

Definitive Map Review 2018 - 2019
Parish of Huntsham – Borden Gate Parish Council

Report of the Chief Officer for Highways, Infrastructure Development and Waste

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 Huntsham and no modifications are required to be made.

1. Introduction

The report examines the Definitive Map Review in the parish of Huntsham, in Mid Devon District, one of the three parishes now within Borden Gate Parish Council. Separate reports will be presented for Clayhanger at this meeting and Hockworthy at a subsequent meeting.

2. Background

The original parish survey, under s. 27 of the National Parks and Access to the Countryside Act 1949, was undertaken by the Chairman of the Parish Meeting, Sir G Acland Troyte in September 1950. A total of six public rights of way were proposed in Huntsham. Following a meeting with Tiverton Rural District Council and the Chairman of the Parish Meeting in October 1957 two footpaths, two carriage ways used as bridleway (CRB) and one road used as a public path (RUPP) were agreed to be included on the draft definitive map. The sixth route was withdrawn as no continuation was claimed in the adjoining Tiverton parish. These five routes of two footpaths, two bridleways and a RUPP were subsequently recorded on the Definitive Map and Statement for Huntsham in Tiverton Rural District Council with the relevant date of 9th June 1964.

The Limited Special Review of Roads Used as Public Paths (RUPPS), carried out in the 1970s, resulted in it being decided that RUPP No. 1, which ran along the parish boundary with Bampton, was actually within Bampton parish. Accordingly, RUPP No. 1 Huntsham was re classified and re numbered as Bridleway No. 25, Bampton.

During the Devon County Council uncompleted review of 1977, Huntsham parish proposed that the lane along which Footpath No. 2 ran should be a public accommodation road, as should be the road from Dog Down Cross to Burnt Plantation (then Bridleway No. 25 Bampton). They stated that these routes had been used by the public for over 50 years.

In 1988 a Definitive Map Modification Order was made to upgrade the two bridleways in the parish to Byways Open to All Traffic (BOATs) and this was confirmed following a public inquiry. Devon County Council Definitive Map Modification Order 1988 Byways Open to All Traffic Nos. 4 and 5, Huntsham.

The Definitive Map Review commenced in July 2018 with a public meeting for all three parishes, held in the village hall at Huntsham, prior to the meeting of Borden Gate Parish

Council, which was well attended by parishioners and councillors. The route previously claimed by Huntsham parish in the 1977 review was raised at the meeting. The Borden Gate Parish Council and public attending were asked whether they wanted this route to be considered as a proposal for change under the current review and that if they did, evidence would be required to support the upgrading.

3. Proposals

The parish councillors representing Huntsham parish subsequently confirmed that they did not have any proposals for change. The decision was subsequently reported to the Borden Gate Parish Council meeting in November 2018 and agreed.

No responses were received from any other parishioners or members of the public with any other proposals for consideration under the definitive map review.

In the absence of any valid proposals or claims for change, the definitive map review consultation map for Huntsham was published with no proposals for change to the Definitive Map in the parish.

4. Consultations

Public consultation for the Definitive Map Review in the parish was carried out in November 2018 to January 2019. The review was advertised in the Bampton newsletter which also covers Huntsham parish, on the parish noticeboard and in a local newspaper.

The responses were as follows:

County Councillor R Radford	-	no comment
Mid Devon District Council	-	no comment
Borden Gate Parish Council	-	see above
British Horse Society	-	no comment
Devon Green Lanes Group	-	no comment
Ramblers' Association	-	no comment
Trail Riders' Fellowship	-	no comment
Country Landowners Association	-	no comment
National Farmers' Association	-	no comment
Cycle UK	-	no comment

No proposals were received during the two month period of consultation with the Parish Council, public or local user group representatives.

5. Financial Considerations

Financial implications are not a relevant consideration to be taken into account under the provision of the Wildlife and Countryside Act 1981. The Authority's costs 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.

6. Legal Considerations

The implications/consequences of the recommendation(s) have been taken into account in the preparation of the report.

7. Risk Management Considerations

No risks have been identified.

8. Equality, Environmental Impact and Public Health Considerations

Equality, environmental impact or public health implications have, where appropriate under the provisions of the relevant legislation, been taken into account in the preparation of the report.

9. Conclusion

It is recommended that members note that the Definitive Map Review has been completed in the parish of Huntsham and no modifications are required to be made. 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.

10. Reasons for Recommendation

To undertake the County Council's statutory duty under the Wildlife and Countryside Act 1981 to keep the Definitive Map and Statement under continuous review and to progress the parish by parish review in the Mid Devon District area.

Meg Booth
Report of the Chief Officer for Highways, Infrastructure Development and Waste

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Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Ref.
Correspondence files	2018 - date	TW/DMR/Borden Gate-Huntsham

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sc/cr/ DMR Parish of Huntsham Borden Gate Parish Council
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