

**Definitive Map Review: Honiton  
Claimed Footpath: Rosemount Lane – Millers Way**

Report of the Executive Director of Environment, Economy and Culture

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect***

**Recommendation: It is recommended that a modification order be made to record a public footpath between Rosemount Lane and Millers Way in the town of Honiton, along the route shown on the attached drawing number EEC/PROW/10/13 between points A – B.**

**1. Summary**

The report concerns a request made by Honiton Town Council that a route in that town in East Devon District, and having no official highway status, should be recorded as a public footpath.

**2. Background**

Members of the public have used the route for many years as a way between two public roads, which was it seems the intention when the housing estate served by roads called Highfield and Millers Way was built over 30 years ago. The roads are cul-de-sacs, so the developer provided pathways linking the end of Highfield with Millers Way, and linking the end of Millers Way with an existing track leading to Rosemount Lane, which enabled persons to walk between those roads without the necessity of detours.

Both pathways serve a public purpose, and are understood to have been in continuous and frequent use ever since their creation; but whereas the former pathway was adopted along with the estate roads, the route in question was not. It is however in daily use by local inhabitants and has never been obstructed, nor has the public's right to use it ever been challenged. The Town Council points out that the route is now used by many more people than before, and has expressed its particular concern at lack of official highway status as this has led to refusal of several requests for provision of public lighting along it.

**3. Description of Route**

The route lies towards the western end of the town, north of the railway line; and starts from the county road Rosemount Lane at the northern end of the bridge by which the road is carried over the railway, this being marked point A on the drawing. It runs eastwards along a hard surfaced track, which originated as vehicular access to the house called Rosemount and land on which the housing estate was later built and where for many years there was a brick and tile works.

The route continues generally north-eastwards as a pathway, making four right-angle turns as it passes between Nos. 89 and 89A Millers Way to the west and a block of garages and garage forecourt to the east. It ends where the pathway joins the adopted pavement of Millers Way, this being marked point B on the drawing. The route is believed to have been owned by the developers of the estate, but present ownership overall is unclear.

#### **4. Consultations**

Formal consultations have been carried out with East Devon District Council, which has no comment to make.

#### **5. Reasons for Recommendation/Alternative Options Considered**

This claim appears straightforward and uncontroversial, similar to one previously made by the Town Council in respect of another obviously public pathway near Honiton Station which has already been added to the Definitive Map. It is brought forward in advance of the main report on the Review for the town, which deals with several disputed claims, in hope its early determination will assist in securing lighting of the path.

#### **6. Legal Considerations**

The implications/consequences of the recommendation have been taken into account in preparing the report.

#### **7. Carbon Impact Considerations**

There are no implications.

#### **8. Equality Considerations**

There are no implications.

Chris McCarthy

#### **Electoral Division: Honiton St. Michael's**

##### Local Government Act 1972: List of Background Papers

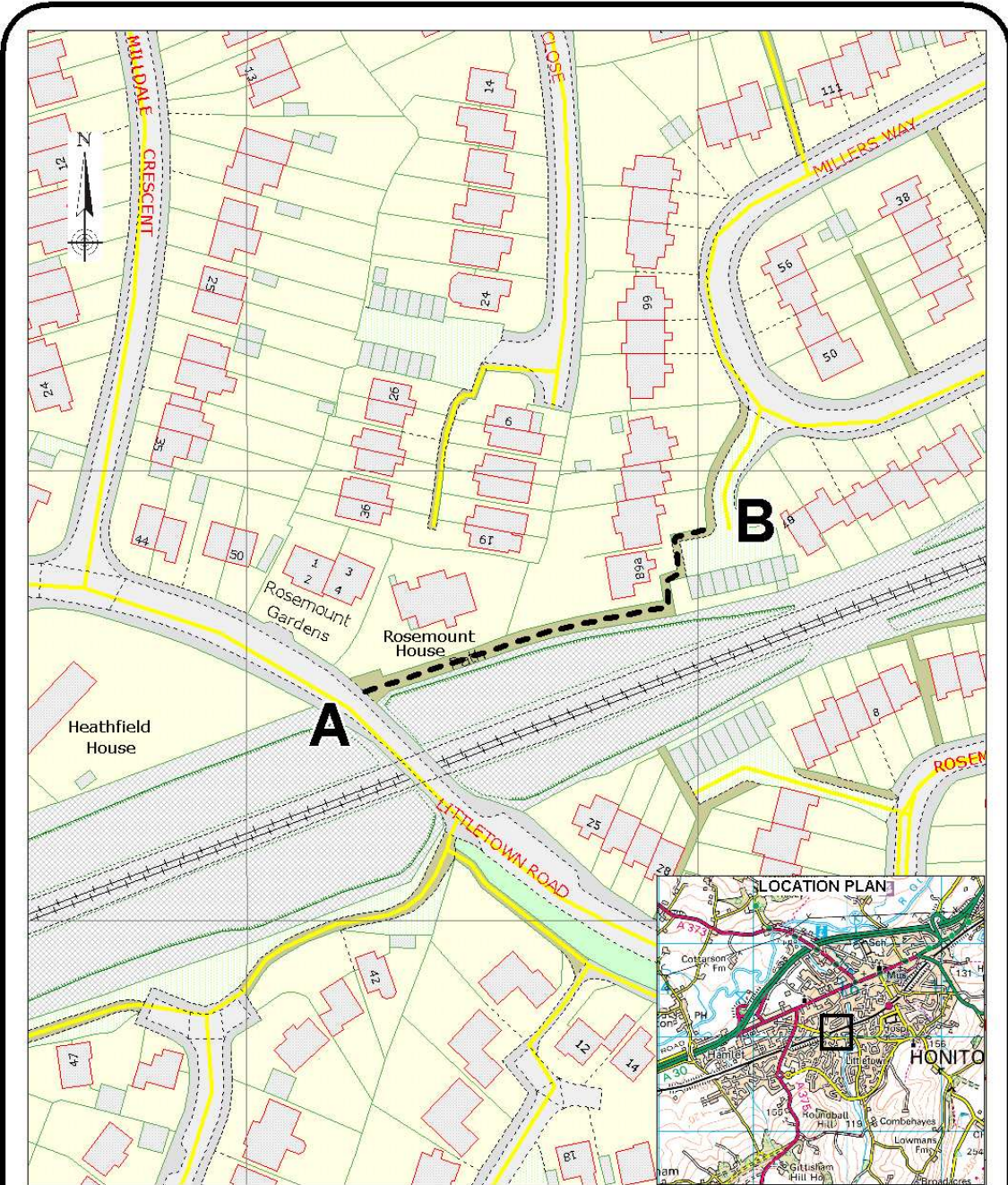
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Background Paper	Date	File Ref.
Correspondence File	2009 - to date	DMR/HON

mm100210pra  
sc/rosemount lane  
2 hq 110210



map ref ST 1501

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**CLAIMED FOOTPATH**  
**ROSEMONT LANE TO MILLERS WAY, HONITON**

drawing number	EEC/PROW/10/13
date	February 2010
scale	1:1250
drawn by	MM

**Notation**

Claimed footpath A - B (95 m) - - - - -

**Chris McCarthy**

EXECUTIVE DIRECTOR OF ENVIRONMENT, ECONOMY & CULTURE

