

DURHAM COUNTY COUNCIL

At a Meeting of **Highways Committee** held in Council Chamber, County Hall, Durham on **Monday 12 December 2022 at 1.30 pm**

Present:

Councillor R Ormerod (Chair)

Members of the Committee:

Councillors C Kay, J Higgins, G Hutchinson (Vice-Chair), D Oliver, E Peeke, A Simpson, F Tinsley, M Wilson and D Wood

1 Apologies for Absence

Apologies for absence were received from Councillors J Howey, E Mavin, K Robson and A Sterling.

2 Substitute Members

There were no substitutes.

3 Minutes of the Meeting held on 10 November 2022

The minutes of the meeting held on 10 November 2022 were confirmed as a correct record and signed by the Chair.

4 Declarations of Interest, if any

There were no declarations of interest.

5 Alleged Public Bridleway, Windyside Moor Public Bridle Road, from Road C28 to grid reference 388757.536877, St-John's-Chapel, Stanhope (Definitive Map Modification Order Proposal)

The Committee considered a joint report of the Corporate Director Neighbourhoods and Climate Change and Head of Legal and Democratic Services which sought to make a Definitive Map Modification Order to amend the Definitive Map and Statement by way of adding a public bridleway in the ward of St John's Chapel, Stanhope starting at Road C28 (grid reference 389554.536399) and ending at grid reference 388757.536877 (for copy see file of Minutes).

The Definitive Map Officer gave a detailed presentation which included application evidence, site location plans and route photographs to supplement the application. She advised that the route to be added connected to the public highway at point A on Document A but not at point B on Document A. However, the meeting was to further consider two other applications at North Grain and Chapel Pasture Public Bridle Roads, which if agreed, would result in a continuous through route from C Road C28, St Johns Chapel to C Road C27, St John's Chapel, point A to B on Document B.

The Chair asked whether further detail could be provided regarding the reasons why the parish council's objections could not be taken into account. In response the Definitive Map Officer advised that legislation does not allow for objections based upon suitability and/or desirability, to be afforded weight in the assessment of the application.

Councillor Tinsley queried as to why the three applications could not be determined under one Order. The Definitive Map Officer advised that individual applications had been received and were assigned different names under the enclosure award, therefore they had to be listed as separate Modification Orders.

Councillor C Kay **Moved** that the recommendations in the report be agreed. **Seconded** by Councillor Wood.

Resolved:

- (i) That the Definitive Map Modification Order to amend the Definitive Map and Statement by way of adding a public bridleway shown A-B on Document A under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 be approved.
- (ii) That the Definitive Map Modification Order will be referred to the Secretary of State for determination in the event objections are made or confirmed as an unopposed order should no such relevant objections be received.

6 Alleged Public Bridleway, Chapel Pasture Public Bridle Road, from grid reference 388757.536877 to grid reference 387576.537170, St-John's-Chapel, Stanhope (Definitive Map Modification Order Proposal)

The Committee considered a joint report of the Corporate Director of Neighbourhoods and Climate Change and the Head of Legal and Democratic Services which sought to add a route with public bridleway status from grid reference 388757.536877 and ending at grid reference 387576.537170 in the ward of St John's Chapel in the parish of Stanhope to the Definitive Map and Statement (for copy see file of Minutes).

The Definitive Map Officer gave a detailed presentation which included application evidence, site location plans and route photographs to supplement the application. She advised that although the route applied for incorporated sections of two existing Public Bridleways it did not connect to any other Public Rights of Way, but when considered with the two other applications, Windyside Moor and North Grain Public Bridle Roads, would result in a continuous through route from public highways C Road (C28), St John's Chapel to C Road (C27), St Johns Chapel (Document B).

In referencing changes to the Definitive Map, Councillor Kay asked whether the modifications were also reflected in the Ordnance survey maps. In response the Definitive Map Officer advised that the council were using a working copy of the Definitive Map and updating it each time a Modification Order was agreed. When the Ordnance survey maps were reviewed, changes were based upon the county's definitive map.

Councillor Wood **Moved** that the recommendations contained in the report be approved. **Seconded** by Councillor Higgins.

Resolved:

- (i) That a Definitive Map Modification Order to amend the Definitive Map and Statement by way of adding a public bridleway under Section 53(3)(c)(i) of the Wildlife and Countryside Act.
- (ii) That the Definitive Map Modification Order will be referred to the Secretary of State for determination in the event objections are made or confirmed as unopposed if no such objections are received.

7 Alleged Public Bridleway, North Grain Public Bridle Road, from grid reference 387576.537170 to C Road C27 (grid reference 387492.537198), St-John's Chapel, Stanhope (Definitive Map Modification Order Proposal)

The Committee considered a joint report of the Corporate Director of Neighbourhoods and Climate Change and Head of Legal and Democratic Services which sought to add a route with public bridleway status from grid reference 387576.537170 to C Road C27 (grid reference 387492.537198) in the ward of St John's Chapel, Stanhope to the Definitive Map and Statement (for copy see file of Minutes).

The Definitive Map Officer gave a detailed presentation which included application evidence, site location plans and route photographs to supplement the application. She advised that the route to be added was not currently recorded as a Public Right of Way. As a standalone application, it connected to the public highway at point B on Document A but not point A on Document A. However, the previous two applications considered and agreed for Windyside Moor and Chapel Pasture Public

Bridle Roads, would result in a continuous through route from C Road C28, St John's Chapel to C Road C27, St John's Chapel, point A to B, on Document B.

Councillor Tinsley **Moved** that the recommendations contained in the report be approved. **Seconded** by Councillor Oliver.

Resolved:

- (i) That the Definitive Map Modification Order to amend the Definitive Map and Statement by way of adding a public bridleway under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981.
- (ii) That the Definitive Map Modification Order be referred to the Secretary of State for determination in the event objections are made or confirmed as unopposed if no such objections are received.