

Appendix 3

Acton Road

Consultation Letters and Responses

Contact: Dagmar Richardson / Josephine Upchurch
Direct Tel: 03000 265 340 / 265 341
email: Josephine.upchurch@durham.gov.uk
Dagmar.richardson@durham.gov.uk

Our ref: REAL/ST/AROW/DR/6/19/037

Church Commissioners
Church House
Great Smith Street
London
SW1P 3AZ

6 December 2021

Statutory Consultation – Wildlife and Countryside Act 1981 on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

To Whom it may concern

In November 2019 I contacted you as part of a consultation regarding an application to modify the Definitive Map and Statement to add a Bridleway through Hamsterley Forest called 'Acton Road'. The application is based on historic documentary evidence. The initial consultation period was extended until the end of March 2020, however the Covid 19 lockdown meant we had to stop this earlier than intended and we are now reconsulting. The consultation period will run from receipt of this letter until January 31st, 2022, because of the significant extension given to the previous consultation it will not be extended beyond this date.

The application is for the addition of a Bridleway (Acton Road) through Hamsterley Forest. The road leads from Cloudlam Rake, runs south-east via High Acton Currick then continues south east towards Pennington Rake Plantation. The application was submitted to the County Council on the 08/2/19 (please see attached plan). There is sufficient historic evidence that would suggest the order would likely be approved.

Under the provisions of the Wildlife and Countryside Act 1981 the County Council has a duty to keep the Definitive Map and Statement under continuous review and make appropriate modifications by Order.

I am currently seeking the views of local councillors, the Parish Council, relevant landowners and user organisations and will be pleased to include any comments you may wish to offer regarding the proposed modification to the Highways Committee. A report will be composed for the committee and will incorporate any views, objections and additional evidence submitted by those in receipt of this consultation.

It is likely that the Highways Committee will not review the claim mentioned above until February 2022. However, it would be appreciated that you submit your views, objections or additional evidence by January 31st, 2022.

Please note that if you do make representations, then by virtue of the Local Government (Access to Information) Act 1985, the County Council must make these publicly available when a report on this application is considered by the Committee.

Regeneration & Local Services
Durham County Council, County Hall, Durham DH1 5UQ
Main Telephone 03000 260000

Contact: Dagmar Richardson / Josephine Upchurch
Direct Tel: 03000 265 340 / 265 341
email: Josephine.upchurch@durham.gov.uk
Dagmar.richardson@durham.gov.uk

Our ref: REAL/ST/AROW/DR/6/19/037

Forestry Commission
Eals Burn
Bellingham
Hexham
Northumberland
NE48 2HP

6 December 2021

Statutory Consultation – Wildlife and Countryside Act 1981 on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

To Whom it may concern

In November 2019 I contacted you as part of a consultation regarding an application to modify the definitive map and add a Bridleway through Hamsterley Forest called 'Acton Road (see plan)'. The application was based on historic documentary evidence and the initial consultation period was extended until the end of March 2020, however the Covid 19 lockdown meant we had to stop this earlier than intended and we are now reconsulting. The consultation period will run from receipt of this letter until January 31st, 2022, because of the significant extension given to the previous consultation this will not be extended beyond that date.

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If you have any queries or wish to discuss the matter, please contact me or my colleague (email address at top).

Your sincerely
Dagmar Richardson

Definitive Map Officer

Public Rights of Way - www.durham.gov.uk/prow - prow@durham.gov.uk

If you have any queries or wish to discuss the matter, please contact me or my colleague (email address at top).

Your sincerely

A handwritten signature in black ink, appearing to read "Dagmar. J. Richardson".

Dagmar Richardson

Definitive Map Officer

Public Rights of Way - www.durham.gov.uk/prow - prow@durham.gov.uk

Mobile 07768 107032

From: [REDACTED]
Sent: 13 December 2021 09:07
To: Josephine Upchurch; Dagmar Richardson
Cc: [REDACTED]
Subject: Statutory Consultation - Wildlife & Countryside Act 1981 on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

Follow Up Flag: Follow up
Flag Status: Completed

Dear Josephine and Dagmar

Statutory Consultation - Wildlife & Countryside Act 1981 on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

Thank you for your letter of 6th December 2021 regarding the above proposed amendment. Forestry England has reviewed the proposal and wishes to **object** to the proposed route, as it passes directly through young conifer plantation, with no open trackways. Clearing the plantation from the proposed route would have a significant impact on forestry operations. I am awaiting further information from colleagues but, in the meantime, please accept this email as notice of our objection.

Best wishes
Victoria

Victoria Lancaster MRICS
Area Land Agent - North England Forest District

Forestry England
Eals Burn, Bellingham, Hexham
Northumberland NE48 2HP

DDI: 0300 067 4063
M: 07425 635812
[REDACTED] .uk



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From: [REDACTED]
Sent: 27 November 2019 21:22
To: Dagmar Richardson
Cc: Gordon and Jenny Selley
Subject: Re: Definitive Map Modification - Ref:6/19/037 -Consultation Acton Road

There seems to be no problem with this order as it is already forestry tracks.

Ian.

On 20 November 2019 at 12:09 Dagmar Richardson <dagmar.richardson@durham.gov.uk> wrote:

Consultation on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

Dear Mr Martin

I have received evidence in support of the Council making an order to register a right of way on the Definitive Map. The application is for the addition of a Bridleway (Acton Road) through Hamsterley Forest. The road leads from Cloudlam, runs south-east via High Acton Currick then continues south east towards Pennington Plantation. The application was submitted to the County Council on the 08/2/19 (please see attached plan). There is sufficient historic evidence that would suggest the order would likely be approved.

I am currently seeking the views of local councillors, the Parish Council, relevant land owners and user organisations and will be pleased to include any comments you may wish to offer regarding the proposed modification to the Highways Committee. A draft report will be composed and will incorporate any views, objections and additional evidence submitted by those in receipt of this consultation. Parties responding to the consultation will receive a copy of the draft report to ensure their representations have been noted accurately.

It is likely that the Highways Committee will not review the claim mentioned above until 2020. However, it would be appreciated that you submit your views, objections or additional evidence within 30 days of receipt of this letter.

Please note that if you do make representations, then by virtue of the Local

Government (Access to Information) Act 1985, the County Council must make these publicly available when a report on this application is considered by the Committee.

If you have any queries or wish to discuss the matter, please contact me or my colleague.

Your Sincerely

Dagmar Richardson

Definitive Map Officer

Public Rights of Way

County Hall

Durham

DH1 5UQ

03000 265340

www.durham.gov.uk/prow

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From: [REDACTED]
Sent: 01 December 2019 11:37
To: Dagmar Richardson
Cc: Josephine Upchurch
Subject: Re: Definitive Map Modification - Ref:6/19/037 -Consultation Acton Road

The Open Spaces Society has no objection.

Yours sincerely
Jo Bird

From: Dagmar Richardson
Sent: Wednesday, November 20, 2019 12:10 PM
To: Jo Bird
Cc: Josephine Upchurch
Subject: Definitive Map Modification - Ref:6/19/037 -Consultation Acton Road

Consultation on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

Dear Ms Bird

I have received evidence in support of the Council making an order to register a right of way on the Definitive Map. The application is for the addition of a Bridleway (Acton Road) through Hamsterley Forest. The road leads from Cloudlam, runs south-east via High Acton Currick then continues south east towards Pennington Plantation. The application was submitted to the County Council on the 08/2/19 (please see attached plan). There is sufficient historic evidence that would suggest the order would likely be approved.

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Your Sincerely

Dagmar Richardson

**Definitive Map Officer
Public Rights of Way
County Hall**

Durham
DH1 5UQ
03000 265340
www.durham.gov.uk/prow

Customer Notice

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From: Dagmar Richardson
Sent: 20 November 2019 12:04
To: Sylvia Briggs
Cc: Sue Gamble; 'Josephine Upchurch (josephine.upchurch@durham.gov.uk)'; Barbara Herd
Subject: Definitive Map Modification - Ref:6/19/037 -Consultation Acton Road
Attachments: Image of app route .pdf

Consultation on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

Dear Sylvia

I have received evidence in support of the Council making an order to register a right of way on the Definitive Map. The application is for the addition of a Bridleway (Acton Road) through Hamsterley Forest. The road leads from Cloudlam, runs south-east via High Acton Currick then continues south east towards Pennington Plantation. The application was submitted to the County Council on the 08/2/19 (please see attached plan). There is sufficient historic evidence that would suggest the order would likely be approved.

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Your Sincerely

Dagmar Richardson

Definitive Map Officer

Public Rights of Way

County Hall

Durham

DH1 5UQ

03000 265340

www.durham.gov.uk/prow

Contact: Dagmar Richardson / Josephine Upchurch
Direct Tel: 03000 265 340 / 265 341
email: Josephine.upchurch@durham.gov.uk
Dagmar.richardson@durham.gov.uk

'AROW/DR/6/19/037

[REDACTED]
DL14 9RX

6 December 2021

Consultation on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

Dear Councillor Cosslett,

I am contacting you as part of a consultation regarding an application to modify the definitive map and statement to add a new Bridleway through Hamsterley Forest called 'Acton Road (See attached plan)'. The application is based on historic documentary evidence.

A previous consultation was started in November 2019 and was eventually extended until the end of March 2020, however the Covid 19 lockdown meant we had to put this on hold, so we are now reconsulting. The consultation period will run from receipt of the letter until January 31st, 2022, because of the significant extension of consultation time given previously there will be no extension beyond that date.

The application is for the addition of a Bridleway (Acton Road) through Hamsterley Forest. The road leads from Cloudlam Rake, runs south-east via High Acton Currick then continues south towards, and along the western edge of Pennington Rake Plantation. The application was submitted to the County Council on the 08/2/19. There is sufficient historic evidence that would suggest the order would likely be approved.

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Neighbourhoods and Climate Change
Durham County Council, County Hall, Durham DH1 5UQ
Main Telephone 03000 260000

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Your sincerely



Dagmar Richardson

Definitive Map Officer

Public Rights of Way - www.durham.gov.uk/prow - prow@durham.gov.uk

Mobile 07768 107032

Contact: Dagmar Richardson / Josephine Upchurch
Direct Tel: 03000 265 340 / 265 341
email: Josephine.upchurch@durham.gov.uk
Dagmar.richardson@durham.gov.uk

Our ref: REAL/ST/AROW/DR/6/19/037

c/o Member Services
County Hall
Durham
DH1 5UL

6 December 2021

Consultation on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

Dear Councillor Potts,

I am contacting you as part of a consultation regarding an application to modify the definitive map and statement to add a new Bridleway through Hamsterley Forest called 'Acton Road (See attached plan)'. The application is based on historic documentary evidence.

A previous consultation was started in November 2019 and was eventually extended until the end of March 2020, however the Covid 19 lockdown meant we had to put this on hold, so we are now recon­sulting. The consultation period will run from receipt of the letter until January 31st, 2022, because of the significant extension of consultation time given previously there will be no extension beyond that date.

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Neighbourhoods and Climate Change
Durham County Council, County Hall, Durham DH1 5UQ
Main Telephone 03000 260000

If you have any queries or wish to discuss the matter, please contact me or my colleague (email address at top).

Your sincerely



Dagmar Richardson

Definitive Map Officer

Public Rights of Way - www.durham.gov.uk/prow - prow@durham.gov.uk

Mobile 07768 107032

From: Cllr Robert Potts
Sent: 06 December 2021 17:17
To: Dagmar Richardson
Cc: Josephine Upchurch; Cllr James Cosslett
Subject: Re: Consultation - Definitive Map Modification Application Affecting Hamsterley Forest

Follow Up Flag: Follow up
Flag Status: Completed

Hi Dagmar,

That's really fascinating, I'm amazed that so much historical work has gone into this application. I have not been approached by any of my constituents and am unaware of any reasons to object.

From a personal point of view, I would love to be involved in any site visits, or even just have a discussion, so I can better understand these applications and what's involved from your side.

Thanks Robert

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From: Dagmar Richardson <dagmar.richardson@durham.gov.uk>
Sent: Monday, December 6, 2021 3:29:59 PM
To: Cllr Robert Potts [REDACTED]
Cc: Josephine Upchurch <josephine.upchurch@durham.gov.uk>
Subject: Consultation - Definitive Map Modification Application Affecting Hamsterley Forest

Dear Councillor,

Please find attached consultation notice regarding the application for a 'Bridleway' running through Hamsterley Forest. The application is one based on historic documentary evidence and was submitted in advance of the proposed cut-off date for this type of application, 1st January 2026. Section 53(b)(c)(i) of the 1981 Highways Act allows the surveying authority to modify the Definitive Map and Statement 'upon the discovery of evidence that shows a that 'way' which is not shown in the map or statement subsists or is reasonably alleged to subsist. The applicants contention is that public rights, at least commensurate with those of Bridleway use, were granted historically and as such be recognised and recorded, the consultation ends 31st January 2022. Please find the evidence file attached. If you have queries please do not hesitate to contact me or my colleague

[Josephine.upchurch@durham.gov.uk](mailto:josephine.upchurch@durham.gov.uk)

Yours Sincerely

Dagmar Richardson

Definitive Map Officer
Access & Rights of Way Team, Neighbourhoods and Climate Change
County Hall
Durham
DH1 5UQ
03000 265340 / Mobile 07768 107032
www.durham.gov.uk/prow

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Contact: Dagmar Richardson / Josephine Upchurch
Direct Tel: 03000 265 340 / 265 341
email: Josephine.upchurch@durham.gov.uk
Dagmar.richardson@durham.gov.uk

Our ref: REAL/ST/AROW/DR/6/19/037

To the Parish Clerk
Low Burn Lea
How Lea Lane
Hamsterley
Durham
DL13 3PE

6 December 2021

Statutory Consultation on Proposed Amendment to the Definitive Map of Public Rights of Way Acton Road Ref: 6/19/037 (Hamsterley Forest)

Dear Ms Chilcott

In November 2019 I contacted you as part of a consultation regarding an application to modify the definitive map and add a new route at South Bedburn Hamsterley Forest called 'Acton Road'. The application was based on historic documentary evidence and the initial consultation period was extended until the end of March 2020, however the Covid 19 lockdown meant we had to stop this earlier than intended and we are now reconsulting. The consultation period will run from receipt of this letter until January 31st, 2022, because of the significant extension given to the previous consultation there will be no extension beyond this date

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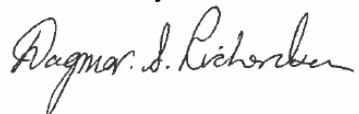
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Regeneration & Local Services
Durham County Council, County Hall, Durham DH1 5UQ
Main Telephone 03000 260000

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Your sincerely



Dagmar Richardson

Definitive Maps Officer

Public Rights of Way - www.durham.gov.uk/prow - prow@durham.gov.uk

Mobile 07768 107032

From: Dagmar Richardson
Sent: 06 December 2021 15:27
To: Cllr James Cosslett
Cc: Josephine Upchurch
Subject: Consultation - Definitive Map Modification Application Affecting Hamsterley Forest
Attachments: Councillor J Cosslett.pdf; Application Route Map.pdf; Application Documents - DMMO & Evidence (Inc. Photos).pdf

Dear Councillor,

Please find attached a consultation notice regarding the application for a 'Bridleway' running through Hamsterley Forest. The application is one based on historic documentary evidence and was submitted in advance of the proposed cut-off date for this type of application, 1st January 2026. Section 53(b)(c)(i) of the 1981 Highways Act allows the surveying authority to modify the Definitive Map and Statement upon the discovery of evidence that shows a that 'way' which is not shown in the map or statement subsists or is reasonably alleged to subsist. The applicants contention is that public rights, at least commensurate with those of Bridleway use, were granted historically and as such be recognised and recorded, the consultation ends 31st January 2022. Please find the evidence supporting the application attached. If you have queries please do not hesitate to contact me or my colleague Josephine.upchurch@durham.gov.uk

Yours Sincerely

Dagmar Richardson

Definitive Map Officer
Access & Rights of Way Team, Neighbourhoods and Climate Change
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