

Definitive Map Review 2010 Parish of Kingston

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 it be noted that the Definitive Map Review has been completed in the parish of Kingston and no modifications are required.

1. Summary

The report examines the Definitive Map Review in the Parish of Kingston in the District of South Hams.

2. Background

The original survey under s. 27 of the National Parks and Access to the Countryside Act 1949 revealed five footpaths and 1 bridleway in Kingston, which were recorded on the Definitive Map and Statement with a relevant date of 1 December 1954.

The review of the Definitive Map, under s. 33 of the 1949 Act, which commenced in the 1970s but was never completed, produced no valid proposals for change to the Definitive Map at that time.

The Limited Special Review of RUPPs, carried out in the 1970s, did not affect the parish.

In 1985, the South Hams Parishes Order transferred Footpath No. 5 from Ringmore to Kingston Parish, now recorded as Footpath No. 55, Kingston.

The following Agreement and Orders have been made:

Kingsbridge Rural District Council Public Path Creation Agreement 1971 for Footpath No. 7, Kingston

Devon County Council Public Path Creation Agreement 1972 for Footpath No. 8, Kingston

Devon County Council (Footpath No. 3, Kingston) Public Path Diversion Order 1981

South Hams District Council (Footpath No. 4, Kingston) Public Path Diversion Order 1990

Devon County Council (Footpath No. 9, Kingston) Public Path Creation Order 2000

Legal Event Modification Orders will be made for these amendments in due course.

3. Review

The current Review began in March 2010 with a public meeting held in the parish hall. A full public consultation was carried out in August 2010 and the review was advertised on parish notice boards, and in the Kingsbridge Gazette.

The responses were:

County Councillor William Mumford	-	no comment
South Hams District Council	-	no comment
Kingston Parish Council	-	no objection
British Horse Society	-	no comment
Byways and Bridleways Trust	-	no comment
Devon Green Lanes Group	-	no comment
Country Landowners' Association	-	no comment
National Farmers' Union	-	no comment
Open Spaces Society	-	no comment
Ramblers' Association	-	no objection
Trail Riders' Fellowship	-	no comment

Several public path orders are required in the Parish, to formalise walked routes where these differ from the definitive lines and these are currently being progressed under delegated powers. A creation agreement with a landowner, under section 25 of the Highways Act 1980 is also being progressed to formalise an unrecorded route.

4. Conclusion

It is recommended that the Members note that there are no proposals for modifying the Definitive Map in the parish of Kingston. Should any valid claim be made in the next six months it would seem sensible for it to be determined promptly rather than be deferred.

5. Reason for Recommendation/Alternative Options Considered

To progress the parish by parish review of the Definitive Map in the South Hams.

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 considerations.

8. Equality Considerations

There are no considerations.

9. Risk Management Consideration

There are no implications.

Chris McCarthy

Electoral Division: Yealmpton

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Ref.
Correspondence File	2003 to date	DMR/Kingston

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sc/dmr parishes of Kingston
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