

**Definitive Map Review 2010-2011
Parish of Milton Damerel**

Report of the Deputy 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 Milton Damerel and no modifications are required.

1. Summary

The report examines the Definitive Map Review in the parish of Milton Damerel in Torridge District.

2. Background

The original survey, under s. 27 of the National Parks and Access to the Countryside Act 1949, revealed seven footpaths in Milton Damerel, which were recorded on the Definitive Map and Statement, Holsworthy & Broadwoodwidge Rural District with the relevant date of 1 July 1958.

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

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

The following Order has been made:

Devon County Council (Footpath No. 24, Milton Damerel) Public Path Diversion Order 2007.

A Legal Event Modification Order will be made for this amendment under delegated powers in due course.

3. Review

The current Review began on 17 November 2010 with a public meeting held in the parish hall, prior to the Milton Damerel parish council 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
Torridge Devon District Council	-	no comment
Milton Damerel Parish Council	-	no comment
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	-	no comment

No valid proposals arose as a result of the consultation.

4. Diversion

During the course of the review a diversion was identified where the used route of Footpath No. 12 differs from that shown on the Definitive Map. The landowners and user groups have been consulted and support the formal diversion of the path. The diversion will be progressed under delegated powers.

5. Conclusion

It is recommended that Members note that there are no proposals for modifying the Definitive Map in the parish of Milton Damerel. 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.

6. Financial Considerations

There are no implications.

7. Sustainability Considerations

There are no implications.

8. Carbon Impact Considerations

There are no implications.

9. Equality Considerations

There are no implications

10. Legal Considerations

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

11. Risk Management Considerations

There are no implications.

12. Reasons for Recommendation/Alternate Options Considered

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

Ian Harrison

Electoral Division: Holsworthy Rural

Local Government Act 1972

List of Background Papers

Contact for enquiries: Alison Smith

Telephone No: (01392) 383370

Background Paper	Date	File Ref.
Correspondence file: Milton Damerel	2010-2011	AS/DMR/MILDAM

as030511pra
sc/cr/Milton damerel
02 hq 160511