

PUBLIC RIGHTS OF WAY COMMITTEE

12 November 2019

Present:

Councillors P Sanders (Chair), T Inch, J Brook, I Chubb, P Colthorpe, A Dewhirst, L Hellyer and H Ackland

Apologies:

Councillors M Shaw

* **109** **Minutes**

RESOLVED that the minutes of the meeting held on 4 July 2019 be signed as a correct record.

* **110** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **111** **Devon Countryside Access Forum**

The Committee received the draft minutes of the meeting held on 19 September 2019, noting that the next meeting would be held on 23 January 2020.

There was discussion between Members and Officers concerning the use of electric bikes and battery powered mobility scooters on footpaths; and the Chair referred Members to the recently published Glover review looking at protected landscapes.

* **112** **Legal and Development: Review of the Definitive Map Statement of Priorities**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/85) outlining the current Definitive Map Statement of Priorities and recommending policy revision to take account of current workload and staff resources within the Definitive Map Team.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Colthorpe and

RESOLVED that

(a) the Definitive Map Review Policy Statement DM1A/3 be amended to:

DM1A/4 Completion of the parish-by-parish Definitive Map Review will be sought before 1 January 2025; and

(b) that Policies DM1B/2, DM1C/3 and DM1D remain unchanged.

* **113** **Parish Review: Definitive Map Review 2017-2019 - Parish of Pyworthy**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/86) which examined the Definitive Map Review in the Parish of Pyworthy.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Inch and

RESOLVED that completion of the Definitive Map Review in the Parish of Pyworthy be noted and that no modifications be made.

* **114** **Parish Review: Definitive Map Review 2019 - Parish of Broadhembury**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/87) which examined three proposals arising out of the Definitive Map Review in the Parish of Broadhembury in East Devon district.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Colthorpe and

RESOLVED that no Modification Orders be made in respect of Proposals 1, 2 and 3.

* **115** **Parish Review: Definitive Map Review 2017-2019 - Parish of Woodbury**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/88) which examined the one proposal arising from the Definitive Map Review in the Parish of Woodbury in East Devon district.

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

RESOLVED that no Modification Order be made to the Definitive Map and Statement in respect of Proposal 1.

* **116** **Parish Review: Definitive Map Review - Parish of Wembury (Part 2)**

(Miss C Hart, on behalf of an adjacent landowner, attended under the Public Participation Scheme and spoke in support of Proposal 1.)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/89) which examined Proposal 1 arising out of the Definitive Map Review for the parish of Wembury in South Hams district.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Dewhirst and

RESOLVED that no Modification Order be made in respect of Proposal 1.

* **117** **Parish Review: Definitive Map Review 2018-2019 - Parish of Bampton (Part 2)**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/90) which examined two connecting routes, referred to as Proposals 4 and 5, arising out of the Definitive Map Review in the Parish of Bampton in Mid Devon.

It was **MOVED** by Councillor Colthorpe, **SECONDED** by Councillor Dewhirst and

RESOLVED that a Modification Order be made to modify the Definitive Map and Statement by adding Restricted Byways between points Y – X – W and points X – G – Z as shown on drawing number HIW/PROW/19/012a (Proposals 4 and 5).

* **118** **Parish Review: Definitive Map Review 2019 - Parish of Oakford**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/91) which examined one proposal arising out of the Definitive Map Review in the parish of Oakford in Mid Devon.

It was **MOVED** by Councillor Colthorpe, **SECONDED** by Councillor Dewhirst and

RESOLVED that a Modification Order be made to modify the Definitive Statement by deleting the section describing the route of Footpath No. 6, Oakford between points A – B as shown on drawing number HIW/PROW/19/40 (Proposal 1).

* **119** **Parish Review: Definitive Map Review - Parish of Parracombe (Part 2)**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/92) which further examined the extension of Proposal 2 dealt with in the previous Parish report of 15 November 2018.

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

RESOLVED that a Modification Order be made to modify the Definitive Map and Statement by upgrading Parracombe Bridleway No. 5 to a restricted byway between points A – B – C – D – E – F – G, as shown on drawing number HIW/PROW/18/28a in respect of Proposal 2a.

* **120** **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 Development and Waste (HIW/19/93) on decisions received from the Secretary of State.

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

RESOLVED that a Modification Order be made to modify the Definitive Map and Statement in respect of item (ii) in the Report, by adding a public footpath between points C – D as shown on drawing number HCW/PROW/17/024, as directed by the Secretary of State.

* **121** **Modification Orders**

The Committee noted the Report of the Chief Officer for Highways, Infrastructure and Waste (HIW/19/94) on Modification Orders confirmed as unopposed under delegated powers, namely:

- (a) Footpath No. 33, Broadclyst Definitive Map Modification Order 2018.
- (b) Restricted Byway No. 20, Kentisbury Definitive Map Modification Order 2019.
- (c) Bridleway No. 9, Parracombe Definitive Map Modification Order 2019.
- (d) Restricted Byway No. 30, Parracombe Definitive Map Modification Order 2019.

* **122** **Public Path Orders**

The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/95) on Public Path Orders made and confirmed under delegated powers, namely:

Diversion Orders

- (a) Footpath No. 29, Wembury Public Path Diversion and Definitive Map and Statement Modification Order 2019.
- (b) Footpath No. 5, Sowton Public Path Diversion and Definitive Map and Statement Modification Order 2018.

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

The Meeting started at 2.25 pm and finished at 3.48 pm