

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Devon County Council
(Bridleway No. 6, Ugborough) Definitive Map Modification Order 2016

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 April 2018**.

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **Bittaford Village Hall, Jubilee Terrace, Bittaford, Ivybridge, Devon, PL21 0DA** on **Thursday 11 October 2018** 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** Bridleway No.6, Ugborough. This path is a public bridleway. It is situated in the administrative district of the South Hams and in the civil parish of Ugborough. The bridleway starts at the county road adjacent to the western boundary of Filham House at point A GR (SX 6487,5551) as shown on the Order plan HCW/PROW/16/14. The bridleway continues through a gate and proceeds in a generally south south westerly direction along a hedged lane to a gate at point B GR (SX 6480,5537) as shown on the Order plan. From point B, the bridleway enters Filham Park and follows a well defined metalled track in a south westerly direction across the park for approximately 550 metres to the edge of Wadland Wood at point C GR (SX 6440,5503) as shown on the Order plan. At point C the bridleway passes through another gate, into Wadland Wood and continues through the woodland along a well defined path to Wadland Lodge. The bridleway exits through a fourth gate to join the county road the B3211 at point D GR (SX 6412,5479) as shown on the Order plan HCW/PROW/16/14.

The width of the bridleway varies between 2.5 to 5.5 metres according to the width of the track and the total length is approximately 1090 metres. The surface of the path is predominantly stone.

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 ROW/3191682 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 Public Rights of Way Section, ABG Lucombe House, County Hall, Topsham Road, Exeter, Devon, EX2 4QD between 10am – 4pm Monday to Friday with prior notice. To arrange a viewing, please contact Ms Emily Spurway on Telephone Number 01392 382867.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 7 June 2018]

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 - these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date [by 19 July 2018]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry 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).

4 weeks before the date of the inquiry [by 13 September 2018]

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has

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 inquiry.

submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);

- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence 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 inquiry

DATED 23rd August 2016

WILDLIFE AND COUNTRYSIDE ACT 1981
COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT
DEVON COUNTY COUNCIL
(BRIDLEWAY No.6, UGBOROUGH)
DEFINITIVE MAP MODIFICATION ORDER 2016

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

(BRIDLEWAY No.6, UGBOROUGH)

DEFINITIVE MAP MODIFICATION ORDER 2016


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, that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over the land in the area to which the map relates, being a right of way such that the land over which the rights subsists is a public path.

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:

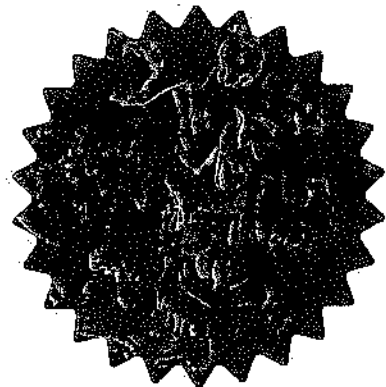
1. For the purposes of this order the relevant date is 8th July 2016.
2. The County of Devon Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Devon County Council (Bridleway No.6, Ugborough) Definitive Map Modification Order 2016.

DATED this 23rd August 2016

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


A Duly Authorized Officer

DOCUMENT No. 47412



SCHEDULE

PART I

MODIFICATION OF DEFINITIVE MAP

DESCRIPTION OF PATH TO BE ADDED

Bridleway No.6, Ugborough

This path is a public bridleway. It is situated in the administrative district of the South Hams and in the civil parish of Ugborough. The bridleway starts at the county road adjacent to the western boundary of Filham House at point A GR (SX 6487,5551) as shown on the Order plan HCW/PROW/16/14. The bridleway continues through a gate and proceeds in a generally south south westerly direction along a hedged lane to a gate at point B GR (SX 6480,5537) as shown on the Order plan. From point B, the bridleway enters Filham Park and follows a well defined metalled track in a south westerly direction across the park for approximately 550 metres to the edge of Wadland Wood at point C GR (SX 6440,5503) as shown on the Order plan. At point C the bridleway passes through another gate, into Wadland Wood and continues through the woodland along a well defined path to Wadland Lodge. The bridleway exits through a fourth gate to join the county road the B3211 at point D GR (SX 6412,5479) as shown on the Order plan HCW/PROW/16/14.

The width of the bridleway varies between 2.5 to 5.5 metres according to the width of the track and the total length is approximately 1090 metres. The surface of the path is predominantly stone.

The path is shown on the plan as a broken black line with cross bars in the intervals.

PART II

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

Bridleway No.6, Ugborough

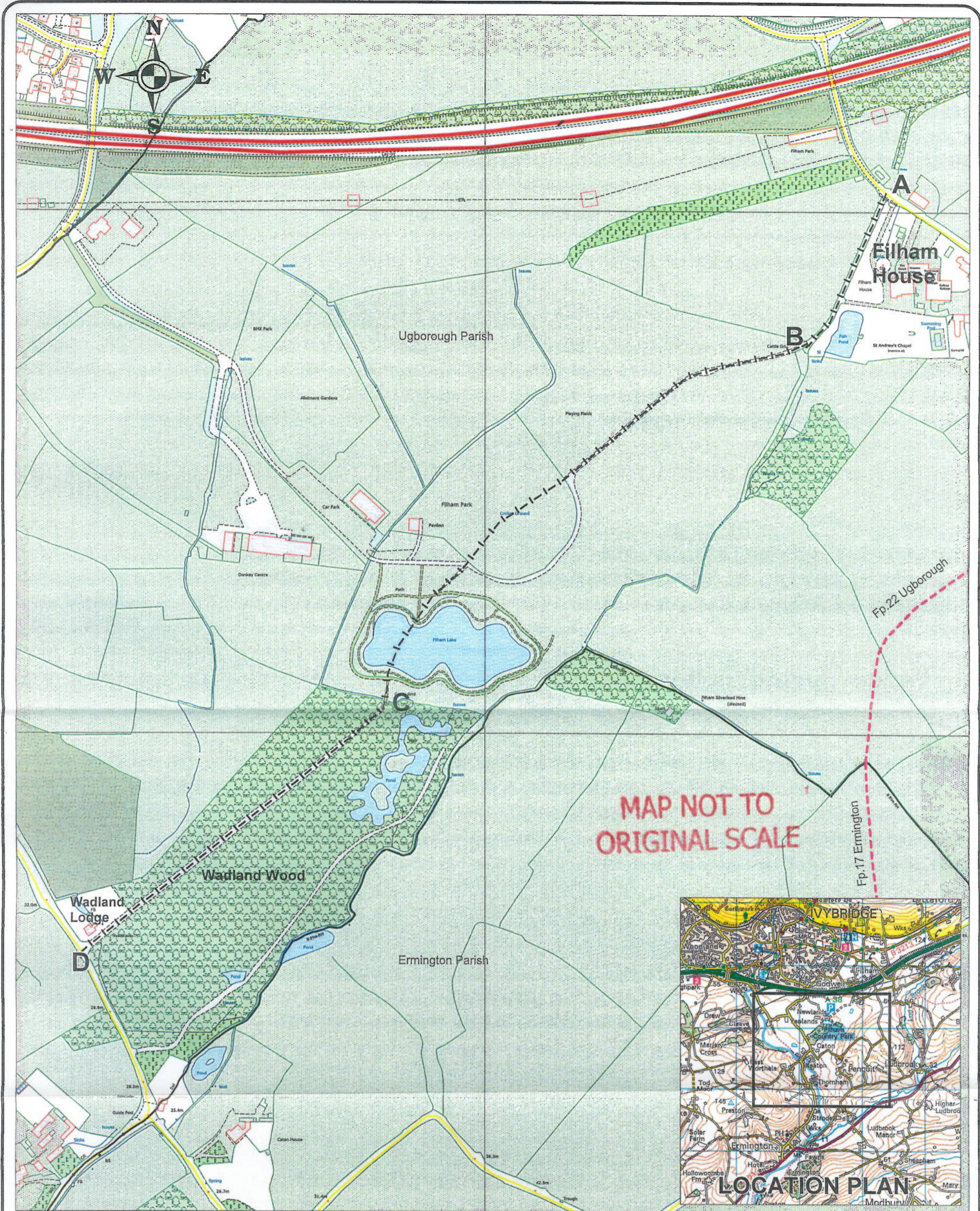
From: County road adjacent to the western boundary of Filham House, Ugborough

To: County road B3211 near Wadland Lodge, Ugborough

This path is a bridleway. It starts at the county road on the western boundary of Filham House. The bridleway passes through a gate and into a defined lane leading towards Filham Park. At the boundary of the park, the bridleway passes through a second gate into Filham Park. The bridleway continues in a south westerly direction across the park on a well-defined path for approximately 550 metres to the edge of Wadland Wood. The bridleway passes through another gate into Wadland Wood

and continues along a defined path passing Wadland Lodge to the west and exits through a fourth gate onto the county road, the B3211.

The width of the bridleway varies between 2.5 and 5.5 metres, according to the width of the track and the total length is approximately 1090 metres. The surface of the path is predominantly stone.



map ref: SX 6454

500m grid

Based on Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright
 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100019783

**Devon County Council
 Definitive Map Modification Order 2016
 Bridleway No.6, Ugborough**

drawing number **HCW/PROW/16/14**
 date **July 2016**
 scale **1 : 3,500 (at A3 only)**
 drawn by **ES**

Notation

Bridleway No.6, Ugborough A - B - C - D - - - - - 1090m approx
Existing public footpaths - - - - -

David Whitton
 Head of Highways, Capital Development & Waste



Handwritten initials