

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Devon County Council  
(Bridleway No. 15, Thelbridge & Bridleway No. 14, Washford Pyne) Definitive  
Map Modification Order 2012

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 **29 June 2017**.

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

The Inquiry will be held at **Cruwys Morchard Parish Hall, Pages Cross, Cruwys Morchard, Witheridge, Devon, EX16 8LD** on **Wednesday 13 December 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 bridleways starting from the county road east north east of Doctors Corner (GR SS8006 1252) and running southwards along Westcott Lane, past Westcott (GR SS 8008 1191), and across the River Dalch (GR SS8011 1121) to Bridleway No.9, Washford Pyne at Wonham Farm (GR SS8028 1108) in the parishes of Thelbridge and Washford Pyne, in the 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](mailto:helen.sparks@pins.gsi.gov.uk) Please quote reference number ROW/3170540 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 and proofs of evidence**

#### **Within 8 weeks of the start date [by 24 August 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 - 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 5 October 2017]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> 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 15 November 2017]**

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 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

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<sup>1</sup> 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.

**DATED 10<sup>TH</sup> AUGUST 2012**

**WILDLIFE AND COUNTRYSIDE ACT 1981  
COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT**

**DEVON COUNTY COUNCIL**

**(BRIDLEWAY NO. 15, THELBRIDGE  
& BRIDLEWAY NO. 14, WASHFORD PYNE)**

**DEFINITIVE MAP MODIFICATION ORDER 2012**

**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. 15, THELBRIDGE AND  
BRIDLEWAY NO. 14, WASHFORD PYNE)

DEFINITIVE MAP MODIFICATION ORDER 2012

This Order is made by Devon County Council by direction of the Secretary of State under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Secretary of State 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) of the Act 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 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 1<sup>st</sup> March 2012.
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. 15, Thelbridge and Bridleway No. 14, Washford Pyne) Definitive Map Modification Order 2012.

DATED this 10<sup>th</sup> August 2012

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



Assistant County Solicitor *[Handwritten Signature]*

DOCUMENT No. 43788

## SCHEDULE

### PART I

#### MODIFICATION OF DEFINITIVE MAP

#### DESCRIPTION OF WAYS TO BE ADDED

**BRIDLEWAY NO. 15, THELBRIDGE:** This way lies in the administrative district of Mid Devon and civil parish of Thelbridge. The bridleway starts at GR SS 8006 1252 (point A on plan no. HTM/PROW/12/49) at the county road east north east of Doctors Corner and runs southwards for approximately 610 metres along a defined lane to GR SS 8008 1191 (point B) and continues along the lane past Westcott and Westcott Barn for approximately 220 metres to GR SS 8004 1172 (point C). The way then continues southwards as a headland track through two fields for approximately 360 metres to GR SS 8008 1137 (point D) and then along a hedged lane for approximately 170 metres into the River Dalch and the parish boundary with Washford Pyne GR SS 8011 1121 (point E). The total length of the way is approximately 1360 metres with a width of 3 metres throughout. It is shown on the map by a broken black line with cross bars in the intervals between points A - B - C - D - E.

**BRIDLEWAY NO. 14, WASHFORD PYNE:** This way lies in the administrative district of Mid Devon and civil parish of Washford Pyne. The bridleway starts at GR SS 8011 1121 (point E on plan no. HTM/PROW/12/49) in the River Dalch and parish boundary with Thelbridge, and runs generally eastwards and then south eastwards along the headland of a pasture field to GR SS 8028 1108 (point F) and the junction with Bridleway No. 9, Washford Pyne. The length of the way is approximately 260 metres with a width of 3 metres throughout. It is shown on the map by a broken black line with cross bars in the intervals between points E - F.

### PART II

#### MODIFICATION OF DEFINITIVE STATEMENT

#### VARIATION OF PARTICULARS OF WAYS

##### **BRIDLEWAY NO. 15, THELBRIDGE**

From: the county road north east of Doctors Corner

To: the River Dalch at the parish boundary with Washford Pyne

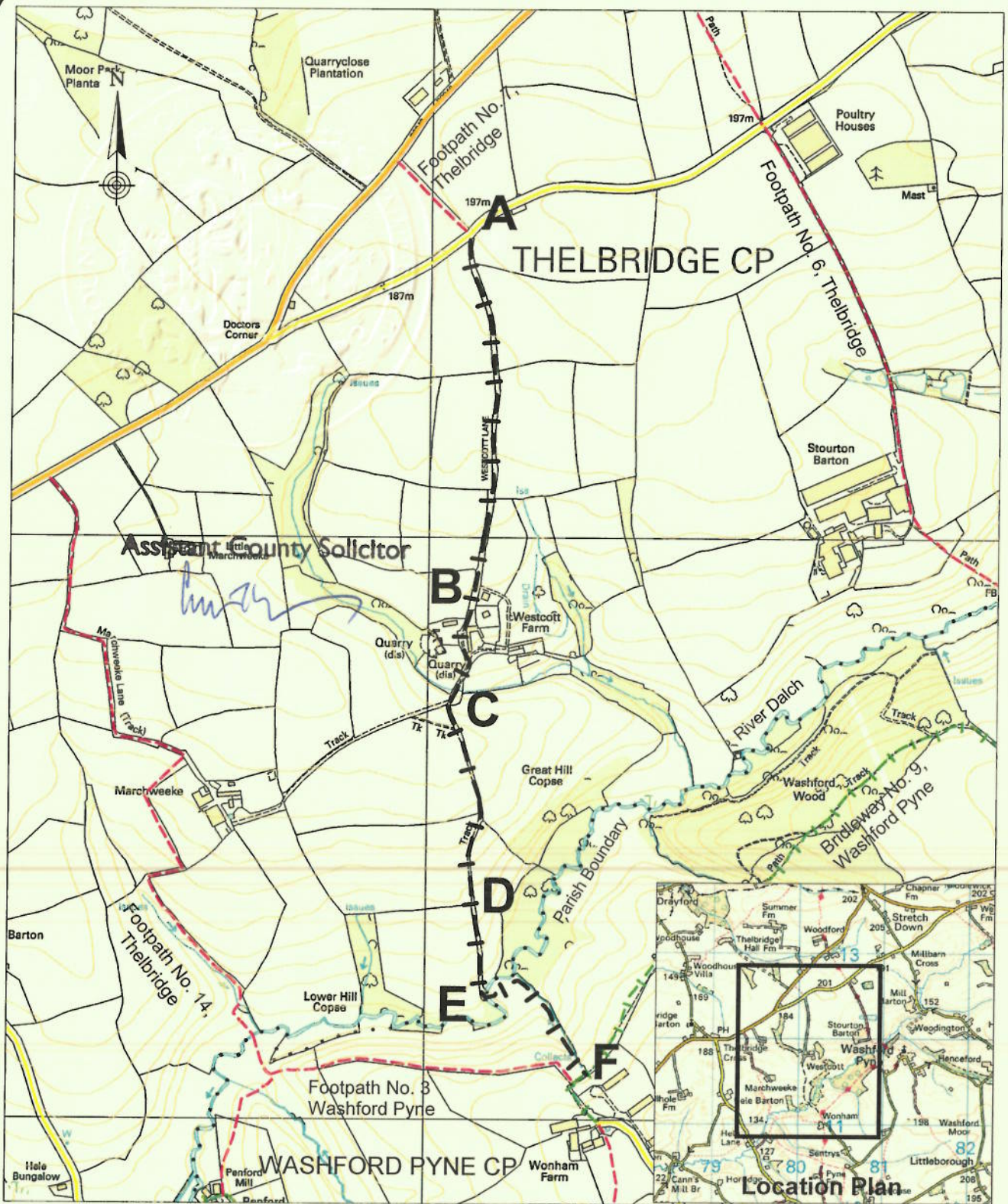
Description: The way is a bridleway. It starts at the county road east north east of Doctors Corner and proceeds southwards along a defined lane past the entrance to Westcott Farm House, Westcott and through the yard at Westcott Barn. The way continues southwards as a headland track through two fields and along a hedged lane into the ford at the River Dalch and the parish boundary with Washford Pyne. The bridleway has a width of 3 metres throughout and a tarmac/stone/hardcore surface to the entrance to Westcott Barn, a surface of stone and earth to the start of the headland tracks, a surface of earth along the field headlands, a surface of earth/vegetation through the lane and a cobbled/stone surface of the ford across the river. The bridleway has a length of approximately 1360 metres.

**BRIDLEWAY NO. 14, WASHFORD PYNE**

From: the River Dalch at the parish boundary with Thelbridge

To: Bridleway No. 9, Washford Pyne near Wonham Farm

Description: The way is a bridleway. It starts at the parish boundary with Thelbridge parish at the ford in the River Dalch proceeds across the river, eastwards and then south eastwards uphill along the headland of a pasture field to join Bridleway No. 9, Washford Pyne north of Wonham Farm. The bridleway has a cobbled/stone surface at the river and an earth and grass surface across the field. The bridleway has a width of 3 metres throughout and a length of approximately 260 metres.



map ref **SS 8011, 8012**

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**DEVON COUNTY COUNCIL  
DEFINITIVE MAP MODIFICATION ORDER 2012  
BRIDLEWAY NO. 15, THELBRIDGE  
& BRIDLEWAY NO. 14, WASHFORD PYNE**

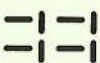
drawing number **HTM/PROW/12/49**  
date **Jun 2012**  
scale **1:10,000 at A4**  
drawn by **TW**

**Notation** To be added

Bridleway No. 15, Theelbridge A-B-C-D-E 1360 metres approx

Bridleway No. 14, Washford Pyne E-F 260 metres approx

Existing Public Footpaths  & Public Bridleways 



**Lester Willmington**

HEAD OF HIGHWAYS & TRAFFIC MANAGEMENT

