

**Definitive Map Review 2017 - 2018
Parish of Eggesford**

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 it be noted that the Definitive Map Review has been completed in the parish of Eggesford and no modification orders are required to be made.

1. Introduction

This report examines the Definitive Map Review in the parish of Eggesford in Mid Devon District.

2. Background

The original parish survey, under s. 27 of the National Parks and Access to the Countryside Act 1949, proposed nine footpaths and one bridleway in Eggesford. All ten paths were included on the draft definitive map and after representations were made to paths 4 and 7 which were considered to be private paths, seven footpaths and one bridleway were recorded on the Definitive Map and Statement for Eggesford in Crediton Rural District Council with the relevant date of 25 February 1958.

In the County Council's 1968 review, it was unanimously agreed at the Parish Meeting that the existing paths should remain as designated on the definitive map, with no additions or deletions recommended. In the 1977 review the Parish Meeting proposed that the paths as listed on the Definitive Map should remain as at present with no additions or deletions. It was also requested that direction signs should be placed on the paths so that the public would know where they were and where they led to.

The Limited Special Review of Roads Used as Public Paths (RUPPS), also carried out in the 1970s, did not affect this parish.

The following Orders have been made and confirmed:

County of Devon Footpath No 2 Eggesford/Footpath No 8 Chawleigh Public Path Diversion Order 1990

Mid Devon District Council Footpath No 1 Eggesford Public Path Diversion Order 1994

Legal Event Modification Orders will be made for these changes under delegated powers in due course.

In March 1987 a Schedule 14 application was received for the addition of a public footpath along the eastern side of the ten terraced cottages known as Four Ways Cottages at Eggesford Fourways. The application was considered the County Council's Amenities and

Countryside Committee. The claimed path was considered to have only ever been used by the residents of Four Ways Cottages or their visitors and not by the general public. In the absence of any evidence to show use by the public, the application was rejected and no modification order was made.

The current review recommenced in December 2017 with a parish public meeting held at the Eggesford Garden Centre, prior to the annual Parish Meeting, which was well attended by over twenty people.

3. Proposals

No proposals for change were suggested for the addition, amending or deletion of any public rights of way in the parish by the Parish Meeting or any members of the public.

It was noted that the definitive map statement for Footpath No. 6, Eggesford refers to that footpath being a continuation of Footpath No. 5, Coldridge whereas Footpath No. 6, Eggesford is in fact a continuation of Footpath No. 5, Brushford. This is an administrative correction which can be made under the appropriate legal event order under delegated powers.

In the absence of any other valid proposals or claims for change, the definitive map review consultation map for Eggesford was published with no other proposals for change to the Definitive Map in the parish.

4. Consultations

Public consultation for the Definitive Map Review in the parish was carried out in March to May 2018 with no proposals received for any changes to the Definitive Map. The review was advertised on a parish noticeboard, in a local newspaper and a copy of the consultation notice and parish map was also placed at the Eggesford Garden Centre in Eggesford.

The responses were as follows:

County Councillor Mrs M Squires	-	no comment
Mid Devon District Council	-	no comment
Eggesford Parish Meeting	-	no proposals made
British Horse Society	-	no comment
Devon Green Lanes Group	-	no comment
Ramblers' Association	-	no comment
Trail Riders' Fellowship	-	no comment
Country Landowners Association	-	no comment
National Farmers' Association	-	no comment
Cyclists Touring Club	-	no comment

No further proposals have been received during the period of consultation with the parish meeting, public and local user group representatives.

5. Financial Considerations

Financial implications are not a relevant consideration to be taken into account under the provision of the Wildlife and Countryside Act 1981. The Authority's costs associated with Modification Orders, including Schedule 14 appeals, the making of Orders and subsequent determinations, are met from the general public rights of way budget in fulfilling our statutory duties.

6. Legal Considerations

The implications/consequences of the recommendation(s) have been taken into account in the preparation of the report.

7. Risk Management Considerations

No risks have been identified.

8. Equality, Environmental Impact and Public Health Considerations

Equality, environmental impact or public health implications have, where appropriate under the provisions of the relevant legislation, been taken into account in the preparation of the report.

9. Conclusion

It is recommended that members note that the Definitive Map Review has been completed in the parish of Eggesford and no modification orders are required to be made at this time. Should any valid claim with sufficient evidence be made in the next six months, it would seem reasonable for it to be determined promptly rather than be deferred.

10. Reasons for Recommendation

To undertake the County Council's statutory duty under the Wildlife and Countryside Act 1981 to keep the Definitive Map and Statement under continuous review and to progress the parish by parish review in the Mid Devon District area.

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[Local Government Act 1972: List of Background Papers](#)

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Background Paper	Date	File Ref.
Correspondence files	1997 - date	TW/DMR/Eggesford

tw310518pra
sc/cr/DMR Parish of Eggesford
03 250618