



**Dorset  
Council**

502/22

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

**Town and Country Planning Act 1990, Section 257  
Wildlife and Countryside Act 1981, Section 53A(2)**

**Dorset Council (Parts of Footpaths 79 and 92, Weymouth at Curtis Fields)  
Public Path Diversion Order 2022**

This Order is made by Dorset Council ("the authority") under section 257 of the Town and Country Planning Act 1990 ("the 1990 Act") because it is satisfied that it is necessary to divert the footpaths to which this Order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely: the development of approximately 500 residential dwellings in 3 phases (phases 2 to 4) at Curtis Fields land south of, Chickerell Road, Weymouth.

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 hitherto shown or required to be shown in the map and statement.

**BY THIS ORDER:**

1. The footpaths over the land shown by bold black lines on the attached map and described in Part 1 of the Schedule to this Order ("the Schedule") shall be diverted and the County of Dorset definitive map and statement shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of Dorset Council alternative highways for use as a replacement for the said footpaths as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpaths shall have effect on the date on which Dorset Council certify that the terms of Article 2 above have been complied with, and upon the occurrence of that diversion the County of Dorset definitive map shall be modified by deleting from it the paths or ways referred to in Article 1 of this Order and the paths or ways referred to in Article 2 of this Order shall be added to it, and the definitive statement shall be modified as described in Part 3 of the Schedule.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule:

Construction of tarmac paths with a width of 2 metres between points A (SY 6643 7828) E (SY 6645 7829), F (SY 6651 7836), G (SY 66671 78495), H

(SY 66673 78494) I (SY 66677 78506) and C (SY 66677 78508) and between points D (SY 6633 7838), J (SY 66348 78379) and E (SY 6645 7829).

5. Betterment Properties Ltd is hereby required to pay for the cost of carrying out the said works.
6. Where immediately before the date on which the footpaths are diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying out their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

## 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

##### Part of Footpath 79, Weymouth:

A – B – C The full width of the footpath from the unaffected part of Footpath 79 at point A (SY 6643 7828) generally north east to point B (SY 6652 7836) and then continuing north east to point C (SY 66677 78508) to its junction with Markham Avenue.

##### Part of Footpath 92, Weymouth:

D – B The full width of the footpath from the unaffected part of Footpath 92 at point D (SY 6633 7838) generally east south east to its junction with Footpath 79, Weymouth at point B (SY 6652 7836).

### Part 2

#### Description of site of alternative highways

##### Part of Footpath 79, Weymouth:

A – E – F From the unaffected part of Footpath 79 at point A (SY 6643 7828) north east  
– G – H – along a tarmac surface to its junction with the proposed new route of Footpath  
I – C 92 at point E (SY 6645 7829). Then south east, north east and generally north  
to point F (SY 6651 7836), then generally north east and north north east to  
point G (SY 66671 78495). Continuing east south east to point H (SY 66673  
78494), north north east to point I (SY 66677 78506) and north north west to  
Markham Avenue at point C (SY 66677 78508) to its junction with the  
unaffected part of Footpath 79. The width of this part of Footpath 79 is 2  
metres.

##### Part of Footpath 92, Weymouth:

D – J – E From the unaffected part of Footpath 92 at point D (SY 6633 7838) south east  
along a tarmac surface to point J (SY 66348 78379) and then east south east  
and generally south east to its junction with the proposed new route of  
Footpath 79 at point E (SY 6645 7829). The width of this part of Footpath 92  
is 2 metres.

### Part 3

#### Modification of Definitive Statement

##### Variation of particulars of paths

##### Footpath 79, Weymouth:

##### **Delete:**

From: 662778

To: 667785

Wyke Road (near church) northwards to Chickerell Road (near Hardy Avenue)

**Add:**

From: 662778 To: 667785

Wyke Road (near church) northwards to SY 6643 7828 then north east along a tarmac surface to its junction with Footpath 92 at SY 6645 7829. Then south east, north east and generally north to SY 6651 7836, then generally north east and north north east to SY 66671 78495. Continuing east south east to SY 66673 78494, north north east to SY 66677 78506 and north north west to Markham Avenue at SY 66677 78508 then continuing northwards to Chickerell Road (near Hardy Avenue). Width: 2 metres between SY 6643 7828 and SY 66677 78508

Footpath 92, Weymouth:

**Delete:**

From: 659783 To: 665783

Lanehouse Rocks Road along Cockles Lane eastwards to join Path No 79 (Little Francis)

**Add:**

From: 659783 To: SY 6645 7829

Lanehouse Rocks Road along Cockles Lane eastwards to SY 6633 7838 south east along a tarmac surface to SY 66348 78379 and then east south east and generally south east to its junction with Footpath 79 at SY 6645 7829. Width: 2 metres between SY 6633 7838 and SY 6645 7829.

Dated this 9<sup>TH</sup> day of SEPTEMBER 2022

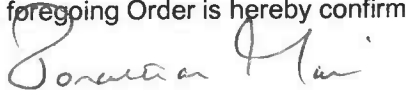
THE COMMON SEAL of  
DORSET COUNCIL  
was affixed in the presence of:-



502/22

Authorised signatory

The foregoing Order is hereby confirmed unopposed



Authorised Signatory

Dated this 1<sup>ST</sup> day of DEC 2023



**KEY:**

UNAFFECTED DEFINITIVE FOOTPATHS  
 -----

PART OF FP79 TO BE DIVERTED  
 A B C

PROPOSED NEW ROUTE OF FP79  
 -----

A E F G H I C

PART OF FP92 TO BE DIVERTED  
 D B

PROPOSED NEW ROUTE OF FP92  
 -----

D J E

SITE OF NATURE CONSERVATION INTEREST (SNCI)  
 [Hatched Box]

ST AUGUSTINE'S CATHOLIC PRIMARY SCHOOL

WEYMOUTH

MARKHAM AVE

SEE ENLARGEMENT BELOW

**ENLARGEMENT**

SCALE 1:350

← COCKLES LANE  
78,400

- GRID REFERENCES:**
- A: SY 6643 7828
  - B: SY 6652 7836
  - C: SY 66677 78508
  - D: SY 6633 7838
  - E: SY 6645 7829
  - F: SY 6651 7836
  - G: SY 66671 78495
  - H: SY 66673 78494
  - I: SY 66677 78506
  - J: SY 66348 78379

PUBLIC OPEN SPACE

*Jonathan*

**Dorset Council (Parts of Footpaths 79 and 92, Weymouth at Curtis Fields) Public Path Diversion Order 2022**

Ref: P236/22/6  
 Date: 05/09/2022  
 Scale: 1:1400  
 Drawn by: CAM  
 Cent X: 366,510  
 Cent Y: 78,396

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