

**Definitive Map Review  
Parish of West Hill**

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 West Hill and no modifications are required.**

**1. Introduction**

The report examines the Definitive Map Review in the parish of West Hill in East Devon.

**2. Background**

The original survey under s. 27 of the National Parks and Access to the Countryside Act 1949, during which time West Hill was part of Ottery St Mary Urban District, revealed seven footpaths and two bridleways, which were recorded on the Definitive Map and Statement with a relevant date of 1 September 1957.

The reviews of the Definitive Map under s.33 of the 1949 Act, which commenced in the 1960s and 1970s but were never completed, produced no valid proposals affecting what is now the parish of West Hill.

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

The following orders have been made and confirmed:

Devon County Council (Footpath No. 48) Public Path Diversion Order 1981

East Devon District Council (Footpath No. 38) Public Path Diversion Order 1985

Devon County Council (Footpath No. 48) Public Path Diversion Order 1994

Devon County Council (Footpath No. 90) Public Path & Definitive Map Modification Order 2012

Legal Event Modification Orders will be made for these changes under delegated powers in due course.

The current review began in November 2020 with a presentation to West Hill Parish Council, along with a Sway presentation published online, which was advertised in the parish, in the local press and online.

### **3. Proposals**

No valid proposals arising out of this or previous reviews.

### **4. Consultations**

General consultations have been carried out with the following results:

County Councillor Jess Bailey	-	no comment;
East Devon District Council/AONB	-	no comment;
West Hill Parish Council	-	no comment;
Country Land and Business Association	-	no comment;
National Farmers' Union	-	no comment;
Trail Riders' Fellowship/ACU	-	no comment;
British Horse Society	-	no comment;
Cycling UK	-	no comment;
Ramblers	-	no comment;
Byways & Bridleways Trust	-	no comment;
4 Wheel vehicle Users	-	no comment.

### **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 (including Climate Change) and Public Health Considerations**

Equality, environmental impact (including climate change) and 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 there are no proposals for modifying the Definitive Map in the parish of West Hill. 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 Recommendations

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 East Devon area.

Meg Booth  
Chief Officer for Highways, Infrastructure Development and Waste

### **Electoral Division: Otter Valley**

#### Local Government Act 1972: List of Background Papers

Contact for enquiries: Thomas Green

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Background Paper	Date	File Ref.
Correspondence file	2000 to date	TCG/DMR/WESTHILL

tg221021pra  
sc/cr/DMR Parish of West Hill  
02 121121