

NOTICE OF CONFIRMATION OF AN ORDER

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE COUNTY COUNCIL OF DURHAM
(PUBLIC PATH NO.21 LYNESACK AND SOFTLEY PARISH)
PUBLIC FOOTPATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2024**

On 4 October 2024, confirmed the above order made under section 119 of the Highways Act 1980. The effect of the order as confirmed is to **Divert Public Footpath No. 21 Lynesack and Softley Parish** from a point south-west of Kenmor Bungalow, proceeding in a generally north-north-easterly then easterly direction past the bungalow and the adjoining property to the unclassified road 41.9 **to a line running** from the same point south-west of Kenmor Bungalow, proceeding in a generally south-easterly direction along a field edge to join unclassified road 41.9 at a more southerly point, as shown on the order map.

A copy of the order as confirmed, and the order map have been placed and may be seen free of charge at Barnard Castle Library during normal opening hours and via the councils website.

The order comes into force as from 4 October 2024, but if any person aggrieved by the order wants to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980, as amended, or on the ground that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the order, he or she may, under paragraph 2 of Schedule 2 of the Act as applied by paragraph 5 of Schedule 6 of the Act, within six weeks from 9 October 2024 make an application to the High Court.

Dated: 9 October

HELEN BRADLEY
Director of Legal and Democratic Services
County Hall, Durham, DH1 5UL

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDER**

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE COUNTY COUNCIL OF DURHAM
(PUBLIC FOOTPATH NO.21 LYNESACK AND SOFTLEY PARISH)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2024**

This Order is made by the County Council of Durham ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owner of the land crossed by the footpath described in paragraph 1 of this Order it is expedient that the line of the path should be diverted.

This order is also made under 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 of Public Rights of Way for County Durham requires modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this order) of a highway shown or required to be shown in the map and statement.

The Applicant Mr N Copson has agreed to any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situate at Southside, Butterknowle and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up after 7 days from the date of confirmation of this order as provided for by paragraph 3 below and thereupon the Definitive Map and Statement of Public Rights of Way for County Durham shall be modified by deleting from it that public right of way.
2. There shall at the end of 7 days from the date of confirmation of this Order be a public footpath over the land situate at Southside, Butterknowle described in Part 2 of the Schedule and shown by a bold broken line on the map attached to this order, and thereupon the County Durham definitive map shall be modified by adding that path to it.
- 2A. The County Durham definitive statement shall be modified as described in Part 4 of the Schedule to this Order.
3. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

SCHEDULE

PART 1 DESCRIPTION OF SITE OF EXISTING PATH OR WAY

Path

**Public Footpath No.21 Lynesack & Softley Parish
(entire Width)**

Position

Public Footpath commencing from a point at a field corner some 86 metres south-west of Kenmor Bungalow, grid reference 410185.526332 (point A on the plan) proceeding in a generally north-easterly direction for a distance of some 50 metres to a field boundary, grid reference 410218.526369 (point B on the plan), then in a generally east-south-easterly direction for a distance of some 105 metres past Kenmor Bungalow to join the unclassified road 41.9 at grid reference 410320.526354 (point C on the plan) (A – B - C)

PART 2 DESCRIPTION OF SITE OF NEW PATH OR WAY

Path

**Public Footpath No.21 Lynesack & Softley Parish
(width 2 Metres)**

Position

Public Footpath commencing from a point at a field corner some 86 metres south-west of Kenmor Bungalow, grid reference 410185.526332 (point A on the plan) proceeding in a generally south- easterly direction for a distance of some 126 metres along the field edge to join the unclassified road 41.9 at grid reference 410272.526244 (point D on the plan) (A – D)

PART 3 LIMITATIONS AND CONDITIONS

Path

Public Footpath No.21 Lynesack and Softley Parish

Position

The limitations apply to the position of Footpath No. 21 as described in Part 2 of this Schedule and consists of a pedestrian gate in accordance with BS 5709:2018 at grid reference 5709:2018 at grid reference

PART 4
MODIFICATION OF DEFINITIVE STATEMENT
Variation of Particulars of Path or Way

6/18/30

No: 21

Town/Parish: Lynesack and Softley

Name of Path:

Status: Footpath

OS Sheet: NZ 12 NW

Starting Point: A point on Footpath No. 84 at a wood stile on north east side of Potters Cross Road, 9 metres south of Electric Post No. 24

Description of Route: North eastwards from stile through three fields thence ~~on private cart road (1.8—2.4 metres wide for~~ **south-easterly for** approximately 55 **126** metres) past Ivy Cottages to stone stile **pedestrian gate** on South Side Road (**Unc 41.9**). Approximate length ~~358~~ **329** metres

Ultimate Destination: ~~1 x stone stile~~ **pedestrian gate on Unc 41.9 south-west of Fairfield House** immediately west of No. 1 Ivy Cottages, South Side

Details of Features: ~~5~~ **3** x stiles, **1 x pedestrian gate in accordance with BS 5709:2018**

Width of Path: Grass trodden. ~~Cart road 1.8—2.4 metres~~ **2 metres in diverted section**

Length of Path: **329 metres**

Type of Construction: Path – turf. ~~Cart road – ballast~~ **Stone surface in diverted section**

Sections Metalled:

Sections Ploughed:

General Conditions of:

- (a) Path Reasonable. ~~Cart road – reasonable~~
- (b) Stiles and Gates Reasonable
- (c) Bridges
- (d) Stepping Stones

Details of any Signs and Notices Boards:

NOTES: Used for more than 50 years

Part diverted by the County Council of Durham (Public Footpath No 21 Lynesack and Softley Parish) Public Path Diversion and Definitive Map and Statement Modification Order 2024

**MADE THIS 3rd DAY OF APRIL 2024 BY
THE AFFIXING OF THE COMMON SEAL OF THE COUNTY COUNCIL
OF DURHAM BY ORDER:**

.....
**AUTHORISED SIGNATORY
(A PERMANENT OFFICER OF THE COUNTY COUNCIL)**

**THE COUNTY COUNCIL OF DURHAM
(PUBLIC PATH NO.21 LYNESACK AND SOFTLEY PARISH)
PUBLIC FOOTPATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2024**

**MADE THIS 4TH DAY OF OCTOBER 2024 BY
THE AFFIXING OF THE COMMON SEAL OF THE COUNTY COUNCIL
OF DURHAM BY ORDER:**

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AUTHORISED SIGNATORY

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDER**

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

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(entire Width)**

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PART 2 DESCRIPTION OF SITE OF NEW PATH OR WAY

Path

**Public Footpath No.21 Lynesack & Softley Parish
(width 2 Metres)**

Position

Public Footpath commencing from a point at a field corner some 86 metres south-west of Kenmor Bungalow, grid reference 410185.526332 (point A on the plan) proceeding in a generally south- easterly direction for a distance of some 126 metres along the field edge to join the unclassified road 41.9 at grid reference 410272.526244 (point D on the plan) (A – D)

PART 3 LIMITATIONS AND CONDITIONS

Path

Public Footpath No.21 Lynesack and Softley Parish

Position

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PART 4
MODIFICATION OF DEFINITIVE STATEMENT
Variation of Particulars of Path or Way

6/18/30

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Town/Parish: Lynesack and Softley

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Length of Path: **329 metres**

Type of Construction: Path — turf. ~~Cart road — ballast~~ **Stone surface in diverted section**

Sections Metalled:

Sections Ploughed:

General Conditions of:

- | | | |
|-----|------------------|---|
| (a) | Path | Reasonable. Cart road — reasonable |
| (b) | Stiles and Gates | Reasonable |
| (c) | Bridges | |
| (d) | Stepping Stones | |

Details of any Signs and Notices Boards:

NOTES: Used for more than 50 years

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THE AFFIXING OF THE COMMON SEAL OF THE COUNTY COUNCIL
OF DURHAM BY ORDER:

K. Clayton
.....
AUTHORISED SIGNATORY
(A PERMANENT OFFICER OF THE COUNTY COUNCIL)



K-clayton



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

**The County Council of
Durham (Public Footpath
No. 21 Lynesack & Softley
Parish) Public Path
Diversion and Definitive
Map & Statement
Modification Order 2024**

Footpath to be created

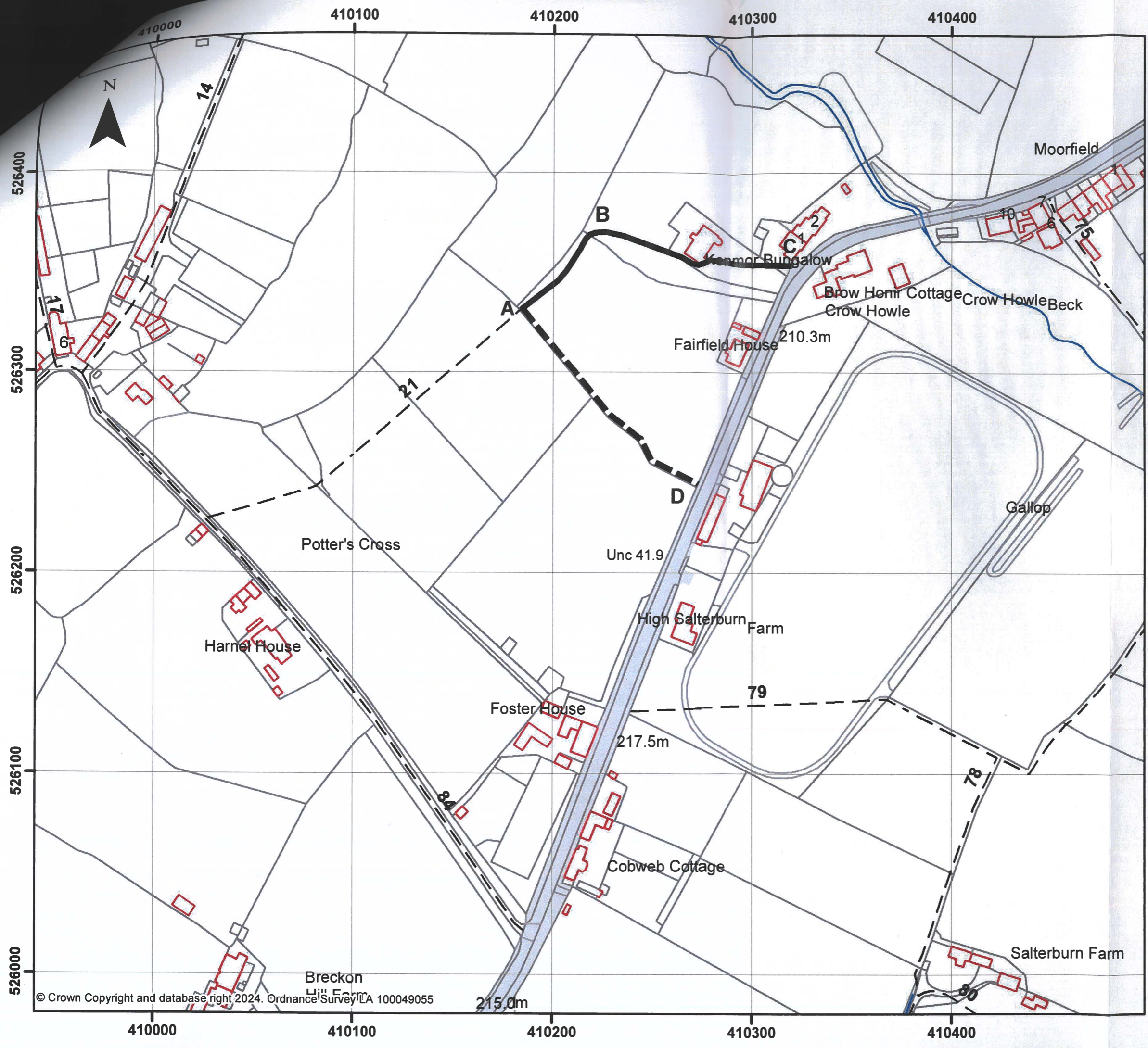
Footpath to be extinguished
—————

Scale: 1:2,500

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

Drawn: 25 May 2022

Postcodes: DL13 5JY
DL13 5JX



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.....
AUTHORISED SIGNATORY



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