

PUBLIC RIGHTS OF WAY COMMITTEE

9 March 2023

Present:-

Councillors L Hellyer (Chair), R Chesterton (Vice-Chair), D Barnes, J Bradford, J Brook, I Chubb, D Sellis and D Thomas

Members attending in accordance with Standing Orders 8 and 25

Councillors J Bailey, J Yabsley

46 Chair's Announcements

The Chair advised the committee that, following discussions with officers, the background papers pertaining to items on future Public Rights of Way agendas shall not be made available in hard copies by default. Each report shall include pertinent information from the background papers alongside details of who to contact to arrange viewing of the background papers.

The Chair also welcomed Mrs A Mayes MBE who was attending (remotely) in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

*** 47 Minutes**

RESOLVED that the minutes of the meeting held on 3 November 2022 be signed as a correct record.

*** 48 Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

*** 49 Devon Countryside Access Forum**

The Committee received the minutes of the meeting of 20 October 2022, which were not available in time for the previous meeting of this committee. The committee also received the draft minutes of the meeting held on 31 January 2023.

A councillor highlighted that the minutes of the 20 October meeting raised concern about why it was necessary for the design proposals for the A379 bridge to include a step to resting areas which impacted on those with limited mobility. It was expressed that access for those with limited mobility is very important and that Devon County Council should be proactively demonstrating inclusivity in this respect.

* **50** **Parish Review: Definitive Map Review - Parish of Newton Poppleford & Harpford - Proposals 1 and 2**

(Councillor J Bailey attended (remotely) in accordance with Standing Order 25 and spoke in support of the officer recommendation for Proposal 1).

Mr R Swan, the applicant for Proposal 1, attended the meeting under the Council's Public Participation scheme and spoke in favour of recommendation (a) regarding Proposal 1, and against recommendation (b) regarding Proposal 2.

The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/23/12) on two proposals arising from the Definitive Map Review in the parish of Newton Poppleford & Harpford.

It was **MOVED** by Councillor Hellyer, **SECONDED** by Councillor Brook and

RESOLVED that

(a) a Modification Order be made in respect of Proposal 1; and

(b) that no Modification Order be made in respect of Proposal 2.

* **51** **Parish Review: Definitive Map Review - Parish of Bickleigh**

The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/23/13) which examined the Definitive Map Review in the parish of Bickleigh in the South Hams District. The review had been completed for the parish of Bickleigh and no modifications had been identified.

Members noted the report.

* **52** **Parish Review: Definitive Map Review - Parish of Washfield Part 1 - Proposal 1**

Mrs K Duckett and Mr S Brooking attended the meeting under the Council's Public Participation scheme and spoke in favour of the officer recommendation.

The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/23/14) which examined the route referred to as Proposal 1 that had arisen out of the Definitive Map Review in the Parish of Washfield in Mid Devon. A report on Proposal 2 would be brought to the next committee meeting in July 2023.

It was **MOVED** by Councillor Chesterton, **SECONDED** by Councillor Hellyer and

RESOLVED that no Modification Order be made to modify the Definitive Map and Statement for the addition of a Bridleway A – B – C - D as shown on drawing number HIW/PROW/22/17a (Proposal 1).

* **53** **Schedule 14 Application - Parish of Honiton**

The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/23/15) which examined one proposal arising from a Schedule 14 application in the parish of Honiton in East Devon district.

It was **MOVED** by Councillor Thomas, **SECONDED** by Councillor Chesterton and

RESOLVED that no Modification Order be made in respect of Proposal 1.

* **54** **Proposed Diversion: Bridleway No. 6, East Anstey**

(Councillor J Yabsley attended in accordance with Standing Order 25 and spoke in support of the officer recommendation).

Mrs L Moore, the applicant, attended the meeting under the Council's Public Participation scheme and spoke in favour of the officer recommendation.

The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/23/16) examined a landowner application to divert a public bridleway in the parish of East Anstey.

The proposal was made to facilitate improved privacy, and to enable the applicant to better enjoy use of their garden and paddocks. The diversion would also benefit users of the bridleway by improving ease of access. The proposal was shown on plan no. CCET/PROW/22/15.

Members agreed that the proposed modification order would likely facilitate increased usage of the bridleway as users would not have to move conspicuously past the applicant's house and near their garden, which would be likely to discourage use.

It was **MOVED** by Councillor Hellyer, **SECONDED** by Councillor Brook and

RESOLVED that a Public Path Diversion and Definitive Map & Statement Modification Order be made to divert Bridleway No. 6, East Anstey from the line A – B – C – D to the line A – G – F – E as shown on drawing no. CCET/PROW/22/15 and that if there are no objections, or if such objections are made and subsequently withdrawn, it be confirmed as an unopposed order.

* **55** **Public Inquiry, Informal Hearing and Written Representation Decisions; Directions and High Court Appeals**

The Committee received the report of the Director of Climate Change, Environment and Transport (CET/23/17) which outlined decisions received from the Secretary of State since the last meeting of the Committee.

Members noted the report.

* **56** **Public Path Diversion and Definitive Map Modification Orders**

The Committee received the report of the Director of Climate Change, Environment and Transport (CET/23/18) which informed that since the last meeting a Definitive Map Modification Order (Footpath No. 38, Newton Poppleford & Harpford) had been confirmed as unopposed.

Members noted the report.

* **57** **Public Path Orders**

The Committee noted the Report of the Director of Climate Change, Environment and Transport (CET/23/19) on the Public Path Orders made and confirmed under delegated powers.

* **58** **Public Path Orders - District Councils**

The Committee noted the Report of the Director of Climate Change, Environment and Transport (CET/23/20) on the Public Path Orders made, confirmed, and certified by local planning authorities, under powers through the Town and Country Planning Act 1990.

* **59** **Rights of Way Improvement Plan and Highway Infrastructure Asset Management Plan**

The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/23/21) which provided an update on progress in reviewing two key plans setting out priorities and actions pertinent to management, maintenance, and development of the public rights of way network.

Members highlighted the importance of the maintenance of Devon's public rights of way which residents often feedback on, including where additional work would be beneficial. Councillors considered that consideration should be given to increasing community giving.

* 60

Dates of Future Meetings

Dates of future meetings were noted as:

13 July 2023, 2.15pm
23 November 2023, 2.15pm
7 March 2024, 2.15pm

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 3.18 pm