

**Definitive Map Review 1996 - 2007
Parish of Uffculme**

Report of the Director of Environment, Economy and Culture

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that:

- (a) a Modification Order be made to modify the Definitive Map and Statement by upgrading Footpath No. 19, Kentisbeare (part) to a public bridleway A – B – C – D – E (Route 8);**
 - (b) a Modification Order be made to modify the Definitive and Statement by adding a public bridleway A – H – D (Route 9);**
 - (c) no order be made in respect of the claimed bridleway J – K (Route 10), but the landowners be approached with a view to entering into a creation agreement to record the route as a bridleway;**
 - (d) a Modification Order be made to modify Definitive Map and Statement by adding a public bridleway M - K - F (Route 11);**
- all as shown on drawing no. ED/PROW/07/76.**

1. Summary

This report recommends the making of three Modification Orders and one creation agreement as stated above, following a site inspection by Councillors Tucker and Hoskings.

2. Background

At the last meeting of this Committee consideration was given to report EEC/07/186/HQ which examined the evidence in relation to four routes, two over Blackborough Common in Kentisbeare and two over Newcombe Common in Uffculme.

During the informal consultation of these proposals, Kentisbeare Parish Council, one local resident and one Mid Devon District Councillor made representations against the proposed upgrading of Footpath No.19, Kentisbeare, Route 8 as described in (a) above. In order for the Councillors to better understand the representations, it was agreed that a site visit to Blackborough Common should take place. The site inspection took place on Monday 1 October 2007.

The site inspection was attended by Councillors Tucker and Hoskings, Terry Snow a Mid Devon District Councillor and resident of Blackborough, Peter Masters a Blackborough resident and Mrs Parsons, the local representative of the British Horse Society. The P3 representative for Kentisbeare also attended the early part of the meeting and explained about the concerns of the Parish Council of mixing walkers and horse riders on Footpath No.19. Apologies were sent from Mike Box the agent for the landowner.

3. Footpath No.19

Route 8

This route was walked from F - D - C - B - A, on plan ED/PROW/07/76 and observations were made about the surface and width of the route. There was evidence of horse riders using the footpath but when all the user evidence was taken in to consideration, the Councillors felt there was no reason to turn the proposal down.

Route 9

This route was walked from Footpath No.19 at point A on the plan to H - D. Certain sections of the route were muddy, but it was felt that this was more the result of forestry vehicles than use by horseriders, and that the issues could be addressed by maintenance should it be recorded as a bridleway.

5. Conclusion

Councillors Tucker and Hoskings saw and discussed at first hand the issues raised by the local Blackborough residents, but felt appropriate maintenance would resolve the problems. In considering all the evidence in support of the two routes they felt they would approve the recommendations to add the routes to the Definitive Map and Statement.

6. Reasons for Recommendation

To progress the parish by parish review of the Definitive Map in Mid Devon.

7. Legal Considerations

The implications/consequences of the recommendations have been taken in to account in preparing this report.

Edward Chorlton

Electoral Divisions: Willand & Uffculme and Cullompton Rural

Local Government Act 1972

List of Background Papers

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Background Paper	Date	File Ref.
Correspondence file: Uffculme	1996 - 2007	ES/DME/UFF

es171007pra
sc/dmr Uffculme
2 hq 181007