

NORTH TYNESIDE COUNCIL

JF

MODIFICATION ORDER 2019

DEFINITIVE MAP AND STATEMENT (DM&S) FOR THE WIDEOPEN AREA

SECTION 118 & 119 – HIGHWAYS ACT 1980

&

SECTION 53 - WILDLIFE AND COUNTRYSIDE ACT 1981

PUBLIC FOOTPATH LB38 & BRIDLEWAY WIDEOPEN 1

This order is made by North Tyneside Council ('The Authority') under:

Section 118 of the Highways Act 1980 ('the 1980 Act') because it appears to the Authority that the path described in the schedule of this order is not needed for public use and thereupon the Definitive Map and Statement (DM&S) shall be modified accordingly.

Section 119 of the Highways Act 1980 ('the 1980 Act') because it appears to the Authority that in the interests of the public, it is expedient that a section of the path should be diverted and thereupon the Definitive Map and Statement shall be modified accordingly.

Section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the Authority that the Definitive Map and Statement requires modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely:

In relation to LB38 - The stopping up (as authorised by this Order) of a highway hitherto shown or required to be shown in the DM&S

In relation to Wideopen 1 - The diversion (as authorised by this Order) of a highway shown or required to be shown in the DM&S

The Authority has consulted with the associated parties in the area to which the Order relates.

BY THIS ORDER:

In relation to Public Footpath - LB38:

The public rights of way over the land situate west of the A1 and crossing to the east side to the west of Hayes Walk, Wideopen marked (Point A to B) on the attached map and described in the schedule to this order shall be extinguished 28 days from the date of confirmation.

Where immediately before the date on which the section of footpath to be extinguished by this order there is apparatus under in on over along or across the land belonging to any statutory undertakers for the purpose of carrying on their

undertaking they shall continue to have the same rights in respect of the apparatus as they had prior to the extinguishment of the public right of way.

In relation to Bridleway - Wideopen 1:

The public right of way situated between east of the A1 Motorway off Little Waters Lane, Wideopen and crossing to Brunswick Village on the west side of the A1 motorway marked (Point C to C2) contains a section at its south end marked (Point C1 to C2) which shall be stopped up after 43 days from the date of confirmation - described on the map attached and in the schedule.

There shall be at the end of 42 days from the date of confirmation of this order, a public bridleway marked (Point C1 to D) described on the map attached and in the schedule.

Date:

The common seal of
**THE AUTHORITY OF THE
BOROUGH OF NORTH TYNESIDE**
was affixed to this document in the
presence of:

Chair



Authorised signatory



SCHEDULE

Part I:

Public Footpath - LB38

Description of footpath to be extinguished

The entire width of Public Footpath LB38 commencing at its west end at:

Grid Ref: NZ 23617 / NZ 72870 **(Point A)**

and continuing in a south west direction for approximately 66 metres at:

Grid Ref: NZ 23553 / NZ 72885 **(Point B)**.

Wideopen 1

Current Line:

Commencing at its north end at:

Grid Ref: NZ 23703 / NZ 73484 **(Point C)**

Proceeding in a mainly south and south west direction to its end point at:

Grid Ref: NZ 23541 / NZ 72937 **(Point C2)** on the plan

Comprising a total distance of approximately 607 metres

Section to be diverted:

Commencing at Grid Ref: NZ 23587 / NZ 72980 **(Point C1)**

Proceeding in a south west direction to its end point at:

Grid Ref: NZ 23541 / NZ 72937 **(Point C2)** on the plan.

New Full Line:

Commencing at its north end at Grid Ref: NZ 23703 / NZ 73484 **(Point C)**

Grid Ref: NZ 23549 / NZ 72902 **(Point D)**

Part 2:

DM & Statement modification

Public Footpath - LB38

Existing Statement:

From the Aged Miner's Homes, Brunswick Village at the Urban District Boundary in a south-easterly direction approximately 300 feet

Wideopen 1

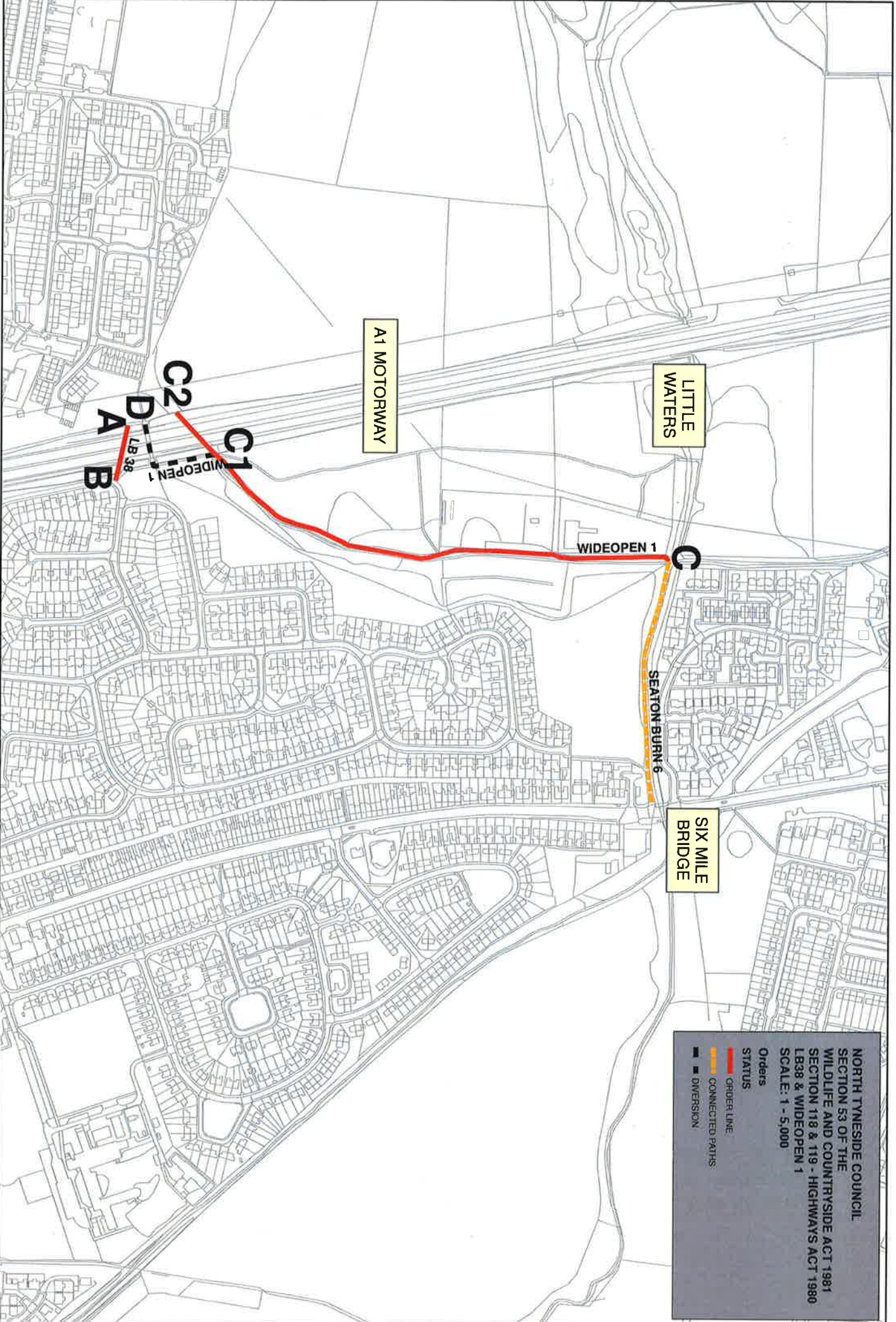
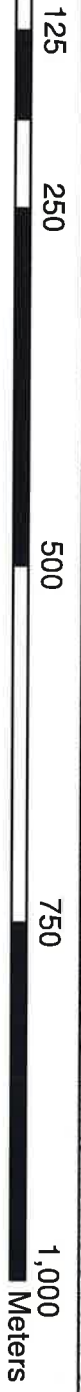
Existing Statement:

None on record

New Definitive Statement

Commencing at its north end at its junction with a definitive bridleway on Little Waters Lane, Seaton Burn the path proceeds in a mainly south, southwest and south direction to a point west of Hayes Walk, Wideopen. The path then continues west via the A1 Motorway underpass to its end point at the boundary with Newcastle City Council.

Width: Varies between 1.5 metres and 2.5 metres



NORTH TYNESIDE COUNCIL
SECTION 53 OF THE
WILDLIFE AND COUNTRYSIDE ACT 1981
SECTION 118 & 119 - HIGHWAYS ACT 1980
LB38 & WIDEOPEN 1
SCALE: 1 - 5,000

Orders
STATUS
 ORDER LINE
 CONNECTED PATHS
 DIVERSION