

**Definitive Map Review 2019 - 2020
Parish of Stoodleigh**

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 Stoodleigh and no modifications are required to be made.

1. Introduction

The report examines the Definitive Map Review in the parish of Stoodleigh, in Mid Devon District.

2. Background

The original parish survey, under s. 27 of the National Parks and Access to the Countryside Act 1949, was undertaken by Mr W Cann and Mr L Palfrey in September 1950. A total of twelve public rights of way were initially proposed in Stoodleigh. Following a meeting with Tiverton Rural District Council and Stoodleigh Parish Council in October 1957, eight footpaths and two bridleways were agreed to be included on the draft definitive map. These ten routes were subsequently recorded on the Definitive Map and Statement for Stoodleigh in Tiverton Rural District Council with the relevant date of 9 June 1964. Footpath No. 10, Stoodleigh was added by way of a creation/dedication agreement in 2000.

In the 1968, subsequently uncompleted review, the Parish Council commented that a bridleway from Aldridge Mill to Halfpenny Bridge was omitted. Part of the bridleway route raised was in Oakford parish and part is now recorded as Footpath No. 10, Stoodleigh. In the 1977, also uncompleted review, the parish council agreed with landowner proposals made for the diversion of a footpath, downgrading of a bridleway and extinguishment of a footpath. The landowners did not proceed with the diversion or extinguishment of the footpaths and no evidence was submitted to support the downgrading of the bridleway.

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

The following Orders have been made and confirmed:
Department of Transport Bridleway No. 9, Stoodleigh Schedule 5 North Devon Link Road (Tiverton – Newton Side Roads) Order 1986
Devon County Council Footpath No. 10, Stoodleigh Public Path Creation Agreement 2000

Devon County Council Bridleway No. 8, Stoodleigh Public Path Diversion Order 2008

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

The current review commenced in July 2019 with a parish public meeting held at Stoodleigh parish hall, which was well attended by parishioners and councillors.

3. Proposals

No new comments or evidence was received in respect of the proposals made in the 1968 and 1977 reviews and so these were not taken forward as valid proposals under the current review.

A claim was made in 2009 by Stoodleigh Parish Council for the addition of a bridleway through Barehills Woods that was supported by user evidence forms. As the route claimed lies solely in the adjoining parish of Washfield, it was confirmed that this claim would be considered during the Washfield Definitive Map Review that was due to commence in 2020.

No other responses or proposals were received from the parish council or any other parishioners or members of the public for consideration under the definitive map review.

In the absence of any valid proposals or claims for change, the definitive map review consultation map for Stoodleigh was published with no proposals for change to the Definitive Map in the parish.

4. Consultations

Public consultation for the Definitive Map Review in the parish was carried out in February 2020 to April 2020. The review consultation was advertised in the parish, on the parish website and in a local newspaper.

The responses were as follows:

County Councillor P Colthorpe	-	no comment
Mid Devon District Council	-	no comment
Stoodleigh Parish Council	-	see proposals above
British Horse Society	-	no comment
Devon Green Lanes Group	-	no comment
The Ramblers	-	no comment
Trail Riders' Fellowship	-	no comment
Country Landowners Association	-	no comment
National Farmers' Union	-	no comment
Cycling UK	-	no comment

No proposals were received during the two month period of consultation with the Parish Council, public or local user group representatives.

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 (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 the Definitive Map Review has been completed and there are no proposals for modifying the Definitive Map in the parish of Stoodleigh. 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 Recommendation

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 Mid Devon District area.

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Electoral Division: Tiverton West

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Ref.
Correspondence files	2019 - date	TW/DMR/Stoodleigh

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sc/cr/DMR Parish of Stoodleigh
05 161120