

DATED 23rd July 2021

WILDLIFE AND COUNTRYSIDE ACT 1981
COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT
DEVON COUNTY COUNCIL
(FOOTPATH Nos. 11, 20 and 21, PAYHEMBURY)
DEFINITIVE MAP MODIFICATION ORDER 2021

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



WILDLIFE AND COUNTRYSIDE ACT 1981
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DEFINITIVE MAP MODIFICATION ORDER 2021

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 events specified in section 53(3)(c)(i) and (iii), namely the discovery by the authority of evidence which (when considered with all other 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 footpath, and that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

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 11th March 2021
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. 11, 20 and 21, Payhembury) Definitive Map Modification Order 2021.

DATED this 23rd day of July 2021

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

Megan Cross MEGAN CROSS

A Duty Authorised Officer

DOCUMENT No. 51147



SCHEDULE

PART I

MODIFICATION OF DEFINITIVE MAP

DESCRIPTION OF PATHS TO BE DELETED

Footpath No. 11, Payhembury (part)

The path is a Footpath. It is situated in the administrative area of East Devon and in the Parish of Payhembury. The section of path to be deleted is from point V (grid ref ST1111 0289) and proceeds southwards to point W (grid ref ST1111 0285) as shown on Plan HIW/PROW/20/23.

The total length of path to be deleted is approximately 45 metres.

The path to be deleted is shown on the plan as a solid black line.

Footpath No. 11, Payhembury (part)

The path is a Footpath. It is situated in the administrative area of East Devon and in the Parish of Payhembury. The section of path to be deleted is from point U (grid ref ST1118 0305) and proceeds generally eastwards up the ramparts of the hillfort to point N (grid ref ST1120 0306) and on to point P (grid ref ST1128 0305) as shown on Plan HIW/PROW/20/23.

The total length of path to be deleted is approximately 100 metres.

The path to be deleted is shown on the plan as a solid black line.

DESCRIPTION OF PATHS TO BE ADDED

Footpath No 11, Payhembury (part)

The path is a Footpath. It is situated in the administrative area of East Devon and in the Parish of Payhembury. It starts at point U (grid ref ST1116 0303) on plan HIW/PROW/20/23 and proceeds in a north-easterly direction along a gravel track to point M (grid ref ST1122 0308 at the west entrance of the hillfort, crossing Footpath No.11 then proceeding in an easterly direction along the northern side of the central east-west earthwork to join Footpath No. 11 and Footpath No. 21 at point T (grid ref ST1128 0307) and also proceeding from point M in a southerly direction to point N (grid ref ST1120 0306). From point T the path proceeds in a southerly direction to point P (grid ref ST1128 0305).

The total length of path to be added is approximately 45 metres. Between points U-M the surface is mostly of gravel/stone and the width of the path is between 2-5 metres. Between points M-T-P and M-N the surface is grass/earth and the width is 2 metres.

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

Footpath No. 11, Payhembury (part)

The path is a footpath. It is situated in the administrative district of East Devon and in the Parish of Payhembury. It starts at point V (grid ref ST1111 0289) and proceeds in a south easterly direction to point X (grid ref ST1116 0282).

The total length of the path is approximately 75 metres and the width of the path is between 4-5 metres with a surface of gravel/stone.

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

Footpath No. 20, Payhembury

This path is a Footpath. It is situated in the administrative area of East Devon and in the Parish of Payhembury. It starts at the County Road C130 at Witness Moor, point A (grid ref ST1125 0357) on plan HIW/PROW/20/23, passing through a gap in the hedgebank and proceeding generally south south-eastwards along the parish boundary. It then turns to the south west and leads up the ramparts of the fort and through the East Gate to the upper enclosure where it joins Footpath No. 21, Payhembury at point E (ST1130 0319).

The length of the path to be added is approximately 410 metres with a width varying between 1m and 6m, as defined by gaps worn through hedgebanks and the available track along the parish boundary, and 2 metres where undefined.

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

Footpath No. 21, Payhembury

This path is a Footpath. It is situated in the administrative area of East Devon and in the Parish of Payhembury. It starts at Footpath No. 11, Payhembury (ST1121 0304) near the West Gate of Hembury Fort, point M on plan HIW/PROW/20/23, and proceeds northwards along the edge of the upper enclosure of the fort. It then loops around the edge of the upper enclosure to the east to link into Footpath No. 20 Payhembury, at point E (ST1130 0319) before proceeding southwards to re-join Footpath No.11 Payhembury at point T (ST1128 0304).

The length of the path to be added is approximately 435 metres with a width of 2 metres.

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

PART II

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF WAYS

Footpath No.11, Payhembury

From: County Road A373

To: Footpath No.21, Payhembury

The path is a Footpath. It is situated in the administrative area of East Devon and in the Parish of Payhembury. It starts at the Honiton/Cullompton road, County Road A373, approximately 165 metres south east of Hembury Fort Cross and proceeds along a gravel track in a northerly direction to the west gate of Hembury fort. It then forms a loop around the southern half of the upper enclosure of the fort, linking in with Footpath No.21 at two points.

The length of the path is approximately 720 metres with a width of up to 5 metres where defined by the gravel track and 2 metres where undefined over grass and earth as it loops around the upper enclosure of the fort.

Footpath No. 20, Payhembury

From: Minor county road, C130, at Witness Moor

To: Footpath 21, Payhembury

The path is a Footpath. It is situated in the administrative area of East Devon and in the Parish of Payhembury. It starts at the County Road C130 at Witness Moor, passing through a gap in the hedgebank and proceeding generally south south-eastwards along the parish boundary. It then turns to the south west and leads up the ramparts of the fort and through the East Gate to the upper enclosure where it joins Footpath No. 21, Payhembury.

The length of the path is approximately 410 metres with a width varying between metres, as defined by the 1m and 6m, as defined by gaps through hedgebanks and the available track along the parish boundary, and 2 metres where undefined. It has a surface mainly of bare earth.

Footpath No. 21, Payhembury

From: Footpath 11, Payhembury

To: Footpath 11, Payhembury

The path is a Footpath. It is situated in the administrative area of East Devon and in the Parish of Payhembury. It starts at Footpath No. 11, Payhembury) near the West Gate of Hembury Fort, and proceeds northwards along the edge of the upper enclosure of the fort. It then loops eastwards around the northern perimeter of the upper enclosure to link into Footpath No. 20 Payhembury, before proceeding southwards to re-join Footpath No.11 Payhembury.

The length of the path to be added is approximately 435 metres with a width of 2 metres. It has a surface mainly of grass and earth.



Grid refs: ST1125 0357/ ST1115 0282

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DEVON COUNTY COUNCIL
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Notation:

Footpaths to be deleted —————
Payhembury No. 11 V-W and U-N-P
Footpaths to be added - - - - -
Payhembury No. 20 A-E
Payhembury No. 21 N-H-E-P
Payhembury No. 11 V-X, U-M-N and M-T-P
Existing footpaths - - - - -

Drawing number HIW/PROW/20/23

Date March 2021

Scale 1: 3,500 @A4

Drawn by TCG



Meg Booth

CHIEF OFFICER FOR HIGHWAYS, INFRASTRUCTURE DEVELOPMENT AND WASTE