

# NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Devon County Council  
(Footpath Nos. 60 and 61, Luppitt) Definitive Map Modification Order 2017  
& (Footpath No. 62, Luppitt) Definitive Map Modification Order 2017

Notice is hereby given that the above referenced Orders have 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 Orders.

The **start date** for the above Orders is **20 March 2018**.

Consideration of these Orders will take the form of exchanges of statements of case and comments on statements of case.

The effect of the first Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by adding:

**Footpath No. 60, Luppitt** from the minor road to Beacon north of Langford Bridge on the River Otter (GR ST 17230242), crossing fields and along a track passing the buildings of Woodhayes to the end of Footpath No. 61, Luppitt (GR ST 17430318), then through fields into the woods on the lower slopes of the open common land on Dumpdon Hill and onto a track passing between the buildings of Higher Wick Farm to the minor road northeast of Wick Cross (GR ST 17180472);

**Footpath No. 61, Luppitt** from the minor road south of Wick Cross near Lower Wick Farm along an access track to Stockers Farm (GR ST 17110383), passing between the farm buildings and crossing fields to Crown All Wood, continuing alongside the southwest boundary of the wood and across a field to end on Footpath No. 60, at a gateway in the field boundary on the end of a track (GR ST 17430318); and

The effect of the second Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by adding:

**Footpath No. 62, Luppitt** from Footpath No.1 on a track leading from the minor road in Luppitt village, Church Hill (GR ST 16880651), generally southwestwards crossing four fields to a gateway on the minor road north of Meadow Croft, point J (GR ST 16460577).

Any queries relating to these Orders 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 numbers ROW/3188550 & ROW/3188551 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, Public Rights of Way Section, ABG Lucombe House, County Hall, Exeter between the hours of 9am and 4pm, Monday to Friday;
- East Devon District Council, Knowle, Sidmouth, between the hours of 8.30am and 5pm, Monday to Friday; and
- the Clerk to Luppitt Parish Council, by appointment.

To arrange a viewing of the documents at Devon County Council's offices before 27 April 2018, please contact Mr Nick Steenman-Clark on Telephone Number 01392 382856.

### **Timetable for sending in statements of case and comments**

#### **Within 2 weeks of the start date [by 3 April 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, the applicant and any other person who has written to us in respect of the Orders.

#### **Within 8 weeks of the start date [by 15 May 2018]**

Everyone who has made an objection or representation or any other written representation 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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 Orders.

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, 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 Orders (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

#### **Within 14 weeks of the start date [by 26 June 2018]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Orders must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Orders must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received 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 w/r

DATED 17<sup>th</sup> March 2017

WILDLIFE AND COUNTRYSIDE ACT 1981  
COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT  
DEVON COUNTY COUNCIL  
(FOOTPATH No. 62, LUPPITT)  
DEFINITIVE MAP MODIFICATION ORDER 2017

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





**WILDLIFE AND COUNTRYSIDE ACT 1981**  
**COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT**  
**DEVON COUNTY COUNCIL**  
**(FOOTPATH No. 62, LUPPITT)**  
**DEFINITIVE MAP MODIFICATION ORDER 2017**

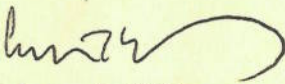
This Order is made by Devon County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Secretary of State, who has directed the authority to that effect under paragraph 4(2) of Schedule 14 to the Act, that the County of Devon Definitive Map and 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 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 2<sup>nd</sup> March 2017
2. The County of Devon Definitive Map and Statement shall be modified as described in Parts I and 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 (Footpath No. 62, Luppitt) Definitive Map Modification Order 2017.

DATED this 17<sup>th</sup> day of March 2017

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

  
**A Duly Authorised Officer**



DOCUMENT No. 47916



## SCHEDULE

### PART I

#### MODIFICATION OF DEFINITIVE MAP

#### DESCRIPTION OF PATH TO BE ADDED

##### **Footpath No. 62, Luppitt**

This path is a Footpath. It is situated in the administrative district of East Devon and in the parish of Luppitt. It starts from Footpath No. 1 on a track leading from the minor road in Luppitt village, Church Hill, point I on plan no. HIW/PROW/17/05 (GR ST 16880651), proceeding generally southwestwards through a gateway and across a field, then crossing over a stream and turning southeastwards across the corner of a field and crossing an access track. It turns generally southwestwards to continue across a field and through a gateway, then across two fields and crossing a stream, then through a gateway to end at the minor road north of Meadow Croft, point J (GR ST 16460577).

The length of the path to be added is approximately 925 metres with a width of 2 metres where undefined crossing the fields.

The path is shown on the plan as a broken black line with short intervals.

### PART II

#### MODIFICATION OF DEFINITIVE STATEMENT

#### VARIATION OF PARTICULARS OF PATH

##### **Footpath No. 62, Luppitt**

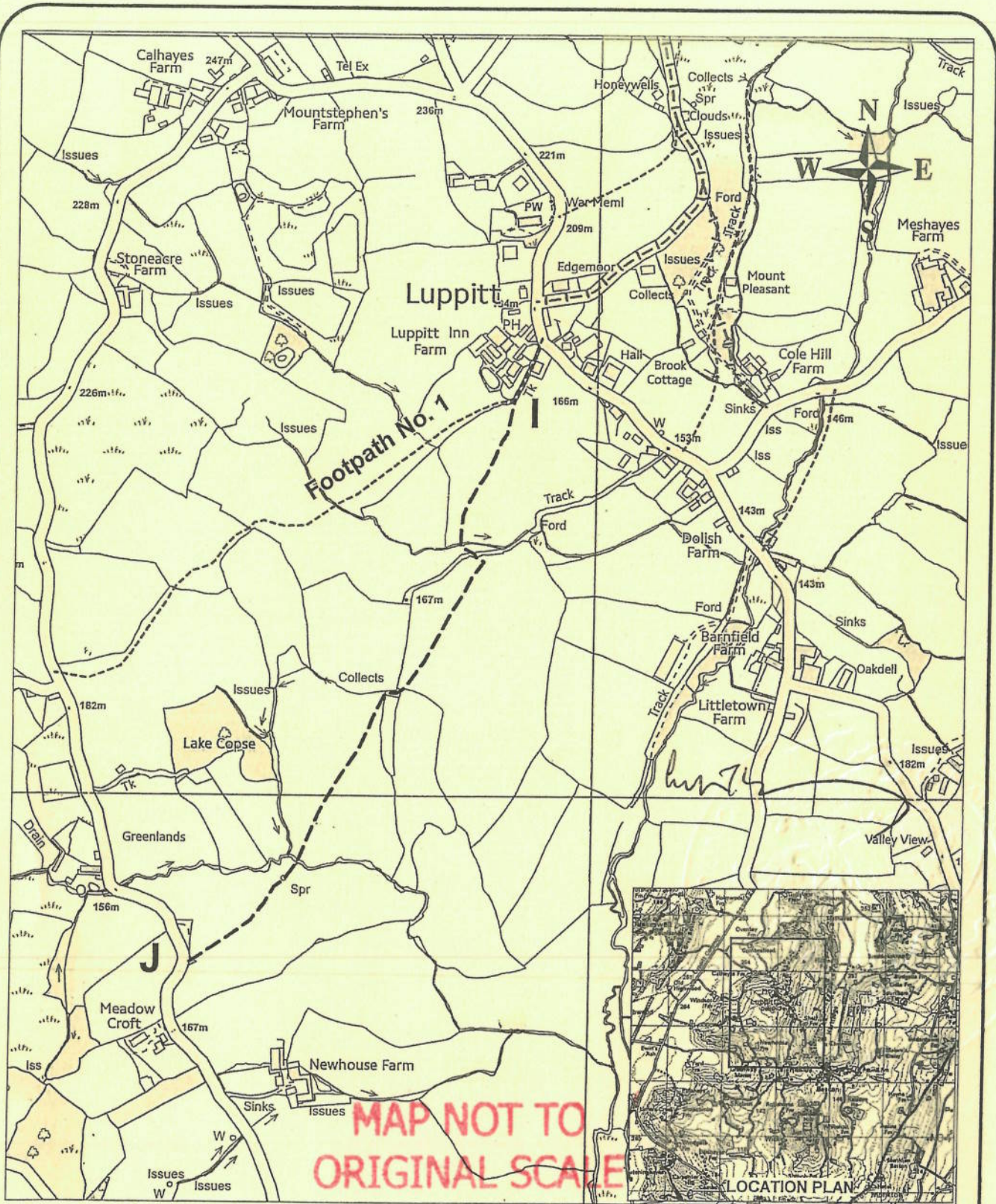
From: Footpath No. 1, Luppitt

To: Minor road, north of Meadow Croft

This path is a Footpath. It starts from Footpath No. 1 on a track leading from the minor road in Luppitt village, Church Hill, proceeding generally southwestwards through a gateway and across a field, then crossing over a stream and turning southeastwards across the corner of a field and crossing an access track. It turns generally southwestwards to continue across a field and through a gateway, then across two fields and crossing a stream, then through a gateway to end at the minor road north of Meadow Croft.

It is approximately 925 metres long with a width of 2 metres where undefined crossing the fields. It has a surface mainly of grass, earth and stone in the fields.





map ref ST1605- 06/1705-06

Reproduced from 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. 1000119763

**DEVON COUNTY COUNCIL**  
**(Footpath No. 62, Luppitt)**  
**Definitive Map Modification Order 2017**

<u>Notation</u>	Footpath to be added (Luppitt No. 62, I-J)	-----
	Existing footpaths	-----
	Existing bridleways	•••••

drawing number	HIW/PROW/17/05
date	Jan 2017
scale	1:7,500
drawn by	NSC

David Whitton  
 HEAD OF HIGHWAYS,  
 INFRASTRUCTURE DEVELOPMENT AND WASTE





DATED 17<sup>th</sup> March 2017

WILDLIFE AND COUNTRYSIDE ACT 1981  
COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT  
DEVON COUNTY COUNCIL  
(FOOTPATH Nos. 60 and 61, LUPPITT)  
DEFINITIVE MAP MODIFICATION ORDER 2017

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



**WILDLIFE AND COUNTRYSIDE ACT 1981**  
**COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT**  
**DEVON COUNTY COUNCIL**  
**(FOOTPATH Nos. 60 and 61, LUPPITT)**  
**DEFINITIVE MAP MODIFICATION ORDER 2017**

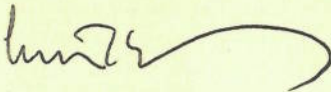
This Order is made by Devon County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Secretary of State, who has directed the authority to that effect under paragraph 4(2) of Schedule 14 to the Act, that the County of Devon Definitive Map and 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 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:

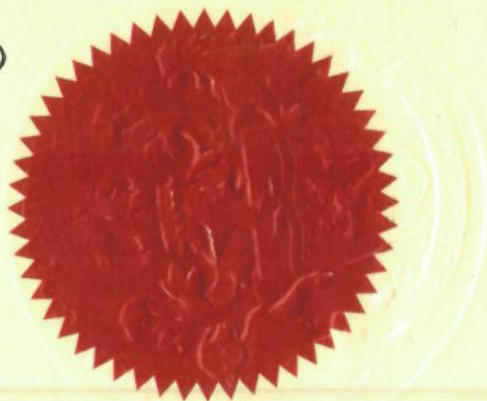
1. For the purposes of this Order the relevant date is 2<sup>nd</sup> March 2017
2. The County of Devon Definitive Map and Statement shall be modified as described in Parts I and II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Devon County Council (Footpath Nos. 60 and 61, Luppitt) Definitive Map Modification Order 2017.

DATED this 17<sup>th</sup> day of March 2017

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

  
**A Duly Authorised Officer**

DOCUMENT NO. 47917





## SCHEDULE

### PART I

#### MODIFICATION OF DEFINITIVE MAP

#### DESCRIPTION OF PATHS TO BE ADDED

##### **Footpath No. 60, Luppitt**

This path is a Footpath. It is situated in the administrative district of East Devon and in the parish of Luppitt. It starts from the minor road to Beacon north of Langford Bridge on the River Otter, point R on plan no. HIW/PROW/17/02 (GR ST 17230242), proceeding generally northwards through a gateway and crossing two fields, turning northeastwards along an access track passing to the northwest of the buildings of Woodhayes. It continues along the track to the north of the buildings, turning north-northeastwards across a field to the end of Footpath No. 61, Luppitt at a gateway on the end of a track, point Q (GR ST 17430318) and through a field, then turning generally northwards across a field and through a gateway leading into the woods on the lower slopes of the open common land on Dumpdon Hill. It turns generally northwestwards to follow a track above the wooded boundary and then through woodland onto a track passing between the buildings of Higher Wick Farm to end on the minor road northeast of Wick Cross, point S (GR ST 17180472).

The length of the path to be added is approximately 2,230 metres with a width varying between 5-6 metres where defined by the surface of the farm access tracks and 2 metres where undefined crossing the fields.

The path is shown on the plan as a broken black line with short intervals.

##### **Footpath No. 61, Luppitt**

This path is a Footpath. It is situated in the administrative district of East Devon and in the parish of Luppitt. It starts from the minor road south of Wick Cross near Lower Wick Farm at a gateway for an access track to Stockers Farm, point U on plan no. HIW/PROW/17/02 (GR ST 17110383) proceeding generally southeastwards along the track and through a gateway, passing between the buildings of Stockers Farm and crossing three fields through gateways to the edge of Crown All Wood. It continues generally southwards through the wood alongside the southwest boundary, then turning south-southeastwards to run across a field to end on Footpath No. 60, at a gateway in the field boundary on the end of a track, point Q (GR ST 17430318).

The length of the path to be added is approximately 780 metres with a width varying between 5 metres where defined by the surface of the farm access track and 2 metres where undefined crossing the fields.

The path is shown on the plan as a broken black line with short intervals.



## PART II

### MODIFICATION OF DEFINITIVE STATEMENT

#### VARIATION OF PARTICULARS OF PATHS

##### **Footpath No. 60, Luppitt**

From: Minor road, north of Langford Bridge

To: Minor road, northeast of Wick Cross

This path is a Footpath. It starts from the minor road to Beacon north of Langford Bridge on the River Otter, proceeding generally northwards through a gateway and crossing two fields, turning northeastwards along an access track passing to the northwest of the buildings of Woodhayes. It continues along the track to the north of the buildings, turning north-northeastwards across a field to the end of Footpath No. 61, Luppitt at a gateway on the end of a track and through a field, then turning generally northwards across a field and through a gateway leading into the woods on the lower slopes of the open common land on Dumpdon Hill. It turns generally northwestwards to follow a track above the wooded boundary and then through woodland onto a track passing between the buildings of Higher Wick Farm to end on the minor road northeast of Wick Cross.

It is approximately 2,230 metres long with a width varying between 5 and 6 metres where defined by the surface of the farm access track and 2 metres where undefined crossing the fields. It has a surface mainly of stone on the access track with grass, earth and stone in the fields.

##### **Footpath No. 61, Luppitt**

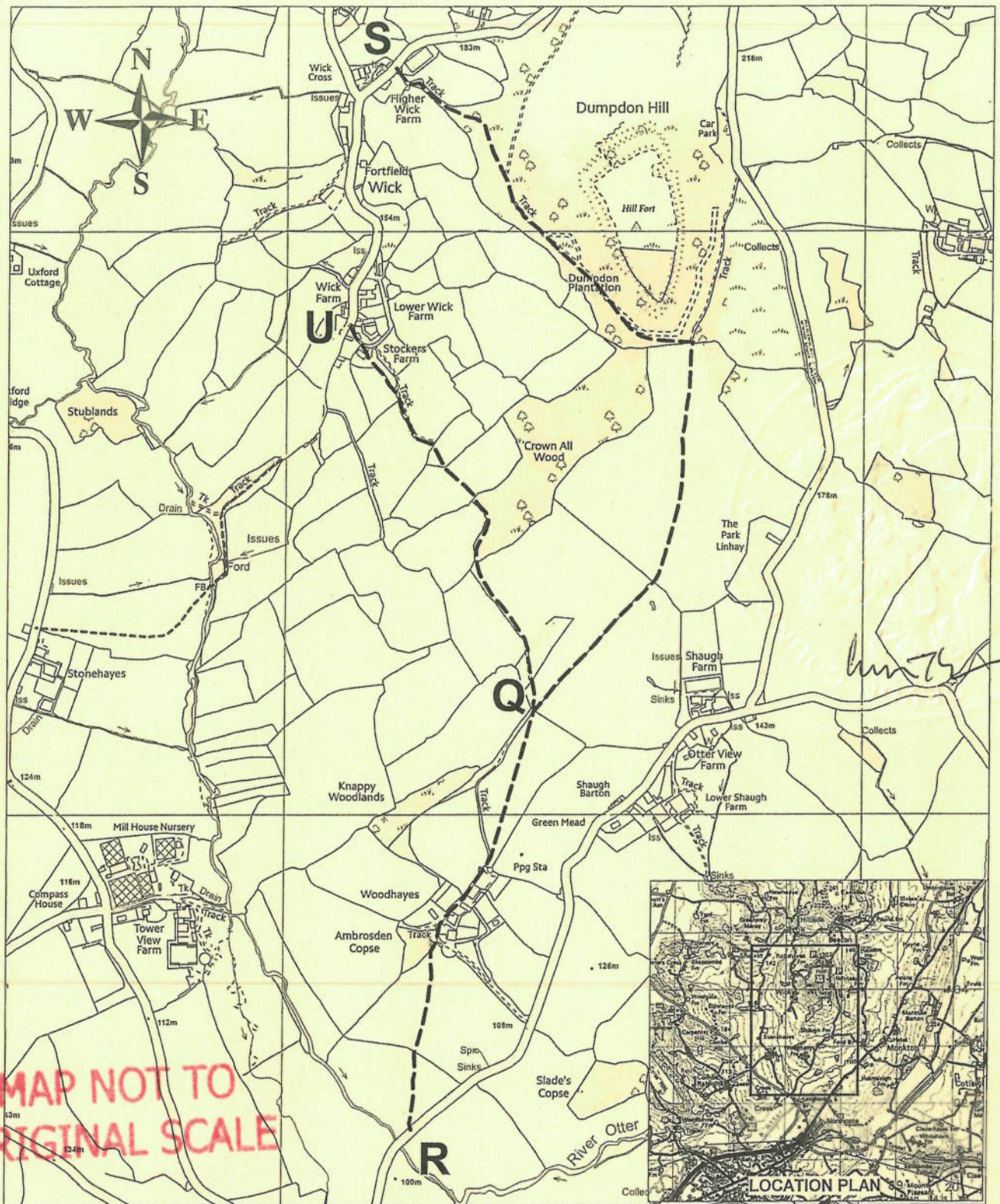
From: Minor road, south of Wick Cross

To: Footpath No. 60

This path is a Footpath. It starts from the minor road south of Wick Cross near Lower Wick Farm at a gateway for an access track to Stockers Farm, proceeding generally southeastwards along the track and through a gateway, passing between the buildings of Stockers Farm and crossing three fields through gateways to the edge of Crown All Wood. It continues generally southwards through the wood alongside the southwest boundary, then turning south-southeastwards to run across a field to end on Footpath No. 60, at a gateway in the field boundary on the end of a track.

It is approximately 780 metres long with a width varying between 5 metres where defined by the surface of the farm access tracks and 2 metres where undefined crossing the fields. It has a surface mainly of stone on the access tracks with grass, earth and stone in the fields.





MAP NOT TO ORIGINAL SCALE

map ref ST1602-04/1702-04/1802-04 Reproduced from 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. 1000119783

**DEVON COUNTY COUNCIL**  
**(Footpath Nos. 60 & 61, Luppitt)**  
**Definitive Map Modification Order 2017**

drawing number HIW/PROW/17/02  
 date Jan 2017  
 scale 1:10,000  
 drawn by NSC

Notation Footpaths to be added  
 (Luppitt No. 60 R-Q-S;  
 Luppitt No. 61 U-Q)  
 Existing footpath

**David Whitton**  
 HEAD OF HIGHWAYS,  
 INFRASTRUCTURE DEVELOPMENT AND WASTE

