



Final Order Decision

Site visit made on 21 May 2024

by **A Behn Dip MS MIPROW**

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 16 October 2024

Order Ref: ROW/3314355M

- This Order is made under Section 119 of the Highways Act 1980 and is known as the Dorset Council (Footpath 51, Dorchester, and Footpath 6, Winterborne Monkton) Public Path Diversion Order 2020.
- The Order is dated 25 September 2020 and proposes to divert 2 public footpaths as shown on the Order Map and described in the Order Schedule. The Order is also made under Section 53A(2) of the Wildlife and Countryside Act 1981. If confirmed, the Order will also modify the Definitive Map and Statement in accordance with Section 53(3)(a)(i) of that Act.
- In accordance with paragraph 2(3) of Schedule 6 to the Highways Act 1980 I have given notice of my proposal to confirm the Order subject to modifications.

Summary of Decision: The Order is confirmed subject to the modifications set out in the Formal Decision.

Procedural Matters

1. This decision should be read in conjunction with my Interim decision of 8 July 2024, in respect of the Order, which outlined the main issues to be addressed and my findings on these matters.
2. Further to the advertisement of the proposed modifications, two representations were received. Both representations supported the modifications proposed, albeit Dorset Council noted that the Order was made under 53A(2) of the Wildlife and Countryside Act and not 53(2)(a) as set out in the Interim Decision.
3. I acknowledge this to be the case and will remove the modification in this regard.

Conclusion

4. For the reasons set out in my Interim Decision, I conclude that the Order should be confirmed with modifications.

Formal Decision

5. The Order is confirmed subject to the following modifications:

- On the first paragraph of the Order, line 2, after 'that in the' **add** '*interests of the public and in the*'

- On the Order at point 3. After ‘from the date of confirmation of this Order’ **add** ‘*or on the date which Dorset Council certify that the work has been carried out to bring the sites of the new highways into a fit condition for use by the public*’
- On the Schedule, Part 2, Description of site of new paths, Footpath 51, Dorchester, on the first line, **delete all of the text from** ‘D’ to ‘track to’ on line 4 of the same paragraph.

Insert the text, ‘*D (SY 67419019) travelling in a meandering generally southerly direction to point E (SY 67429012), then to point F (SY 67409009), then to point G (SY 67399003), then to*’

- On the Schedule, Part 3, Limitations and conditions, above Point I, **add** *Point E (SY 67429012) Pedestrian gate*
- On the Schedule, Part 4, Modification of Definitive Statement, Footpath 51, Dorchester, second paragraph, first line, **delete** SY 67279014 and **insert** SY 67419019
- On the Schedule, Part 4, Modification of Definitive Statement, Footpath 51, Dorchester, second paragraph, second line, **delete all of the text from** ‘west’ to ‘track’ on line 4 of the same paragraph.

Insert the text ‘*travelling in a meandering generally southerly direction via SY 67429012, SY 67409009 and SY 67399003*’

- On the Schedule, Part 4, Modification of Definitive Statement, Footpath 51, Dorchester, second paragraph, line 7, **delete** gate and **insert** ‘gates’
- On the Schedule, Part 4, Modification of Definitive Statement, Footpath 51, Dorchester, second paragraph, line 8, after ‘Pedestrian gates at SY 67389001’, **add** ‘*and SY 67429012*’

- On the Order Map, **delete** the route D-E-F-G-H as shown by the red crosses and **insert** the route D-E-F-G-H as shown by the broken red line
- On the Grid References, **delete** the grid references for D,E,F,G

Insert new grid references D – SY 67419019, E – SY 67429012 , F – SY 67409009, G – SY 67399003

Mrs A Behn

INSPECTOR

