

## **Report of the Cabinet Member for Highway Management**

### **Requests for reports**

I have been asked to report to full Council on the following:

1. by Councillor Dewhirst on unrecorded rights of way, as follows:

“Like many Councillors, I have been contacted by residents concerned by reports that unrecorded rights of way will not be recorded in time for the cut-off date of 2026. Can the Cabinet Member for Highways Management please give an update on the situation here in Devon?”

2. by Councillor Wrigley on road painting, yellow lines and disabled bay markings, as follows:

“In common with many Councillors I have been chasing up yellow lines and disabled bay markings that are long overdue. One Disabled bay in Dawlish has been outstanding since its approval in 2019, and although the road markings have been re-done since then. After chasing this up, the bay has been painted last week, even though the regulation sign was in place for the best part of a year.

I understand that the pandemic prevented line-painting work for a time. The highways dashboard from the recent scrutiny meeting indicated that new painters were to be engaged, and this should be a help since Teignbridge managed to get parking spaces on a new on-street development ordered and done in two weeks.

However I have also been told that last year’s TRO requests hadn’t been fully completed – let alone put out for painting - and there was little point in submitting new requests for parking restrictions.

I would like to ask the cabinet member for a report on how much longer there will be delays in line painting, how soon we can expect the log-jam of existing request to be in place, and how we can be assured of swift implementation for this autumn’s list of parking restrictions?”

3. by Councillor Dewhirst to Council on LED lighting, as follows:

“In his response to my question at the September Cabinet the Member with responsibility for Highway Management replied that the new LED lamps being rolled out across Devon were rated at 3000K, similar to the old sodium lamps. Can he brief the Council on progress to mitigate the harmful effects of LED lights on humans and the recent reports concerning the devastating effects on insects?”

Many studies have shown that the blue light spectrum in LEDs interferes with melatonin production in humans leading to photoreceptor damage, sleeping difficulties, mood changes and may increase incidence of cancer. Recent studies have found that street lighting strongly reduces moth caterpillar abundance compared with unlit sites (47% reduction in hedgerows and 33% reduction in grass margins) and affects caterpillar development. Our own Exeter University has conducted studies to show the negative effects of artificial night lighting on birds and bats. It would be helpful to know how many of our LED streetlights are set to dim during their lighting cycle. How many communities have management software to operate their LED lights? How many streetlights have management software? What is the total number of LED streetlights installed? How many streetlights have had shields fixed to them to direct the light only onto the highway? How many Parish and Town Councils have discussed timings of lighting with the County Council to ensure that we are not using this precious resource in a wasteful manner?"

## Reports

### 1. Unrecorded Rights of Way

The definitive map and statement are the legal record of public rights of way i.e. footpaths, bridleways, restricted byways, and byways open to all traffic. Arrangements for this were first set out within the National Parks and Access to the Countryside Act 1949 (ref. [National Parks and Access to the Countryside Act 1949 \(legislation.gov.uk\)](#))

1<sup>st</sup> January 2026 has been set as the cut-off date for applications to register historic paths for inclusion on the definitive map and statement. This is set out in Section 56 of the Countryside and Right of Way Act 2000 (ref. [Countryside and Rights of Way Act 2000 \(legislation.gov.uk\)](#)).

Devon County Council (as surveying authority) has a duty in law to keep the definitive map under continuous review and to make modification orders as necessary to keep the map and statement up-to-date as an accurate record of the public's rights. This is set out within Section 53 of the Wildlife and Countryside Act 1981 ([Wildlife and Countryside Act 1981 \(legislation.gov.uk\)](#)).

The Council has taken a proactive approach, and since 1989 has undertaken a parish-by-parish definitive map review to ensure that existing public rights of way in each parish are correctly recorded in terms of status and location (ref. [Definitive map review - Public Rights of Way \(devon.gov.uk\)](#)).

This parish-by-parish review provides opportunity to identify paths that may have been mistakenly omitted from the definitive map and statement, and where appropriate make orders for these to be added. This is a key area of work for the Public Rights of Way Committee. Good progress is being made, with approximately 90% of Parishes either complete, or close to completion.

Whilst the parish review process significantly reduces the likelihood of there being unrecorded rights of way, stakeholders are concerned about the upcoming deadline and the risk that historic paths may be lost. At a national and local level, organisations such as the Ramblers and British Horse Society have active campaigns and projects to encourage people to research, identify and register unrecorded paths. Officers at DCC are liaising closely with stakeholders both individually and through the Devon Countryside Access Forum to provide advice (e.g. on evidence requirements) so that focus is placed on locations and paths most likely to be of relevance. Where appropriate, this may include sharing research information from the parish reviews.

There are additional, related workload implications - for example, in managing applications and making Definitive Map Modification Orders. DCC has also seen an increase in applications for land to be included on the Register of landowner statements, highways statements and declarations (ref. [Protecting your land - Public Rights of Way \(devon.gov.uk\)](https://www.devon.gov.uk/protecting-your-land-public-rights-of-way))

The legislation does allow for the Secretary of State to extend the date by up to 5 years. However, by acting in a proactive and cooperative way, Devon County Council is well placed to work to the cut-off date of 1 January 2026.

## **2. Road painting, yellow lines and disabled bay markings**

Due to the pandemic and operational demand issues, we have seen a delay in disabled bays and HATOC waiting restrictions being completed during the last 18 months. To alleviate this situation, DCC has identified and engaged additional contractual resource to increase resilience and clear the backlog of lining schemes.

I am pleased to report that due to this intervention, we have made excellent progress with the outstanding Disabled Parking Bays and a backlog of over 200 bays has now been completed. More recent applications have also been programmed, with 45 more bays to be marked before the end of the November. From December onwards, advisory disabled bay applications will be delivered within our target timescales of 12 weeks and mandatory bays we will be delivered within our target timescales of 9 to 12 months allowing for the processing of traffic regulation orders.

In addition, I am further pleased to report, the 2020/21 HATOC waiting restrictions programme of works will be substantially complete and, on the ground, utilising this additional resource this month, with completion soon after.

The 2021/22 programme is progressing as planned and a recent communication to Members has set out timescales and notified that all locations requiring consideration should be submitted to the appropriate Neighbourhood Officer by 29 October.

## **3. LED lighting**

The reports regarding the risk of LED lighting to human health and wellbeing in the media are often inaccurate and unhelpful. However, if the local member would like to share any specific report then officers are always happy to review. All lanterns

currently being installed in residential areas are specified as 3000k, this is similar to the sodium lamps they replace. These new installations are for the most part also subject to part night lighting, whereby all lights are completely turned off for 5 hours from 12:30pm. DCC are also looking to expand the roll out of the remote management system, which will allow DCC to make further changes to the light output by applying dimming at various times as so required.

The LED's on the main roads have been installed at 4000K, however these are already programmed to dim down to 50% through the night. These lanterns will also be part of the remote management system expansion again giving greater control to DCC to dim/control the light output further without needing to attend site.

There are approximately 45,000 lanterns with LED, and approximately 34,000 yet to be converted. There are circa 14000 that have a pre-set dimming regime on main roads, and 45000 operate part night light, with a further 10000 under remote Management control (a mixture of old and new). The new remote management system will cover Exeter and be expanded across the most populated area's of Devon, with an initial deployment of 13,000 lighting installations on remote management rising to nearer 38000 once the LED rollout is completed. It is not known exactly how many lanterns have shields fitted, but they are installed as and when residents so request. During the design stage for new developments shields are always taken into account where it has been highlighted that ecology may be a concern.

Various Town and Parish Councils request an array of different timings, this is currently not possible but with the deployment of the remote management system this scenario could be considered, although consistency amongst community's will need to be considered.

It should also be noted that lanterns are installed at zero degrees to avoid light above the horizontal axis, and LED lanterns naturally come with a more distinct cut off, this reduces the spill of light to the rear/sides and front. DCC specify design standards that are, where possible, as low as the British Standard will allow, and always look sympathetically in this regard. The street lighting team and DCC ecologist are in direct contact with one another to improve knowledge of both ecological and lighting concerns.

**Councillor Stuart Hughes**  
**Cabinet Member for Highways**