

**Definitive Map Review 2009 - 2010
Parish of Newton St Petrock**

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

Report of the Executive Director of Environment, Economy and Culture

Recommendation: It is recommended that it be noted that the Definitive Map Review has been completed in the parish Newton St Petrock and no modifications are required.

1. Summary

The report examines the Definitive Map Review in the parish of Newton St Petrock.

2. Background

The original survey, under s. 27 of the National Parks and Access to the Countryside Act, 1949, revealed 3 footpaths and 1 bridleway which were recorded on the Definitive Map and Statement, Bideford Rural District with the relevant date of 17 July 1963.

The following various changes have taken place on the network over the years:

Footpath No. 5 Public Path Diversion Order 1996
Footpath No. 3 Public Path Diversion Order 2001
Footpath No. 1 Public Path Diversion Order 2007

The reviews of the Definitive Map, under s. 33 of the 1949 Act, which commenced in the 1970s but were never completed, produced no proposals for change to the map in the parish of Newton St Petrock.

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

3. Review

The current review began in April 2009 with a public meeting held in the Chapel Meeting Room, Newton St Petrock prior to the annual parish meeting. Public consultation was carried out and the review was advertised in the parish and in the North Devon Journal.

The responses were:-

County Councillor B Parsons	-	no comment
Torrige Devon District Council	-	no comment
Newton St. Petrock Parish Meeting	-	no objection
British Horse Society	-	no comment
Byways and Bridleways Trust	-	no comment
Country Land & Business Association	-	no comment
Open Spaces Society	-	no comment

Ramblers' Association	-	no comment
Trail Riders Fellowship	-	comments on UCR & historical record

No valid proposals emerged as a result of the consultation.

The Trail Riders Fellowship (TRF) wrote during the informal consultations and suggested two routes round Durpley as restricted byways. The only supporting information was that the tracks appeared on old OS and Greenwood's maps. No user evidence was provided. These routes were researched and no evidence found that they had ever been regarded as public ways. It appears they were originally laid out by farmers as the land was enclosed for agricultural purposes. The TRF were informed of this and have not supplied any further evidence.

4. Proposed Path Diversion

During the course of the review a diversion of Footpath No. 3 at East Hole Farm was identified where the used line differs from that shown on the Definitive Map. The landowners and user groups have been consulted and support the formal diversion of the path out of the farm yard. The matter will be progressed using delegated powers.

5. Conclusion

The Definitive Map review for the parish of Newton St Petrock has now been completed with no proposals for change.

Should any new evidence be submitted or a valid claim is made in the next six months, it would seem sensible for it to be determined promptly rather than be deferred.

6. Reasons for Recommendation/Alternate Options Considered

To progress the parish by parish review of the Definitive Map in Torridge.

7. Legal Considerations

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

8. Carbon Impact Considerations

There are no implications.

9. Equality Considerations

There are no implications.

Chris McCarthy

Electoral Division: Holsworthy Rural

Local Government Act 1972

List of Background Papers

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Background Paper	Date	File Ref.
Correspondence file: Newton St Petrock AS/DMR/NEWSTP	2009-2010	

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sc/parish of newton st. petrock
2 hq 110210