

NOTICE OF ORDER
Highways Act 1980 – Section 119
&

Wildlife and Countryside Act 1981 – Section 53

DORSET COUNCIL

Dorset Council (Footpath 51, Dorchester & Footpath 6, Winterborne Monkton)
Public Path Diversion Order 2020

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 **6 February 2024**.

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

The effect of the Order, if confirmed without modifications, will be to divert Footpath 51, Dorchester and Footpath 6, Winterborne Monkton as shown on the order map as follows:-

From the existing paths:

Footpath 51, Dorchester:

From Ladock Terrace at SY 67159019, south west across Middle Farm Way (B3150) to a grass bank and then west and north west to the A35 Dorchester bypass at its junction with Footpath 6, Winterborne Monkton at the Winterborne Monkton parish boundary at SY 67029020. Width: The width of Footpath 51 is 1.8 metres.

Footpath 6, Winterborne Monkton:

The full width of the Footpath from the Dorchester town boundary, on the A35 Dorchester bypass at its junction with Footpath 51, Dorchester at SY 67029020, west north west across the A35 to SY 66999020 and continuing generally south west across a field to its junction with Martinstown Road (C53) at SY 66479003.

To the new paths:

Footpath 51, Dorchester:

From its junction with Middle Farm Way (B3150) at SY 67279014, west and south west along a tarmac surfaced business park access road to SY 67259013, then south east to SY 67329004 and north east to SY 67349004. Turn south west along a track to SY 67389002 then south south west along a partly grass surfaced track to SY 67389001. Continue south south west along a farm track to its junction with the proposed new route of Footpath 6, Winterborne Monkton at the Winterborne Monkton parish boundary at SY 67358983. Width: 2 metres. Limitation: Pedestrian gate at SY 67389001 to BS5709:2018.

Footpath 6, Winterborne Monkton:

From its junction with the proposed new route of Footpath 51, Dorchester at the Dorchester town boundary at SY 67358983, south west under the A35 (via an underpass) to SY 67348982, then south west and south along a farm track to SY 67338980. Continue south west to SY 67338979 then generally north along a double fenced path to SY 67338984 and north west, alongside the A35, to SY 67189002. Turn

west to SY 66709003 then west south west to SY 66479000 and west south west to SY 66469000, continuing north west to its junction with Bridleway 5, Winterborne Monkton at SY 66459001. Width: 2 metres. Limitations: Pedestrian gates at SY 67338979 and SY 66479000 to BS5709:2018.

Any queries relating to this Order should be referred to Helen Sparks by email: helen.sparks@planninginspectorate.gov.uk quoting reference number ROW/3314535 on all correspondence. Alternatively, queries may be sent in writing to The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646.

Any person wishing to view the statements of case and other documents relating to this Order may do so via this website address:

<https://www.dorsetcouncil.gov.uk/w/orders-with-the-secretary-of-state-for-determination> If there are any queries, please contact Ms Carol Mckay at E-mail Address: carol.mckay@dorsetcouncil.gov.uk or by Telephone: 01305 225136.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 20 February 2024]

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 Order.

Within 8 weeks of the start date [by 2 April 2024]

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing 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 Order.

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 Order (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 14 May 2024]

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 Order 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.

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 inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r



**Dorset
Council**

**Public Path Diversion
and
Definitive Map and Statement Modification Order**

**Highways Act 1980
Wildlife and Countryside Act 1981**

**Dorset Council (Footpath 51, Dorchester and Footpath 6, Winterborne Monkton)
Public Path Diversion Order 2020**

This Order is made by Dorset Council ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owner of the land crossed by the footpaths described in paragraph 1 of this Order it is expedient that the lines of the paths should be diverted.

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the County of Dorset definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

The Duchy of Cornwall has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new sites of the paths into a fit condition for use by the public.

Dorchester Town Council, Winterborne Farringdon Grouped Parish Council and Winterborne St Martin Parish Council have been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public rights of way over the land situate at Dorchester and Winterborne Monkton and shown by bold continuous lines on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up after 7 days from the date of confirmation of this Order or on the date which Dorset Council certify that work has been carried out to bring the sites of the new highways mentioned in Part 2 of the Schedule to this Order into a fit condition for use by the public, whichever is the later and thereupon the County of Dorset definitive map shall be modified by deleting from it those public rights of way.
2. Notwithstanding this Order, where immediately before the date on which the paths are diverted in pursuance of this Order, there is apparatus under, in, on, over, along or across the paths belonging to the statutory undertakers for the purpose of carrying out their undertaking then such undertakers shall continue to have the same rights in respect of their apparatus as they would have had if this Order had never been made.
3. There shall at the end of 7 days from the date of confirmation of this Order be public footpaths over the land situate at Dorchester and Winterborne Monkton described in Part 2 of the Schedule to this Order and shown by bold broken lines on the map contained in this Order and thereupon the County of Dorset definitive map shall be modified by adding those paths to it.

4. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule to this Order.
5. The County of Dorset definitive statement shall be modified as described in Part 4 of the Schedule to this Order.

SCHEDULE

(The points specified relate to the map attached to the Order and their positions are identified by national grid references)

Part 1

Description of site of existing paths

Footpath 51, Dorchester:

- A – B From Ladock Terrace at point A (SY 67159019), south west across Middle Farm Way (B3150) to a grass bank and then west and north west to the A35 Dorchester bypass at its junction with Footpath 6, Winterborne Monkton at the Winterborne Monkton parish boundary at point B (SY 67029020). Width: The width of Footpath 51 is 1.8 metres.

Footpath 6, Winterborne Monkton:

- B – B1 – The full width of the Footpath from the Dorchester town boundary, on the A35
C Dorchester bypass at its junction with Footpath 51, Dorchester at point B (SY 67029020), west north west across the A35 to point B1 (SY 66999020) and continuing generally south west across a field to its junction with Martinstown Road (C53) at point C (SY 66479003).

Part 2

Description of site of new paths

Footpath 51, Dorchester:

- D – E – F From its junction with Middle Farm Way (B3150) at point D (SY 67279014),
– G – H – west and south west along a tarmac surfaced business park access road to
I – J point E (SY 67259013), then south east to point F (SY 67329004) and north east to point G (SY 67349004). Turn south west along a track to point H (SY 67389002) then south south west along a partly grass surfaced track to point I (SY 67389001). Continue south south west along a farm track to its junction with the proposed new route of Footpath 6, Winterborne Monkton at the Winterborne Monkton parish boundary at point J (SY 67358983). Width: 2 metres.

Footpath 6, Winterborne Monkton:

- J – K – L From its junction with the proposed new route of Footpath 51, Dorchester at
– M – N – the Dorchester town boundary at point J (SY 67358983), south west under the
O – O1 – A35 (via an underpass) to point K (SY 67348982), then south west and south
P – Q – R along a farm track to point L (SY 67338980). Continue south west to point M (SY 67338979) then generally north along a double fenced path to point N (SY 67338984) and north west, alongside the A35, to point O (SY 67189002). Turn west to point O1 (SY 66709003) then west south west to point P (SY 66479000) and west south west to point Q (SY 66469000), continuing north west to its junction with Bridleway 5, Winterborne Monkton at point R (SY 66459001). Width: 2 metres.

Part 3
Limitations and Conditions

All to BS5709:2018:

Point I	SY 67389001	Pedestrian gate
Point M	SY 67338979	Pedestrian gate
Point P	SY 66479000	Pedestrian gate

Part 4
Modification of Definitive Statement
Variation of particulars of paths

Footpath 51, Dorchester:

Delete:

From: SY 67159019 To: SY 67029020

From Ladock terrace south west across Middle Farm Way to SY 6719016, then west for 35 metres to SY 67089016, then north west for 35 metres to SY 67059018, then continuing north west for 25 metres to the A35 Dorchester by-pass at the parish boundary. Width: 1.8 metres.

Add:

From: SY 67279014 To: SY 67358983

From its junction with Middle Farm Way (B3150), west and south west along a tarmac surfaced business park access road to SY 67259013, then south east to SY 67329004 and north east to SY 67349004. Turn south west along a track to SY 67389002 then south south west along a partly grass surfaced track to SY 67389001. Continue south south west along a farm track to its junction with Footpath 6, Winterborne Monkton at the Winterborne Monkton parish boundary. Width: 2 metres. Limitation: Pedestrian gate at SY 67389001 to BS5709:2018.

Footpath 6, Winterborne Monkton:

Delete:

From: 67029019 To: 664900
Martinstown/Dorchester road to Maiden Castle.

Add:

From: SY 67358983 To: SY 66459001

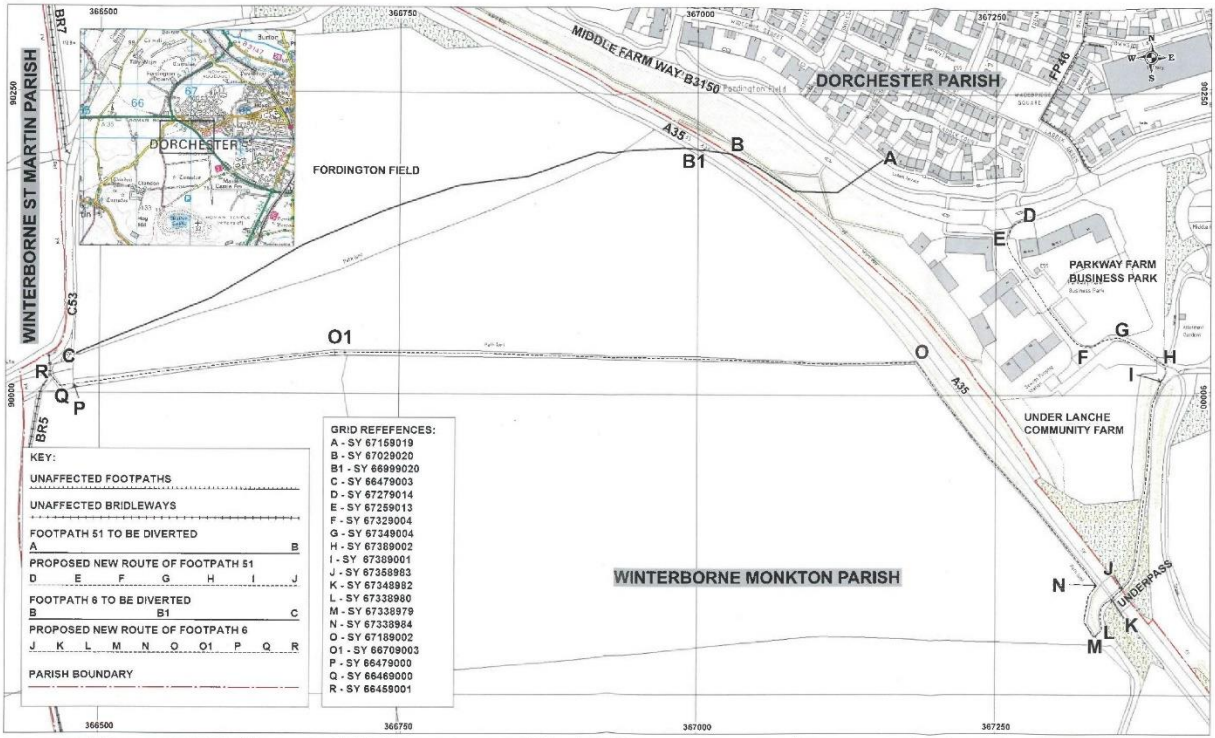
From its junction with Footpath 51, Dorchester at the Dorchester town boundary, south west under the A35 (via an underpass) to SY 67348982, then south west and south along a farm track to SY 67338980. Continue south west to SY 67338979 then generally north along a double fenced path to SY 67338984 and north west, alongside the A35, to SY 67189002. Turn west to SY 66709003 then west south west to SY 66479000 and west south west to SY 66469000, continuing north west to its junction with Bridleway 5, Winterborne Monkton. Width: 2 metres. Limitations: Pedestrian gates at SY 67338979 and SY 66479000 to BS5709:2018.

Dated this 25 day of September 2020

THE COMMON SEAL of
DORSET COUNCIL
was affixed in the presence of:-



449/20
Authorised signatory



DORSET COUNCIL (FOOTPATH 51, DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON) PUBLIC PATH DIVERSION ORDER 2020

Jonathan Fair

Ref: 18/20/1
 Date: 17/09/2018
 Scale 1:2500 at A3
 Drawn By: CAM
 Cent X: 366926
 Cent Y: 90019

Dorset Council

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