



**Dorset
Council**

**Notice of Making a Public Path Diversion
and
Definitive Map and Statement Modification Order**

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

**Dorset Council (Part of Footpath 5, Stourton Caundle at The Beeches)
Public Path Diversion Order 2019**

The above order, made on 15 November 2019 under section 119 of the Highways Act 1980, will divert part of Footpath 5, Stourton Caundle as shown on the order map as follows:-

From the existing path: from its junction with Rowden Mill Lane, at the entrance to The Beeches at ST 71541444, east south east through the garden, alongside the northern boundary fence, then crossing into a field at ST 71571443. Continue south south east, passing to the east of the property and across the field to rejoin the unaffected part of Footpath 5 at ST 71661428. (No recorded width).

To the new path: from its junction with Rowden Mill Lane, south south west of The Beeches at the entrance to a field at ST 71521437, south east along the south western field edge to ST 71541436 then east and south east to ST 71561435 and continuing south east along the field to rejoin the unaffected part of Footpath 5 at ST 71661428. The width of this part of Footpath 5 is 2 metres.

A copy of the order and the order map have been placed and may be seen free of charge at Reception, County Hall, Colliton Park, Dorchester during normal office hours. Copies are also available on our website at www.dorsetcouncil.gov.uk/row-orders.

Any representations about or objections to the order may be sent in writing to Vanessa Penny, Definitive Map Team Manager, Planning & Community Services, Dorset Council, County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ (Ref: RW/P185), or via email to definitivemapteam@dorsetcouncil.gov.uk, not later than 28 December 2019. Please state the grounds on which they are made. Any letters received will be made available for public inspection.

If no such representations or objections are duly made, or if any so made are withdrawn, Dorset Council may confirm the order as an unopposed order. If the order is sent to the Secretary of State for the Department for Environment, Food and Rural Affairs for confirmation any representations and objections which have not been withdrawn will be sent with the order.

Dated: 29 November 2019
JONATHAN MAIR, Monitoring Officer



**Dorset
Council**

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

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Wildlife and Countryside Act 1981**

**Dorset Council (Part of Footpath 5, Stourton Caundle at The Beeches)
Public Path Diversion Order 2019**

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 footpath described in paragraph 1 of this Order it is expedient that the line of the path 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.

Mr N Chard 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 site of the path into a fit condition for use by the public.

Stourton Caundle Parish Council has been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situate at The Beeches, Stourton Caundle and shown by a bold continuous line 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 site of the new highway 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 that public right of way.
2. Notwithstanding this Order, where immediately before the date on which the path is diverted in pursuance of this Order, there is apparatus under, in, on, over, along or across the path 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 a public footpath over the land situate at The Beeches, Stourton Caundle described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map contained in this Order and thereupon the County of Dorset definitive map shall be modified by adding that path to it.
4. The County of Dorset definitive statement shall be modified as described in Part 3 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 path

Part of Footpath 5, Stourton Caundle:

A – B – C From its junction with Rowden Mill Lane, at the entrance to The Beeches at point A (ST 71541444), east south east through the garden, alongside the northern boundary fence, then crossing into a field at point B (ST 71571443). Continue south south east, passing to the east of the property and across the field to rejoin the unaffected part of Footpath 5 at point C (ST 71661428). (No recorded width).

Part 2

Description of site of new path

Part of Footpath 5, Stourton Caundle:

D – E – F From its junction with Rowden Mill Lane, south south west of The Beeches at the entrance to a field at point D (ST 71521437), south east along the south western field edge to point E (ST 71541436) then east and south east to point F (ST 71561435) and continuing south east along the field to rejoin the unaffected part of Footpath 5 at point C (ST 71661428). The width of this part of Footpath 5 is 2 metres.

Part 3

Modification of Definitive Statement

Variation of particulars of path

Footpath 5, Stourton Caundle:

Delete:

From: 71541444 To: 718139

Rowden Mill Lane in an east south easterly direction for approx 36m to approx GR 71581443, then in a generally south easterly direction to Lydlinch parish boundary.

Add:

From: ST 71521437 To: ST 718139

From its junction with Rowden Mill Lane, south south west of The Beeches at the entrance to a field, south east along the south western field edge to ST 71541436 then east and south east to ST 71561435 and continuing south east along the field to ST 71661428, then in a generally south easterly direction to Lydlinch parish boundary. Width: 2 metres between ST 71521437 and ST 71661428.

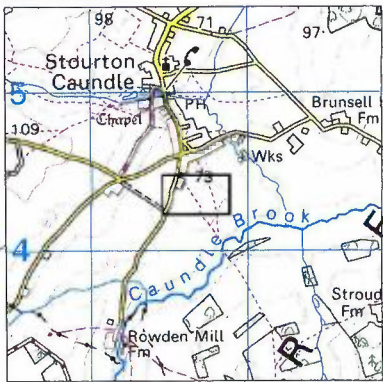
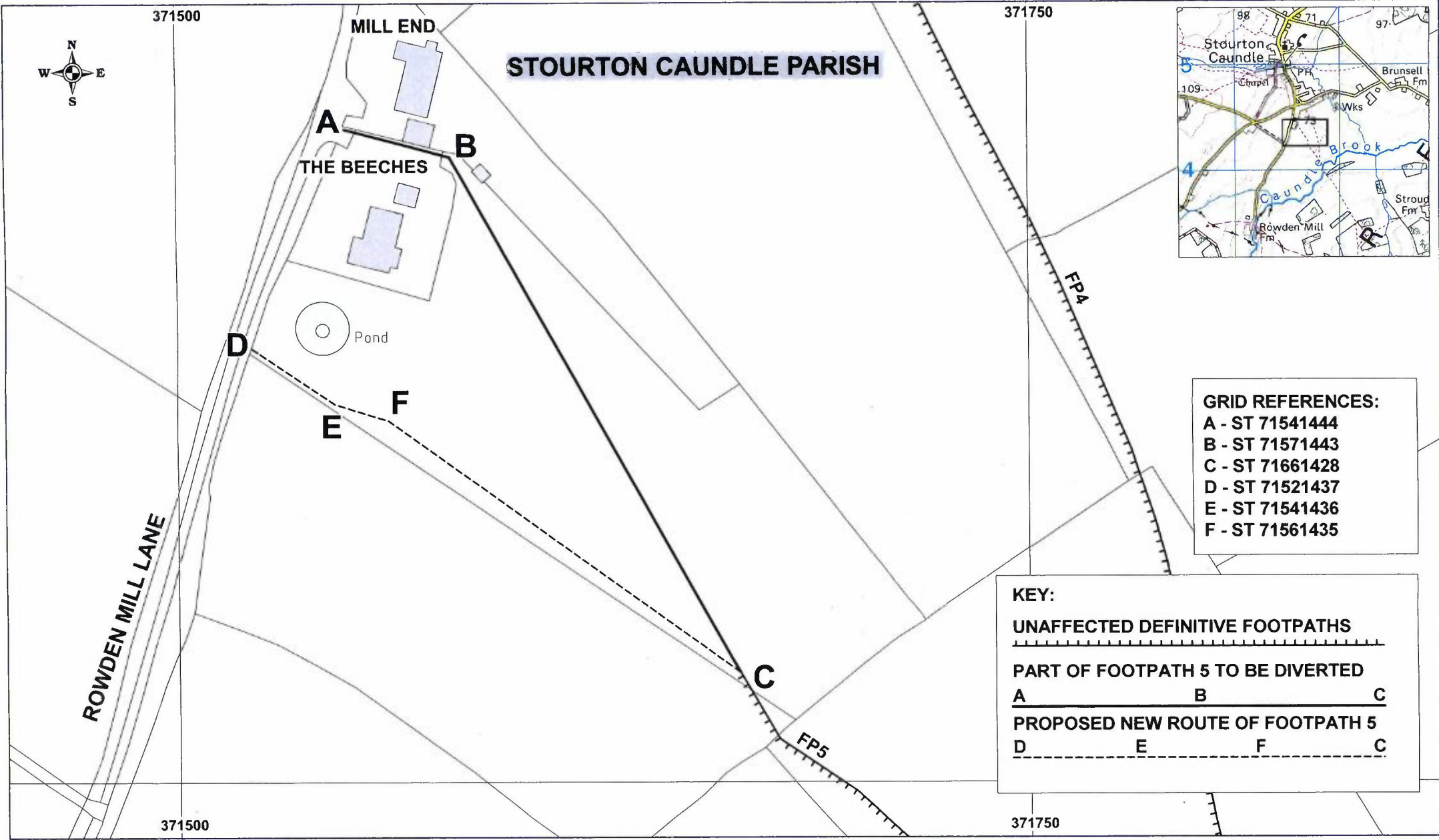
Dated this 15TH day of NOVEMBER 2019

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



494/19

Authorised signatory



GRID REFERENCES:

- A - ST 71541444
- B - ST 71571443
- C - ST 71661428
- D - ST 71521437
- E - ST 71541436
- F - ST 71561435

KEY:

UNAFFECTED DEFINITIVE FOOTPATHS

PART OF FOOTPATH 5 TO BE DIVERTED

PROPOSED NEW ROUTE OF FOOTPATH 5

DORSET COUNCIL (PART OF FOOTPATH 5, STOURTON CAUNDLE AT THE BEECHES) PUBLIC PATH DIVERSION ORDER 2019

Jonathan Mann

Ref: 17/24/2
 Date: 12/09/2017
 Scale 1:1500
 Drawn By: CAM
 Cent X: 371661
 Cent Y: 114357



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