



Definitive Map Team

Spatial Planning

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BY EMAIL

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Ref: BHT RW/T520/Stat

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To whom it may concern

WILDLIFE AND COUNTRYSIDE ACT 1981

APPLICATION FOR A DEFINITIVE MAP MODIFICATION ORDER – T520

Under the Wildlife and Countryside Act, Dorset Council is required to maintain a “definitive map and statement of rights of way”. The Council is also required by the Act to keep the map and statement under continuous review and to modify them if there is evidence that they are incorrect. The evidence may be in the form of historical documents or modern usage or both. Members of the public may apply to the Council to modify the map and statement and the Council must investigate their claims, examine the evidence and, in the light of the evidence, decide whether or not the claimed rights or other rights exist.

An application has been received to modify the definitive map and statement of rights of way by adding a footpath leading from Portwey Close to Rodwell Road, Weymouth. The application can be viewed by accessing our website at: <https://mapping.dorsetcouncil.gov.uk/rightsofway/definitivemap/register> and entering the reference number (T520) into the DMMO reference box. I enclose Drawing Ref T520/22/1 to illustrate the route.

Dorset Council has a duty to investigate the matter to assess the available evidence and decide whether to make a legal order. The effect of the modification order, if granted in accordance with the application, would be to recognise and record the right of the public to use the route on foot.

Please note that applications for DMMOs do not seek to create new public rights but to record those rights that already exist. Our investigations will evaluate the evidence, from users of the route and from historical documents, and make a recommendation in a report which will be considered by senior managers / officers. In addition, the evidence may lead the Council to make another type of order from that proposed.

The decision will have to be based solely on the evidence. The desirability, suitability or necessity of adding the route are not matters that can be taken into account under the Wildlife and Countryside Act 1981 and information on these points is not required. However, information on the following points would be of assistance: -

1. The use of the route by the public.
2. Any actions taken to prevent the public from using the path as a public right of way.
3. Any documentation recording or relating to the route.

Any evidence received by 30 June 2022 may be included in the report and will be treated as public information (please refer to the Data Protection information at the end of this letter). In any response it would be helpful if you could give an email address for future correspondence. If you need additional time in which to respond please let me know. The file is available for public inspection at the Definitive Map Team office at County Hall by appointment.

Yours sincerely

Barbara Talbott

Barbara Talbott
Definitive Map Technical Officer
Spatial Planning

Dorset Council is a Data Controller for the purposes of the General Data Protection Regulation 2016 and the Data Protection Act 2018. This Act regulates how we obtain, use and retain personal information. The information you supply will be used for the purpose of fulfilling our functions and duties, including those under the Highways Act 1980, Town and Country Planning Act 1990 and the Wildlife and Countryside Act 1981. Any information provided, including personal details will be available for public inspection, disclosed to interested third parties and may be used during public inquiries and other proceedings. The information will be kept indefinitely. By replying to this correspondence you are consenting to your personal information being retained and used for these purposes. Further information about the use of personal information and data protection is available on our web-site at www.dorsetcouncil.gov.uk or by contacting the Council's Data Protection Officer.