

Delegated Decision

22 August 2024



**Public Bridleway No. 33 Esh, Proposed
Diversion and Definitive Map and
Statement Modification Order**

Ordinary Decision No.

Report of Neighbourhoods and Climate Change

????????????

Electoral division affected:

Esh and Witton Gilbert

Purpose of the Report

- 1 To consider changes to the Public Rights of Way network.
- 2 Public Bridleway No. 33 Esh, proposed Diversion and Definitive Map and Statement Modification Order.

Executive summary

- 3 In the interests of the landowner it is proposed to divert part of Public Bridleway No. 33 Esh Parish.
- 4 Consultations on the proposed diversion have been carried out and no objections have been received.

Recommendation

- 5 The proposal is in accordance with the Council's policy and the statutory framework on the diversion of public rights of way.
- 6 It is RECOMMENDED that a Diversion and Definitive Map and Statement Modification Order be made under the provisions of the Highways Act 1980 and the Wildlife and Countryside Act 1981 to divert Public Bridleway No. 33 Esh Parish in the interests of the landowner, and the Order shall subsequently be either confirmed or referred to the Secretary of State for determination, and that the Corporate Director of Resources be informed accordingly.

Background

- 7 An application has been received from the landowner, the Hankey family, to divert part of Public Bridleway No. 33 Esh to use an existing farm track and move the bridleway away from the domestic property and from livestock areas, as shown on the attached plan.
- 8 Bridleway No. 33 runs in a generally southerly direction from Bridleway No.34 past Esh Hall, then easterly.
- 9 The proposal is to divert a section of Bridleway No. 33 onto a more easterly alignment, heading south from Bridleway No.34 on an existing track.
- 10 Consultations have been carried out with the Local Members, the Cabinet Portfolio Holder, Esh Parish Council, the Ramblers' Association, the British Horse Society and other user groups. No objections have been received.

Options

- 11 The proposal retains and protects public access at this location.

Conclusion

- 12 Agreed to the Diversion Order in accordance with the Recommendation.

Contact: Mike Ogden

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Appendix 1: Implications

Legal Implications

N/A

Finance

The applicant will cover the administrative and advertising costs for making the Order, and any necessary works to provide the new path.

Consultation

Consultations have been carried out with the Local Members, the Cabinet Portfolio Holder, the Parish Council, the Ramblers' Association, the British Horse Society and other user groups. No objections have been received. If the Order is made the initial consultations are followed up by a Statutory Consultation period.

Equality and Diversity / Public Sector Equality Duty

The new Public Bridleway will be as accessible as possible for the location.

Climate Change

Maintains the integrity of the public rights of way network.

Human Rights

All those affected by this proposal will have the opportunity to submit objections and to present their case at a Public Inquiry.

Crime and Disorder

The proposed route minimises any risk of crime or disorder.

Staffing

N/A

Accommodation

N/A

Risk

N/A



Procurement

N/A



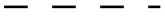
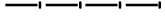
Alan Patrickson
Corporate Director
Neighbourhoods and
Climate Change
Durham County Council
County Hall
Durham DH1 5UQ

**Draft Order Plan
(Public Bridleway No. 33
Esh Parish)**

Bridleway to be created

Bridleway to be extinguished


Scale: 1:2,500

Public Rights of Way /
Highways not affected by
the proposal

 Footpath
 Bridleway

Drawn: 08 February 2022

Postcodes: DH7 9RA

