

## PUBLIC RIGHTS OF WAY COMMITTEE

6 March 2025

Present:-

Councillors L Hellyer (Chair), R Chesterton (Vice-Chair), J Bradford, J Brook and I Chubb

Apologies:-

Councillors M Squires, D Sellis and D Thomas

Members attending in accordance with Standing Orders 8 and 25

### 120 **Declarations of Interest**

The Chair reminded Members they should declare any interests they may have in any item to be considered, prior to any discussion taking place on that item. The details of District and or Town and Parish Twin Hatters was on the attached list - [A list of county councillors who are also district, borough, city, parish or town councillors](#)

### \* 121 **Minutes**

**RESOLVED** that the minutes of the meeting held on 14 November 2024 be signed as a correct record.

### \* 122 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

### \* 123 **Devon Countryside Access Forum**

The Committee received the draft minutes of the meeting held on 20 January 2025 and in particular noted that three new members had been appointed and would soon be attending initial training on the work of the Forum.

### \* 124 **Parish Review: Definitive Map Review - Parish of Loxbeare**

The Committee considered the report of the Director of Climate Change, Environment and Transport (CET/25/24) which examined the two proposals

arising out of the Definitive Map Review in the Parish of Loxbeare in Mid Devon.

Members noted that the upgrade of the Bridleway to a Restricted Bridleway was the recommended option for Proposal 1; and that this does not include a public right for use by motorised vehicles.

Mr Morris, Land Agent, attended the meeting under the Council's Public Participation scheme and being aware that it would not be a byway open to all traffic, spoke in favour of the recommendation.

With regards to Proposal 2, Members noted that the minor lane going under the A361 North Devon Link Road was a much more preferable route for walkers.

**RESOLVED:** that: (a) a Modification Order be made to modify the Definitive Map and Statement for the upgrading of Bridleway No. 6, Loxbeare to a Restricted Byway (not a BOAT) between points A - B as shown on plan number CCET/PROW/25/01 (Proposal 1); and that (b) a Public Path Extinguishment and Definitive Map & Statement Modification Order be made to extinguish Footpath No. 1, Loxbeare and Footpath No. 11, Washfield D - E - F, as shown on drawing number CCET/PROW/24/32 (Proposal 2).

\* **125**      **Parish Review: Definitive Map Review - Parish of Virginstowe**

The Committee considered the report of the Director of Climate Change, Environment and Transport (CET/25/25) which examined the Definitive Map Review in the Parish of Virginstowe.

The original survey under s. 27 of the National Parks and Access to the Countryside Act 1949 revealed three footpaths which were recorded on the Definitive Map and Statement as of 1 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.

**RESOLVED:** that the Definitive Map Review, completed in the parish of Virginstow and no proposals identified for modifying the Definitive Map be **NOTED**.

\* **126**      **Schedule 14 Applications - Parish of Thurlestone**

The Committee considered the report of the Director of Climate Change, Environment and Transport (CET/25/26) which examined one proposal arising from a Schedule 14 Application in the parish of Thurlestone in the South Hams District. The Application was submitted to the County Council in July 2019 and as per policy, was added to the Devon County Council Statutory Schedule 14 Register. The parish-by-parish review of the Definitive Map for Thurlestone commenced in April 2009. The proposal was not put forward as part of the review and had not been claimed in any previous reviews.

Mr Gilbert, attended the meeting under the Council's Public Participation scheme and spoke in favour of the recommendation.

Mr Brown, representing a landowner, attended the meeting and made objection to the proposal. He advised that a permissive, in perpetuity, path had been proposed on behalf of his client, and that he considered this to be a preferable option.

Councillor Smyth, attended the meeting, on behalf of Thurlestone Parish Council. He highlighted the importance and long established public access to Dixons Quay, including for access to the water and other recreational pursuits. He also commented that the permissive route option as suggested by the landowner was not a suitable alternative.

During general discussion, the Committee made the following observations:

- A permissive path could be withdrawn by the landowner
- The landowner could consider dedication of a path as an alternative and this would be consistent with objectives and policies in the public rights of way improvement plan
- The volume of user evidence forms documented was significant showing use over many years

**RESOLVED:** that a Modification Order to amend the Definitive Map and Statement by adding public footpaths along the routes A – B – C and D – B – C as shown on the proposal map CCET/PROW/25/07 be made.

\* **127**      **Public Inquiry, Informal Hearing and Written Representation Decisions; Directions and High Court Appeals**

The Committee **NOTED** the report of the Director of Climate Change Environment and Transport (CET/25/27) and planning inspectorate decision to confirm the Devon County Council (Footpath No. 7, Colyford) Definitive Map Modification Order 2023.

\* **128**      **Public Path Diversion and Definitive Map and Statement Modification Orders**

The Committee considered and **NOTED** the Report of the Director of Climate Change Environment and Transport (CET/25/28) and plans which informed that Definitive Map Modification Orders had been made and confirmed under delegated powers: Chardstock (Footpath No, 84) Definitive Map Modification Order 2024 Parracombe (Footpath No. 2 and Bridleway)

\* **129**      **Public Path Orders**

The Committee **NOTED** the Report of the Director of Climate Change Environment and Transport (CET/25/29) on the Public Path Orders made and confirmed under delegated powers.

\* **130**      **Public Path Orders**

The Committee **NOTED** the Report of the Director of Climate Change Environment and Transport (CET/25/30) on the Public Path Orders made, confirmed and certified by local planning authorities under powers through the Town and Country Planning Act 1990.

\* **131**      **Dates of Future Meetings**

The next meetings of the Committee will be held at 10.30am on the following dates:

17 July 2025  
18 November 2025  
4 March 2026

**NOTES:**

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

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

The Meeting started at 2.00 pm and finished at 2.45 pm