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## Order Decision

Site visit made on 21 November 2019

**by Rory Cridland LLB(Hons), Solicitor**

**an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs**

**Decision date: 15 May 2020**

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### **Order Ref: ROW/3220610**

- The Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the 1981 Act") and is known as the Devon County Council (Bridleway No. 174, Sidmouth) Definitive Map Modification Order 2014.
- The Order is dated 3 November 2014 and proposes to modify the Definitive Map and Statement for the area by adding a public bridleway as shown in the Order plan and described in the Order schedule.
- In accordance with paragraph 8(2) of Schedule 15 of the 1981 Act notice of the proposal to confirm the Order subject to modification has been given.

**Summary of Decision: The Order is confirmed subject to the modifications previously proposed and set out in the Formal Decision below.**

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### **Procedural Matters**

1. In my interim decision dated 19 December 2019, I proposed the confirmation of the Order subject to a number of modifications. The effect of these modifications is to remove the tarmacked section of Chelson Lane from the Order. As my interim decision makes clear, I consider these modifications necessary on the basis that the section of route affected already benefits from public vehicular rights and forms part of the minor county road.
2. Following the giving of notice of the proposed modification, no representations were received and there are no objections to the proposed modifications.

### **Conclusion**

3. In view of the above, I conclude that the Order should be confirmed subject to the modifications previously proposed.

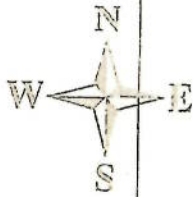
### **Formal Decision**

4. I confirm the Order subject to the following modifications:
  - The Order plan shall be modified as follows:
    - an additional reference point, point C1, shall be inserted into the Order plan at the end of the surfaced part of Chelson Lane near to the entrance to Voggis Hill Farm;
    - the broken black line with cross bars shown between point C and the end of the surfaced part of Chelson Lane (indicated by the newly inserted point C1) shall be deleted.

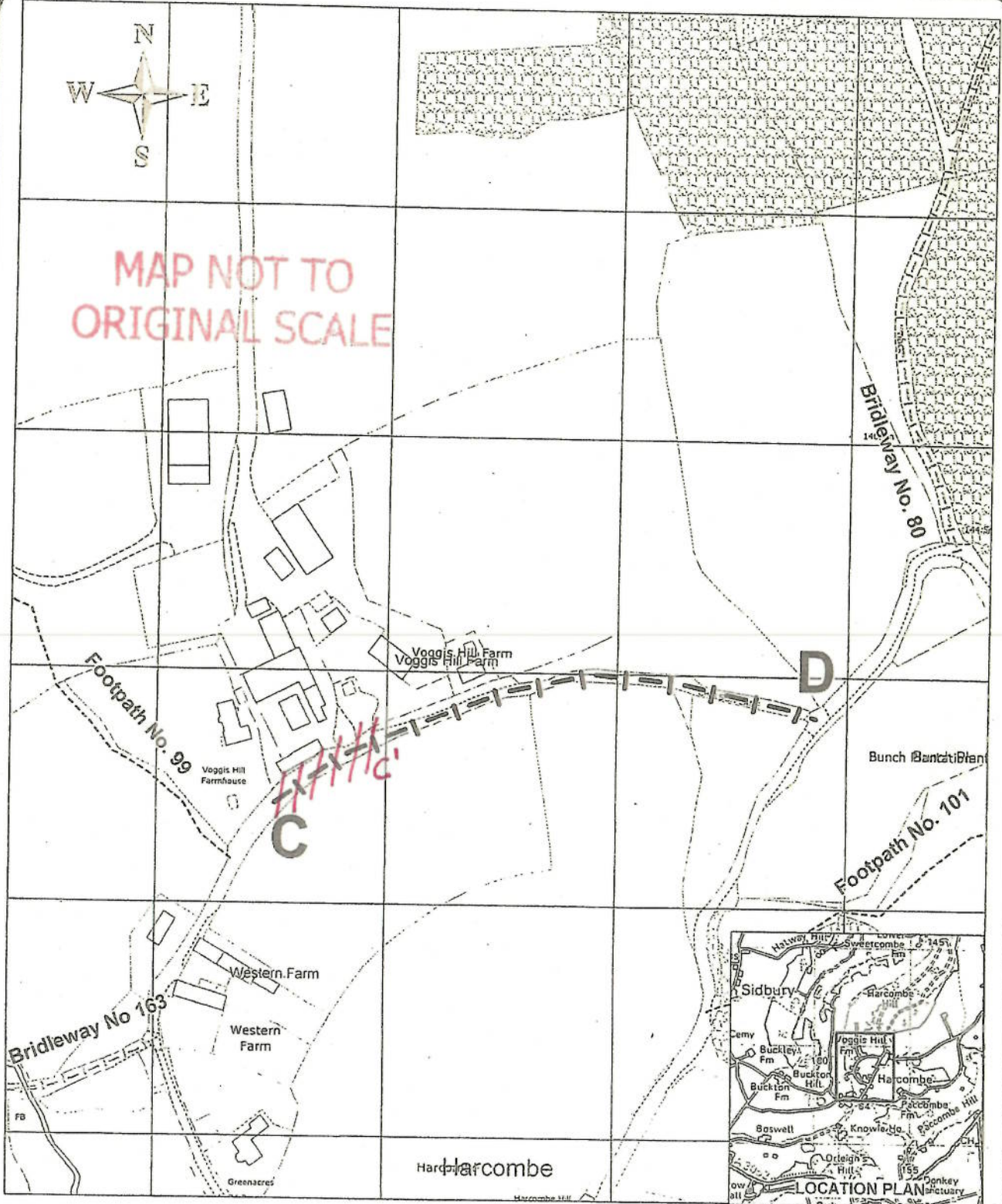
- the notation shall be amended to read 'Bridleway to be added C1-D (190 metres)'
- Part 1 of the Schedule shall be modified as follows:
  - in line 3 of paragraph 1, the words 'point C' shall be amended to read 'point C1'
  - in line 1 of paragraph 2 the words '250 metres' shall be amended to read '190 metres';
  - in line 2 of paragraph 2, the words 'the surfaced width of the lane and' shall be removed.
- Part 2 of the Schedule shall be modified as follows:
  - in line 4 of paragraph 1 the words '250 metres' shall be amended to read '190 metres';
  - the final sentence in lines 6, 7 and 8 shall be deleted.

*Rory Cridland*

INSPECTOR



MAP NOT TO ORIGINAL SCALE



map ref SY1591/1590

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**DEVON COUNTY COUNCIL**  
**Bridleway No. 174, Sidmouth)**  
**Definitive Map Modification Order 2014**

drawing number HCW/PROW/14/99  
 date Aug 2014  
 scale 1:2500  
 drawn by NSC

Notation

- C-D (190 Metres)*  
 Bridleway to be added *A-B (250 metres)* -| -| -| -| -|  
 Existing footpaths - - - - -  
 Existing bridleways -| -| -| -| -|

David Whitton  
 HEAD OF HIGHWAYS, CAPITAL DEVELOPMENT & WASTE

