

## PUBLIC PATH CREATION AGREEMENT

### DARLINGTON BOROUGH COUNCIL (PUBLIC FOOTPATH NO. 5A, PARISH OF LITTLE STANTON)

THIS PUBLIC PATH CREATION AGREEMENT is made on the  
day of December 2009

*Thirty first*

#### BETWEEN

- (1) DARLINGTON BOROUGH COUNCIL ('the Council') of the first part and
- (2) JOHN MICHAEL WISE and MAVIS WISE ('the Owners') of Manor Farm, Little Stainton TS21 1HN of the other part.

#### WHEREAS

1. The Owners are registered as freehold proprietors with title absolute under Title Number DU252609 of the land situated at Manor Farm, Little Stainton across which the intended public right of way referred to in paragraph 2 below runs.
2. It is intended to dedicate a public right of way as a public footpath across the said land and such right of way is shown on the annexed plan by a dashed line.
3. The Council has given due consideration to the needs of agriculture and forestry and the desirability of conserving flora, fauna and geological and physiographical features pursuant to Section 29 of the Highways Act 1980.

**NOW IT IS HEREBY AGREED**, pursuant to powers in Section 25 the Highways Act 1980, as follows:-

1. The Owners agree to make the said dedication.
2. The Owners agree to pay to the Council its administrative costs in entering into this Agreement.

#### THIS DEED WITNESSES

1. The Owners dedicate for use by the public for the purpose of a public footpath ALL THAT strip of land shown by a dashed line and running from W-Z as marked on the plan annexed hereto and as more particularly described in the Schedule hereto.
2. This Creation Agreement shall not come into full force until 14 days after the Darlington Borough Council (Public Footpath Nos. 3, 4 and 5 Parish of Little Stainton) Diversion Order 2009 has been confirmed with or without modification by the Secretary of State for the Environment, Food and Rural Affairs or as an unopposed Order by the Council.
3. The Owners shall (if called upon by the Council) prove its title to the said strip of land as beneficial owner in fee simple.

**IN WITNESS** whereof the parties hereto have executed this Deed in the manner shown below and it has been delivered by them the day and year first before written

**SCHEDULE**

**DESCRIPTION OF PUBLIC FOOTPATH**

Commencing at Point W (Grid Reference NZ 34740, 20448) adjacent to the Little Stainton Beck and proceeding north north westerly for approximately 131 metres to Point X (NZ 34682, 20554). Then westwards for approximately 164 metres to join a track at Point Y (NZ 34537 20561). Then west north westerly for approximately 114 metres along the track to meet at Point Z (NZ 34416 20617) with the new route of Public Footpath 4, Parish of Little Stainton. The width of the footpath is 1.5 metres. The footpath is to be known as Public Footpath No. 5A, Parish of Little Stainton.

The COMMON SEAL of DARLINGTON BOROUGH COUNCIL was hereto affixed in the presence of:-



*S. Hester*

Authorised Signatory

13035

EXECUTED AS A DEED by the said JOHN MICHAEL WISE in the presence of:-

*J. M. Wise*

*A. Parn*

EXECUTED AS A DEED by the said MAVIS WISE in the presence of:-

*M. Wise*

*A. Parn*

**Proposed Path Creation  
Little Stainton Footpath 5a**

Highways Act 1980 Section 25

Footpath to be created

**PUBLIC RIGHTS OF WAY**  
(not affected by the proposals)

Footpath

Bridleway



Scale 1:2500

Cliff Brown (Director)  
Community Services Department  
Vicarage Road  
Darlington DL1 1JW

Map Number 2b

Date: 03 November 2009

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