

## **Definitive Map Review Parish of Clyst Hydon**

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 Clyst Hydon and no modifications are required.

### **1. Introduction**

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

### **2. Background**

The original survey under s. 27 of the National Parks and Access to the Countryside Act 1949 revealed 17 footpaths in Clyst Hydon, which were recorded on the Definitive Map and Statement with a relevant date of 5<sup>th</sup> November 1957.

The reviews of the Definitive Map under s.33 of the 1949 Act, which commenced in the 1960s and 1970s but were never completed, produced no valid proposals from the Parish Council.

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:

East Devon District Council (Footpath No. 11, Clyst Hydon) Public Path Extinguishment Order 1980

East Devon District Council (Footpath No. 20, Clyst Hydon) Public Path Extinguishment Order 1980

Devon County Council (Twineys Lane, Clyst Hydon) Section 116 Highways Act Stopping Up Order 1985 - with reservation of public right of way on foot (now Footpath no. 22, Clyst Hydon)

Devon County Council (Footpath No. 12, Clyst Hydon) Public Path Diversion Order 1995

Devon County Council (Footpath No. 19, Clyst Hydon) Public Path Diversion Order 1995

Devon County Council (Footpath No. 8, Clyst Hydon) Public Path Diversion Order 1998

Devon County Council (Footpath No. 8, Clyst Hydon) Public Path Diversion and Definitive Map and Statement Modification Order 2019

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

The current review began in November 2019 with a public meeting, 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**

General consultations have been carried out with the following results:

County Councillor Sara Randall-Johnson	-	no comment;
County Councillor Ray Bloxham	-	no comment;
County Councillor Ray Radford	-	no comment;
East Devon District Council/AONB	-	no comment;
Clyst Hydon Parish Council	-	no comment;
Country Land and Business Association	-	no comment;
National Farmers' Union	-	no comment;
Trail Riders' Fellowship/ACU	-	no comment;
British Horse Society	-	no comment;
Cycling UK	-	no comment;
Ramblers	-	no comment;
Byways & Bridleways Trust	-	no comment;
4 Wheel vehicle Users	-	no comment;
Devon Green Lanes Group	-	no comment

Specific responses are detailed in the Appendix to this report and included in the background papers.

### **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 (including Climate Change) 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 there are no proposals for modifying the Definitive Map in the parish of Clyst Hydon. 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 area.

Meg Booth  
Chief Officer for Highways, Infrastructure Development and Waste

### **Electoral Division: Broadclyst**

#### Local Government Act 1972: List of Background Papers

Contact for enquiries: Thomas Green

Room No: M8, Great Moor House

Tel No: (01392) 383000

Background Paper	Date	File Ref.
Correspondence File	2000 to date	TCG/DMR/CLYSTHYDON

tg031120pra  
sc/cr/DMR Parish of Clyst Hydon  
02 161120