

DATED 25th September 2006

**WILDLIFE AND COUNTRYSIDE ACT 1981
COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT
DEVON COUNTY COUNCIL
(RESTRICTED BYWAY No. 31, SHIRWELL)
DEFINITIVE MAP MODIFICATION ORDER 2006**

**County Solicitor
Devon County Council
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WILDLIFE AND COUNTRYSIDE ACT 1981
COUNTY OF DEVON DEFINITIVE MAP AND STATEMENT
DEVON COUNTY COUNCIL
(RESTRICTED BYWAY No. 31, SHIRWELL)
DEFINITIVE MAP MODIFICATION ORDER 2006

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)(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, restricted byway or, subject to section 54A, a byway open to all traffic.

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 13th June 2006
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. 31, Shirwell) Definitive Map Modification Order 2006.

DATED this 25th day of September 2006

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

SCHEDULE

PART I

MODIFICATION OF DEFINITIVE MAP

DESCRIPTION OF PATH OR WAY TO BE ADDED

Restricted Byway No. 31, Shirwell, in the administrative district of North Devon.
This is a Restricted Byway. It starts from point G on plan no. ED/PROW/06/124 (GR SS 6024 3813) and proceeds in a generally northeastward direction for approximately 620 metres to point H (GR SS 6074 3849), with a width varying between 5 and 8.5 metres as defined by the banks and hedge boundaries, stone walls, wire fences or gates on either side. It is shown as a dashed line with arrowheads above the line.

PART II

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

Restricted Byway No. 31, Shirwell

From: The county road at the southwestern end of Cott Down Plantation

To: The county road near the northeastern end of Cott Down Plantation

This is a Restricted Byway. It starts from the end of the recorded unsurfaced county road from Ford Cross at the southwestern end of Cott Down Plantation wood and proceeds in a generally northeastward direction on a track alongside the southeastern boundary of the wood for approximately 620 metres to the recorded end of the unsurfaced county road from Loxhore Cott near the northeastern end of the wood. The width varies between 5 and 8.5 metres as defined by the banks and hedge boundaries, stone walls, wire fences or gates on either side. It has a mainly earth and stone surface.