

## PUBLIC RIGHTS OF WAY COMMITTEE

15 March 2018

### Present

Councillors P Sanders (Chair), T Inch, I Chubb, P Colthorpe, A Dewhirst, R Edgell, M Shaw and C Whitton

### Apologies

Councillor J Brook

### In Attendance

Councillor P Twiss

### \* 54 Minutes

**RESOLVED** that the minutes of the meeting held on 9 November 2017 be signed as a correct record.

### \* 55 Items Requiring Urgent Attention

(An item taken under Section 100B(4) of the Local Government Act 1972)

The Chair had decided that the Committee should consider these items as matters of urgency so that the Committee would be apprised of recent events.

The Chief Officer for Highways, Infrastructure Development and Waste reported on the following items, namely:

#### (a) Adverse weather conditions

The damage to the public rights of way network following the recent adverse weather and the work undertaken by the Wardens in both the north and south of the County. Also, that additional funding had been received from central government for the south of the County, by way of Bellwin funding, which was funding paid to local authorities in exceptional circumstances.

#### (b) Revenue Budget

Although the Revenue Budget for public rights of way had been reduced by £50,000 for 2018/19, this had been offset by the increase of £6.5m to the Highways 2018/19 budget, where access to revenue funds would be allocated in partnership working with Neighbourhood Highways colleagues to deal with drainage and surface issues caused to and from the public rights of way network.

#### (c) South West Coast Path Grant

The Council had just been notified that the amount of the grant received from Natural England would be the same as the previous year and that pressure would continue to be applied in order to achieve a three-year grant programme.

(d) English Coastal Access Mapping

Natural England was undertaking a mapping exercise of the coastal path from Dartmouth to the Tamar River in the south and from Combe Martin to Welcombe in the north.

\* **56** Chair's Announcements

The Chair announced that Public Rights of Way Officer, Nick Steenman-Clark would be retiring from the Council at the end of April and the Committee extended their thanks to him for his 16 years of service.

\* **57** Devon Countryside Access Forum

The Committee received the draft minutes of the meeting held on 25 January 2018.

\* **58** Parish Review: Definitive Map Review 2016-2018 - Parish of Coldridge

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/10) which examined the route referred to as Proposal 1 arising out of the Definitive Map Review in the Parish of Coldridge in Mid Devon.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Dewhirst and

**RESOLVED** that a Modification Order be not made to modify the Definitive Map and Statement by the addition of a Byway Open to All Traffic A-B-C-D-E as shown on drawing number HIW/PROW/17/026 (Proposal 1).

\* **59** Parish Review: Definitive Map Review - Parish of Bittadon (Part 2)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/11) which examined an anomaly which had come to light during the current Review in the Parish of Bittadon in North Devon.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Shaw and

**RESOLVED** that a Modification Order be made to modify the Definitive Map and Statement by adding a footpath between points AA-AB as shown on drawing number HIW/PROW/17/53 (Proposal 4).

\* **60** Parish Review: Definitive Map Review 2016-2018 - Parish of Buckerell Part 2, with part of Gittisham Parish

(Councillor Twiss attended in accordance with Standing Order 25(2) and spoke to this item in support of the recommendations.)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure and Waste (HIW/18/12) concerning a claim to add connected footpaths, referred to as Proposal 1, arising out of the Definitive Map Review in the Parish of Buckerell and part in the adjoining Parish of Gittisham in East Devon.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Inch and

**RESOLVED** that a Modification Order be not made in respect of:

- (a) Proposal 1 in Buckerell, for the claimed addition of footpaths from the Parish boundary on the River Otter, passing Colhayes to Footpath No. 15 and the end of Byway Open to All Traffic (BOAT) No. 20, Orchard Lane in Buckerell, between points B-C-D and C-E shown on drawing number HIW/PROW/17/021; and

(b) Proposal 1 in Gittisham, the claimed addition of a footpath from old A30 to the Parish boundary between points A-B shown on drawing number HIW/PROW/17/021.

\* **61**      **Parish Review: Definitive Map Review 2016-2018 - Parish of Gittisham**

(Councillor Twiss attended in accordance with Standing Order 25(2) and spoke to this item in support of the recommendations.)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/13) concerning a claim to add a footpath, referred to as Proposal 2, arising out of the Definitive Map Review in the Parish of Gittisham in East Devon.

It was **MOVED** by Councillor Sanders, **SECONDED** Councillor Dewhirst and

**RESOLVED** that a Modification be not made in respect of Proposal 2 to add a public footpath between the minor road Hayne Lane at Hayne Farm to the minor road Parsonage Lane at Goldcombe Farm, points C-D shown on drawing number HIW/PROW/17/024.

\* **62**      **Parish Review: Definitive Map Review 2016-2018 - Combe Martin, North Devon**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/14) examining the last two proposals arising from the Definitive Map Review in the Parish of Combe Martin in North Devon.

The Chair advised that the Local Member and Combe Martin Parish Council were now content with both proposals.

It was **MOVED** by Councillor Sanders, **SECONDED** Councillor Dewhirst and

**RESOLVED** that a Modification Order be made to modify the Definitive Map and Statement by adding a Footpath between points A-B-C as shown on drawing number HIW/PROW/18/7 (Proposal 22).

It was **MOVED** by Councillor Sanders, **SECONDED** Councillor Shaw and

**RESOLVED** that a Modification Order be made to modify the Definitive Map and Statement by adding a Restricted Byway between points D-E as shown on drawing number HIW/PROW/18/8 (Proposal 24).

\* **63**      **Public Inquiry, Informal Hearing and Written Representation Decisions; Directions and High Court Appeals**

The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/15) on decisions and directions received from the Secretary of State.

\* **64**      **Public Path Orders**

The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/16) on Public Path Orders made under delegated powers.

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 3.25 pm