

Howell, Nick

From: [REDACTED]
Sent: 03 December 2024 15:57
To: Howell, Nick
Subject: RE: Cycling UK / CTC consultation - Definitive Map Modification Order application - The Grove, Jesmond

External email >

Contains topics of a financial nature >

Thanks Nick. That's fine.

From: Howell, Nick <Nick.Howell@newcastle.gov.uk>
Sent: 03 December 2024 13:05
To: [REDACTED]
Subject: RE: Cycling UK / CTC consultation - Definitive Map Modification Order application - The Grove, Jesmond

Hello [REDACTED]

Thanks for your reply.

The effect of the order would be that is the route is recorded as PRoW on foot. This obviously doesn't preclude that higher rights based on 20yrs use could exist, especially as the route is openly used by cyclists.

The section currently signed as a shared route was not included within the actual DMMO application for a public footpath. The application was for a route between Queen's Terrace and Jesmond Dene Road. However when researching The Grove evidence of a public footpath diversion from 1886/87 was discovered. The documents refer to a Public Footpath which was diverted onto the present alignment (of the shared use section) to allow for development to take place. This is why it has been included in the proposed modification order, as it is inferred that the shared route section is part of a longer continuous historical pedestrian route. The shared route section was then formerly adopted as highway maintainable at the public expense in December 1950.

As you will know cycling on public footpath is a trespass against the landowner. However the shared use section doesn't have any ownership recorded with the Land Registry. With my active travel hat on, I realistically cannot envisage that the Council would ever seek to remove the shared route here and restrict cycling.

I hope this explains the situation. If you have any further queries then please let me know.

Kind regards
Nick

Nick Howell
Public Rights of Way Officer

Howell, Nick

From: [REDACTED]
Sent: 28 November 2024 15:02
To: Howell, Nick
Subject: RE: Cycling UK / CTC consultation - Definitive Map Modification Order application - The Grove, Jesmond

[External email >](#)

Nick

Many thanks for consulting on this. Even though this is for a PROW on foot the consultation is relevant to cyclists.

The link from Osborne Road to Queens Terrace is shown on the Cycle Map and is also signed as a segregated cycle route (and is tarred). I was also aware that you can continue east along The Grove to Jesmond Dene Road and I cycled this today to refresh my memory. When you reach Queens Terrace the route east is very wide and unsurfaced with cars parked and there is a small sign on one of the houses that says Private Road. After that the path narrows considerably and sections are now covered in loose gravel which is difficult to cycle on. At the end of the path there is a no cycling sign, although this is facing in the wrong direction.

How would the order relate to the section currently signed as shared use? Would this become a PROW on foot but with the Council allowing permissive use by cyclists?

Many thanks

[REDACTED]
Cycling UK Local Representative

From: Howell, Nick <Nick.Howell@newcastle.gov.uk>
Sent: 27 November 2024 09:36
To: [REDACTED]
Subject: Cycling UK / CTC consultation - Definitive Map Modification Order application - The Grove, Jesmond

Dear [REDACTED]

Definitive Map Modification Order application Wildlife and Countryside Act 1981 The Grove, Jesmond, Newcastle NE2 2PN

We are considering an application under the Wildlife and Countryside Act 1981 to record The Grove, Jesmond, as a public footpath on the Definitive Map and Statement, the Council's legal record of the public's rights of way, as shown on the attached plan.

In December 2021, the Council received an application to make an Definitive Map Modification Order ("Order") to record The Grove as a Public Right of Way ("PROW") on foot and add it to the Definitive Map and Statement. The application was supported by evidence alleging that a PROW has been acquired through long use by the public with also reference to The Grove being a historic route of some antiquity. The landowners over which route passes have been consulted and have provided evidence against the application to record the route as a public

footpath. Further research and evidence gathering has also been undertaken by Officers to reveal more on The Grove's historic status and the extent of public use. T

The Council must make an Order if the balance of evidence shows that a right of way not shown on the Definitive Map and Statement subsists or is reasonably alleged to subsist based on all relevant user and/or historic documentary evidence. Factors such as desirability, suitability or safety unfortunately cannot be taken into account. Evidence gathered by Officers to date does infer that a PROW on foot is at least reasonably alleged to subsist however all evidence is still to be checked by the Council's Legal Services before the report is presented to our Assistant Director for Transport.

Should the Council make a Modification Order then notice of the Order will be published and advertised on site, in the press and at the Central library. Notice of the Order is also sent to the applicant and all landowners as well as all statutory consultees. During the advertisement period any comments, objections or other representations can be made. Where an objection has been received to an Order, the Council itself is unable to confirm the Order but must forward it to the Secretary of State for determination. Where there is no objection, the Council can itself confirm the Order, provided that the criterion for confirmation is met.

We would be pleased to receive any comments or representations your organisation may wish to offer, within 21 days of the date of this email. If you need more time to consider the matter please let me know.

Please note that if you do make representations, then by virtue of the Local Government (Access to Information) Act 1985, the Council may make them available for public inspection. Additionally they may also be disclosable under the Freedom of Information Act 2000.

Should you have queries or require further information then please let me know.

Kind regards,

Nick Howell
Public Rights of Way Officer

Investment and Growth Directorate - Transport
Newcastle City Council
10th Floor
Civic Centre
Barras Bridge
Newcastle upon Tyne
NE1 1QH

Telephone 0191 277 1184 (Internal Ext. 21184)
E-mail nick.howell@newcastle.gov.uk
Website address www.newcastle.gov.uk

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Howell, Nick

From: [REDACTED]
Sent: 17 February 2025 17:08
To: Howell, Nick
Subject: Re: Ramblers consultation - Definitive Map Modification Order application - The Grove, Jesmond

Nick I apologise for the late response, your email got covered up on my desk and I've just got down to it again.

I have just walked the entire path, which I didn't realise was there.

- a) The first section from Osborne Road to Queens Terrace is all tarmac and varies in width up to 4m or so. Other people were using it when I was there.
- b) The second section from Queens Terrace to Grosvenor House is also wide, compacted earth and gravel, because it is used as access to a small parking area for the residents.
- c) The third section from Grosvenor House to Reid Park Road is 1 m wide compacted earth and/or gravel. Obviously used /maintained, there is no evidence of vegetation overgrowth.
- d) the last section from Reid Park Road to Jesmond Dene Road is a roadway, although there are bollards preventing access to/from Jesmond Dene Road.

The entire length from Osborne Road to Reid Park Road is lit by street lamps ref no 15G151 to 03G151, and also is bounded each side by brick walls or Wooden/metal fencing, which has been there a very long time.

The first section from Osborne Road to Queens Terrace is signposted as a dual use footpath. There is also a signpost to St Marys Well at the Osborne Road end.

St Marys Well has been there since the mid 18th Century according to the Newcastle Council Ancient Monument sign commemorating 100 years, (1893 to 1993), since the Well was remodelled? It is not too much of a stretch of the imagination to think the path may have been used to access the Well since the 19th Century. I couldn't see any evidence of any hinderance to access along the length of the path.

Other than Nimbyism I cannot see why the objection has been made, the path has obviously been in use for a very long time, the council would have not lit the entire length of the path if wasn't regularly used.

Regards

Appendix K - Consultations and responses

[REDACTED]

[REDACTED]

[REDACTED]

Northumbria Area

The Ramblers Association

----- Original Message -----

From: Nick.Howell@newcastle.gov.uk

To: [REDACTED]

Sent: Wednesday, November 27th 2024, 09:36

Subject: Ramblers consultation - Definitive Map Modification Order application - The Grove, Jesmond

Dear [REDACTED] Definitive Map Modification Order application Wildlife and Countryside Act 1981 The Grove, Jesmond, Newcastle NE2 2PN We are considering an application under the Wildlife and Countryside Act 1981 to record The Grove, Jesmond, as a public footpath on the Definitive Map and Statement, the Council's legal record of the public's rights of way, as shown on the attached plan. In December 2021, the Council received an application to make an Definitive Map Modification Order ("Order") to record The Grove as a Public Right of Way ("PROW") on foot and add it to the Definitive Map and Statement. The application was supported by evidence alleging that a PROW has been acquired through long use by the public with also reference to The Grove being a historic route of some antiquity. The landowners over which route passes have been consulted and have provided evidence against the application to record the route as a public footpath. Further research and evidence gathering has also been undertake by Officers to reveal more on The Grove's historic status and the extent of public use. T The Council must make an Order if the balance of evidence shows that a right of way not shown on the Definitive Map and Statement subsists or is reasonably alleged to subsist based on all relevant user and/or historic documentary evidence. Factors such as desirability, suitability or safety unfortunately cannot be taken into account. Evidence gathered by Officers to date does infer that a PROW on foot is at least reasonably alleged to subsist however all evidence is still be checked by the Council's Legal Services before the report is presented to our Assistant Director for Transport. Should the Council make a Modification Order then notice of the Order will be published and advertised on site, in the press and at the Central library. Notice of the Order is also sent to the applicant and all landowners as well as all statutory consultees. During the advertisement period any comments, objections or other representations can be made. Where an objection has been received to an Order, the Council itself is unable to confirm the Order but must forward it to the Secretary of State for determination. Where there is no objection, the Council can itself confirm the Order, provided that the criterion for confirmation is met. We would be pleased to receive any comments or representations your organisation may wish to offer, within 21 days of the date of this email. If you need more time to consider the matter please let me know. Please note that if you do make representations, then by virtue of the Local Government (Access to Information) Act 1985, the Council may make them available for public inspection. Additionally they may also be disclosable under the Freedom of Information Act 2000. Should you have queries or require further information then please let me know. Kind regards, Nick Howell Public Rights of Way Officer Investment and Growth Directorate - Transport Newcastle City Council 10th Floor Civic Centre Barras Bridge Newcastle upon Tyne NE1 1QH Telephone 0191 277 1184 (Internal Ext. 21184) E-mail nick.howell@newcastle.gov.uk Website address www.newcastle.gov.uk The upcoming Movement Strategy will determine how we move around the city and surrounding area for years to come. See the draft and have your say between 14 October and 29 November 2024. Please consider the environment before printing this e-mail

***** This email, including any attached files, may contain confidential information and is intended solely for the use

Appendix K - Consultations and responses

of the individual(s) to whom it is addressed. If you are not the intended recipient, the disclosure, copying or distribution of the information included in this email is prohibited and may be unlawful. Please notify us by replying to this communication and confirm deletion of the email. Thank you for your co-operation

Howell, Nick

From: Howell, Nick
Sent: 28 November 2024 11:19
To: PropertySMT
Subject: RE: NCC-owned land at The Grove (St Mary's Well), Jesmond - proposal to record The Grove as a Public Right of Way
Attachments: DSC_0912.JPG

Hi [REDACTED]

Thanks for the response.

Creating a PROW at The Grove shouldn't alter the path maintenance obligations from the current situation. The modification order process only deals with the recording of public rights over land and not surface maintenance. If an unrecorded path becomes a PROW and recorded on the Definitive Map and Statement then under certain circumstances the Council as Highway Authority may be responsible for the maintenance of the surface. As a broad rule, if the way being recorded is of historical origin, it is highway maintainable at the public expense ("HMPE"), but if it is a recent acquisition through 20 years use, it is not HMPE. In the case of the latter it may be that the landowners are responsible or it may be that no-one is responsible. It's a quirk of the legislation as highways law has developed over the decades. The Grove application has both – evidence of use and historic evidence from records, and a decision hasn't been made about which takes precedent.

The attached photo shows our owned section parallel with the green round sign at St Mary's Well. This was the situation in mid August this year after NWL added surface material after some works they had undertaken in one of the private gardens.

Any queries then let me know.
Thanks
Nick

Nick Howell

Public Rights of Way Officer

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Newcastle upon Tyne
NE1 1QH

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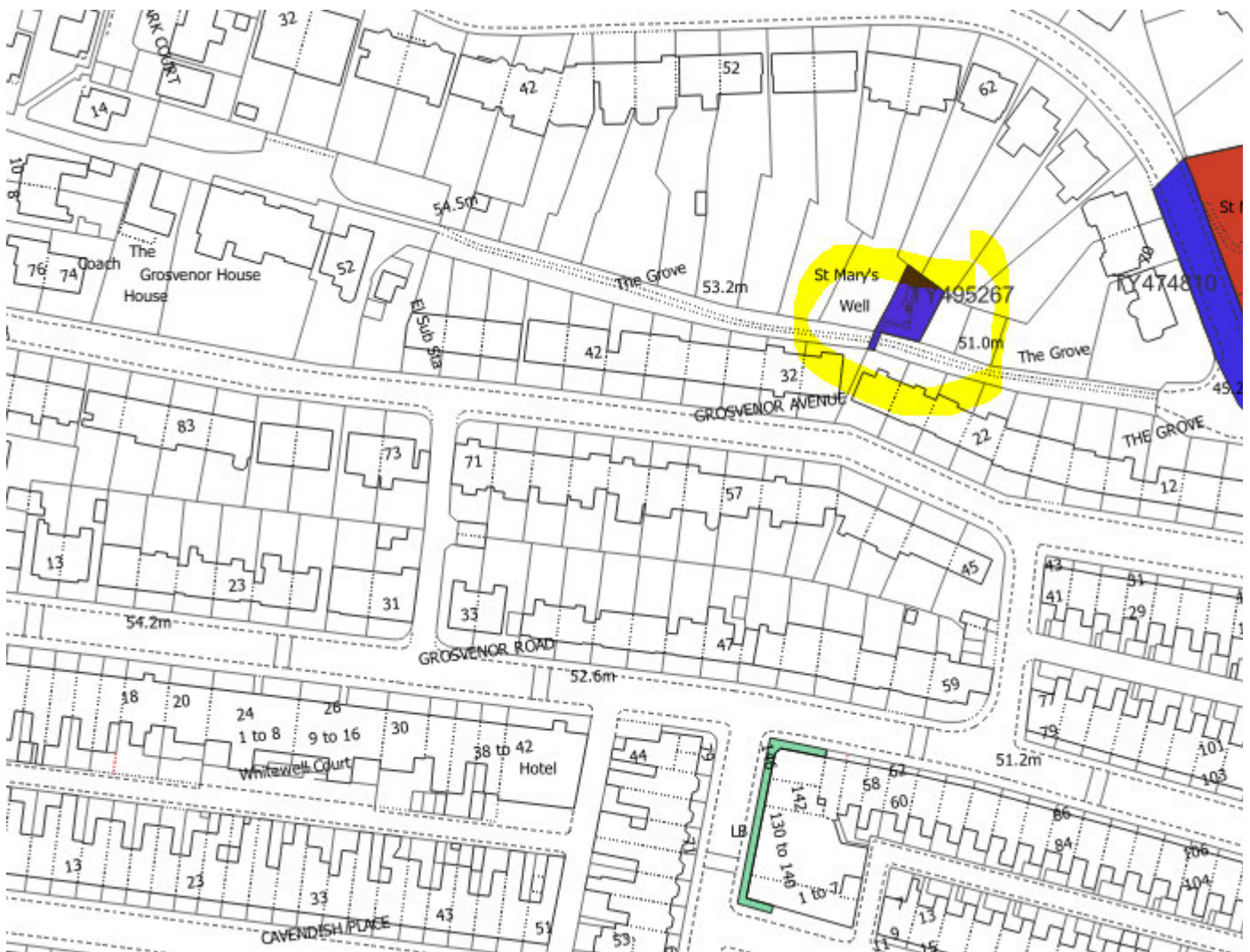
Please consider the environment before printing this e-mail

From: [REDACTED] **On Behalf Of** PropertySmt
Sent: Wednesday, November 27, 2024 1:25 PM
To: Howell, Nick <Nick.Howell@newcastle.gov.uk>; PropertySmt [REDACTED]
Subject: RE: NCC-owned land at The Grove (St Mary's Well), Jesmond - proposal to record The Grove as a Public Right of Way

Hi Nick

It doesn't look like we have much in the way of ownership in this area so don't think we'd have any objections.

We have a small sliver of land in the centre. Does a PROW create any obligations on us to maintain the pathway?



Thanks

[REDACTED]

Property Services

Mobile: [REDACTED]

From: Howell, Nick <Nick.Howell@newcastle.gov.uk>

Sent: Wednesday, November 27, 2024 11:51 AM

To: PropertySMT [REDACTED]

Subject: NCC-owned land at The Grove (St Mary's Well), Jesmond - proposal to record The Grove as a Public Right of Way

Hello Property Management Team,

Could I get your views on this.

We are considering an application under the Wildlife and Countryside Act 1981 to record The Grove, Jesmond, as a public footpath on the Definitive Map and Statement, the Council's legal record of the public's rights of way, as shown on the attached plan.

The Grove is already used as pedestrian access to NCC owned St Mary's Well, and NCC own approximately 1.8m x 4.5m of The Grove outside the entrance gate into the Well site. The proposal would formally record a Public Footpath along The Grove and over this small area NCC owned land.

In December 2021, the Council received an application to make an Definitive Map Modification Order ("Order") to record The Grove as a Public Right of Way ("PROW") on foot and add it to the Definitive Map and Statement. The application was supported by evidence alleging that a PROW has been acquired through long use by the public with also reference to The Grove being a historic route of some antiquity. The landowners over which route passes were consulted by my predecessor and have provided evidence against the application to record the route as a public footpath. Further research and evidence gathering has also been undertaken by Officers to reveal more on The Grove's historic status and the extent of public use.

The Council must make an Order if the balance of evidence shows that a right of way not shown on the Definitive Map and Statement subsists or is reasonably alleged to subsist based on all relevant user and/or historic documentary evidence. Factors such as desirability, suitability or safety unfortunately cannot be taken into account. Evidence gathered to date does infer that a PROW is at least reasonably alleged to subsist however all evidence is still be checked by the Council's Legal Services before the report is presented.

The proposal to record a PROW does just that; it records it on the Definitive Map and Statement as public highway – a right for the public to pass over the land. There are presently no requirements or proposals to alter or improve the route along The Grove should it be proven to be a PROW. Also any private rights or ownership would be unaffected should it be proven to be a PROW.

Consultation is under way with North Jesmond Ward members as well as some user groups (Ramblers etc).

Could PMT let me know if there are any comments or concerns with this proposal? My predecessor Simon Carey contacted Head of Property, [REDACTED] back in 2022 – attached for reference. I don't think [REDACTED] responded to Simon's second email.

The next step would be a DD signed by Pamela Holmes. Should the Council make a Modification Order then notice of the Order will be published and advertised on site, in the press and at the Central library. Notice of the Order is also sent to the applicant and all landowners as well as all statutory consultees. During the advertisement period any comments, objections or other representations can be made. Where an objection has been received to an Order, the Council

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I hope this provides enough information. Any queries then please let me know.

Kind regards
Nick

Nick Howell
Public Rights of Way Officer

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Howell, Nick

From: Coles, James (Cllr)
Sent: 28 November 2024 10:40
To: Howell, Nick; Allen, Peter (Cllr); Browne, Philip (Cllr)
Subject: Re: Ward Member consultation - The Grove, Jesmond, Definitive Map Modification Order - Delegated Decision

Hi Nick,

I've annoyed enough with this, so thank you for putting up with my questions.

As you'll have surely guessed, I'm wholly supportive of the application to turn this into a footpath. I live on Grosvenor Avenue, and a lot of people use the path as a quieter and nicer path between Osborne Road and Jesmond Dene. As you highlight it will not affect the rights of residents where properties back on to the path.

I have heard anecdotal complaints of ASB along the path, but it's believed to be teenagers lighting a joint rather than any issues of potential criminality (such as break ins). As such, I don't think a change in the legal nature of the path will have an effect on this.

Lastly, it's also the only way of accessing St Mary's Well, which is a historic site and a stop on some of the tours of the neighbourhood. It would be good to cement access to it for the public.

Kind regards,

James

From: Howell, Nick <Nick.Howell@newcastle.gov.uk>
Sent: 26 November 2024 17:53
To: Allen, Peter (Cllr) <peter.allen@newcastle.gov.uk>; Browne, Philip (Cllr) <Philip.Browne@newcastle.gov.uk>; Coles, James (Cllr) <james.coles@newcastle.gov.uk>
Subject: Ward Member consultation - The Grove, Jesmond, Definitive Map Modification Order - Delegated Decision

Dear Councillors,

We are considering an application under the Wildlife and Countryside Act 1981 to record The Grove, Jesmond, as a public footpath on the Definitive Map and Statement, the Council's legal record of the public's rights of way, as shown on the attached plan.

I am consulting you on these proposals ahead of finalising the delegated decision which is to be presented to the Assistant Director Transport in the next few weeks. I previously consulted the three Ward members for North Jesmond but this was before the elections this year.

In December 2021, the Council received an application to make an Definitive Map Modification Order ("Order") to record The Grove as a Public Right of Way ("PROW") on foot and add it to the Definitive Map and Statement. The application was supported by evidence alleging that a PROW has been acquired through long use by the public with also reference to The Grove being a historic route of some antiquity. The landowners over which route passes have been consulted and have provided evidence against the application to record the route as a public footpath. Further research and evidence gathering has also been undertaken by Officers to reveal more on The Grove's historic status and the extent of public use. T

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The proposal to record a PROW does just that; it records it on the Definitive Map and Statement as public highway – a right for the public to pass over the land. There are presently no requirements or proposals to alter or improve the route along The Grove should it be proven to be a PROW. Also any private rights or ownership would be unaffected should it be proven to be a PROW.

This consultation is only with yourselves as Ward Members in connection with the delegated decision making process and is not with local residents, the wider public, or a re-consultation with landowners at this stage.

I would be pleased to receive any comments within 14 days of the date of this email. If you need more time to consider the matter please let me know.

Please note that if you do make representations, then by virtue of the Local Government (Access to Information) Act 1985, the Council may make them available for public inspection. Additionally they may also be disclosable under the Freedom of Information Act 2000.

Should you have queries or require further information then please let me know.

Kind regards,

Nick Howell

Public Rights of Way Officer

Investment and Growth Directorate - Transport

Newcastle City Council

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Howell, Nick

From: Howell, Nick
Sent: 27 November 2024 09:36
To: [REDACTED]
Subject: Ramblers consultation - Definitive Map Modification Order application - The Grove, Jesmond
Attachments: Location plan.pdf; Draft Order plan.pdf

Dear [REDACTED]

Definitive Map Modification Order application Wildlife and Countryside Act 1981 The Grove, Jesmond, Newcastle NE2 2PN

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Nick Howell

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Howell, Nick

From: Howell, Nick
Sent: 27 November 2024 11:51
To: PropertySMT
Subject: NNC-owned land at The Grove (St Mary's Well), Jesmond - proposal to record The Grove as a Public Right of Way
Attachments: Appendix A2 - Location plan.pdf; Appendix A1 - Draft Order plan for The Grove.pdf; RE: Application for a Modification Order of the Definitive Map of Public Rights of Way

Hello Property Management Team,

Could I get your views on this.

We are considering an application under the Wildlife and Countryside Act 1981 to record The Grove, Jesmond, as a public footpath on the Definitive Map and Statement, the Council's legal record of the public's rights of way, as shown on the attached plan.

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Consultation is under way with North Jesmond Ward members as well as some user groups (Ramblers etc).

Could PMT let me know if there are any comments or concerns with this proposal? My predecessor Simon Carey contacted Head of Property, [REDACTED] back in 2022 – attached for reference. I don't think [REDACTED] responded to Simon's second email.

The next step would be a DD signed by Pamela Holmes. Should the Council make a Modification Order then notice of the Order will be published and advertised on site, in the press and at the Central library. Notice of the Order is also sent to the applicant and all landowners as well as all statutory consultees. During the advertisement period any comments, objections or other representations can be made. Where an objection has been received to an Order, the Council itself is unable to confirm the Order but must forward it to the Secretary of State for determination. Where there is no objection, the Council can itself confirm the Order, provided that the criterion for confirmation is met

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Nick

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Public Rights of Way Officer

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Howell, Nick

From: Carey, Simon
Sent: 21 February 2022 07:56
To: [REDACTED]
Subject: RE: Application for a Modification Order of the Definitive Map of Public Rights of Way

Hi [REDACTED]

You don't really need to do anything just as long as you are aware of the proceedings i.e. that an application has been made by Jesmond Residents Association requesting the Council make an order to add the route known as 'The Grove' to be added to the Definitive map of Public Rights of Way – basically to record it as a public right of way on the basis of the evidence they have provided. I am currently drafting an email to Graham Grant who will either refuse the application or authorise the making of such an order. Should an order be made it will simply record the fact a public right of way exists. However as the Council owns a small strip of land at the location in question (that leads to St Mary's Well - which is also owned by the Council) I wanted you to be aware of the process just as all of the other affected landowners have been made aware. An order would not affect any rights the Council has at present although it may add rights i.e. by formalising the public rights to use the route in question (which has reportedly been used for decades). Any comments you have would be appreciated even if just to say that you are aware of the proceedings and have no further comments to add.

Kind regards

Simon Carey
Senior Transport Planner
Place Directorate
Newcastle City Council
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Civic Centre
Barras Bridge
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Telephone 0191 2778955 (Internal Ext. 28955)

Fax 0191 211 4948

E-mail simon.carey@newcastle.gov.uk

Website address www.newcastle.gov.uk

Please consider the environment before printing this e-mail

From: [REDACTED]
Sent: 18 February 2022 19:02
To: Carey, Simon <simon.carey@newcastle.gov.uk>
Subject: RE: Application for a Modification Order of the Definitive Map of Public Rights of Way

Thanks Simon. What exactly do you need to want from me in relation to this?

Cheers

[REDACTED]
Head of Property

M: [REDACTED]
[REDACTED]
W: www.newcastle.gov.uk

From: Carey, Simon <simon.carey@newcastle.gov.uk>

Sent: 18 February 2022 14:26

To: [REDACTED]

Subject: Application for a Modification Order of the Definitive Map of Public Rights of Way

Hi [REDACTED]

Please see attached copy of a letter sent out to the landowners of The Grove, Jesmond which should be self-explanatory; and a couple of location plans of the route in question. I have also attached the land title of the narrow strip of land the Council owns and a conveyance (which mentions a public right of way) hence the reason I am writing to you.

I am currently drafting a DD report for Graham Grant and if you have any comments in relation to the claim by the Jesmond Residents Association I shall be pleased to receive them. Ideally before 25th February.

If you require any further information or I can assist further please let me know.

For information Ben Marley has knowledge of the site in question.

Kind regards

Simon Carey

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Howell, Nick

From: Howell, Nick
Sent: 27 November 2024 09:36
To: [REDACTED]
Subject: Cycling UK / CTC consultation - Definitive Map Modification Order application - The Grove, Jesmond
Attachments: Draft Order plan.pdf; Location plan.pdf

Dear [REDACTED]

Definitive Map Modification Order application Wildlife and Countryside Act 1981 The Grove, Jesmond, Newcastle NE2 2PN

We are considering an application under the Wildlife and Countryside Act 1981 to record The Grove, Jesmond, as a public footpath on the Definitive Map and Statement, the Council's legal record of the public's rights of way, as shown on the attached plan.

In December 2021, the Council received an application to make an Definitive Map Modification Order ("Order") to record The Grove as a Public Right of Way ("PROW") on foot and add it to the Definitive Map and Statement. The application was supported by evidence alleging that a PROW has been acquired through long use by the public with also reference to The Grove being a historic route of some antiquity. The landowners over which route passes have been consulted and have provided evidence against the application to record the route as a public footpath. Further research and evidence gathering has also been undertaken by Officers to reveal more on The Grove's historic status and the extent of public use. T

The Council must make an Order if the balance of evidence shows that a right of way not shown on the Definitive Map and Statement subsists or is reasonably alleged to subsist based on all relevant user and/or historic documentary evidence. Factors such as desirability, suitability or safety unfortunately cannot be taken into account. Evidence gathered by Officers to date does infer that a PROW on foot is at least reasonably alleged to subsist however all evidence is still be checked by the Council's Legal Services before the report is presented to our Assistant Director for Transport.

Should the Council make a Modification Order then notice of the Order will be published and advertised on site, in the press and at the Central library. Notice of the Order is also sent to the applicant and all landowners as well as all statutory consultees. During the advertisement period any comments, objections or other representations can be made. Where an objection has been received to an Order, the Council itself is unable to confirm the Order but must forward it to the Secretary of State for determination. Where there is no objection, the Council can itself confirm the Order, provided that the criterion for confirmation is met.

We would be pleased to receive any comments or representations your organisation may wish to offer, within 21 days of the date of this email. If you need more time to consider the matter please let me know.

Please note that if you do make representations, then by virtue of the Local Government (Access to Information) Act 1985, the Council may make them available for public inspection. Additionally they may also be disclosable under the Freedom of Information Act 2000.

Should you have queries or require further information then please let me know.

Kind regards,

Nick Howell

Public Rights of Way Officer

Investment and Growth Directorate - Transport
Newcastle City Council
10th Floor
Civic Centre
Barras Bridge
Newcastle upon Tyne
NE1 1QH

Telephone 0191 277 1184 (Internal Ext. 21184)

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The upcoming **Movement Strategy** will determine how we move around the city and surrounding area for years to come.

See the draft and **have your say** between **14 October** and **29 November 2024**.

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Howell, Nick

From: Howell, Nick
Sent: 27 November 2024 09:36
To: [REDACTED]
Subject: Byway and Bridleway Trust consultation - Definitive Map Modification Order application - The Grove, Jesmond
Attachments: Location plan.pdf; Draft Order plan.pdf

Dear Sir / Madam,

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Howell, Nick

From: Howell, Nick
Sent: 27 November 2024 09:36
To: [REDACTED]
Subject: British Horse Society consultation - Definitive Map Modification Order application - The Grove, Jesmond
Attachments: Draft Order plan.pdf; Location plan.pdf

Dear [REDACTED]

Definitive Map Modification Order application Wildlife and Countryside Act 1981 The Grove, Jesmond, Newcastle NE2 2PN

We are considering an application under the Wildlife and Countryside Act 1981 to record The Grove, Jesmond, as a public footpath on the Definitive Map and Statement, the Council's legal record of the public's rights of way, as shown on the attached plan.

In December 2021, the Council received an application to make an Definitive Map Modification Order ("Order") to record The Grove as a Public Right of Way ("PROW") on foot and add it to the Definitive Map and Statement. The application was supported by evidence alleging that a PROW has been acquired through long use by the public with also reference to The Grove being a historic route of some antiquity. The landowners over which route passes have been consulted and have provided evidence against the application to record the route as a public footpath. Further research and evidence gathering has also been undertaken by Officers to reveal more on The Grove's historic status and the extent of public use. T

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Howell, Nick

From: Howell, Nick
Sent: 26 November 2024 17:53
To: Allen, Peter (Cllr); Browne, Philip (Cllr); Coles, James (Cllr)
Subject: Ward Member consultation - The Grove, Jesmond, Definitive Map Modification Order - Delegated Decision
Attachments: Draft Order plan.pdf

Dear Councillors,

We are considering an application under the Wildlife and Countryside Act 1981 to record The Grove, Jesmond, as a public footpath on the Definitive Map and Statement, the Council's legal record of the public's rights of way, as shown on the attached plan.

I am consulting you on these proposals ahead of finalising the delegated decision which is to be presented to the Assistant Director Transport in the next few weeks. I previously consulted the three Ward members for North Jesmond but this was before the elections this year.

In December 2021, the Council received an application to make an Definitive Map Modification Order ("Order") to record The Grove as a Public Right of Way ("PROW") on foot and add it to the Definitive Map and Statement. The application was supported by evidence alleging that a PROW has been acquired through long use by the public with also reference to The Grove being a historic route of some antiquity. The landowners over which route passes have been consulted and have provided evidence against the application to record the route as a public footpath. Further research and evidence gathering has also been undertaken by Officers to reveal more on The Grove's historic status and the extent of public use. T

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The proposal to record a PROW does just that; it records it on the Definitive Map and Statement as public highway – a right for the public to pass over the land. There are presently no requirements or proposals to alter or improve the route along The Grove should it be proven to be a PROW. Also any private rights or ownership would be unaffected should it be proven to be a PROW.

This consultation is only with yourselves as Ward Members in connection with the delegated decision making process and is not with local residents, the wider public, or a re-consultation with landowners at this stage.

I would be pleased to receive any comments within 14 days of the date of this email. If you need more time to consider the matter please let me know.

Please note that if you do make representations, then by virtue of the Local Government (Access to Information) Act 1985, the Council may make them available for public inspection. Additionally they may also be disclosable under the Freedom of Information Act 2000.

Should you have queries or require further information then please let me know.

Kind regards,

Nick Howell

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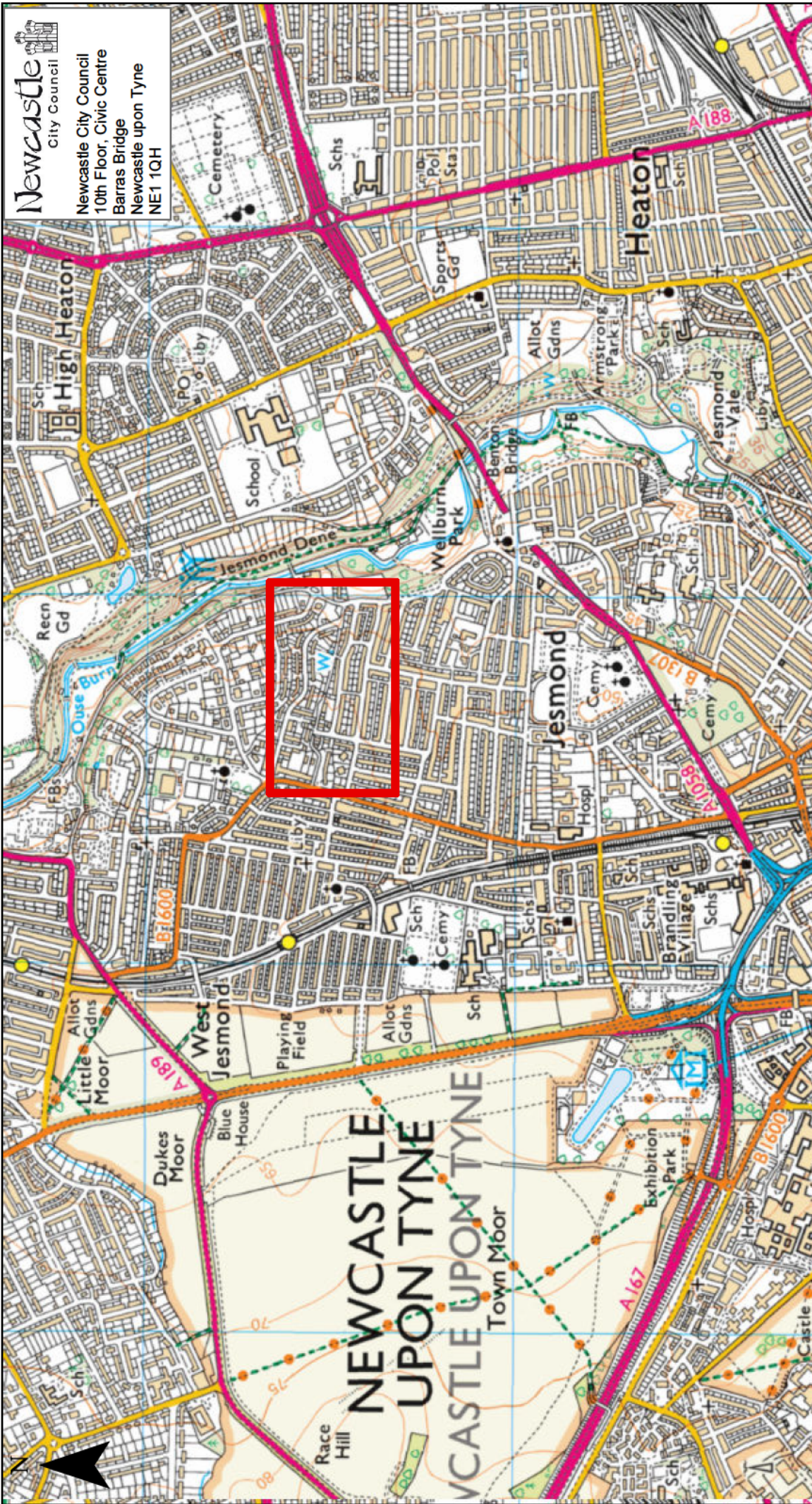
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Date: 26/11/2024

Area covered by Draft Order plan



Location plan - The Grove, Jesmond