

**Definitive Map Review 2013 - 2015
Parish of Nymet Rowland**

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 Nymet Rowland and no modification orders are required to be made.

1. Summary

The report examines the Definitive Map Review in the parish of Nymet Rowland in Mid Devon District.

2. Background/Introduction

The original survey, under s. 27 of the National Parks and Access to the Countryside Act 1949, revealed four footpaths in Nymet Rowland, which were recorded on the Definitive Map and Statement, Crediton Rural District Council with the relevant date of 25 February 1958.

No proposals for change were received for the parish in respect of the 1968 and 1977 uncompleted County reviews.

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

The review initially opened in Nymet Rowland in 1998 when a public meeting was held in February 1998. The anomaly regarding Footpath No. 16, Coldridge had been noticed but the review did not progress any further at that time. The current Review began in November 2013 with a public meeting held in the village hall at Nymet Rowland, prior to the evening's parish council meeting, that was well attended by over twenty people.

3. Consultations

Public consultation for the Definitive Map Review in the parish was not carried out until the late summer of 2015, due to the parish not having a parish clerk in post for over a year. The review was advertised around the parish, in a local newspaper and notice was placed at the village hall.

The responses were as follows:

County Councillor Mrs M Squires	-	no comment
Mid Devon District Council	-	no comment
Nymet Rowland 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

4. Proposals

It was noticed in respect of Footpath No. 16, Coldridge that the south east end of this footpath, from the stream known as Coldridge Brook to the county road between Eggesford Cross and Aller Bridge, was actually in the parish of Nymet Rowland. This anomaly was included in the consultation map as Proposal 1 as shown on plan no HCW/PROW/14/137. No comments were received from the landowner, parish council or any of the other consultees or public regarding this proposal. It is therefore proposed that the necessary administrative correction to the Definitive Map and Statement required for Footpath No.16, Coldridge be made under the appropriate legal event order. This is a process that will be undertaken under the Council's delegated powers and no Modification order will be required to be made.

5. Recommendation

It is recommended that Members note that there are no proposals for modifying the Definitive Map in the parish of Nymet Rowland apart from the legal event order required for Footpath No. 16, Coldridge. Should any valid claim with sufficient evidence be made in the next six months, it would seem reasonable for it to be determined promptly rather than be deferred.

6. Financial Considerations

The implications/consequences of the recommendation have been taken into account in preparing the report. Financial implications are not relevant considerations to be taken into account under the provision of the Wildlife and Countryside Act 1981. The Authority's cost associated with Modification Orders, including Schedule 14 appeals, the making of Orders and subsequent determinations are met from the general public rights of way budget in fulfilling our statutory duties.

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 preparation of the report.

11. Risk Management Considerations

There are no implications.

12. Public Health Impact

There are no implications.

13. Options/Alternatives

The County Council has statutory duty to undertake a review of the Definitive Map and Statement under the Wildlife and Countryside Act 1981 and is undertaking this duty through the parish by parish review across the county.

14. Reasons for Recommendation/Alternate Options Considered

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

David Whitton
Head of Highways, Capital Development and Waste

Electoral Division: Newton St Cyres & Sandford

Local Government Act 1972: List of Background Papers

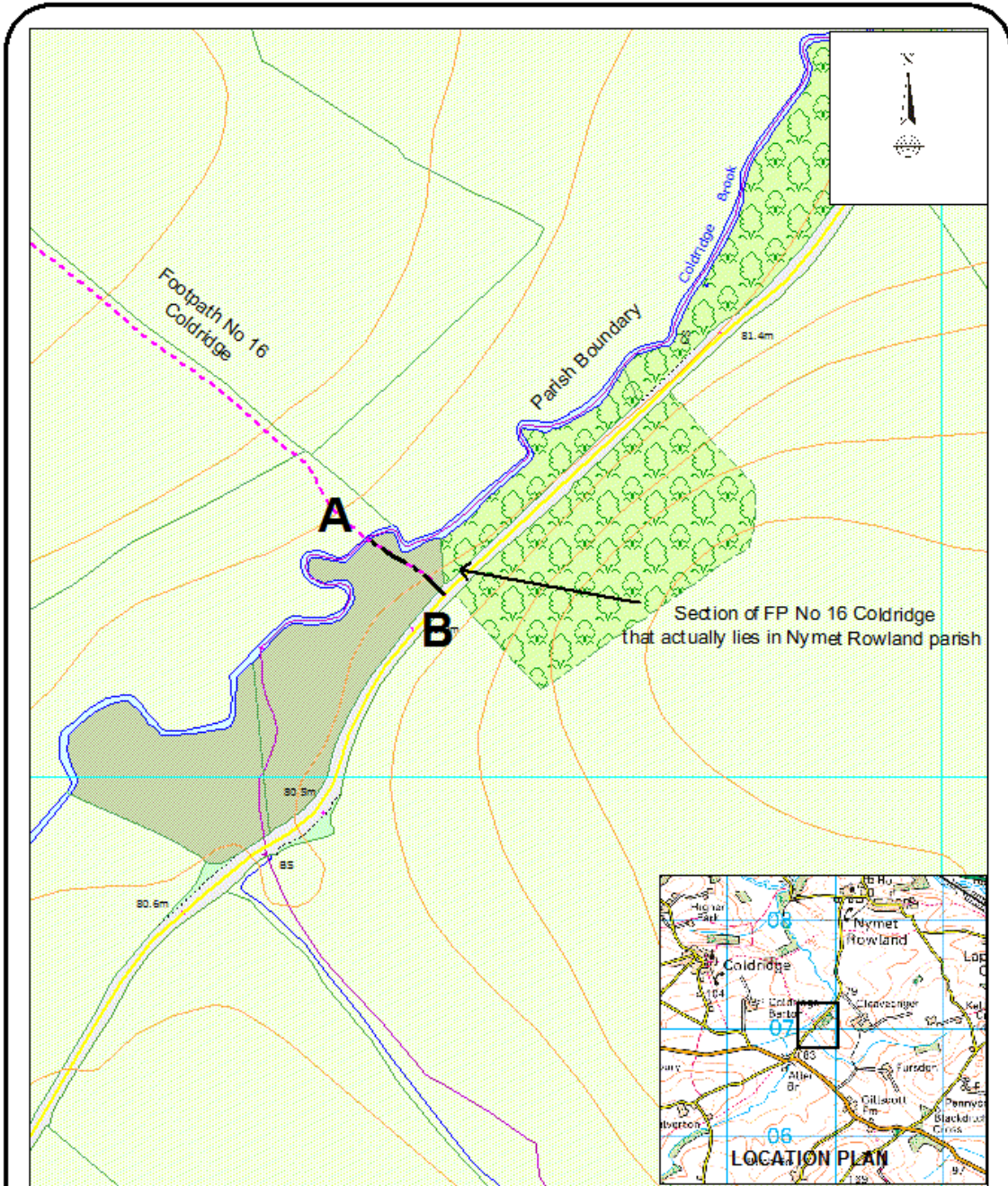
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Background Paper	Date	File Ref.
Correspondence files	1997 - date	TW/DMR/Nymet Rowland

tw231015prw
sc/cr/DMR parish nymet Rowland
02 171115



Map Ref **SS 7007**

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DEVON COUNTY COUNCIL
DEFINITIVE MAP REVIEW - NYMET ROWLAND
SUGGESTION NO 1 - FOOTPATH NO 16 COLDRIDGE

drawing number **HCW/PROW/14/137**
 date **Oct 2014**
 scale **1:2,000 at A4**
 drawn by **TW**

Notation Section of FP No 16 Coldridge actually in Nymet Rowland parish **-----**
 A to B Approx 35 metres
 Footpath No 16 Coldridge **-----**

David Whitton
 HEAD OF HIGHWAYS, CAPITAL DEVELOPMENT & WASTE

