

PUBLIC RIGHTS OF WAY COMMITTEE

10 March 2022

Present:-

Councillors L Hellyer (Chair), R Chesterton (Vice-Chair), D Barnes, J Bradford, J Brook, I Chubb, D Sellis and D Thomas

Apologies:-

Councillor P Henderson

* **18** **Minutes**

RESOLVED that the minutes of the meeting held on 25 November 2021 be signed as a correct record.

* **19** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **20** **Announcements**

(a) The Chair welcomed Mrs Mayes who was attending the meeting in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

(b) The Public Rights of Way Manager reported that DEFRA had announced that it would repeal the 2026 cut-off date for recording historic rights of way, as set out in the Countryside and Rights of Way Act 2000. Formal details on this were not yet known.

* **21** **Devon Countryside Access Forum**

The draft minutes of the meeting held on 21 September 2021 had been received by this Committee at its previous meeting. Members had also been circulated a link to the [minutes of the meeting held on 18 January 2022](#).

Members observed that it would have been beneficial if there had been greater mention of the significance of agricultural land use and renewable energy production in the AONB presentation made to the September 2021 meeting, which was seen as relevant given the current fragility of food production and energy markets worldwide.

* **22** **Parish Review: Definitive Map Review 2021-22 - Parish of Hollacombe**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/22/10), which examined the Definitive Map Review in the Parish of Hollacombe.

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

RESOLVED that completion of the Definitive Map Review in the Parish of Hollacombe be noted and that no modifications are required.

* **23** **Parish Review: Definitive Map Review 2021 - Parish of Budleigh Salterton**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/22/11), which examined the Definitive Map Review in the Parish of Budleigh Salterton in East Devon.

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

RESOLVED that completion of the Definitive Map Review in the Parish of Budleigh Salterton (Budleigh) be noted and that no modifications are required.

* **24** **Parish Review: Definitive Map Review 2021-22 - Parish of Templeton**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/22/12), which examined the route referred to as Proposal 1 arising out of the Definitive Map Review in the Parish of Templeton in Mid Devon.

The Committee had also been sent an email from A Webb and D Leeming setting out representations against the Proposal.

In 2008 a number of user evidence forms had been received where the route used included Pidland Lane. Several of these users were horse riders who then continued their ride by a number of different routes including continuing eastwards on Footpath No. 2.

The route was reviewed again in October 2020 when a local resident reported that a gate and sign had been erected across the end of Pidland Lane saying 'Private Property – No Access'. Further user evidence forms were then received from walkers using Pidland Lane and these, together with previous user evidence, were sufficient for the addition of a public footpath along Pidland Lane to be considered as part of the parish review.

Discussion followed and included the following points:

- that the email had not included any new evidence;

- that Pidland Lane was not registered at HM Land Registry;
- clarity that the proposal was for a public footpath and not a bridleway;
- the Council had responsibility for the surface of public footpaths to a standard appropriate to use on foot;
- the report recommendation was based on assessment of the evidence in combination; and
- the right of representation within a 6 week period of the publishing of the Definitive Map Modification Order.

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

RESOLVED that a Modification Order be made to modify the Definitive Map and Statement with the addition of a public footpath along Pidland Lane A – B - C as shown on drawing number HIW/PROW/21/36a (Proposal 1)

* **25** **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 and Waste (HIW/22/13) on decisions received from the Secretary of State.

* **26** **Public Path Diversion and Definitive Map Modification Orders**

The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/22/14) on Public Path Diversions and Definitive Map Modification Orders that had been confirmed as unopposed under delegated powers.

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

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

The Meeting started at 2.15 pm and finished at 3.16 pm