

## PUBLIC RIGHTS OF WAY COMMITTEE

26 November 2020

### Present:-

Councillors P Sanders (Chair), H Ackland, J Brook, P Colthorpe, A Dewhurst, L Hellyer, T Inch and M Shaw

### Apologies:-

Councillor I Chubb

#### \* 135 Minutes

**RESOLVED** that the minutes of the meeting held on 5 March 2020 be signed as a correct record.

#### \* 136 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

#### \* 137 Devon Countryside Access Forum

The Committee noted the draft minutes of the virtual meeting held on 24 September 2020. The next meeting would be held on 21 January 2021.

#### \* 138 Parish Review: Definitive Map Review 2019/20 - Parish of Stoodleigh

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/45) which examined the Definitive Map Review in the Parish of Stoodleigh in Mid Devon District.

It was **MOVED** by Councillor Colthorpe, **SECONDED** by Councillor Dewhurst and

**RESOLVED** that it be noted that the Definitive Map Review had been completed in the Parish of Stoodleigh and that no modifications were required.

#### \* 139 Parish Review: Definitive Map Review - Parish of Clyst Hydon

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/46) which examined the Definitive Map Review in the Parish of Clyst Hydon in East Devon District.

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

**RESOLVED** that it be noted that the Definitive Map Review had been completed in the Parish of Clyst Hydon and that no modifications were required.

\* 140      **Parish Review: Definitive Map Review - Parish of Clyst St Lawrence**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/47) which examined the Definitive Map Review in the Parish of Clyst St Lawrence in East Devon District.

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

**RESOLVED** that it be noted that the Definitive Map Review had been completed in the Parish of Clyst St Lawrence and that no modifications were required.

\* 141      **Addition of a public footpath between Sidmouth Road and Whitmore Way, Honiton**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/48), which examined a Schedule 14 application made in September 2018 by Honiton Town Council for the additional of a public footpath in the town.

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

**RESOLVED** that a Modification Order be made to modify the Definitive Map and Statement by adding a public footpath between points A – B as shown on drawing HIW/PROW/20/12.

\* 142      **Addition of a Public Byway Open to All Traffic from Footpath No. 6, Newton Abbot to Powderham Road**

(Messrs Rew and Hickson attended the virtual meeting under the Council's Public Participation Scheme and spoke to this item in support of the application.)

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/49), which examined a Schedule 14 application made in October 2016 for the addition of a byway open to all traffic in the town of Newton Abbot.

The Committee had also received by email this morning late submissions from Mr Rew.

The Chief Officer for Highways, Infrastructure Development and Waste clarified that the Council were concerned only with public rights and any decision made by the Committee would have no bearing on any private rights that may exist.

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

**RESOLVED** that a Modification Order be made to modify the Definitive Map and Statement by adding a public footpath between points A – B as shown on drawing number HIW/PROW20/17.

**143      Amendment of Northlew Footpath No. 3**

(Mrs Paton attended the virtual meeting under the Council's Public Participation Scheme and spoke to this item in support of the application.)

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/50), which examined a Schedule 14 application made in 2018 to delete part of Northlew Footpath No 3 between points A – B and add a footpath between C – B.

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

**RESOLVED** that no Modification Order be made to modify the Definitive Map and Statement in respect of the Schedule 14 application.

**\* 144      Addition of a footpath at Kipling Tors**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/51), which examined a Schedule 14 application made in 2016 to add a footpath running between two parts of Northam Footpath No. 26 between points A – B – C – D.

The Committee noted that a late submission had been received by Ramblers in support of the application.

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

**RESOLVED** that a Modification Order be made to modify the Definitive Map and Statement by adding a footpath along the bottom of Kipling Tors between points A – B – C – D, as shown on drawing number HCW/PROW/16/16.

- \* 145      **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/20/52) on decisions received by the Secretary of State.
  
- \* 146      **Modification Orders**  
  
The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/53) on Modification Orders that had been confirmed as unopposed under delegated powers.
  
- \* 147      **Public Path Orders**  
  
The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/54) on confirmed Public Path Orders made under delegated powers.

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

The Meeting started at 2.15 pm and finished at 3.23 pm