

CET/24/100

Public Rights of Way Committee
14 November 2024

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

Report of the Director of Climate Change, Environment and Transport

Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.

1) Recommendation

It is recommended that the report be noted.

2) Summary

Since the last Committee the following decisions have been received from the High Court of Justice. Where applicable, the plans are attached in the appendix to this report.

Modification Orders

	Decision
High Court of Justice, Statutory Challenge Under Paragraph 12 of Schedule 15 to the Wildlife and Countryside Act 1981 Between: R (oao Richard Berry) v Secretary of State for Environment, Food and Rural Affairs and Devon County Council Devon County Council (Restricted Byway No. 48, East Down and Restricted Byway No. 48, Marwood) Definitive Map Modification Order 2017	The Claimant's claim is dismissed. (The order, as previously confirmed following a Public Inquiry held by the Planning Inspectorate is upheld.)

Meg Booth

Director of Climate Change, Environment and Transport

Electoral Division: Combe Martin Rural

Local Government Act 1972: List of background papers

Background Paper Nil

Contact for enquiries:

Name: Richard Walton

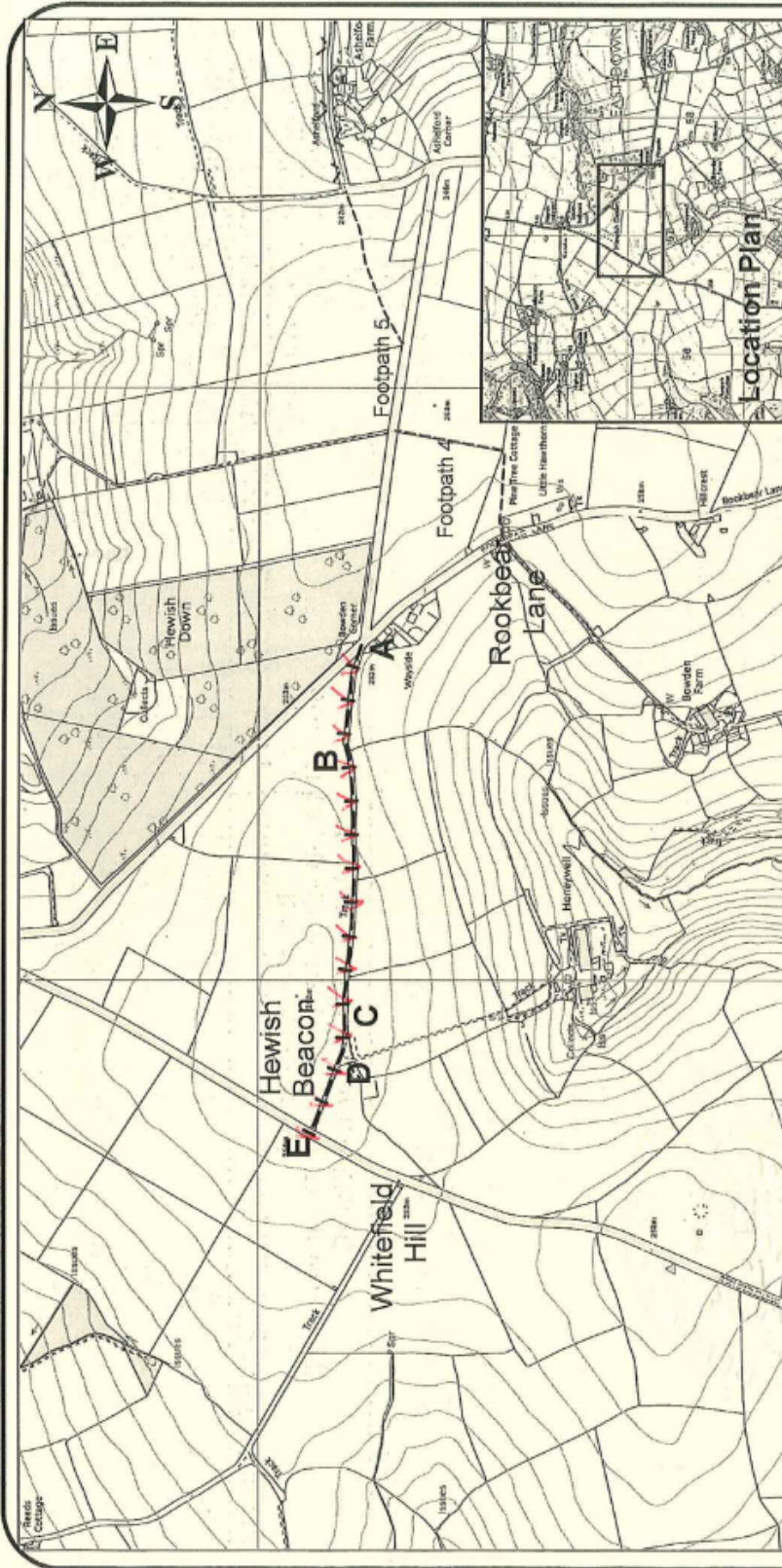
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sc/cr/Public Inquiry, Informal Hearing and Written Representation Decisions; Directions and High Court Appeals

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map ref. SS 5640 & 5740

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Devon County Council
(Bridleway No. 48, East Down & Bridleway No. 48, Marwood)
Definitive Map Modification Order 2017

drawing number **HIW/PROW/17/32**
 date **June 2017**
 scale **1:10,000**
 drawn by **CLG**

Notation

- Bridleway No. 48, East Down A - B (approx 60 m)
- Bridleway No. 48, Marwood B - C - D - E (approx 660m)
- Existing footpath
- Existing byway

Rookbeary Byway
Reynolds Byway

Meg Booth
 Acting Chief Officer
 for Highways,
 Infrastructure Development
 & Waste

