

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

Report of the Chief Officer for Highways, Infrastructure Development and Waste

Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.**Recommendation:** It is recommended that the report be noted and, following the Secretary of State's direction in respect of items (ii) and (iii), that members give authorisation for Modification Orders to be made adding the footpaths, as shown between points S-Q-R and U-Q on drawing no. HTM/PROW/14/82.**1. Summary**

Since the last Committee the following decisions and directions have been received from the Secretary of State/High Court. Plans are attached in the appendix to this report.

Modification Orders

Order/Schedule 14 Application	Decision/Direction
(i) Schedule 14 Applications for addition of a footpath between the minor road, Old Mill, Combe Raleigh and its junction with Luppitt claims 12 and 14 (Combe Raleigh proposal 7/Luppitt proposal 13) between points O-P-Q on drawing no. HTM/PROW/14/82.	Appeal dismissed: Applicant's appeal to the Secretary of State against Devon County Council's decision not to make an order in respect of the schedule 14 applications dismissed on 14 th December 2016.
(ii) Schedule 14 Application for the addition of a footpath from the minor road, Wick Farm and minor road, Shaugh Farm (Luppitt proposal 14) between points T-Q-U on drawing no, HTM/PROW/14/82.	Appeal allowed in part: Applicant's appeal to the Secretary of State against Devon County Council's decision not to make an order in respect of the schedule 14 application was allowed in part on 14 th December 2016. Accordingly, the Secretary of State has directed the County Council to make a modification order to add a public footpath as shown between points U-Q on drawing no. HTM/PROW/14/82, but not between points Q-T.
(iii) Schedule 14 Application for the addition of a footpath from the minor road, Higher Wick Farm and the minor road, south of Woodhayes (Luppitt proposal 12) between points S-Q-R on drawing no. HTM/PROW/14/82.	Appeal allowed: Applicant's appeal to the Secretary of State against Devon County Council's decision not to make an order in respect of the schedule 14 application was allowed on 14 th December 2016. Accordingly, the Secretary of State has directed the County Council to make an Order to add a public footpath as shown between

	points S-Q-R on drawing no. HTM/PROW/14/82.
(iv) Schedule 14 Application for the addition of a footpath between Greenway Lane, Greenway Manor and minor road, Higher Shelvin, (Luppitt proposal 8) between points Q-R on drawing no. HTM/PROW/14/142.	Appeal dismissed: Applicant's appeal to the Secretary of State against Devon County Council's decision not to make an Order in respect of the application dismissed on 1 st February 2017.
(v) Restricted Byway No. 99, Bere Ferrers Definitive Map Modification Order 2015 as shown on drawing number HCW/PROW/15/62.	Confirmed following the written representations procedure on 7 th February 2017.

David Whitton
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: Honiton St Paul's and Yelverton Rural

Local Government Act 1972: List of Background Papers

Contact for enquiries: Helen Clayton

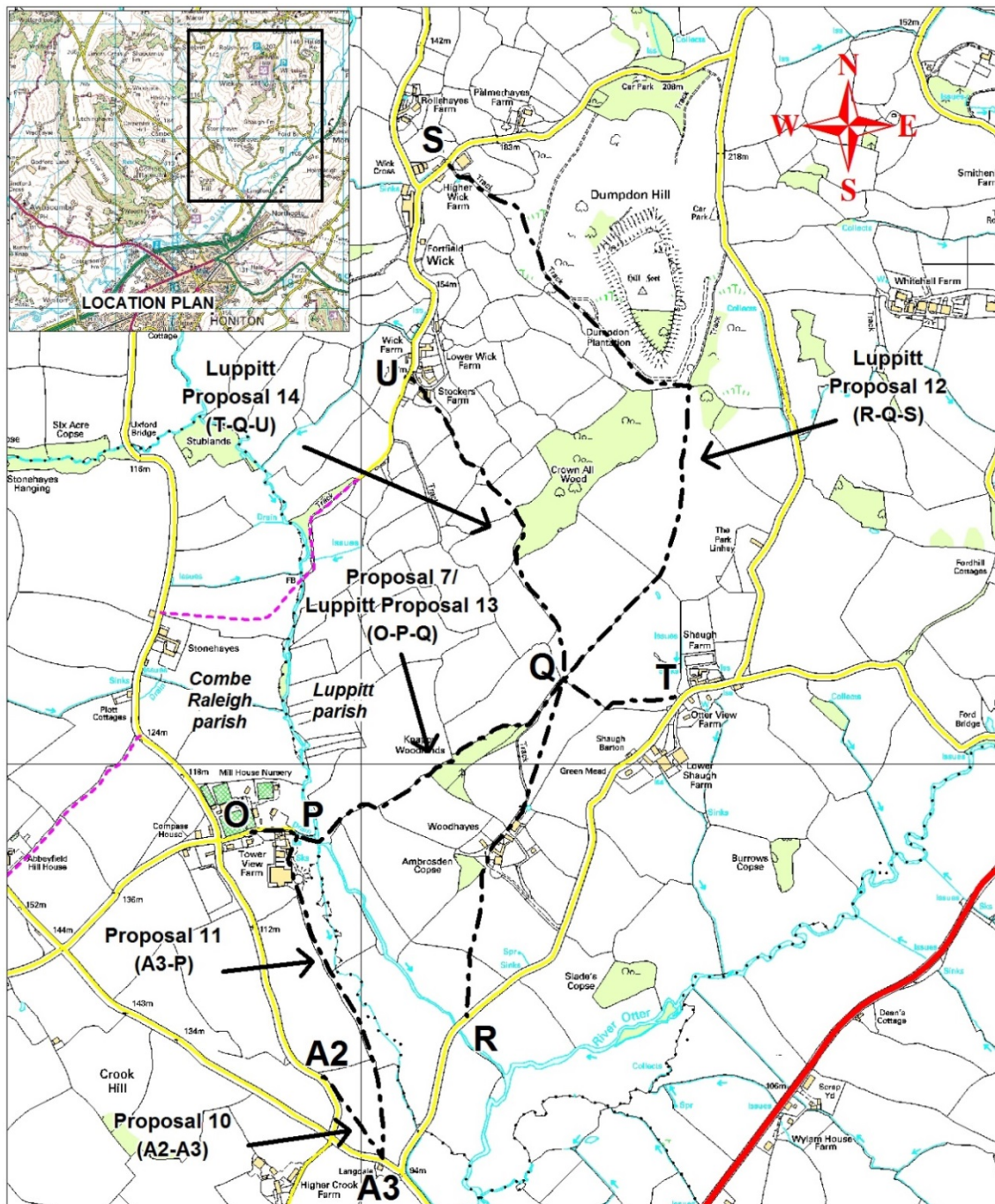
Room No: ABG Lucombe House, County Hall, Exeter

Tel No: 01392 383000

Background Paper	Date	File Ref.
------------------	------	-----------

Nil

hc030217pra
sc/cr/Public Inquiry Informal Hearing High Court appeal March 2017
03 210217



map ref ST1602-04/1702-04/1802-04

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100019783

DEVON COUNTY COUNCIL

Definitive Map Review, Combe Raleigh parish

Informal Consultations, Proposals 7, 10 & 11

Claimed addition of footpaths

Notation

Claimed footpaths (7, 10 & 11
with Claims 12, 13 & 14 in Luppitt parish)
Existing footpaths



drawing number HTM/PROW/14/82

date Jul 2014

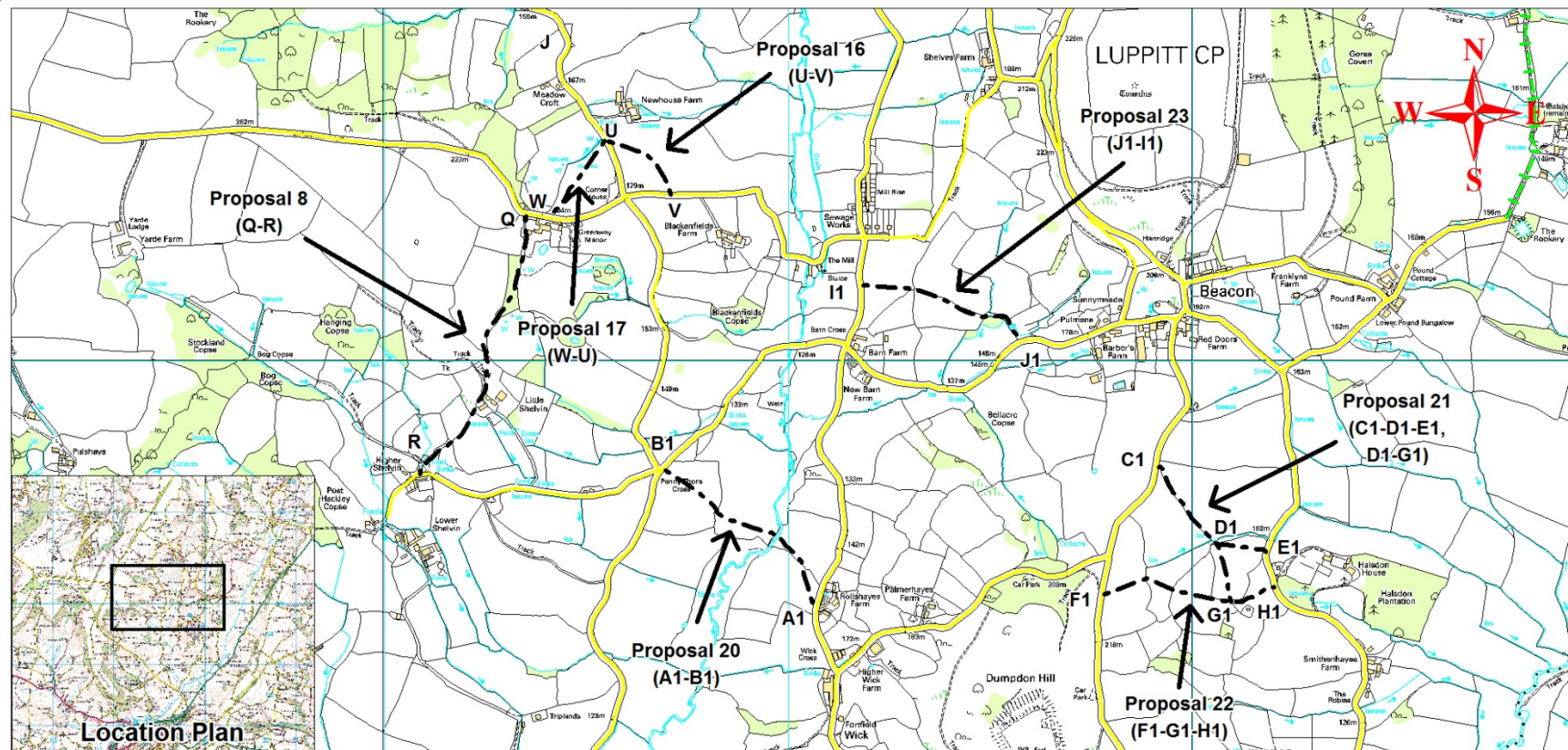
scale 1:12, 500

drawn by NSC

David Whitton

HEAD OF HIGHWAYS, INFRASTRUCTURE DEVELOPMENT AND WASTE





map ref: ST1505-1805/1504-1804

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100019783

DEVON COUNTY COUNCIL
Definitive Map Review, Luppitt parish (South)
Informal consultations - Claimed addition of footpaths:
Proposals 8, 16, 17, 20, 21, 22 & 23

drawing number **HTM/PROW/14/142**

date **Nov 2014**

scale **1:15 000**

drawn by **NSC**

Notation **Claimed footpaths**
Existing footpaths



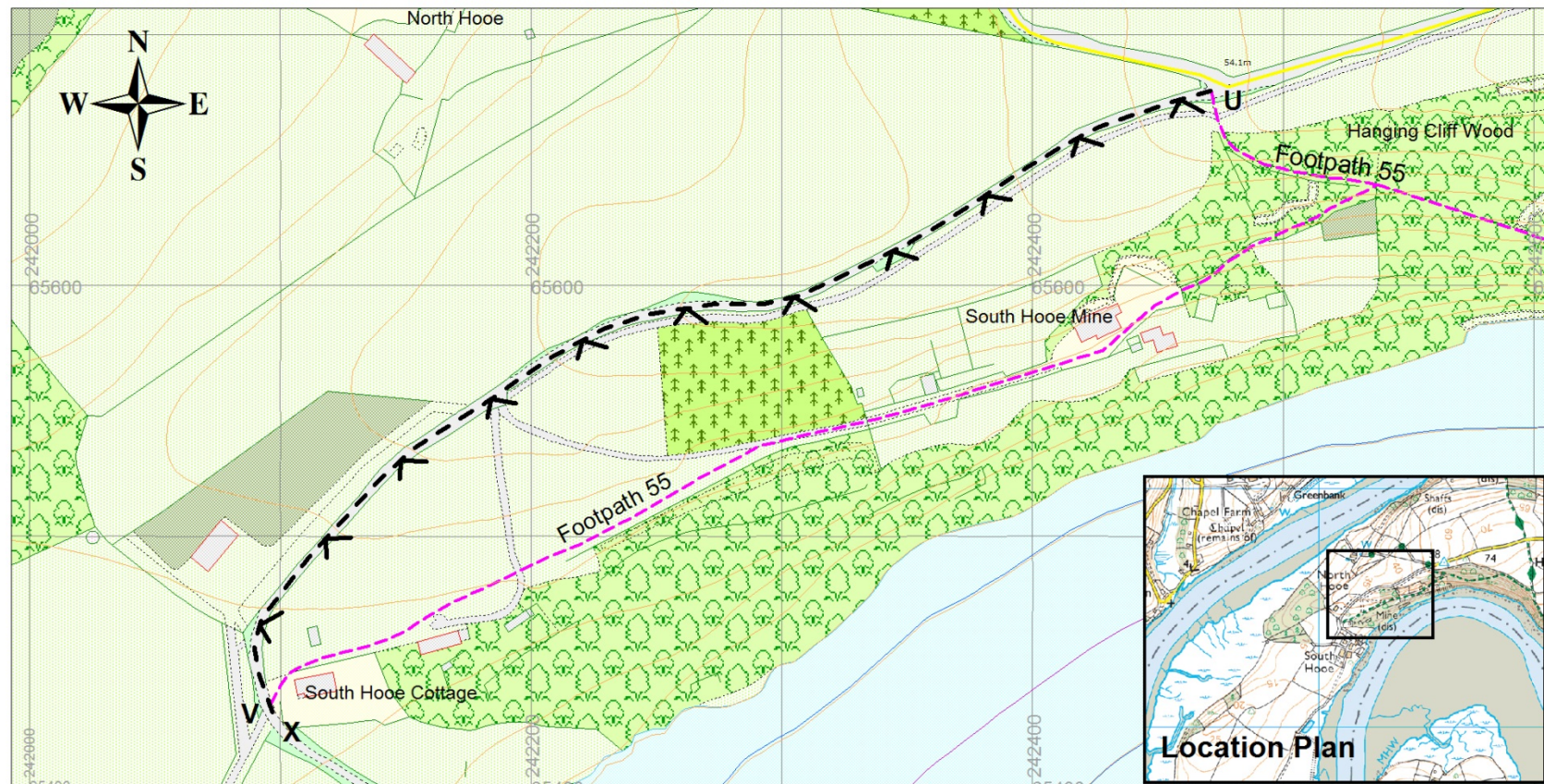
Existing bridleway



David Whitton

HEAD OF HIGHWAYS, INFRASTRUCTURE DEVELOPMENT AND WASTE







map ref: SX 4265

Based on Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100019783

Devon County Council
(Restricted Byway No. 99, Bere Ferrers) Definitive Map Modification Order 2015

drawing number **HCW/PROW/15/62**
date **December 2015**
scale **1:2,500**
drawn by **CLG**

Notation

Restricted Byway No. 99 U - V - X (approx 488 m) 
Existing footpath 

David Whitton
Head of Highways,
Capital Development
& Waste

Devon
County Council 