

**Delegated Decision**

**6 November 2024**



**Public Footpaths Nos. 30 and 32  
Evenwood & Barony, Proposed  
Diversion and Definitive Map and  
Statement Modification Order**

**Ordinary Decision No.**

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**Report of Neighbourhoods and Climate Change  
Paul Anderson – Strategic Highways Manager**

**Electoral division affected:**

Evenwood

**Purpose of the Report**

- 1 To consider changes to the Public Rights of Way network.
- 2 Public Footpaths Nos. 30 and 32 Evenwood & Barony, 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 Footpath No. 30 and all of No. 32 Evenwood & Barony 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 footpaths Nos. 30 and 32 Evenwood and Barony 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, Mr Stewart of East Park Farm, to divert part of Public Footpath No. 30 Evenwood & Barony to move the footpath away from the domestic property in the interests of security and privacy, and to divert Public Footpath No. 32 to a straight-line route from one field corner to the other in the interest of agricultural efficiency, as shown on the attached plan. The owner of the land crossed by the new route has provided his agreement.
- 8 Footpath No. 30 runs in a generally northerly direction adjacent to the buildings at East Park Farm, while Footpath No. 32 runs in a generally east-north easterly direction, on a curved route across the field immediately east of the farm buildings.
- 9 The proposal is to divert a section of Footpath No. 30 onto a more easterly alignment, along the western edge of a field, and to divert No.32 to a straight route running diagonally north-westerly from field corner to field corner.
- 10 Consultations have been carried out with the Local Members, the Cabinet Portfolio Holder, Evenwood and Barony Parish Council, the Ramblers' Association 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.

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**Contact:** Mike Ogden

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## **Appendix 1: Implications**

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### **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 paths.

### **Consultation**

Consultations have been carried out with the Local Members, the Cabinet Portfolio Holder, the Parish Council, the Ramblers' Association, 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 Footpaths 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 Patriksson  
 Corporate Director  
 Neighbourhoods and  
 Climate Change  
 Durham County Council  
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**Draft Order Plan  
 Public Footpath  
 No.30 and 32  
 Evenwood and Barony**

Footpath to be created  
 - - - - -  
 Footpath to be extinguished  
 - - - - -

Scale: 1:2,500

Public Rights of Way /  
 Highways not affected by  
 the proposal  
 - - - - - Footpath

Drawn: 13 February 2024

Postcodes: DL14 0DQ

