

# Application Form for a Definitive Map Modification Order

Wildlife And Countryside Act 1981

The Definitive Map and Statement of Public Rights of Way for South Tyneside

Circulated to



Monday 25<sup>th</sup> July 2022

To whom it may concern,

I submit a further definitive map modification order (DMMO) on behalf of our supporters, here at the Friends of Market Dock Pathway ("FOMDP"), a group of likeminded individuals who wish to protect the places people love to walk and promote walking for health and pleasure.

Since our inception the "FOMDP" have gathered hundreds of members and over a thousand supporters and we will continue to canvas as much assistance as possible until access to the England Coastal Path "ECP" is restored in the heart of South Shields and the historic River Tyne, for everyone to enjoy.

Access to the England Coastal Path a long-distance national trail, [Section SBA-1-S031 from South Pier to Shields Ferry] has been restricted since February 2020 with the erection of a 2.3m+ security gate without planning permission by the developers of the former Utility Wise Call Centre, along with fencing and construction of private gardens upon the existing walked public footpath.

Whilst you have stated in your email to the "FOMDP" on the 23/06/22

*"Regarding the submission of evidence in batches. We again respectfully point out that the 1981 Act specifies that an application must be accompanied by the evidence the applicant wishes to adduce in support. This is not to say you have to submit any particular evidence in support. But equally the Council, once it has received a valid application, is entitled to proceed to investigate, consider and determine it based on the evidence submitted. (And in this context it should be noted we propose to appoint an external consultant to investigate this application, who will report back with recommendation for the Council to consider, once the investigation itself is finished.) If information is 'drip fed' to us after the application is submitted, self-evidently, it does not then in law form part of the application itself. Although such information may depending on timing/resourcing still be reviewed and assessed in the course of the investigation, it may not influence the investigation in the same way if it had been submitted at the outset. An Order Making Authority cannot in that situation be criticised: any applicant has a clear choice on when to submit the application, and the evidence they wish to rely on."*

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The legislation (Schedule 14 to the Wildlife and Countryside Act 1981, paragraph 1) says:

1. An application shall be made in the prescribed form and shall be accompanied by—
  1. a map drawn to the prescribed scale and showing the way or ways to which, the application relates; and
  2. *copies of any* documentary evidence (including statements of witnesses) which the applicant wishes to adduce in support of the application.

We will supply the following evidence when our investigations are complete


- Public Petition to re-open public access to the closed "ECP"
- Extracts from historical accounts / guide books / articles
- Maintenance records
- Estate management records, including deeds
- Any documents of a legal nature (agreements, planning etc.)

***We have today submitted a map showing the application along with further maps of the route plus 100 witness statements and letters, together with hundreds of photographs showing the path and it's use.***

We will continue to submit any further evidence if and when it becomes available, including but not limited to

- Affidavits, Supporting Statements, Letters, Emails, and social media comments from previous path users
- Old Maps and Photographs
- Any other evidence which is deemed to be relevant to our DMMO Application

We trust you now have everything required to accept our third DMMO application, and we look forward to working with you to resolve this issue once and for all.

Should you have any comments or questions regarding our DMMO application, or any of the evidence submitted then please can you kindly contact us through our email address 

Yours Sincerely

SIGNED  .....

DATE 25. 7. 22.....

