

**Public Inquiry, Informal Hearing and Written Representation Decisions; Directions and High Court Appeals**

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 the report be noted and, following the Secretary of State's direction in respect of item (a)(iii), that members give authorisation for an Order to be made adding the footpath as shown between points V – W – X on drawing number HTM/PROW/14/83.

**1. Summary**

Since the last Committee the following decisions and directions have been received from the Secretary of State/High Court. Plans are attached in the appendix to this report.

**(a) Modification Orders**

<b>Order/Schedule 14 Application</b>	<b>Decision/Direction</b>
(i) Footpaths No. 8, Northleigh, No. 3, Farway, No. 6, Colyton and No. 10, Southleigh Definitive Map Modification Order 2013	Order not confirmed: An order for the deletion of the paths was made following a direction from the Secretary of State as a result of a successful Schedule 14 appeal. The order was not confirmed following the written representations procedure on 29 September 2016. We have subsequently been notified that the Inspector's decision is being taken to Judicial Review of behalf of the applicant.
(ii) Schedule 14 Applications for the addition of a footpath between the road near Carpenter's Hill, in Combe Raleigh, and Greenway Lane near Greenway Manor, in Luppitt (Combe Raleigh proposal 9/Luppitt proposal 10)	Appeal dismissed: Applicant's appeal to the Secretary of State against Devon County Council's decision not to make an order in respect of the schedule 14 applications dismissed on 26 September 2016.
(iii) Schedule 14 Applications for the addition of a footpath from the Dunkeswell to Honiton Road near Combe House, in Combe Raleigh, to the minor county road near Lower Shelvin Farm, in Luppitt, (Combe Raleigh proposal 8/Luppitt proposal 9)	Appeal allowed: Applicant's appeal to the Secretary of State against Devon County Council's decision not to make an order in respect of the applications was allowed on 17 October 2016. Accordingly, the Secretary of State has directed the County Council to make an order to

	add a public footpath as shown between points V – W – X on drawing no. HTM/PROW/14/83.
--	--

(b) Public Path Orders

(i) Footpath No. 26, Exeter Rail Crossing Diversion Order 2015	Order confirmed with modifications following the written representations procedure on 24 August 2016.
--	---

David Whitton  
Chief Officer for Highways, Infrastructure Development and Waste

**Electoral Divisions: Honiton St Michael's; Honiton St Paul's; and Alphington & Cowick**

Local Government Act 1972: List of Background Papers

Contact for enquiries: Helen Clayton

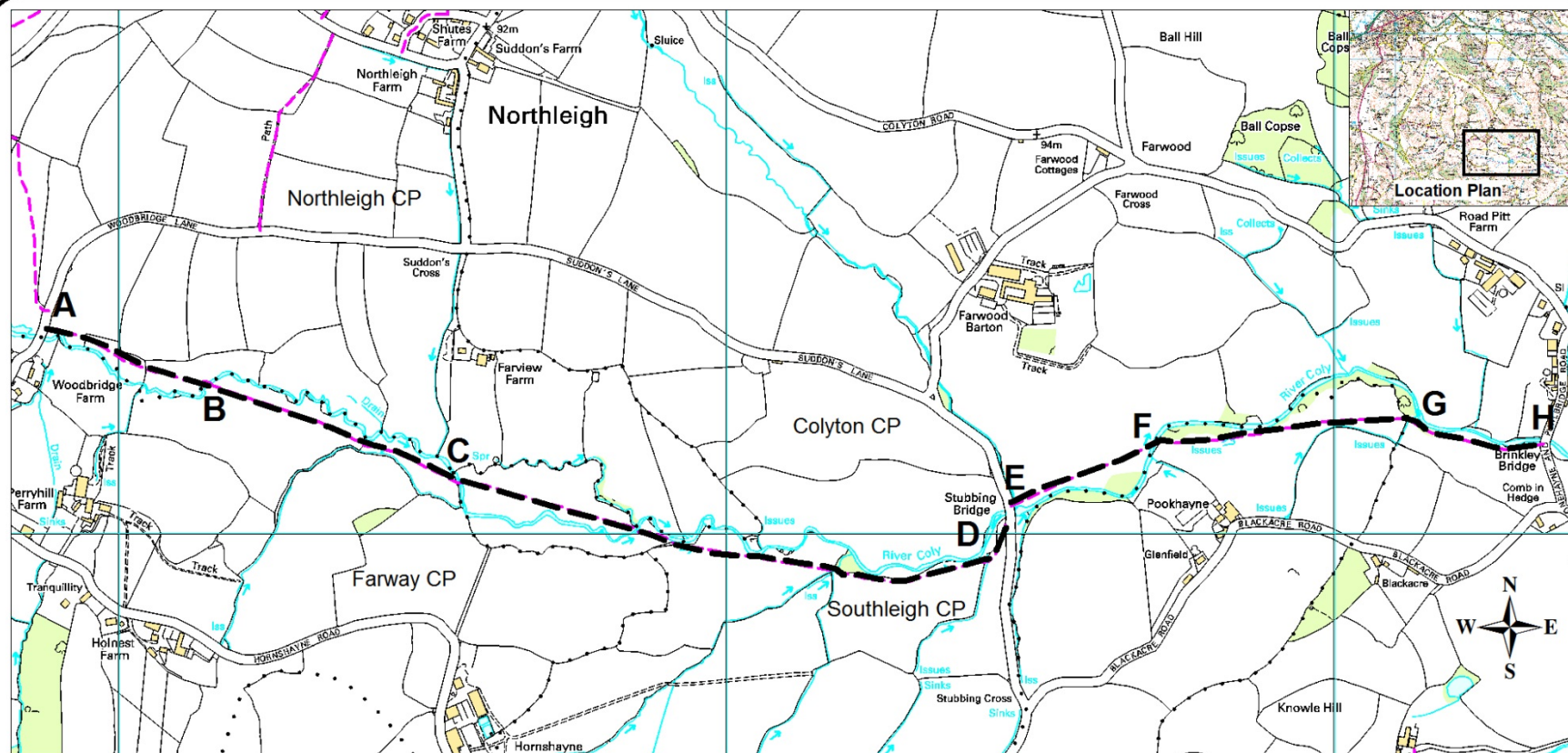
Room No: ABG Lucombe House, County Hall, Exeter

Tel No: 01392 38000

Background Paper	Date	File Ref.
------------------	------	-----------

None

hc181016pra  
Public Inquiry Informal Hearing High Court appeals  
sc 03 161116



map ref: SY1895/1995/2095/2195/1894/1994/2094/2194

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright  
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. LA076562

**DEVON COUNTY COUNCIL**  
**FOOTPATH NOS. 8 NORTHLEIGH, 3 FARWAY, 6 COLYTON & 10 SOUTHLEIGH**  
**DEFINITIVE MAP MODIFICATION ORDER 2013**

drawing number HCW/PROW/13/96

date Nov 2013

scale 1:10,000

drawn by NSC

Notation

Footpaths to be deleted A-B-C-D, E- F-G-H



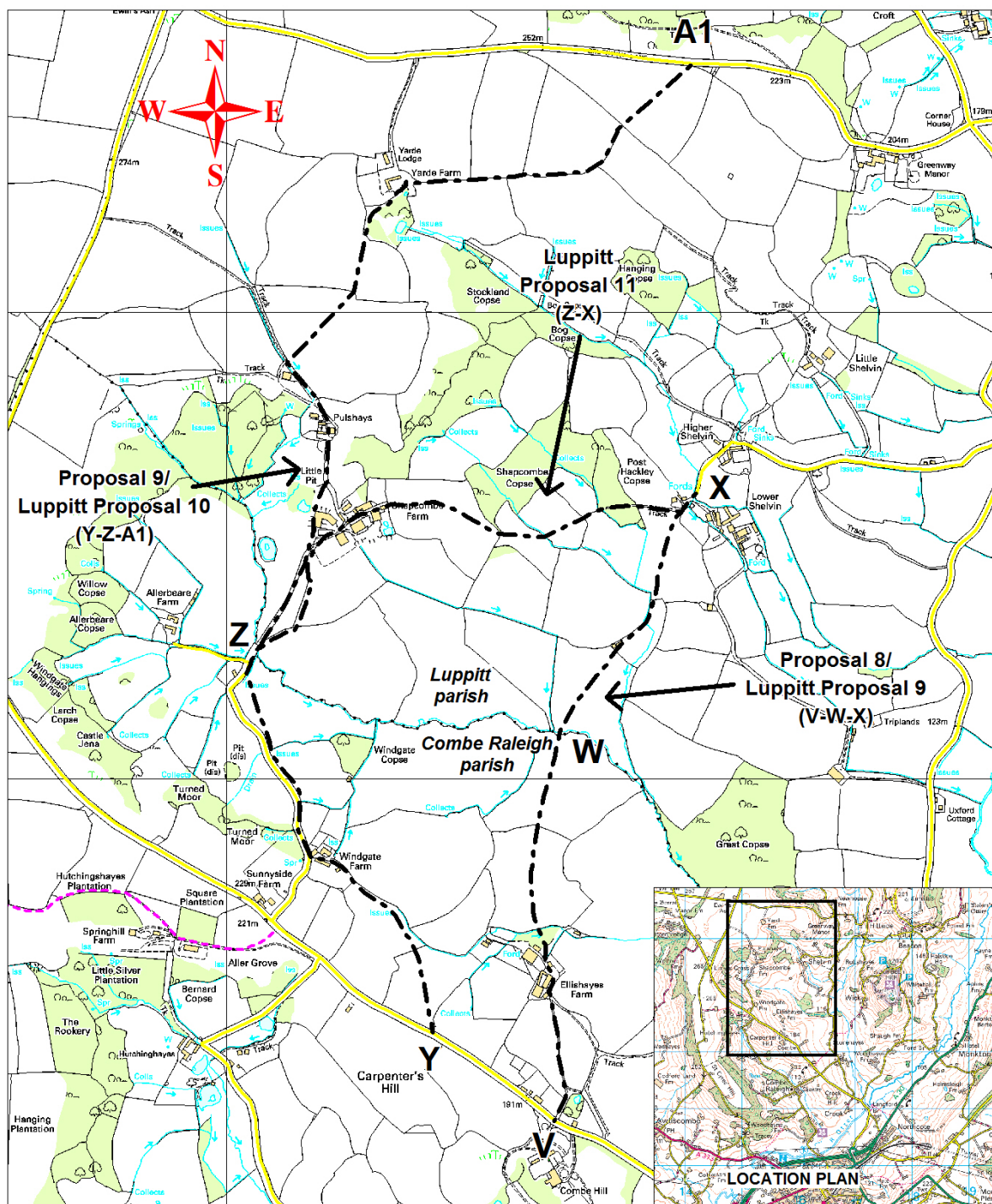
Existing footpaths



**David Whitton**

HEAD OF HIGHWAYS, CAPITAL DEVELOPMENT & WASTE





map ref ST1403-05/1503-05/1603-05 Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright  
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 1000119783

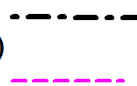
## DEVON COUNTY COUNCIL

Definitive Map Review, Combe Raleigh parish  
Informal Consultations, Proposals 8 & 9  
Claimed addition of footpaths

drawing number	HTM/PROW/14/83
date	Jul 2014
scale	1:12, 500
drawn by	NSC

### Notation

Claimed footpaths (8 & 9  
with Claims 9, 10 & 11 in Luppitt parish)  
Existing footpaths

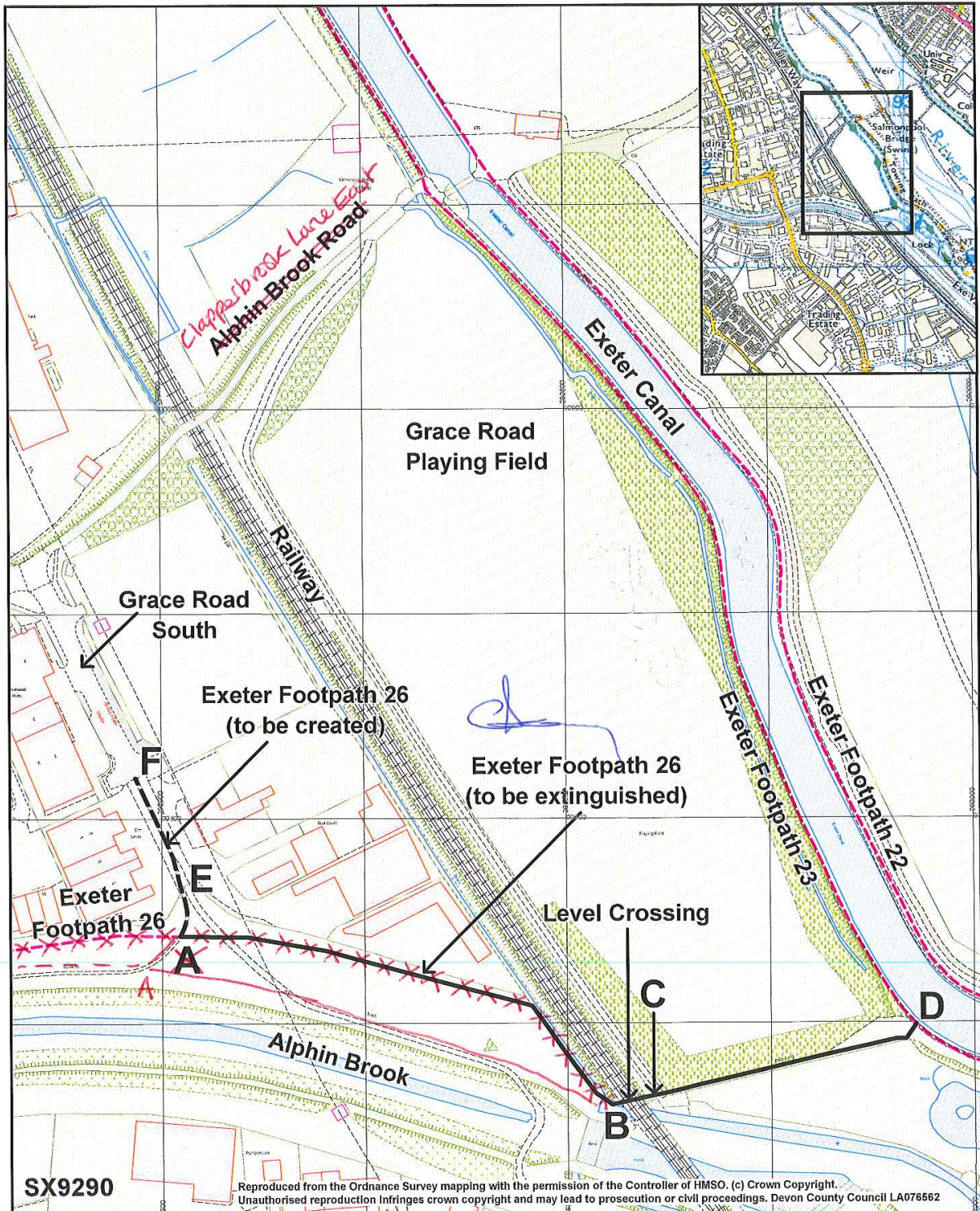


David Whitton

HEAD OF HIGHWAYS, CAPITAL DEVELOPMENT & WASTE







**DEVON COUNTY COUNCIL**  
**EXETER FOOTPATH No. 26**  
**RAIL CROSSING DIVERSION ORDER 2015**

**HCW/PROW/15/009**  
**Drawn by SCG**  
**13 07 2015**

**NORTH**  
 Scale 1:2,500 (at A4)

- Footpath No. 26 (to be extinguished) A-B-C-D 400m
- Footpath No. 26 (to be created) A-E-F 85m 105m 350m
- Existing public footpaths

**DAVID WHITTON**  
 Head of Highways, Capital Development and Waste

