their representative).

### **Summary of Objections**

- 7 Bowes Parish Council objects to the status as a Restricted Byway and believes the route should be recorded as a BOAT (Byway Open to All Traffic) based on personal testimony of use with a motor vehicle by a Parish Councillor, full response **Appendix 2**.
- 8 Mr Brown, Senior Rights of Way Officer at North Yorkshire County Council also objects to recording the route as a Restricted Byway and believes it should be recorded as a BOAT. Mr Brown believes that Durham CC has made an error in omitting the road from the Council's List of Streets. He has stated that "Durham's highways team has not been able to explain why all the other green lanes that were being publicly maintained in 1974 still appear to be so (at least according to the DCC Website) and why Sleightholme Moor Road was considered differently" (than other Unclassified routes, email contact 12/05/2023). Mr Brown believes this proves the Highways Team agreed to maintenance as it was a recognised public highway. Mr Brown has submitted personal testimony regarding his own use of the road in a motor vehicle, via user evidence form (summarised evidence of use Table 1, see below). Objection letter and list of roads transferred are contained in **Appendix 2**.
- 9 Mrs Bethan Brown North Yorkshire Definitive Map Officer also submitted copies of Bowes Parish minutes from 1999, 2002, and 2010 which show contact with the DCC Highways Team with regard to nominal repairs, maintenance schedule, and nominal repairs to the road over Sleightholme Farm and public road to Tan Hill, and repair of a bridge (exact location unknown, see **Appendix 2**). Mrs Brown also argued that the Definitive Statements for Public Bridleways 42 & 36, which reference the 'unclassified road' are evidence that the road was on the List of Streets in 2010, as this is when these statements are dated. However, the 2010 date is in fact the date these documents were reprinted for DCC's online archive.

## The Evidence

<b>Table 1: Frequency of Use extracted from User Evidence Forms</b>				
Names	Motor Vehicle	Cycle	Years Used	Frequency
Mr Hobbs	X		2005-2021 2009-2021	4-5 times a year
Mr Ranner	X		1976-2021	2 a year
Mr Degnan	X		2017-2019	2 a year
Mr Charlesworth	X		1990-1994	1-2 a year
Mr Richardson	X		1978-1985 2017-2021	1 a year
Mr Parker	X		1971-1978	1 a year
Mr Wheeler	X		1970's -85 2000-05	1 a year
Mr Rutter	X		1976-2020	Every few months
Mr Johnson		X	2011-2019	6 times a year
Mr Brown	X	X	1999-2000 - 2000-2020 -	Weekly 1 a year
Mr Allinson	X	X	1989-2020	Every few months

- 10 The table summarises all user evidence forms received, and the use by motor vehicle appears to be on an occasional basis prior to and after 2006, when the NERC Act came into operation.

## Documentary Evidence, Historic Maps.

### Extract of Barnard Castle County Map by Charles Fowler 1834 (Document B)

### Extract of Franks East and North Riding Map 1840 (Document C).

### Extract of Walker's County Map North Riding of Yorkshire 1840 (Document D)

- 11 Early County mapping (that shows the route) starts from c.1830's which coincided with the peak of the Turnpike system in the UK, to summarise the Turnpike system was a way of funding the upkeep and maintenance of principal or main highways. As the road network around the country improved interest in travel became more popular, which is why many were dedicated to the Nobility, Gentry and Clergy, those who had the ability to purchase those maps and who might have the need, or inclination to travel. The effect of inclosure Acts, particularly between the late eighteenth and early nineteenth centuries, created new highways as well as recognizing those already in existence, many County Map series recorded some of these routes.
- 12 On Fowler's map the Sleightholme route is depicted as a crossroad, this is a general carriageway secondary only to a Main or Turnpike Road. The map is titled '*The Mail, turnpike and Crossroads*', the route has been annotated on the evidence image, A-B is the Durham leg, B-C the short section now in North Yorkshire.
- 13 Frank's and Walkers 1840 map extracts are much clearer, the route depicted as previous map in the manner of a crossroad (**Documents C and D**).

### Tithe Plan for the Township of Bowes 1850 (Document E).

- 14 The map extract shows the application road running southwest from Sleightholme Farm (it is lightly shaded), it then heads southeast at the point where it is joined by another track from the southwest also depicted as a double pecked line but without shading. The application route is shown crossing a stream likely the Hound Beck, and the destination is clearly annotated '*To Tan Hill*' No more is shown as this is the extent of land subject to Tithes. The route is depicted in the same way as the public vehicular highway from Gilmonby with which it connects at its northern extent.

## **Bowes Inclosure Plan 1859, over First Edition Ordnance Map Extract from the National Archives MAF 1/192 (Document F).**

- 15 The first Act regarding the part inclosure of Bowes Moor is dated to 1772 and concerned the area to the north of Sleightholme Farm. A second Act in 1845 established the boundary between Bowes Moor (and parish and manor of Bowes) and the parish of Arkengarthdale in furtherance and clarification of Bowes moor inclosure award (National Archives). The application route is not named in the 1859 Award as its existence pre-dates any later Acts of Inclosure.
- 16 However, the application route is shown as a light grey line on the 1859 Award Plan and is clearly named (above the letter R) *Sleightholme Moor Road*, running southwest – south, the road name appears again before the road crosses the rural district boundary whence it continues, before joining the Reeth to Tan hill road (the Long Causeway) a former Turnpike route.

### **Ordnance Survey Maps**

First Edition Ordnance Survey Maps (DUL) Sheet XXVI.4: 1856 1<sup>st</sup> Edition OS 1:25: (Document G)

Second Edition Ordnance Survey: 2nd Edition OS 1:25" inch (Document H).

Third Edition Ordnance Survey 1918 1:1" inch (Document I)

Fourth Edition Ministry of Transport 1922-3 SABRE (Document J).

- 17 The application is shown running on all Ordnance maps between 1856- to the present. Historically there has been no change to the course of the route except for a section north of the 'Hound Beck' being recognised as part of the Pennine Way. The full length of the route is also recorded as National Cycle Route 70.

### **Highways 1930 Handover Information (Document K)**

- 18 The Local Government Act 1929 handed responsibility for the maintenance of an area's 'main' highways (and other roads, which became County Roads) to the Councils under which they fell, in the case of Sleightholme Moor Road it was the North Riding of Yorkshire County Council. Roads were assigned a moniker either A, B, C, or U relating to their status, ('U' being unclassified road). The 1930 handover maps (which showed highways to be transferred to the new North Riding of Yorkshire CC) shows the route marked by dashed black lines, numbered U1255 for most of its length, then U983 for the short stretch that crosses the parish boundary, where it joins the U958. It seems the section U983 was numbered as such by mistake as this is ruled out in the accompanying list. The U958 is described as Reeth – Langthwaite-

Cocker-Tan Hill- Boundary, it seems likely that this included the stretch of Sleightholme Road wrongly numbered U983. The listing of these Highways implies that they were maintainable at public expense and were considered to have public vehicular rights.

**Highways Handover Map from North Riding of Yorkshire CC, 1970's, OS 1960, Sheets 90 and 91, Highways Department Working Map (Document L).**

- 19 This map was part of the record of Highways handed over to Durham County Council Highways Dept when the County Boundary between North Riding of Yorkshire and County Durham changed, placing former Yorkshire highways into County Durham. The route is shown highlighted in blue denoting a minor/country road, numbered 117/9, shown joining C road (Long Causeway), coloured dark red at the south end. The section from Sleightholme Farm to Gilmonby, shown recorded as UNC 116.27. All routes delineated in colour were likely considered roads that were publicly maintainable with public vehicular rights.

**Legal Framework**

- 20 Durham County Council as Surveying Authority has a duty to keep the Definitive Map and Statement under review. Under the provisions of Section 53 of the Wildlife and Countryside Act 1981, the County Council is required to make a Modification Order under Section 53 (3)(c)(i) on 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 to which this part applies)

Section 67 of the The Natural Environment and Rural Communities Act 2006 operated to extinguish any unrecorded public motor vehicular rights as at commencement on 2 May 2006, subject to a number of saving/exception provisions. Those relevant are discussed elsewhere in this report.

- 21 The evidence in this case is documentary evidence provided by the applicant Mrs Sylvia Briggs (who researches on behalf of the British Horse Society) some corroboratory user evidence and is based on advice contained in the book 'Rights of Way: restoring the Record' by Sarah Bucks and Phil Wadey, and the County Council's guidance document Applying for a Definitive Map Modification Order.
- 22 Section 32 of the Highways Act 1980 deals with the consideration of documentary evidence when determining whether a highway has been

dedicated. It allows for any maps, plans or history of a locality or other relevant document to be tendered in evidence and for appropriate weight to be placed on the document including the antiquity of the document, the status of the person by whom, and the purpose for which, it was created and the source from which it has been stored and produced.

- 23 Once a highway comes into existence, it can only cease to be a highway in certain circumstances, such as by way of a formal stopping up.
- 24 The Human Rights Act is of relevance. Whilst article 1 to the first protocol (peaceful enjoyment of property) and article 8 (right to respect for family, private life and home) are engaged, it is important to note that these rights are qualified, not absolute, which means that they can be interfered with in so far as such interference is in accordance with domestic law and is necessary in a democratic society for the protection of the rights and freedoms of others. It is considered that any interference occasioned by the making of a Modification Order is both in accordance with domestic law (the Wildlife and Countryside Act 1981) and is in the public interest as it is necessary in a democratic society for the protection of the rights and freedoms of others, namely the public who wish to use the way.
- 25 Should Members resolve in principle that a Modification Order be made in accordance with the above legislation, this is merely the start of the legal process. Once a Modification Order is made, it must be publicised, and the owners will have an opportunity to formally object to it. Should objections be received, the Modification Order would have to be referred to the Secretary of State who would usually hold a Public Inquiry before deciding upon whether or not to confirm the Modification Order.

### **Assessment of the Evidence**

- 26 The only considerations that the Council can take account of are those that relate to whether the alleged public right of way is reasonably alleged to subsist. It would be unlawful to consider issues such as the suitability or desirability of the route subject of the application.
- 27 The evidence clearly shows that Sleightholme Moor Road is a well-used public route, it is currently a recorded National Cycle Route, and a section is recorded as the Pennine Way. The documentary evidence demonstrates that the route was considered to be an unclassified

highway as far back as 1930 and its highway status likely pre-dates the 1859 Inclosure Award for the area. Furthermore, consistent with this, it was also shown as an unclassified highway on the 1974 handover maps from North Riding CC. There has also undoubtedly been some public motor vehicular use prior to and upon commencement of the NERC Act 2006, operation of the Act extinguished those motor vehicle rights unless one of the saving provisions applied. This is because at the commencement of the Act (1) the road was not recorded on the Definitive Map or Statement, (2) it was not recorded on the Councils List of Streets/List of Highways maintainable at public expense. There is also no evidence to suggest motor vehicular use was the main lawful public use of the route during the 5 years ending with commencement of the 2006 Act i.e. 2 May 2001- 2 May 2006) – S67(2)(a). The corroboratory user evidence testifies to occasional vehicular usage during this period only. Equally, there is no evidence that the saving provision in S67(2)(e) is engaged, namely that the route was created by use by motor vehicles during a period ending before 1 December 1930. Nor have there been any previous modification order applications for BOAT status prior to NERC or any determinations by the Council of such.

- 28 Despite evidence submitted from Mr Brown, and Mrs Bethan Brown, that reference potential repairs to the road, noted in the Parish Council minutes between 1999-2010, whether or not such repairs were undertaken on the route, this does not overcome the fact that it was not recorded in the List of Streets as at the commencement date for NERC.
- 29 It is therefore concluded that on the balance of probabilities that a Public Right of Way as a Restricted Byway (allows a right of way on foot, cycling, on horseback, on a horse drawn vehicle and for any other non-motorised vehicle) exists over Sleightholme Moor Road, and the route should be recorded on the Definitive Map and Statement as such.

## **Main Implications**

- 30 If this route is added to the Definitive Map and Statement as a Restricted Byway the County Council as Highway Authority will become responsible for the maintenance of the surface of the route to Restricted Byway standard. The County Council will also be responsible for the installation of gates (if applicable); the Council is responsible for six months maintenance of any Council installed gates. After six months maintenance of such structures becomes the responsibility of the Landowner(s).

## **Conclusion**

- 31 The submitted evidence has been reviewed and clearly from early map evidence c.1840, and later 20<sup>th</sup> century Highway mapping the Sleightholme Moor Road is an early Highway, recorded as an unclassified Country Road by the former rural authority, North Riding of Yorkshire until 1974 County Boundary changes. Whilst the road once had motor vehicles rights the introduction of the NERC Act 2006, means those rights have been extinguished as none of the saving provisions in NERC apply in order to preserve those public motor vehicular rights. It is therefore determined that the route should now be recorded on the Definitive Map and Statement as a Restricted Byway.

## **Background papers**

- List any papers required by law / None

## **Other useful documents**

- Previous Cabinet reports / None

## **Author(s)**

Dagmar Richardson

Tel: 07768107032

Neil Carter



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## **Appendix 1: Implications**

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### **Legal Implications**

Paragraphs 20, 30

### **Finance**

N/A.

### **Consultation Responses**

Appendix 2

### **Equality and Diversity / Public Sector Equality Duty**

N/A.

### **Climate Change**

N/A.

### **Human Rights**

Paragraph 24

### **Crime and Disorder**

N/A.

### **Staffing**

N/A.

### **Accommodation**

N/A

### **Risk**

N/A.

### **Procurement**

N/A.

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# Appendix 2

**Objections and evidence submitted in support of objection.**

**From:**  
**Sent:** 14 May 2023 17:00  
**To:** Dagmar Richardson  
**Subject:** [EXTERNAL]:Re: Consultation Definitive Map Application  
Sleightholme Moor Road Ref- 6/21/077

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Dagmar,

The Chair of Bowes Parish Council has said that " they have been using the Sleightholme road by Landrover since coming to Gilmonby in 1986". The Chairman volunteers at Dales Countryside museum in Hawes and it is the shortest route.

It has been used by parishioners to get to and from Appleby when the A66 is closed due to accidents or bad weather.

The Councillors feel that this should be kept open, especially during the proposed improvements to the A66.

Kind regards

[REDACTED]

[REDACTED]

Clerk to Bowes Parish Council

Dear Heather,

I am seeking the view of the Parish Council as I have received evidence in support of the council making a Modification Order to the Definitive Map and Statement under the provisions of Section 53 of the Wildlife and Countryside Act 1981. The evidence in support of the Right of Way comes from historical documentary research that the applicant believes shows the route as having had such rights since its conception (Please see attached).

Kind Regards

Dagmar Richardson

**From:** [REDACTED]  
**Sent:** 16 September 2021 09:28  
**To:** Dagmar Richardson  
**Subject:** Bowes- Sleightholme Moor Road Definitive Map Modification Order  
**Attachments:** WCA-Form-D-User-Evidence-Sleightholme-Andy-Brown.pdf; Roads Transferred from North Riding CC\_List.pdf

Hello Dagmar,

I wish to object to the Definitive Map Modification Order application to record Sleightholme Moor Road as a restricted byway. Since I first started using the road in 1999 I have always know it to be a highway maintainable at the public expense. Responsibility for the maintenance of this road, number 117.19, passed from the former North Riding County Council to Durham County Council in 1974 as shown in the attached handover document.

As Durham County Council did not produce an updated list of highways maintainable at the public expense for this part of County Durham between 1974 and the commencement of the 2006 Natural Environment and Rural Communities Act then this document has to be considered as the list of highways maintainable at public expense immediately prior to the commencement of the 2006 Act. Based on my experience of using the road I also believe that the main lawful use by the public during the five years prior to the commencement of this act was vehicular. Consequently I believe the exceptions contained in section 67 of the Natural Environment and Rural Communities Act 2006 act concerning unrecorded rights for motor vehicles apply in this case and the route should be recorded as a Byway Open To All Traffic.

Please find attached a copy of my user evidence statement to North Yorkshire County Council, which I also wish to submit as evidence objecting to the Definitive Map Modification to record Sleightholme Moor road as a restricted byway in County Durahm , and also a copy of the The List Of Roads to be Transferred to Durham County Council from North Riding County Council From 1st April 1974.

Let me know if you have any queries about this.

Kind regards

[REDACTED]

CLASSIFIED +  
UNCLASSIFIED ROADS + Green Lane

ROADS TO BE TRANSFERRED  
TO DURHAM COUNTY COUNCIL  
FROM NORTH RIDING COUNTY  
COUNCIL FROM 1st APRIL 1974.

GREEN LANE (Part surfaced)

Some Road No changed

<u>Road No.</u>	<u>Miles</u>	<u>Length</u> <u>Mn.</u>	<u>Description</u>
117.1	.26	.42	Ovington Back Lane
117.2	1.59	2.56	Van Road, Nubark Cottage to south of Wycliffe R.C. Church (0151 to 116.7)
117.3	3.75	6.04	Barningham to Stag Foot (041 to 050)
117.4	1.50	2.42	Barningham to Carte House (track only)
117.5	1.50	2.42	Brignall Cottage to Scargill (114.5 to 116.2)
117.6	.30	.43	Plover Hall Gate to Crane Gill beck
117.7	.79	1.27	Plover Hall Gate to White Close gate
117.8	.45	.74	High Barn to Motherford
117.9	2.60	4.19	Kelton Road via Botany to Winton X-roads (116.21 to 117.10)
117.10	2.00	3.20 ✓	Nickleton to Currier's Rigg (B5277 to 044)
117.11	1.16 ✓	1.87	Barningham back lane (116.9 to 041) (LOW LANE)
117.12	.17	.27	Eggleston Abbey Road
117.13	.27	.43	Gilmonby back lane
117.14	.30	.43	Rigg over Flates
117.15	.57	1.03	Swarthy Mere (from 116.21)
117.16	* .39	.63	Ashes Road, Nickleton
117.17	.20	.32	East Wellwater (off 155)
117.18	.25	.37	Swinholme
117.19	* 2.25	3.62	Sleightholme to Coaker Top (116.87 to 116.97)
117.20	.28	.45	Strand Foot to Long Pool (off 116.15 Down)
117.21	.49	.73	Fiddler House (off 0415)
117.22	.43	.69	Low Swinstone (off 116.29)
117.23	.62	1.09	Oanonflat (off B6277)
117.24	.25	.42	Haby Farm (off B6277)
117.25	.04	.06	How Houses (off 114.?)
117.26	.10	.16	Prospect Cottage, Remid'wick (off 116.?)
117.27	.13	.21	Grace's Cottage (off 116.19)
117.28	.73	1.13	Booze Wood (off 117.21)
117.29	.63	1.01	Holwick to Nine House (off 051)

**From:** [REDACTED]  
**Sent:** 10 May 2023 07:55  
**To:** Dagmar Richardson  
**Cc:** Mike Ogden; Josephine Upchurch  
**Subject:** RE: [EXTERNAL]:RE: Sleightholme Moor Road  
**Attachments:** Bowes-PC-Nov2010a.jpg; Bowes-PC-Nov2010b.jpg; Bowes-PC-Nov2010c.jpg; Bowes-PC-Oct2010a.jpg; Bowes-PC-Oct2010b.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Dagmar,

I went to see the Bowes PC Clerk at the weekend, and looked through all the available minutes from 1999-2016. The missing batch from 2003-2006 seem to be permanently lost, as she couldn't find these – apparently somebody once borrowed some records and they never got returned, so the guess is that it was this set of minutes.

However, I did find reference to DCC carrying out some maintenance work to the “public road to Tanhill” dating from Nov 2010 – see photos attached. This implies to me that if the DMMO route was being maintained using public money in 2002 and 2010, then it most likely will have been on the LoS at the NERC relevant date, and it must have been sometime after 2010 that it got removed. Which also ties in with it being recorded as unclassified road in your 2010 Definitive Statements.

Hopefully these will be helpful.

[REDACTED]

[REDACTED]  
Definitive Map Officer  
North Yorkshire Council  
Definitive Map Team  
County Hall  
Northallerton  
North Yorkshire DL7 8AH

Em [REDACTED]

My work days are Tuesdays, Wednesdays and Thursdays.

Web: [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



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**From:** Dagmar Richardson <dagmar.richardson@durham.gov.uk>  
**Sent:** 12 May 2023 11:50  
**Cc:** Mike Ogden <Mike.Ogden@durham.gov.uk>; Josephine Upchurch <josephine.upchurch@durham.gov.uk>  
**Subject:** RE: [EXTERNAL]:RE: Sleightholme Moor Road

Dear Bethan,

Many thanks for the Parish Minutes, I do have copies of the other documents you listed. The point you make regarding the Statement for FP 42 also concurs with my thinking (plus BW 32, and 36). It seems likely that I will be putting off taking this to committee until July as I feel I may need to explore this further with our legal team. It was very nice speaking to yesterday.

Kind Regards

Dagmar Richardson

**Definitive Map Officer**

**Access & Rights of Way Team**  
Neighbourhoods and Climate Change  
Durham County Council  
St Johns Road



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Meadowfield  
Durham DH7 8XQ03000 265340 / Mobile 07768 107032  
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---

**From** [REDACTED]  
**Sent:** 12 May 2023 11:24  
**To:** Dagmar Richardson <[dagmar.richardson@durham.gov.uk](mailto:dagmar.richardson@durham.gov.uk)>  
**Cc:** Josephine Upchurch <[josephine.upchurch@durham.gov.uk](mailto:josephine.upchurch@durham.gov.uk)>; Mike Ogden <[Mike.Ogden@durham.gov.uk](mailto:Mike.Ogden@durham.gov.uk)>  
**Subject:** [EXTERNAL]:RE: Sleightholme Moor Road

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Hi Dagmar,

It was good to talk to you yesterday, and thanks for updating me on this DMMO application.

Attached are the minutes we have so far from Bowes Parish Council which refer to Sleightholme Moor Road. The clerk sent us copies of minutes covering 1999-2003, plus April-Dec 2006, but we are missing the period 2003- April 2006, which I have chased up with the clerk.

The two attached documents show that the PC contacted DCC Highways regarding maintenance of the road in 1999 and 2002. The 1999 minutes refer to the "Gilmonton and Sleightholme Road" so it is unclear whether they are talking about the DMMO route or the section nearer the village. However, the 2002 minutes refer to "Sleightholme / Tann Road" so this clearly does refer to the DMMO route. It would be useful to see the DCC reply, but the letter was not with the minutes, although it is reported, and states that DCC Highways team would be carrying out repairs in time for the Beamish Run. I'd suggest this is evidence that the road was on the LoS / Highways maintenance list in 2002. It's probably a long shot, but maybe you could ask Highways if they have a copy of their reply.

I've also attached an email Bowes PC sent to our personal email, with details of local use of the route by motor vehicle.

As mentioned on the phone, I have personally always considered Sleightholme Moor Road to be a vehicular highway. When working for DCC Rights of Way team during 2000 and 2001, I used the route when carrying out surveys or work on the Pennine Way. It was my understanding (from colleagues) that you could drive up from Bowes and park at the fork in the road where the Pennine Way leaves Sleightholme Moor Road, as that was public road, but if you wanted to drive further along the Pennine Way and park at the shooting hut you needed permission from the Estate, as that bit was not public road. I have also driven along Sleightholme Moor Road from time to time to get to and from Tan Hill and Swaledale for leisure purposes, during the period 1998 to approx 2010, and was never stopped or saw any signs to imply that the route was no longer a public road.

When working for DCC PROW team, I liaised the owners of Deepdale Offroad Centre on various rights of way matters when they were setting up their business. As part of this I obtained a map for them showing the unclassified roads in the Teesdale area, as the Deepdale owners wanted to offer local 4x4 safaris. This map was printed by DCC Highways team for me, and I remember it definitely included Sleightholme Moor Road and the Grasshill Causeway, because these two routes were of interest to Deepdale Offroad; one of the safaris included driving up to the Tan Hill Inn for lunch via Sleightholme Moor Road. Unfortunately Deepdale no longer have this map, but it would have been printed in 2000 or 2001, so gives evidence that the route was included on the LoS at that time.

I have some photos Andy took of the route in 2020, some of which show old highway-type furniture (signs, marker posts etc) and one of which shows what looks to be a recently-tarmacked section (though no indication of who did the tarmacking). I think you should have these included in Andy's User Evidence Statement, but let me know if you don't and I will send them on.

I checked through our NYC DMMO files, and this the evidence we have. If we have anything you haven't let me know and I'll copy it to you.

- UE forms from A Brown, A Wheeler, A Hobbs, H Charlesworth, J Parker, J Rutter, R Johnson and W Allinson
- Evidence document from Sylvia Briggs ('m guessing she sent both of us the same one)
- 1974 list of Roads to be Transferred to Durham County Council from North Riding County Council (from A Wheeler)
- 1930s 6 inch Highways Plans, 1930s Schedule of Classified & Unclassified Roads, pre-1974 Highways maps (all from NYC Highways team)
- Parish Survey maps for Arkengarthdale parish and North Riding Definitive Map extract (from our own NYC PROW records)

Do you have John Sugden's report on the status of routes included in the North Riding 1930 Highways handover documents, in which he concludes that they are all vehicular? SMR is included in the 1930s documents. Although NYC Highways have not accepted Dr Sugden's conclusion, we currently have a DMMO case with PINS for which the 1930s Handover evidence is important, so I am waiting with interest to see what the Inspector decides. I will let you know when we get the decision if it says anything relevant.

I noted in the DMMO application to NYC that Sylvia included an extract from DCC's definitive statements for paths which join Sleightholme Moor Road, and that FP 42 (Pennine Way) refers to it joining the unclassified road. This is dated 2010, so if that is the relevant date for the statement, does that carry any weight to show that SMR was considered a public highway at the time? If so, that would help demonstrate that it was on the LoS at the NERC relevant date. If you have the previous definitive statements they may also add some evidence (Sylvia didn't have them in the application, so I don't know if you still have them?)

We at NYC haven't formally started investigating this DMMO application yet, but my initial thoughts are that for our section it should be recorded as BOAT, as it is on the LoS so will meet a NERC exception. Common sense would dictate that as a through route it should be the same status throughout, but I

guess we'll just have to see what evidence turns up as the case progresses, and whether any evidence comes to light to show a NERC exception is met on your side of the boundary.

Please keep me posted with how it progresses.

[REDACTED]  
North Yorkshire Council  
Definitive Map Team  
County Hall  
Northallerton  
North Yorkshire DL7 8AH

Email: [REDACTED]

My work days are Tuesdays, Wednesdays and Thursdays.

Web: [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



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---

**From:** Dagmar Richardson <[dagmar.richardson@durham.gov.uk](mailto:dagmar.richardson@durham.gov.uk)>  
**Sent:** 11 May 2023 11:59  
**To:** [REDACTED]  
**Cc:** Josephine upcnurcn <[josephine.upcnurcn@ournam.gov.uk](mailto:josephine.upcnurcn@ournam.gov.uk)>; Mike Ogden <[Mike.Ogden@durham.gov.uk](mailto:Mike.Ogden@durham.gov.uk)>  
**Subject:** Sleightholme Moor Road

Dear Bethan ,

I have been consulting on Sleightholme Moor Road and will potentially be taking it to Highways Committee in June/July seeking Restricted Byway Status. I am sure its going to be a complicated meeting, I will email you once dates are confirmed.

Kind Regards

Dagmar Richardson

**Definitive Map Officer**

**Access & Rights of Way Team**  
Neighbourhoods and Climate Change  
Durham County Council  
St Johns Road  
Meadowfield Industrial Estate  
Meadowfield  
Durham DH7 8XQ03000 265340 / Mobile 07768 107032  
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**Minutes of the Meeting of Bowes Parish Council  
Held at Bowes School, Wednesday 21<sup>st</sup> April 1999.**

The Meeting commenced at 7.30pm.

**Present:** The Full Council with Mr.S.G.Rowe in attendance. Mr. M. Trend [Clerk]

**Chairman:** Cllr L Cooper.

1. **Apologies:** None.
2. **Presentation:** Cllr P. Hughes passed to The Chairman an illuminated Certificate of Service in respect of Mr. S.G. Rowes, years of service as Parish Clerk. The Chairman made the formal presentation to Mr. Rowe, expressing the thanks of The Council for his sterling work over the years. Mr. Rowe thanked the Council and said how much he had enjoyed working with them.
3. **Minutes:** minutes of the Meeting held 24 March 1999 agreed and signed.
4. **Matters Arising:**
  - New Management of Trunk Roads Following the Councils representations Letter received from Halcrow setting out winter servicing arrangements. Noted.
  - Gilmonby and Slieghtholme Road Following letter of concern by the Council As to this roads condition. Letter received from Durham County Council Setting out repair and maintenance schedule. Noted.
  - Millennium Minute Book. Durham C.C. Records Office advises this could be bound at an approximate cost of £25 plus VAT. Noted decision deferred.
  - MicroFilm Council Minutes etc; Durham C.C. Archivist could microfilm but would need to see volumes involved (20 some 60 pages in each) Cllr P Hughes offered to make further private enquiries in this respect. Deferred pending outcome.
5. **Accounts:**
  - Annual Accounts 31/3/1998-31/3/99. Presented, moved by Cllr P Hughes Seconded by Cllr S Heseltine these be approved and adopted. Agreed.
  - Mandates: acknowledged by relevant Banks.
  - Receipts. Teesdale Tourist Office £15 by DC. Bainbridge Bros £5. For Inscription Milner.

Minutes of the Meeting of Bowes Parish Council  
held at Bowes School Wednesday 17<sup>th</sup> July 2002.

The Meeting commenced at 7-30 pm.

Present: Cllr L Cooper [Chairman] Cllrs: C Brown, P Hughes, P White, D Carlisle & M A Trend Clerk.

1. Apologies: None all present.

2. Minutes of the Meeting held 22<sup>nd</sup> May 02 were read and approved.

3. Matters arising:

Odd Jobs. Cllr Brown advised that he had attended an Objective 2 Meeting and felt there may be some Funding and assistance available through this source, though it may need to be somewhat wider than the Council had considered. He would report back.

4. Jubilee Mugs: Cllr Brown reported that the take up on these had not been as envisaged, a letter had been received from Mrs Rosie Bettison on the subject estimating that some 173 will be needed. Cllr Brown would work with Mrs Bettison to arrange dispersal of the mugs and a further 50 would be ordered making a total of 200. The additional mugs would cost £3.50 each decided to sell at £4.00 each to cover expenses. The remaining Gold rimmed mugs would be raffled to those purchasing a commemorative mug. [about 10] John & Janet Degnan should be given a Mug free of charge out of consideration of their work and design.

5. Sleightholme / Tann Road. This was still in a poor condition and the Beamish Run may be at risk if something was not done and would cut out the Village. Clerk to raise the matter again with the County Council and write to Mr John Ball the Director of Beamish Museum advising him of our action and interest.

6. Village Sign. Cllr Brown reported that this was rusting it had not been dipped as we had thought but merely painted. Clerk to write to Teesdale Arts Officer [Rosie Bettison] on the subject.

7. Accounts: Balance as at 17<sup>th</sup> July 02 £11147.92 as attached subject to the following cheques.  
Cheques approved: 732 P S Coverdale £869.50 Church Caps.  
733 M A Trend £200.00 Clerk Fee Mar/Jun 02.

8. Audit: The Clerk advised that he had as yet to arrange this for the year ended 31/3/02 as the system had been changed and the Accountants not appointed until 22<sup>nd</sup> May 2002 and he had heard nothing from them. The accounts were as approved by the Council at the AGM and he would await further information as to new procedure.

9. Gilmonby Parish Meeting: A letter had been received from The Clerk concerning the Hedge on the East Side of Gilmonby Lane opposite the Annums. Cllr P White declared an interest as this hedge was on his land, and withdrew from the discussion. The Council discussed the matter and agreed that the Meeting should adjourn in order to discuss the matter with Cllr P White informally. This was done. Cllr White explained that the hedge was a new one planted for protection from the wind for his Field & Stock.

**Minutes of the Meeting of Bowes Parish Council  
held at Bowes School Wednesday 10th November 2010**

meeting commenced at 7.30pm

Present: Cllr D Carlisle, Cllr C Brown, Cllr White, Cllr Hughes, H Overfield (Clerk).

Apologies: Cllr Hobbs

Minutes of the Meeting held Wednesday 13<sup>th</sup> October 2010 were accepted, proposed by Cllr Brown, seconded by Cllr White.

**Matters arising**

Cllr White has filled in the hole in the grass at the play park.

Parish on line was discussed and agreed to have many benefits, Clerk to complete necessary paper work, proposed by Cllr Carlisle and seconded by Cllr Hughes.

Cllr White spoke to Alan Plews, highways department and gave directions to the bridge in Sleightholme. They will go out and look at the damage.

Cllr White will send the tree packs off to claim a 100% grant of up to £150.00.

The trophies for the 'Best Garden in Bowes' have not been found. Clerk to look back to 1998 and 1999 for any mention of this.

The open day at Bowes School was attended by 3 Councillors and went well.

**Accounts**

Accounts were accepted as a true record by Cllr Brow, seconded by Cllr Hughes.

Receipts since last meeting £108.50 Brownless and sons.

Expenses since last meeting £418.73 + £835.00 WS Hodgsons for bus shelter

Parish Accounts & Balance Sheet to 31 <sup>st</sup> March 2011		Cumulative Total to 10 <sup>th</sup> November 2010	
Allotments	0.00	Summary year to 31 <sup>st</sup> March 2011	
Bank Interest	8.48	Bank as at 31 <sup>st</sup> March 2010	£19,908.74
Cemetery	528.50	Income y/c 31 March 2011	£4662.38
Footpaths	0.00	Expenses y/c 31 March 2011	-£5809.94
General Income	0.00	Total	£18,761.18
Precept TD	3975.40	Represented by	
Playground	0.00	Nat West a/c 21543798	£21,412.41
Publications	0.00	Nat West a/c - 015102553	£200.00
West Clint	150.00	Uncleared movements	-£774.50
Total Income	4662.88	Total	£18761.18
Expenses			
Allotments	90.00		
Cemetery	490.00		
Footpaths	0.00		
General Exp	1395.57		
Grass Cutting	680.000		
nsurance	471.31		
erks Salary	600.00		
us Stop/shelter	1253.73		
ayground	823.33		
otal Expenses	5809.94		

**Planning**

Approval received for erection of summerhouse and shed at East Byre – Mr C J Redfern and Erection of timber framed building to provide carport, general secure store @ West Byre – Mr C Gibson.  
Erection of shelter, siting of storage container, erection of livestock building & formation of hard standing at Ellerbeck, Stainmore Road has been withdrawn.

**Correspondence.**

War Memorial Trust New Bulletin was handed to Cllr Hughes.  
How to 'Cut you Energy Bill' notices were approved to go onto the notice board.

**Cemetery Maintenance.**

Cllr Brown has had a lot of enthusiasm from our parishioners for the plaque for the still born in the cemetery and is still working on the wording.

**Bus Shelter**

**The bus stop will be completed by the end of next week.** Cllr Brown will then contact the county to arrange a switch over date for the collection point.

**New Leader**

Nothing of note to report

**Travellers Forum**

Nothing of note to report

**Allotments**

Clerk to send out bills this month.

**AOB**

Durham County Council are going to carry out nominal repair work to the roads over Sleightholme farm and public road to Tanhill. ✖

Meeting closed @ 8.55pm.

Section 17 Law & Disorder Act. It was felt the above would have a positive effect.

*Alaine*

Minutes of the Meeting of Bowes Parish Council  
held at the Ancient Unicorn Inn, Bowes  
Wednesday 14<sup>th</sup> August 2002.

The Meeting commenced at 7-30pm

Present: Cllr L Cooper [Chairman] Cllrs C Brown, P White, P Hughes, D Carlisle  
M A Trend [Clerk]

1. Apologise for absence – None.
2. Minutes of the Meeting held 17<sup>th</sup> July 2002 were read and confirmed [following minor amendments]
3. Jubilee Mugs. The distribution was still slow despite notice in the Parish Magazine and other outlets. Decided that the Villagers should be advised that these can be collected from Cllr C Brown at Prospect House. Clerk advised that he had ordered the additional 50 Mugs as agreed. Mrs Bettision who has been selling these on the Councils behalf queried the £4.00 charge as apposed to the prime cost of £3.50. Decided £4 was not unreasonable and should be the sale price.
- ✘ 4. Slightholme – Tann Road Unc 116.27 Letter from Deputy Area Manager Durham CC following our letter of the 25<sup>th</sup> July. Agrees road poor some work to be done on the 12<sup>th</sup> August with some further work later, as funds permit. Agreed Clerk should advise Mr J Gall the Director of the Beamish Museum of this outcome in relation to the Beamish Reliability Run.
5. Village Sign. Clerk advised he had reported the condition of this to the Teesdale Arts Officer.
6. Council Vacancies. Agreed Mr M Dennis at Teesdale D C should be advised that the Council propose to try and fill these by co-option.
7. Playground: Cllr Brown undertook to replace missing Padlocks one key to be kept by the Council the other given to Mr Hodgson the Maintenance Contractor.  
Teesdale D C Report noted certain works required. Decided to await ROSPA inspection in September 02.
8. Planning.  
Browns House Bowes – Parking space- approved subject to Archaeological Survey.  
Lyndale Farm, Bowes amended design approved, thought an improvement on the former proposal.
9. Correspondence: Noted.
10. Village Hall: Cllr Brown advised that the grant support has been cut from £800 pa to £320 which leaves an unbridgeable deficit. This is being further examined but the Hall may in time become a charge on Parish Funds.

**DEFINITIVE STATEMENT OF PUBLIC RIGHT OF WAY**

**6/18/6**

**No: 42**

**Town/Parish:** Bowes

**Name of Path:** Pennine Way

**Status:** Footpath

**OS Sheet:** NY 90 NW & NY 80 NE

**Starting Point:** Junction with unclassified road, Sleightholme Moor Road (394116, 509288)

**Description of Route:** Proceeds in a south westerly direction over Sleightholme Moor to the north of Frumming Beck to the County Boundary to the west of Tanhill Inn

**Ultimate Destination:** Junction with unclassified road at the County Boundary to the west of Tanhill Inn (389755, 506682)

**Details of Features:**

**Width of Path:** Not stated, diverted section 1.8 metres

**Length of Path:** 5279 metres

**Type of Construction:**

**Sections Metalled:**

**Sections Ploughed:**

**General Conditions of:**

- (a) Path
- (b) Stiles and Gates
- (c) Bridges
- (d) Stepping Stones

**Details of any Signs and Notices Boards:**

**NOTES:** Part diverted by the Durham County Council (Footpath No.42 Bowes Parish) Public Path Diversion Order 1994 – confirmed 10/09/1998



**DEFINITIVE STATEMENT OF PUBLIC RIGHT OF WAY**

**6/18/6**

**No: 36**

**Town/Parish:** Bowes

**Name of Path:**

**Status:** Bridleway

**Ordnance Sheet - Durham (6")** NY 91 SE (2½")

**Starting Point:** Junction with No 26 at Mellwaters

**Description of Route:** Southerly through two fields then south westerly around Wytham Moor to Unclassified Road 116/27 south of Sleightholme. Recommences further south west and goes southerly to the east of Coney Seat Hill to Parish Boundary

**Ultimate Destination:** East of Coney Seat Hill at Parish Boundary

**Details of Features:**

**Width of Path:**

**Type of Construction:**

**Sections Metalled:**

**Sections Ploughed:**

**General Conditions of:**

- (a) Path
- (b) Stiles and Gates
- (c) Bridges
- (d) Stepping Stones

**Details of any Signs and Notices Boards:**

**NOTES:**

**From:**  
**Sent:** 13 MARCH 2023 21:01  
**To:** Dagmar Richardson  
**Subject:** [EXTERNAL]:RE: Consultation Definitive Map Application Sleightholme Moor Road Ref- 6/21/077




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Dagmar

Ted Liddle, one of our members, has said he'll respond direct to you as he knows this area well.

  
Cycling UK Local Representative

---

**From:** Dagmar Richardson  
**Se**   
er   
**Cc:** Josephine Upchurch <josephine.upchurch@durham.gov.uk>; Mike Ogden <Mike.Ogden@durham.gov.uk>  
**Subject:** Consultation Definitive Map Application Sleightholme Moor Road Ref- 6/21/077

Dear Heather,

I have received evidence in support of the council making a Modification Order to the Definitive Map and Statement under the provisions of Section 53 of the Wildlife and Countryside Act 1981. The evidence in support of the Right of Way comes from historical documentary research that the applicant believes shows the route as having had such rights since its conception.  
Please see attached.

Kind Regards

Dagmar Richardson

**Definitive Map Officer**

**Access & Rights of Way Team**

Neighbourhoods and Climate Change

Durham County Council

St Johns Road

Meadowfield Industrial Estate

Meadowfield

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**From:** [REDACTED]  
**Sent:** 01 March 2023 11:47  
**To:** Dagmar Richardson  
**Subject:** [EXTERNAL]:Re: Consultation Sleightholme Moor Road Ref - 6/21/077

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Dear Dagmar

Thank you for consulting me on this application.

While I have not used this track myself, it has clearly been used in the past, and it would make a useful addition to the definitive map as a restricted byway. It would make local circular routes possible for the relevant classes of user, as well as providing part of a longer distance route.

I hope that the application will be successful.

Kind regards

[REDACTED]  
Open Spaces Society  
Local Correspondent for the former Teesdale & Wear Valley Districts of Co Durham

**From:** Dagmar Richardson  
**Sent:** [REDACTED]  
**Subject:** Consultation Sleightholme Moor Road Ref - 6/21/077

Dear Jo,

I am consulting on the Definitive Map application for Sleightholme Moor Road with regard to adding it to the Definitive Map as a Restricted Byway, this affects the stretch lying within the County Durham Boundary (please see attached).

Kind Regards

Dagmar Richardson

**Definitive Map Officer**

**Access & Rights of Way Team**  
Neighbourhoods and Climate Change  
Durham County Council  
St Johns Road

# **Definitive Map Modification Application Sleightholme Moor Road/ Track Document Evidence**

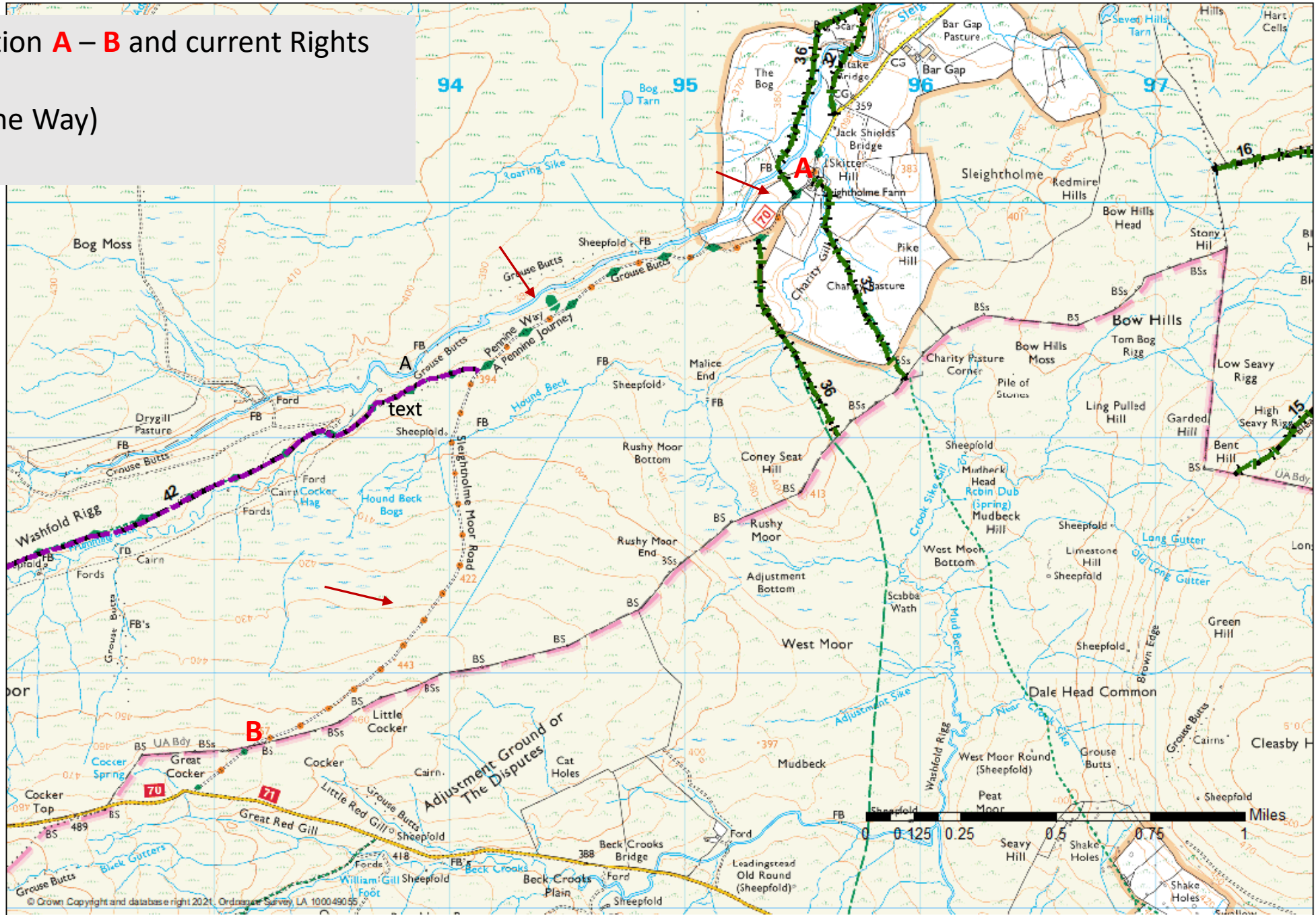
## **Appendix 2**

# Document A: Route Location A – B and current Rights

Page 30

Footpath – Purple (Pennine Way)

Bridleways - Green



**Document B:** Fowlers 1834 Map of Yorkshire showing the Mail, Turnpikes and Cross Roads



Document C: Frank's 1840 Plan of the East and North Ridings of Yorkshire





Document D: Extract of Walkers Map of North Riding of Yorkshire 1840

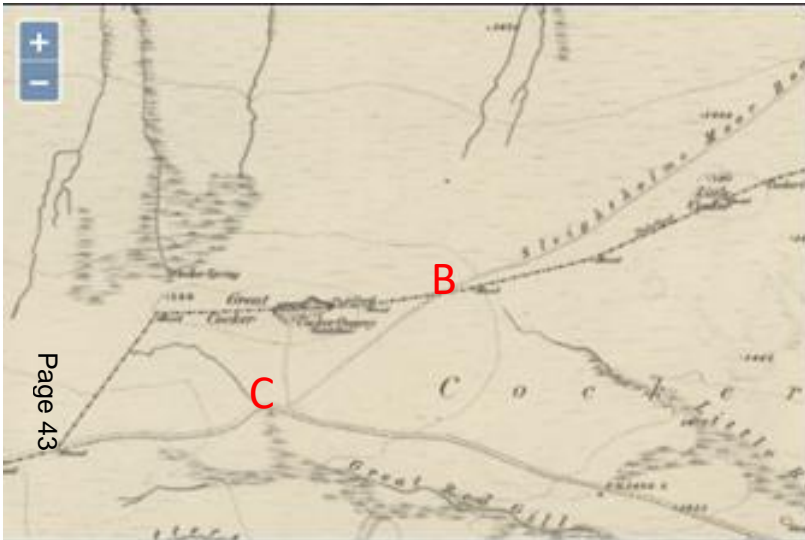


Document E: Extract of Bowes Tithe Map shows Road from Gilmonby to Tan Hill. Sleightholme Farm is circled, road continues Southwest – south and section to Tan Hill is annotated, route shaded in brown indicating it as public highway.

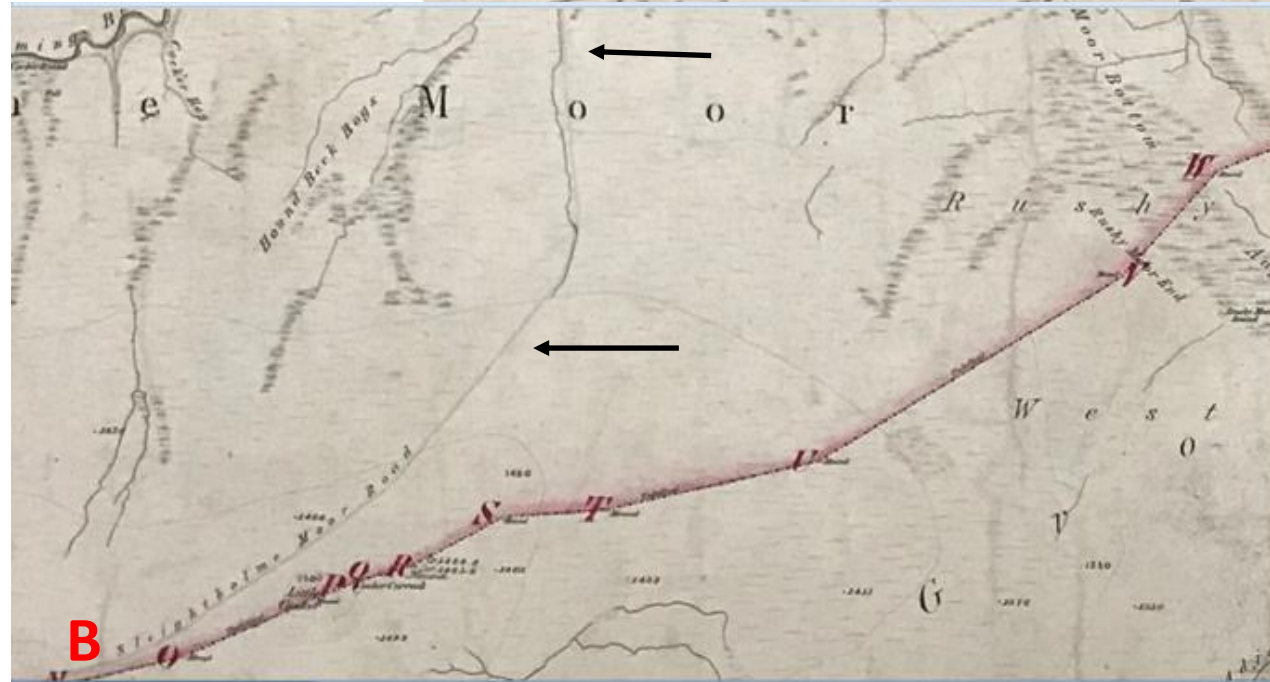
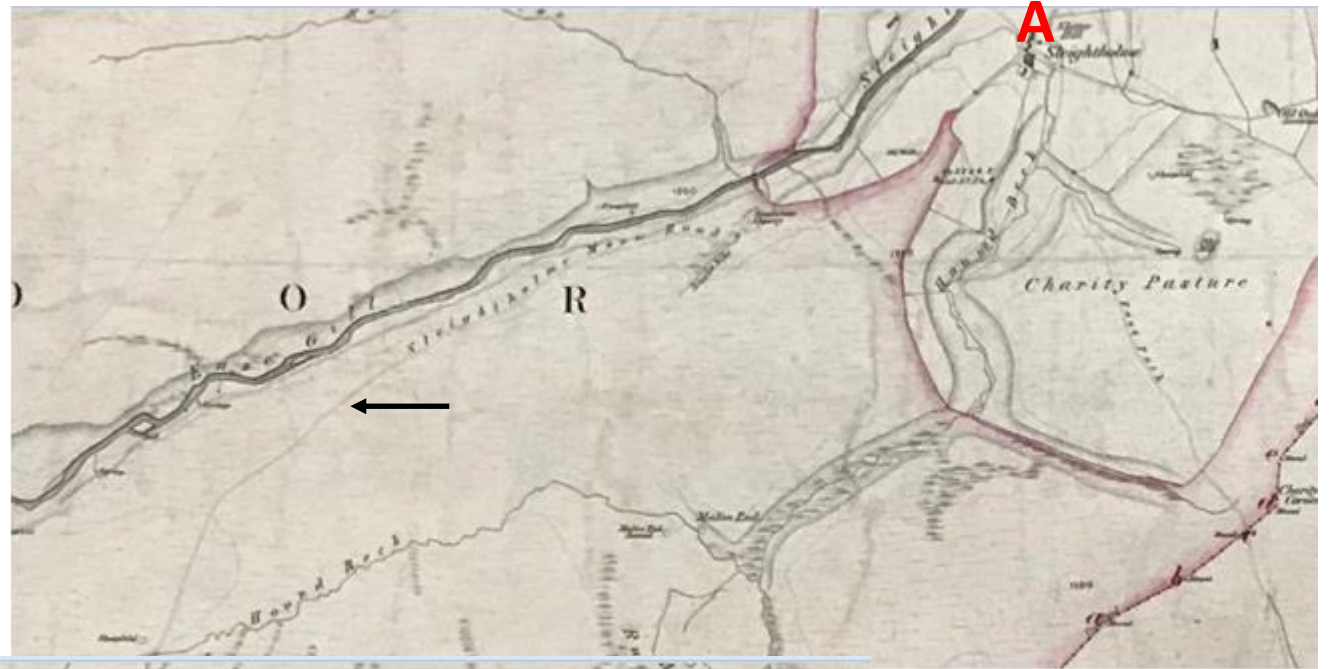


**Document F** : Extracts from 1856 First Edition Ordnance Survey 1:6 inch  
A – B application route.  
(OS Map extracts from National Libraries of Scotland online: <https://maps.nls.uk/> ).

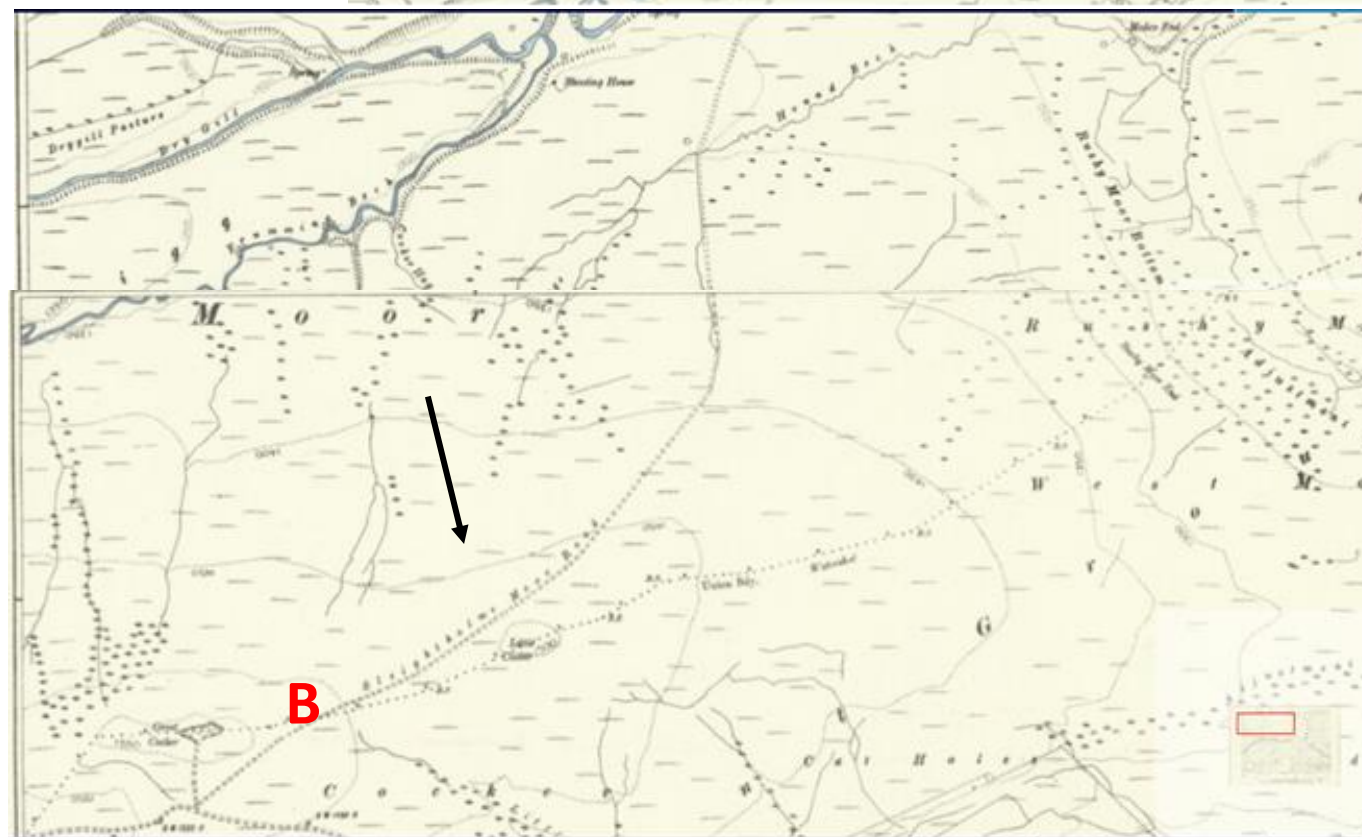
Section at South End ,B –C is within  
North Yorkshire



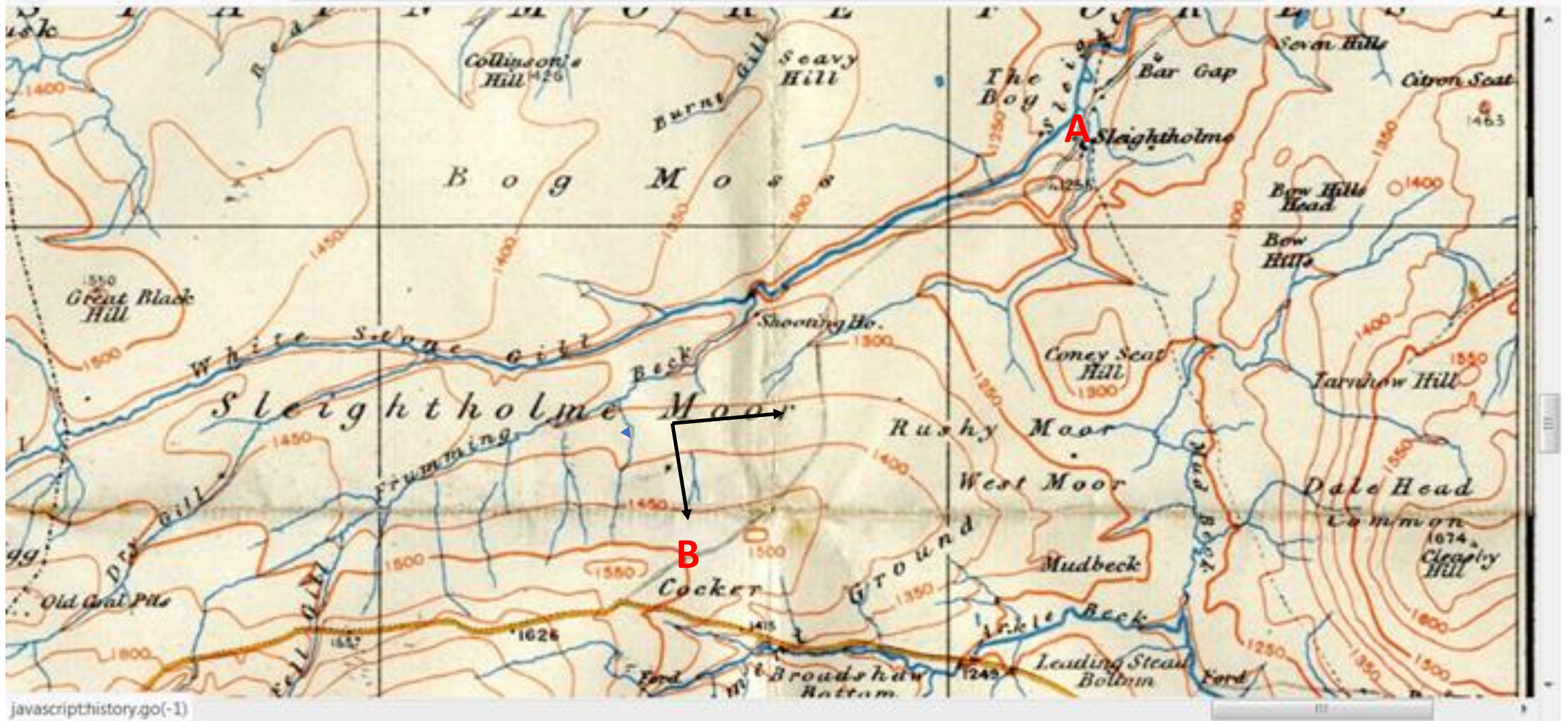
**Document G:** Extract from the Inclosure Plan 1859, 1856 OS First Edition Map was used as the base map. Application route shown A – B.  
( Extract from the National Archives MAF 1/192 ).



**Document H:** Extract from the Second Edition 1895 1:6 inch Map.  
(OS Map extracts Yorkshire XXII.NE, Yorkshire XXII.SE, from National Libraries of Scotland online: <https://maps.nls.uk/> ).



Document I: Extract from 1918 OS One Inch to the Mile, application route shown as single grey line between A-B.



# Document J: 1922-3 Ordnance Survey Ministry of Transport Map



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SABRE Maps 1922-23 MoT 4 (Middlesbrough Richmond and Ripon) 1922-23

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Show / hide menu

Select a category:  
OS Ministry of Transport

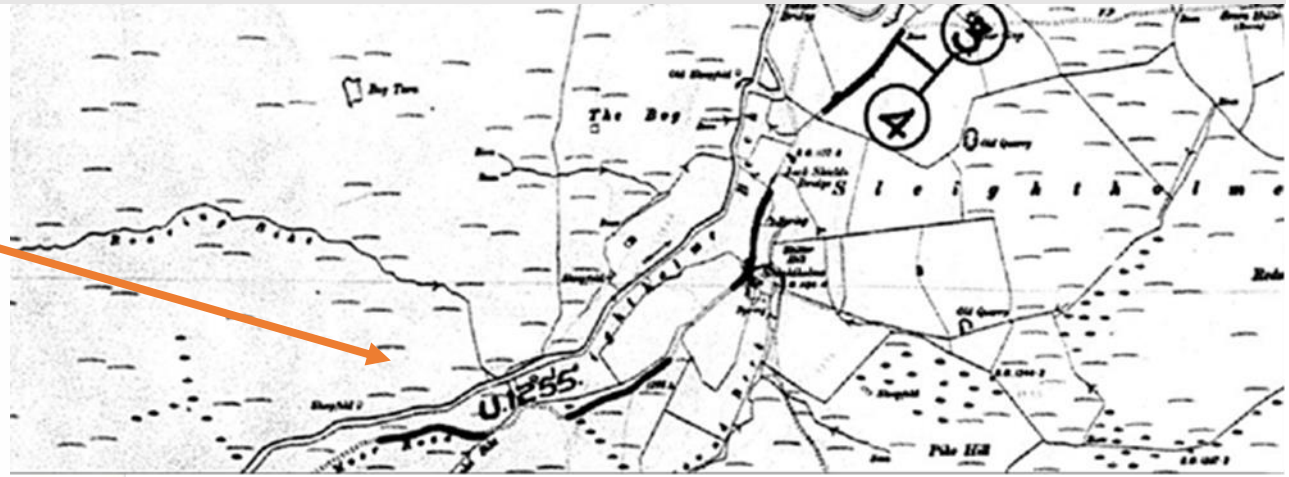
Select a layer:  
1922-23 MoT

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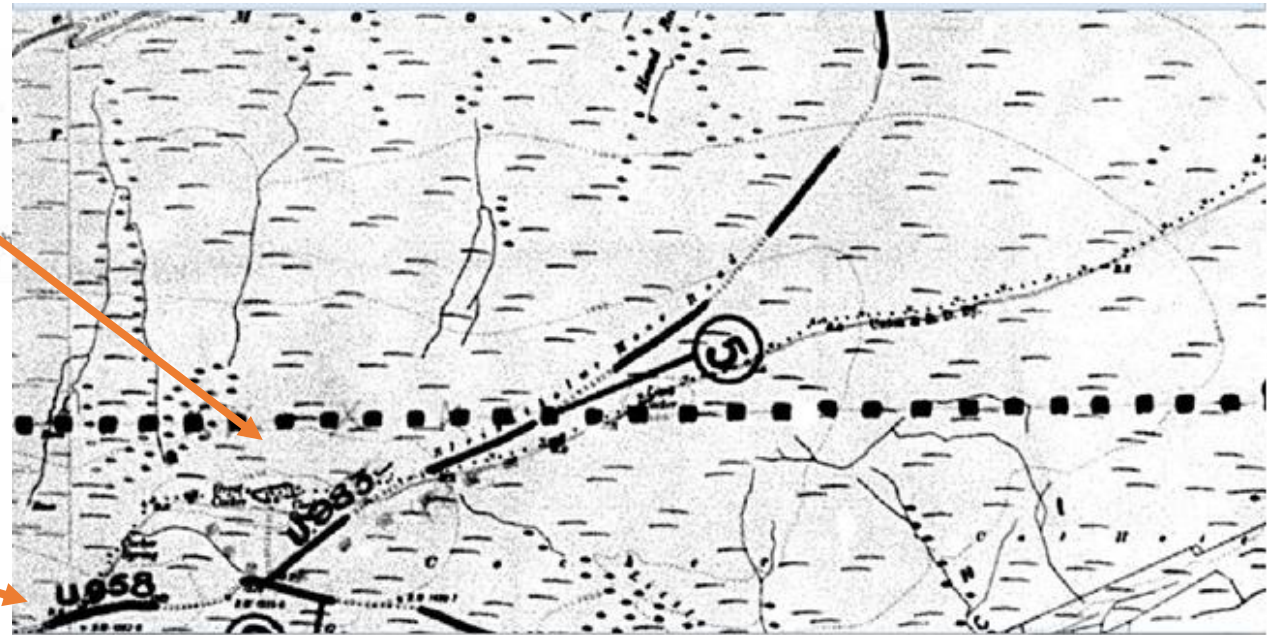
Find:  
  
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# Document K : Extracts from 1930 Highways Map and accompanying List, North Riding of Yorkshire

U.1249	U -	do. do.
U.1250	U -	A.66 - East Melwaters.
U.1251	U.808	Back Lane in Bowes.
U.1252		Hedgeholme-Ovington - Hutton Magna - A.66
U.1253	S.816	Baldron - A.67
U.1254	S.816	Back Lane in Startforth.
U.1255	S.818	Gilmonby - Cocker.
U.1256	S.819	Levy Pool $\frac{3}{4}$ Strand Foot (N.of Bowes).
U.1257	S.819	Back Lane of Bowes.
U.1258	S.822	Fiddler House - East Briscoe.
U.1259	U.	Streets in Romalldkirk.
U.1260	U.804	Low Swinstone - Scargill.
U.1261	U.804	The Rigg - Rutherford.
U.1262	U.809	Lartington - Osmonflat.
U.1263	U.810	Lartington -



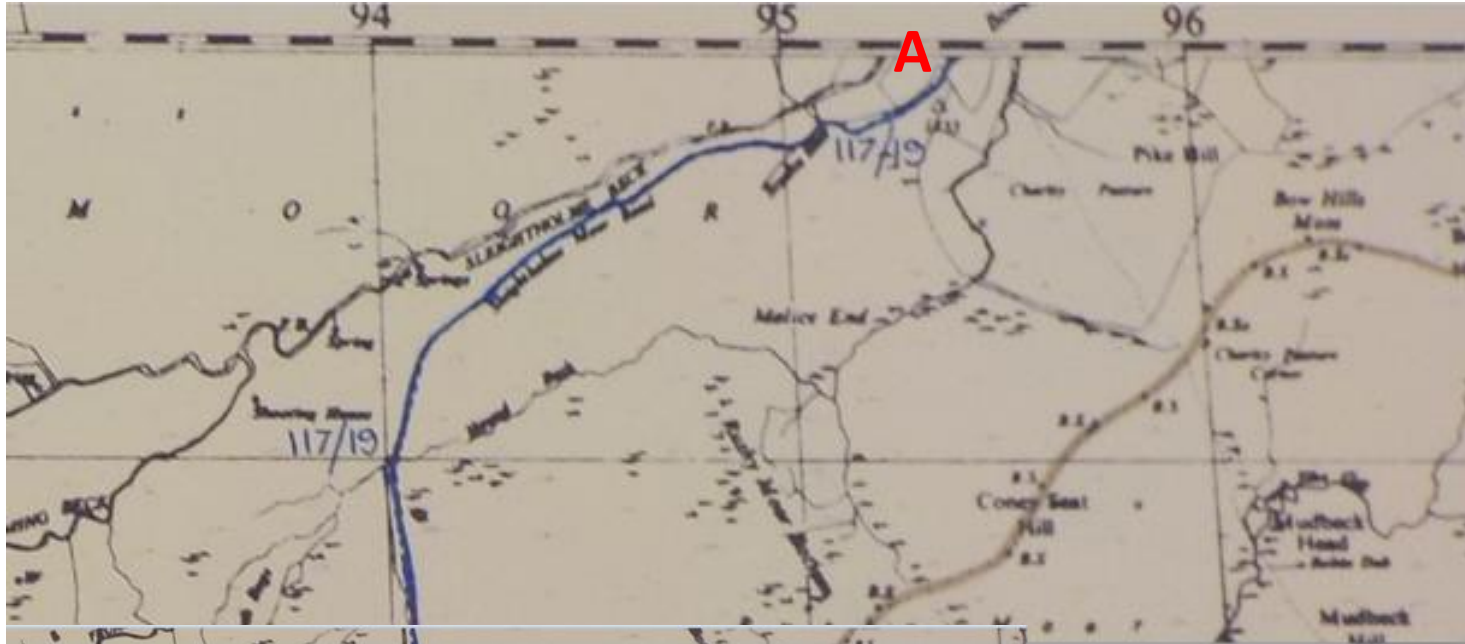
U.979	S.668	Marrick - Richmond -
U.980	" S.668	Back Street of Marrick.
U.981	" S.668	ditto. ditto.
U.982	" S.668	ditto. ditto.
<del>U.983</del>	<del>Richmond</del> <del>S.710</del>	<del>Stainton Low Wood - Boundary.</del>
U.984	" S.709 S.708 U.704	Side Bank Wood - Marske - Helw Long Green Gate - Carter House on boundary.



U.956	" S.651	Thirns - Healaugh.
U.957	" S.654	West Stonedale - Tan Hill Inn.
U.958	" S.655	Reeth - Langthwaite - Cocker. Startforth - Tan Hill - Boundary. S.818
U.959	Reeth S.653	Thwaite - Hood Rigg.
U.960	S.652	Angram.
U.961	S.659	Crow Trees - Oxnop Common.



Document L: Extract from 1974 Highways Handover Map



Extract from Highways Handover Map c.1974. Route numbered 117/19 coloured blue denoting an Unclassified Country Road , maintainable at public expense.

Document M: Extract from Durham and North Yorkshire Current Highway Maps.

