



## **NOTICE OF MODIFICATION ORDERS**

### **SECTION 53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT**

**TO: Mrs Hornsby, Exmoor Parish Council.**

#### **DEVON COUNTY COUNCIL (RESTRICTED BYWAY NO. 4, CHALLACOMBE) DEFINITIVE MAP MODIFICATION ORDER 2022**

The above Order made on 5<sup>th</sup> February 2022, if confirmed as made, will modify the Definitive Map and Statement for the area by upgrading Bridleway No. 4, Challacombe, to restricted byway between Withecombe Gate at the junction with the county road, B3358, and the unsurfaced county road, uUCR 301, Parracombe at Two Gates on the Challacombe/Parracombe parish boundary, in the parish of Challacombe, and administrative district of North Devon.

#### **DEVON COUNTY COUNCIL (RESTRICTED BYWAY NO. 9, BRAYFORD & RESTRICTED BYWAY NO. 10, CHALLACOMBE) DEFINITIVE MAP MODIFICATION ORDER 2022**

The above Order made on 5<sup>th</sup> February 2022, if confirmed as made, will modify the Definitive Map and Statement for the area by upgrading Bridleway No. 9, Brayford and Bridleway No. 10, Challacombe, to restricted byway between the unsurfaced county road Brayford uUCR 303, west of Mole's Chamber and the county road, Lynton and Lynmouth uUCR 306, north of Saddle Stone Gate, in the parishes of Brayford and Challacombe, and administrative district of North Devon.

A copy of the Order and the Order map may be inspected free of charge by appointment with:-

- Devon County Council, Great Moor House, Sowton, Exeter between 9.30am and 4.30pm Monday – Friday. To arrange an appointment please contact the case officer on 01392 383240 or [prow@devon.gov.uk](mailto:prow@devon.gov.uk);
- North Devon Council, Lynton House, Commercial Road, Barnstaple;
- The Chair of the Challacombe Parish Meeting/Clerk to Brayford Parish Council; or
- Online at [www.devon.gov.uk/haveyoursay](http://www.devon.gov.uk/haveyoursay).

Any representation or objection relating to either Order must be sent in writing to the Public Rights of Way Service, Great Moor House, Bittern Road, Sowton, Exeter EX2 7NL, not later than 29<sup>th</sup> April 2022 and applicants are requested to state the grounds on which it is made. Copies of any objections or representations received may be circulated to interested parties.

If no representations or objections are duly made to either Order, or if any so made are withdrawn, the Devon County Council, instead of submitting the Order to the Secretary of State, may itself confirm the Order. If the Order is submitted to the Secretary of State for the Environment, Food and Rural Affairs, any representations or objections, which have been duly made and not withdrawn, will be sent with it.

Dated 3<sup>rd</sup> March 2022

Meg Booth

Chief Officer for Highways, Infrastructure Development & Waste, County Hall, Exeter.  
EX2 4QD

DATED 5th February 2022

**WILDLIFE AND COUNTRYSIDE ACT 1981**  
**COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT**  
**DEVON COUNTY COUNCIL**  
**(RESTRICTED BYWAY NO. 9, BRAYFORD &**  
**RESTRICTED BYWAY NO. 10, CHALLACOMBE)**  
**DEFINITIVE MAP MODIFICATION ORDER 2022**

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**

**(RESTRICTED-BYWAY NO. 9, BRAYFORD &  
RESTRICTED BYWAY NO. 10, CHALLACOMBE)**

**DEFINITIVE MAP MODIFICATION ORDER 2022**

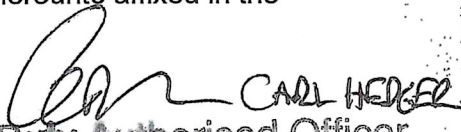
**THIS ORDER** is made by Devon County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the County of Devon Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53(3)(c)(ii) namely: the discovery by the authority of evidence which (when considered with all relevant evidence available to them) shows that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.

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 25<sup>th</sup> November 2021.
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 (Restricted Byway No. 9, Brayford & Restricted Byway No. 10, Challacombe) Definitive Map Modification Order 2022.

DATED this 5<sup>th</sup> day of February 2022

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

  
A Duly Authorised Officer

DOCUMENT No. 51472





## **SCHEDULE**

### **PART I**

#### **MODIFICATION OF DEFINITIVE MAP**

##### **DESCRIPTION OF PUBLIC RIGHT OF WAYS TO BE UPGRADED**

###### **Bridleway No. 9, Brayford**

The bridleway to be upgraded to a restricted byway is situated in the administrative district of North Devon and civil parish of Brayford.

It starts in Lew Combe at the Somerset/Devon county boundary and junction with Bridleway DU5/18 at point H (GR SS 7177 3956), as shown on Drawing No. HIW/PROW/21/46 attached, and proceeds north north westwards then turns northwards before passing through a stream and hunting gate at point I (GR SS 7174 3961), where it passes into Challacombe parish.

The width of the way is defined by the Exmoor Forest Inclosure Award of 1818. The Award set out the Order route as the '*Linton and South Molton Road*' with a width of '*40 feet*' or approximately 12.2 metres.

The total length of the way to be upgraded within the parish of Brayford is approximately 67 metres.

The way is shown on the plan as a broken black line with small arrowheads on one side.

###### **Bridleway No. 10, Challacombe**

The bridleway to be upgraded to a restricted byway is situated in the administrative district of North Devon and civil parish of Challacombe.

It starts at point I at the Brayford/Challacombe parish boundary as shown on Drawing No. HIW/PROW/21/46 attached, and proceeds along a track which is undefined and has a generally grassy surface. It continues northwards to point J (GR SS 7175 3964), at the Devon/Somerset county boundary.

It restarts at Broadbarrow Stone at point L (GR SS 7178 4002) and continues north north westwards following the common boundary over Roosthitchen to meet Challacombe Bridleway No. 12 at point M (GR SS 7163 4049). From this point it turns and heads north north eastwards, returning to a defined stoney track shortly before the hunting gate onto the county road, North Lane, B3358, at point N (GR SS 7178 4082), northeast of the Edgerley Stone.

The route recommences on the north side of North Lane at point O (GR SS 7179 4084), and proceeds through a hunting gate and then northwards along an undefined grassy track past Bill Hill Stone, point P (GR SS 7170 4102), over Broad Mead to the Devon/Somerset county boundary at point Q (GR SS 7170 4191), west of Pinkworthy.



It restarts at point S (GR SS 7170 4200), southeast of Woodbarrow, and proceeds northwards along a more defined stoney/grassy track to Woodbarrow Gate (a field gate) and the Devon/Somerset county boundary at point T (GR SS 7163 4249).

The route restarts again at point U (GR SS 7162 4261), and continues northwards over Winaway along an undefined grassy track and down to Saddle (a field gate) at point V (GR SS 7150 4348). It passes through the gate and proceeds north westwards for approximately 50 metres to meet Lynton and Lynmouth uUCR 306 at point W (GR SS 7148 4353).

The width of the way is defined by the Exmoor Forest Inclosure Award of 1818. The Award set out the Order route as the '*Lynton and South Molton Road*' with a width of '*40 feet*' or approximately 12.2 metres.

The total length of the way to be upgraded within the parish of Challacombe is approximately 3,528 metres.

The way is shown on the plan as a broken black line with small arrowheads on one side.

## **PART II**

### **MODIFICATION OF DEFINITIVE STATEMENT**

#### **VARIATION OF PARTICULARS OF PUBLIC RIGHTS OF WAY**

##### **Restricted Byway No. 9, Brayford**

**From: Somerset/Devon county boundary**  
**To: Sloley Stone**

The way is a Restricted Byway. It starts at the Somerset/Devon county boundary at its junction with Bridleway No. 5/18 in Exmoor parish, near the Sloley Stone west of Mole's Chamber, and proceeds north north westwards, then northwards along a defined stoney track to the Lew Combe stream and through a hunting gate to the Brayford/Challacombe parish boundary.

The width of the way is defined by the Exmoor Forest Inclosure Award of 1818. The Award set out the way as the '*Linton and South Molton Road*' with a width of '*40 feet*' or approximately 12.2 metres.

The total length of the way is approximately 67 metres.

##### **Restricted Byway No. 10, Challacombe**

**From: High Bray/Challacombe parish boundary at Sloley Stone**  
**To: County road, uUCR306, north of Saddle Stone Gate**

The way is a Restricted Byway. It starts at the Brayford/Challacombe parish boundary, at its junction with Brayford Restricted Byway No. 9, and proceeds along a track which is undefined and has a generally grassy surface. It continues northwards to the Devon/Somerset county boundary where it continues as Bridleway No. 5/18. It restarts at Broadbarrow Stone and continues north north westwards following the common boundary over Roosthitchen to meet Challacombe Bridleway No. 12. From this point it turns and heads north north eastwards, returning to a defined stoney track shortly before the hunting gate onto the county road, North Lane, B3358, northeast of the Edgerley Stone.

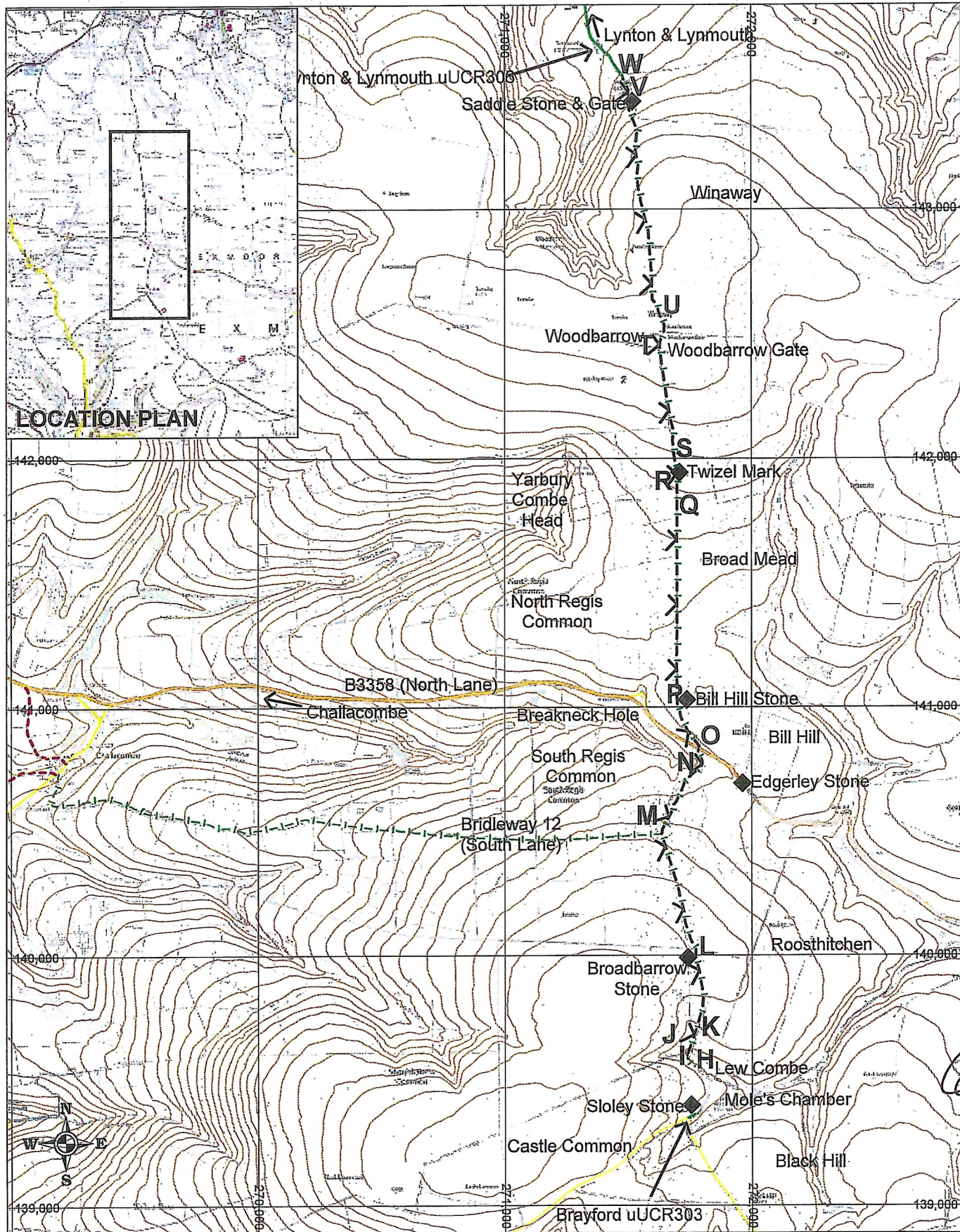
The route recommences on the north side of North Lane and proceeds through a bridleway gate and then northwards along an undefined grassy track past Bill Hill Stone, over Broad Mead to the Devon/Somerset county boundary west of Pinkworthy. It restarts southeast of Woodbarrow and proceeds northwards along a more defined stoney/grassy track to Woodbarrow Gate (a field gate) and the Devon/Somerset county boundary just north of the gate.

The route restarts again on Winaway and continues northwards over Winaway along an undefined grassy track and down to Saddle Stone Gate. It passes through the Gate (a field gate) and proceeds north westwards for approximately 50 metres to meet Lynton and Lynmouth uUCR 306.

The width of the way is defined by the Exmoor Forest Inclosure Award of 1818. The Award set out the way as the *'Linton and South Molton Road'* with a width of *'40 feet'* or approximately 12.2 metres.

The total length of the way is approximately 3,528 metres.





**Devon County Council**  
 (Restricted Byway No. 9, Brayford & Restricted Byway No 10, Challacombe)  
 Definitive Map Modification Order 2022

drawing number **HIW/PROW/21/46**

date **January 2022**

scale **1 : 10,000 at A3**

drawn by **CLG**

**Notation**

Restricted Byway No. 9, Brayford H - I (approx 67 m)

Restricted Byway No. 10, Challacombe I - J & L - M - N & O - P - Q & S - T & U - V - W

Existing footpaths Existing bridleways (approx 3,530 m)

Unsurface county road (uOCR)

**Meg Booth**  
 Chief Officer for Highways,  
 Infrastructure Development  
 & Waste

