

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Devon County Council
(Restricted Byway No. 50, Sandford) Definitive Map Modification Order
2014

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **12 December 2016**.

Consideration of the Order will take the form of a hearing.

The Hearing will be held at **Sandford Congregational Hall, Church Street, Sandford, Crediton, Devon, EX17 4ND** on **Wednesday 26 April 2017** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by adding to them the Restricted Byway running from Henstill Cross (at the west end of Yarmleigh Lane) generally south westwards along a field headland and up along a defined lane for 690 metres to the county road at Lower New Buildings, east of Lower Shoplands (GR SS 8011 0422 to SS 7970 0373) in the parish of Sandford and administrative district of Mid Devon.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: helen.sparks@pins.gsi.gov.uk Please quote reference number FPS/J1155/7/114 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the offices of Devon County Council at PROW Room ABG, Lucombe House, County Hall, Topsham Road, Exeter, Devon, EX2 4QD between the hours of 9am – 5pm Monday – Thursday and 9am – 4.30pm Fridays. To arrange a viewing, please contact Mrs Tania Weeks on Telephone Number 01392 382833.

Timetable for sending in statements of case

Within 8 weeks of the start date [by 6 February 2017]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

Within 12 weeks of the start date [by 6 March 2017]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

All parties must keep to the timetable set out above and ensure that statements of case are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for hearing

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the hearing.

DATED 20TH AUGUST 2014

WILDLIFE AND COUNTRYSIDE ACT 1981
COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT
DEVON COUNTY COUNCIL
(RESTRICTED BYWAY NO. 50, SANDFORD)
DEFINITIVE MAP MODIFICATION ORDER 2014

County Solicitor
Devon County Council
County Hall
Exeter
Devon
EX2 4QD

Devon
County Council 

WILDLIFE AND COUNTRYSIDE ACT 1981
COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT
DEVON COUNTY COUNCIL
(RESTRICTED BYWAY NO. 50, SANDFORD)
DEFINITIVE MAP MODIFICATION ORDER 2014

This Order is made by Devon County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the County of Devon Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a Restricted Byway.

The Authority has consulted with every local authority whose area includes the land to which the Order relates. The Devon County Council hereby order that:

1. For the purposes of this order the relevant date is 25th February 2014.
2. The County of Devon Definitive Map and Statement shall be modified as described in the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Devon County Council (Restricted Byway No. 50, Sandford) Definitive Map Modification Order 2014.

DATED this 20th day of August 2014

THE COMMON SEAL of the DEVON COUNTY)
COUNCIL was hereunto affixed in the)
presence of :-)




A Duly Authorised Officer

DOCUMENT No. 45359.....

SCHEDULE

PART I

MODIFICATION OF DEFINITIVE MAP

DESCRIPTION OF WAY TO BE ADDED

Restricted Byway No. 50, Sandford

This way lies in the administrative district of Mid Devon and in the civil parish of Sandford. The restricted byway starts at point C (GR SS 8011 0422), as shown on plan number HCW/PROW/14/47, at Henstill Cross at the west end of Yarmleigh Lane (Restricted Byway No. 48, Sandford) and runs south westwards then southwards along a field headland for about 605 metres to point D (SS 7977 0378) and then continues south westwards up along a defined sunken lane for about 85 metres to the county road at Lower New Buildings, east of Lower Shoplands, at point E (SS 7970 0373).

The total length of the way to be added is approximately 690 metres with a width of 3 metres along the headland and varying between 2.6 and 3 metres as defined by the hedge banks along the lane. It is shown on the plan as a broken black line with small arrows between points C – D – E.

PART II

MODIFICATION OF DEFINITIVE STATEMENT

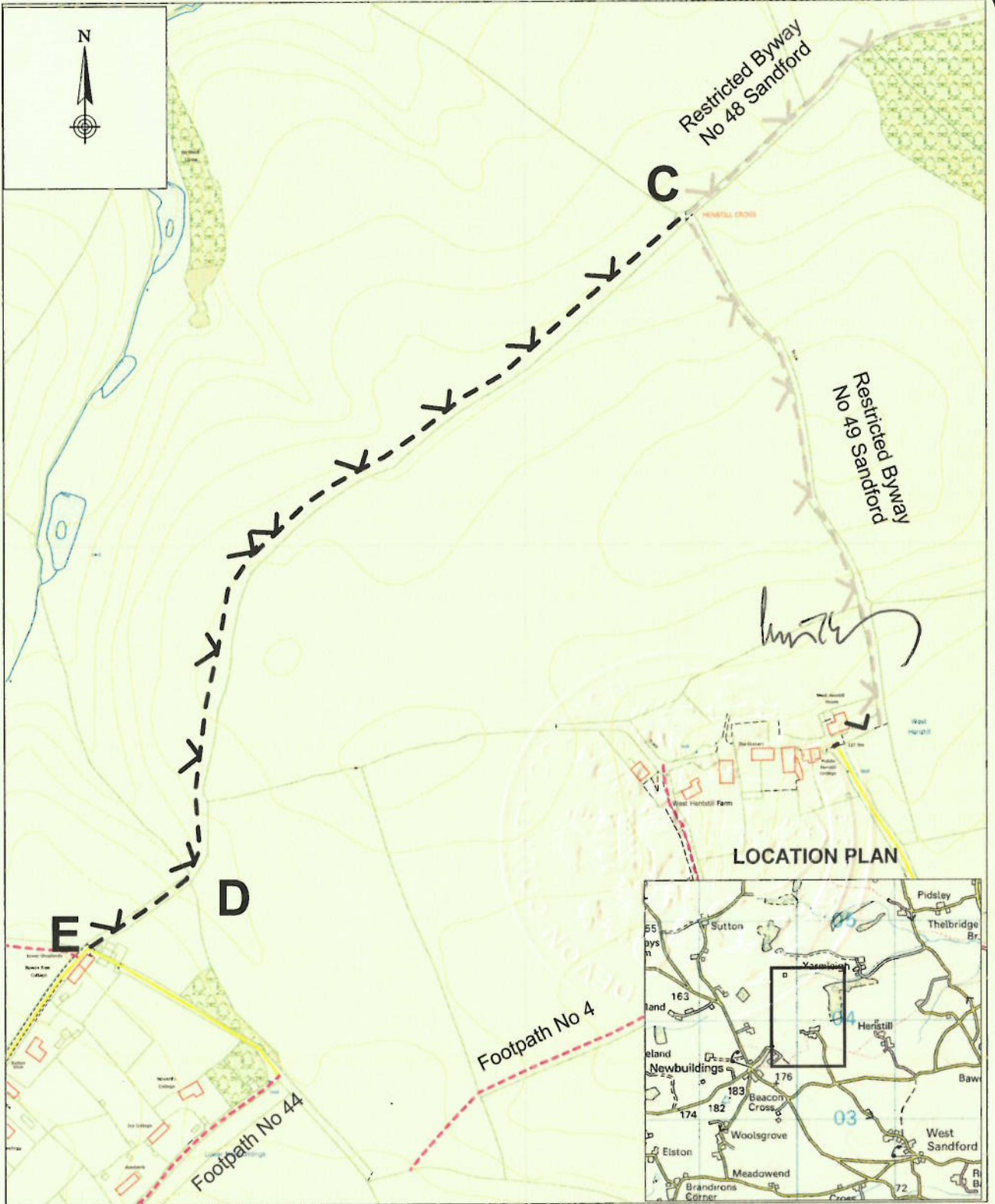
VARIATION OF PARTICULARS OF WAY

Restricted Byway No. 50, Sandford

From Henstill Cross at the west end of Restricted Byway No. 48, Sandford
To the county road at Lower New Buildings

The way is a restricted byway. It starts at Henstill Cross at the west end of Yarmleigh Lane and the junction of Restricted Byways No 48 and 49, Sandford and proceeds south westwards and southwards along the field headland and then continues south westwards up along a sunken lane to the county road by Lower Shoplands at Lower New Buildings.

The restricted byway has a surface of earth/grass along the field headland and earth with some stone/bed rock along the section of lane leading to Lower New Buildings. The way has a width of 3 metres along the field headland and between 2.6 and 3 metres as defined by the hedge banks along the lane and a total length of approximately 690 metres.





Map Ref **SS 7903 7904 8004**

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DEVON COUNTY COUNCIL
DEFINITIVE MAP MODIFICATION ORDER 2014
RESTRICTED BYWAY NO. 50, SANDFORD

drawing number **HCW/PROW/14/47**
 date **Jun 2014**
 scale **1:4,000 at A4**
 drawn by **TW**

Notation Restricted Byway No. 50
 Sandford C - D - E (690 metres approx) 
 Existing Public Footpaths 

David Whitton
 HEAD OF HIGHWAYS, CAPITAL DEVELOPMENT & WASTE

