

CET/25/25

Public Rights of Way Committee  
6 March 2025

## Definitive Map Review Parish of Virginstow

Report of the Director of Climate Change, Environment and Transport

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

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### **1) Recommendation:**

That the committee note that the Definitive Map Review has been completed in the parish of Virginstow and no proposals for modifying the Definitive Map have been identified.

### **2) Introduction and Background**

This report examines the Definitive Map Review in the parish of Virginstow.

The original survey under s. 27 of the National Parks and Access to the Countryside Act 1949 revealed 3 footpaths which were recorded on the Definitive Map and Statement with a relevant date of 1<sup>st</sup> September 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 Virginstow 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:

Devon County Council (Footpath No.1, Virginstow) Public Path Diversion Order 1998; and  
Devon County Council (Footpath No.2, Virginstow) Public Path Diversion Order 2005.

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

The current review began in with an opening meeting in November 2023.

### **3) Proposals**

There are no valid proposals arising out of this or previous reviews.

#### **4) Options/Alternatives**

The parish review has been carried out in accordance with the County Council's statutory duty under the Wildlife and Countryside Act 1981 to keep the Definitive Map and Statement under continuous review.

#### **5) Consultations and Representations**

A full public consultation was carried out in November 2024 and the Review was advertised in the parish and in the local press.

The responses were:-

County Councillor Morrish	– no comment
Torrige Devon District Council	– no comment
Virginstow Parish Meeting	– no comment
Auto Cycle Union	– no comment
British Driving Society	– no comment
British Horse Society	– no comment
Byways and Bridleways Trust	– no comment
Country Landowners' Association	– no comment
National Farmers' Union	– no comment
Open Spaces Society	– no comment
Ramblers'	– no comment
Trail Riders' Fellowship	– no comment

#### **6) Strategic Plan**

At a strategic level, public rights of way are of great importance to:

- Connecting people and places (including Active Travel),
- the local economy (with the network providing essential infrastructure in support of recreation, leisure, and tourism),
- carbon reduction, biodiversity, landscape, and heritage (particularly provision for non-car based travel, contribution to climate change avoidance and mitigation measures, and as a key component of green infrastructure), and
- physical and mental health and wellbeing (with benefits directly attributable to exercising outdoors and contact with nature).

Directly relevant priorities set out within the Devon Strategic Plan include:

- Responding to the climate emergency, especially 'more opportunities for cycling and walking', and 'encourage sustainable lifestyles'.
- Supporting recovery and growth, especially 'maintain, and where necessary, improve our highway network' and 'improve sustainable transport options'.
- Improve health and wellbeing, especially 'give people greater opportunities for walking and cycling to increase their physical activity'.
- Supporting people and communities, especially 'enable a range of transport options, including public transport'.

## **7) 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 the relevant statutory duties.

## **8) Legal Considerations**

The implications/consequences of the recommendation has been taken into account in the preparation of the report.

## **9) Environmental Impact Considerations (including Climate Change, Sustainability and Socio-economic)**

Environmental impact (including climate change sustainability and socio-economic) implications have, where appropriate under the provisions of the relevant legislation, been taken into account in the preparation of the report.

## **10) Equality Considerations**

Where relevant, in coming to a decision the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding in relation to the protected characteristics (age, disability, gender reassignment, marriage and civil partnership (for employment), pregnancy and maternity, race/ethnicity, religion or belief, sex and sexual orientation).

A decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

Equality impacts have, where appropriate under the provisions of the relevant legislation, been taken into account in the preparation of the report. No impacts have been identified.

## **11) Risk Management Considerations**

No risks have been identified.

## **12) Summary/Reasons for Recommendations**

It is recommended that Members note that there are no proposals for modifying the Definitive Map in the parish of Virginstow. 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.

This parish review has been carried out in accordance with 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 Torridge district area.

## **Meg Booth**

Director of Climate Change, Environment and Transport

**Electoral Division: Holsworthy Rural**

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

Background Paper	Correspondence Files
Date	Current
File Reference	DMR/Virginstow

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