

NOTICE OF HEARING WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Notice is hereby given that an Inspector will be appointed by the Secretary of State for Environment, Food and Rural Affairs to determine

Devon County Council

(Footpath No. 2, Culmstock (part) & Bridleway No. 38, Culmstock and Restricted Byway No. 1, Hemyock) Definitive Map Modification Order 2012

and will attend at:

**Hemyock Church Rooms, Cornhill, Hemyock, Devon, EX15
3RQ**

On Tuesday 6 December 2016 at 10.00am

To hold a hearing to hear new evidence into the unmodified part of the Order and, concurrently, hold a hearing into the Inspector's proposed modifications to the Order as contained in her letter dated 11 January 2016.

The effect of the Order, if confirmed as made, would be to modify the Definitive Map and Statement for the area by **ADDING** Footpath No.2, Culmstock (part) and Bridleway No. 38, Culmstock and Restricted Byway No. 1, Hemyock and **UPGRADING** Footpath No. 2 Culmstock (part) to Bridleway No. 38 Culmstock.

Footpath No. 2 Culmstock (part) starts at the county road at Pitt Farm Culmstock and proceeds south eastwards along the farm track then north through a field gate and continues as Footpath No. 2, Culmstock to the Hemyock parish boundary.

Bridleway No. 38, Culmstock starts at the county road at Pitt Farm Culmstock and proceeds in an east south easterly direction along a farm track and continues through a hedged lane to the Culmstock/Hemyock parish boundary to join Restricted Byway No. 1, Hemyock.

Restricted Byway No. 1 Hemyock starts at the Culmstock/Hemyock parish boundary and continues south easterly through a predominantly hedged lane to join the county road south of Clements Farm Hemyock.

The effect of the proposed modifications would be to modify the Order by providing for the following modifications:

- References to Bridleway in the Order and on the Order plan be replaced with the word "Footpath"
- In the preamble to the Order, delete "(ii)" in line 5, and delete "that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description" in lines 9 to 11

In Part I of the Schedule to the Order

- under the modified heading "Footpath No.38, Culmstock" delete "with cross bars in the intervals" in the last sentence of the description

- under the heading Restricted Byway No. 1, Hemyock, replace the word 'Bridleway' with "Byway" in the first sentence
- delete the heading "Description of Path to be Upgraded" and the paragraphs beneath

In Part II of the Schedule to the Order

- under the heading "Footpath No.2, Culmstock", after the word "From" delete "Bridleway No.38" and insert "The county road at Pitt Farm,"; and, in line one of the description after the words "It starts at" delete "Bridleway No.38, Culmstock" and replace with "the county road at Pitt Farm and proceeds south eastwards to where the path continues north through a gate into a field"; and, in line five, after the word "approximately" insert "120 metres long and 2.5 – 4 metres wide as defined by the farm track, then"
- under the modified heading "Footpath No.38, Culmstock", after the word "From" delete "minor county road" and insert "GR (ST 1104,1437)"; and, in line one of the description after the words "It starts at" delete "the minor county road" and insert "Footpath No.2, Culmstock at GR (ST 1104,1437)"; and, in line five, delete "335" and replace with "215"
- On the plan attached to the Order (drawing Number HTM/PROW/11/76) amend the notation for modified Footpath No.38 to a broken line

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the Rights of Way Section, County Hall:-Public Rights of Way, ABG, Lucombe House, County Hall, Topsham Road, Exeter, Devon, EX2 4QD, between 10 – 4.30 Monday to Fridays. To arrange a viewing, please contact Ms Emily Spurway on Telephone Number (01392) 383000

Planning Inspectorate Reference: FPS/J1155/7/108M1

Contact point at the Planning Inspectorate: Helen Sparks, Rights of Way Section, Room 3/G, Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

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