

Definitive Map Review Parish of Plymtree

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 Plymtree and no modifications are required.

1. Introduction

The report examines the Definitive Map Review in the parish of Plymtree in East Devon District.

2. Background

The original survey under s. 27 of the National Parks and Access to the Countryside Act 1949 revealed 6 footpaths, which were recorded on the Definitive Map and Statement with a relevant date of 5 November 1957.

The reviews of the Definitive Map, under s. 33 of the 1949 Act, which commenced in the 1970s but were never completed, produced no proposals for change to the map in the parish of Plymtree at that time.

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:

Highways Act 1959, Magistrates' Court, Petty Sessional Division of Cullompton, s.108 Stopping-up Order 1968 (Footpath No. 10, Plymtree);
Devon County Council (Footpath No. 8, Plymtree and Footpath No. 8, Clyst Hydon) Public Path Diversion Order 1998

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

The current review began in October 2018 with a public meeting held in the Vestry Rooms, Plymtree, 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

Public consultation for the Definitive Map Review in the parish was carried out from February - May 2019 with no proposals received for any changes to the Definitive Map. The review was advertised in the parish, in a local newspaper and on the County Council's website.

The responses were as follows:

County Councillor I Chubb	-	no comment
East Devon District Council	-	no comment
Plymtree Parish Council	-	no comment
British Horse Society	-	no comment
Devon Green Lanes Group	-	no comment
Ramblers'	-	no comment
Trail Riders' Fellowship/ACU	-	no comment
Country Landowners Association	-	no comment
National Farmers' Association	-	no comment
Cycling UK	-	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 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 there are no proposals for modifying the Definitive Map in the parish of Plymtree. 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 District area.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Division: Whimble & Blackdown

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Ref.
Correspondence file	2017 to date	DMR/EastDevon/Plymtree

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sc/cr/DRM Plymtree
02 210619