

THE COUNCIL OF THE BOROUGH OF NORTH TYNESIDE

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980, SECTION 119

**Public Footpath Dudley 1 (Section)
Public Path Diversion Order 2022**

This order is made by the Council of the Borough of North Tyneside ('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 public and the owners and occupiers of the land it is expedient that the line of the path should be diverted.

Network Rail has agreed to defray 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. A section of the public right of way over the land situated at Seaton Burn shown by a bold continuous line marked on the map attached to this Order and described in Part 1 of the Schedule to this Order shall be extinguished after 43 days from the date of confirmation of this Order.
2. Notwithstanding this Order the occupier(s) of premises at Old High Barnes Farmhouse, Dudley Lane, Seaton Burn shall have the following rights over the land referred to in paragraph 1 namely the right of access along the route of the section of footpath proposed to be extinguished under this Order.
3. Notwithstanding this Order, where immediately before the date on which the section of footpath is to be extinguished and diverted 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.
4. There shall be at the end of 42 days from the date of confirmation of this Order a public footpath over the land situated at Seaton Burn described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map contained in this Order.
5. 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

The full width of that part of Public Footpath Dudley 1 commencing at its north end approximately 93 metres east of Old High Barnes Farmhouse, Dudley Lane, Seaton Burn at:

Grid Ref: NZ 425 465 / NZ 574 101 (**Point A on the Order Plan**)

the path then runs diagonally southwest across a field to its junction with a private access road serving Old High Barnes Farmhouse – before heading south, west, and then south again along the access road to its end point at its junction with Dudley Lane / Green Lane, Dudley at:

Grid Ref: NZ 425 263 / NZ 573 640 (**Point A1 on the Order Plan**)

a total distance of approximately 581 metres.

SCHEDULE

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Commencing at its north end approximately 93 metres east of Old High Barnes Farmhouse, Dudley Lane, Seaton Burn at:

Grid Ref: NZ 425 465 / NZ 574 101 (**Point A on the Order Plan**)

the path continues in a generally southerly direction along the east side of the field as a field edge path before turning southeast through a gap in the hedge line into the adjacent field and then south again to its end point at its junction with Dudley Lane, Dudley at:

Grid Ref: NZ 425 469 / NZ 573 681 (**Point B on the Order Plan**)

a total distance of approximately 459 metres.

The width of the new path or way is to be not less than 2.5 metres.

PART 3
LIMITATIONS AND CONDITIONS

There will be an access gate (compliant with BS 5709:2018) situated just north of point B on the Order Plan that will enable access on foot to the path but will prevent vehicular access.

Date:

IN WITNESS whereof the COMMON SEAL of
THE AUTHORITY OF THE BOROUGH OF NORTH TYNESIDE

was hereunto affixed to this day of 2022

The Common Seal of
NORTH TYNESIDE COUNCIL
Was hereunto affixed
in the presence of: -

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Director of Law and Governance