



Notice of Modification Order

Section 53 of the Wildlife and Countryside Act 1981

Dorset Council County of Dorset Definitive Map and Statement of Rights of Way

Dorset Council (Part of Footpath 58, Beaminster) Definitive Map and Statement Modification Order 2021

The above Order, made on 22 October 2021, if confirmed as made, will modify the definitive map and statement for the area by:

Deleting from them:

Part of Footpath 58, Beaminster

From ST 47990098, north of the property 16A Southgate, west south west, passing along the north side of the river to the unaffected part of Footpath 58 at ST 47900095. (No recorded width).

Adding to them:

Part of Footpath 58, Beaminster

From its junction with Bridport Road (A3066), north east of the property South Lodge at ST 47970094, west north west along a gravel surfaced path, passing to the north of South Lodge to ST 47960094 and continuing west north west to ST 47940095. Then generally west south west along a stone/earth surfaced path, passing along the south side of the river to ST 47900094 and continuing north west, crossing the river, to rejoin the unaffected part of Footpath 58 at ST 47900095. The width varies: 7 metres at ST 47970094, 3.95 metres at ST 47960094 and narrowing to 1.5 metres at ST 47940095 and 1.2 metres between ST 47900094 and ST 47900095. Limitation: Pedestrian gate at ST 47900095.

A copy of the order as made and the order map are available on our website at www.dorsetcouncil.gov.uk/row-orders and can be viewed at County Hall by prior appointment only, due to the current Covid-19 situation. To enquire about viewing a copy of the order or for further information, please contact us by emailing definitivemapteam@dorsetcouncil.gov.uk or telephone 01305 224463.

Any representations about or objections to the order may be sent in writing to Vanessa Penny, Definitive Map Team Manager, Spatial Planning, Dorset Council, County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ (Ref: RW/T577), or via email to definitivemapteam@dorsetcouncil.gov.uk not later than 31 December 2021. Please state the grounds on which they are made. Any letters received will be made available for public inspection.

If no representations or objections are duly made to the Order, or if any so made are withdrawn, the Dorset Council, instead of submitting the Order to the Secretary of State for the Department for Environment, Food and Rural Affairs may itself confirm the Order. If the Order is submitted to the Secretary of State, any representations or objections which have been duly made and not withdrawn will be sent with it.

Dated: 18 November 2021

Jonathan Mair, Monitoring Officer

**Wildlife and Countryside Act 1981****Dorset Council****County of Dorset Definitive Map and Statement of Rights of Way****Dorset Council (Part of Footpath 58, Beaminster)
Definitive Map and Statement Modification Order 2021**

This Order is made by Dorset Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that 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)(c)(i) namely, that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates and section 53(3)(c)(iii) namely, that there is no public right of way over land shown in the map and statement as highway of any description or that any other particulars contained in the map and statement require modification.

The authority has consulted with every local authority whose area includes the land to which the Order relates. Dorset Council hereby order that:

1. For the purposes of this Order the relevant date is 19 March 2021.
2. The County of Dorset Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the "Dorset Council (Part of Footpath 58, Beaminster) Definitive Map and Statement Modification Order 2021".

Dated this 22nd day of OCTOBER 2021

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

A handwritten signature in blue ink, appearing to read 'Jonathan Fair', written over a faint circular stamp.



562/21

Authorised Signatory

SCHEDULE

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

Part I

Modification of definitive map Description of path to be deleted

A – B From point A (ST 47990098), north of the property 16A Southgate, west south west, passing along the north side of the river to the unaffected part of Footpath 58 at point B (ST 47900095). (No recorded width).

Description of path to be added

A1 – A2 – From its junction with Bridport Road (A3066), north east of the property South Lodge at point A1 (ST 47970094), west north west along a gravel surfaced path, passing to the north of South Lodge to point A2 (ST 47960094) and continuing west north west to point A3 (ST 47940095). Then generally west south west along a stone/earth surfaced path, passing along the south side of the river to point A4 (ST 47900094) and continuing north west, crossing the river, to rejoin the unaffected part of Footpath 58 at point B (ST 47900095). The width varies: 7 metres at point A1 (ST 47970094), 3.95 metres at point A2 (ST 47960094) and narrowing to 1.5 metres at point A3 (ST 47940095) and 1.2 metres between points A4 (ST 47900094) and B (ST 47900095).
B Limitation: Pedestrian gate at point B (ST 47900095).

Part II

Modification of definitive statement Variation of particulars of path

Footpath 58, Beaminster:

Delete:

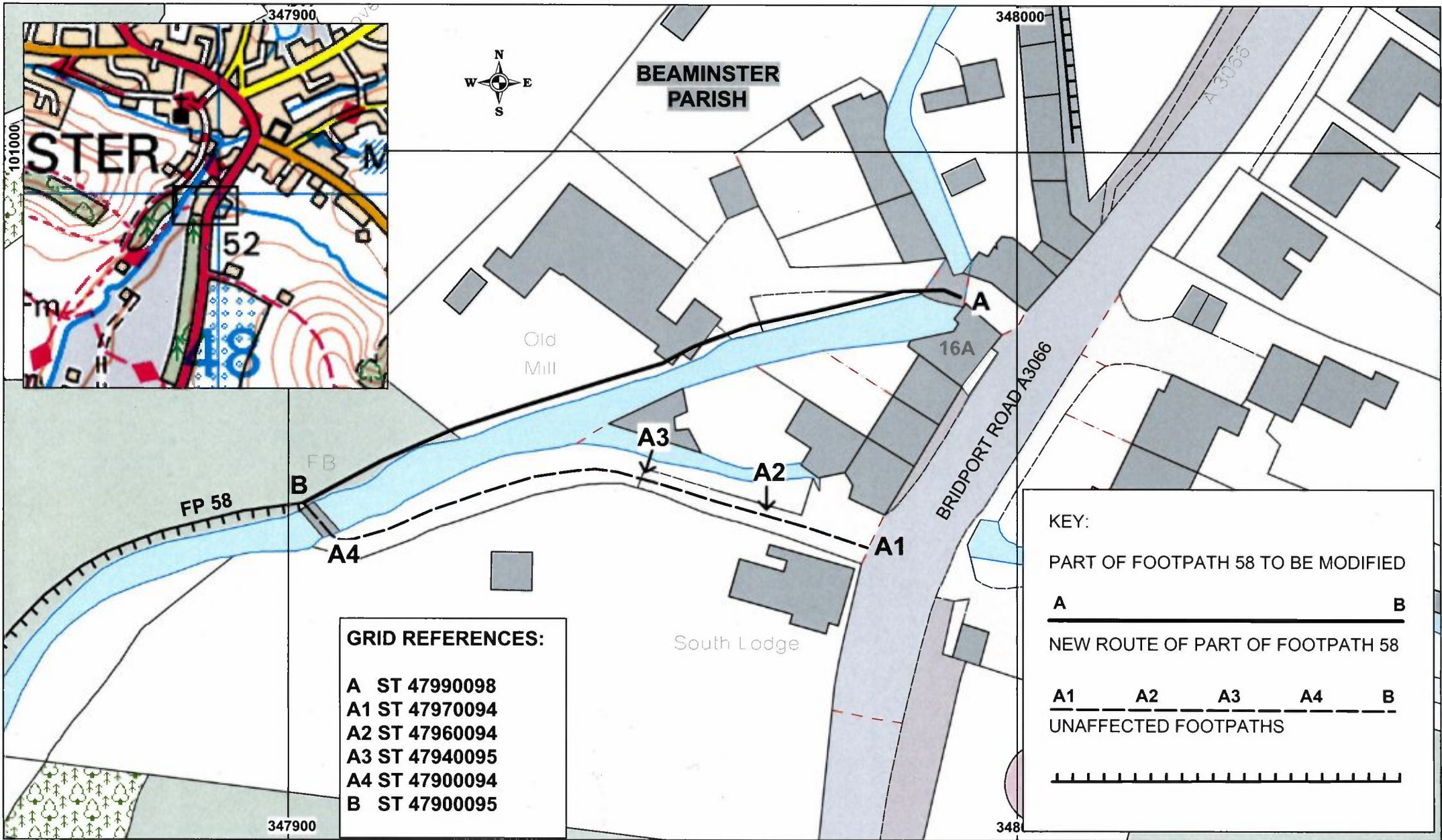
From: 479009 To: 475006

Bridport Road near The Lodge to join Path No 56.

Add:

From: ST 47970094 To: ST 475006

From its junction with Bridport Road (A3066), north east of the property South Lodge, west north west along a gravel surfaced path, passing to the north of South Lodge to ST 47960094 and continuing west north west to ST 47940095. Then generally west south west along a stone/earth surfaced path, passing along the south side of the river to ST 47900094 and continuing north west across the river to ST 47900095. Continuing generally south west to join Path No 56. The width varies: 7 metres at ST 47970094, 3.95 metres at ST 47960094 and narrowing to 1.5 metres at ST 47940095 and 1.2 metres between ST 47900094 and ST 47900095. Limitation: Pedestrian gate at ST 47900095.



GRID REFERENCES:

A ST 47990098
 A1 ST 47970094
 A2 ST 47960094
 A3 ST 47940095
 A4 ST 47900094
 B ST 47900095

KEY:

PART OF FOOTPATH 58 TO BE MODIFIED

A B

NEW ROUTE OF PART OF FOOTPATH 58

A1 A2 A3 A4 B

UNAFFECTED FOOTPATHS

<p>DORSET COUNCIL (PART OF FOOTPATH 58, BEAMINSTER) DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2021</p> <p style="text-align: center;"><i>Jonathan Han</i></p>	<p>Ref: T577/21/1 Date: 07/09/2021 Scale 1:700 Drawn By: AB Cent X: 347959 Cent Y: 100963</p>	<p>Dorset Council</p> <p><small>© Crown Copyright and database rights 2021 Ordnance Survey 0100060963. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form. Aerial Photography © UK Perspectives 2002 & © Getmapping 2005, 2009 & 2014 Getmapping Plc and Bluesky International Limited [2017]</small></p>
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EXPLANATORY STATEMENT

THIS EXPLANATORY STATEMENT DOES NOT FORM PART OF THE ORDER

Public footpaths, bridleways, restricted byways and byways open to all traffic are recorded on definitive maps and statements. These maps and statements provide conclusive legal evidence of the existence of public rights of way. Dorset Council is responsible for the definitive map and statement and has a legal duty to change them when evidence suggests that they are inaccurate or incomplete. One of the ways these changes can be made is by means of modification orders under Section 53 of the Wildlife and Countryside Act 1981. These orders do not come into effect until they are confirmed. Before that happens, members of the public have a right to make objections or representations about the order. If there are any objections then the Council must refer the order and the objections to the Department for Environment, Food and Rural Affairs, which will decide whether or not to confirm the order.

In this case Dorset Council has made a modification Order to the definitive map and statement to correct the recorded route of part of Footpath 58, Beaminster.

For your information, definitions of the categories of public rights of way are given overleaf.

If you wish to make representations about the Order, you must write to Vanessa Penny, Definitive Map Team Manager, Spatial Planning, Dorset Council, County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ (Ref: RW/T577), or via email to definitivemapteam@dorsetcouncil.gov.uk, not later than 31 December 2021. Please state the grounds on which they are made. Any letters received will be made available for public inspection.

You have a statutory right to object to the Order, but your comments should be legally relevant. This means that they should relate to the existence or the status of the right of way in question. Other objections, for example about privacy or security, may not be legally relevant. Any letters received will be made available for public inspection.

Usually the Department for Environment, Food and Rural Affairs does not award costs, either to Dorset Council or to objectors. They may make an award of costs if objectors unreasonably maintain objections which are not legally relevant, or which cannot be sustained.

If you are considering objecting to the Order and would like to talk to someone or if you have any concerns about the Order, please telephone Anne Brown on 01305 224463 or email anne.brown@dorsetcouncil.gov.uk, who will be happy to help.

Definitions:

- Footpath: A highway over which the public have a right on foot only, other than such a highway at the side of a public road.
- Bridleway: A highway over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway.
- Restricted byway: A highway over which the public may have restricted byway rights, with or without a right to drive animals of any description along the highway, but no other rights of way.
"Restricted byway rights" means –
(a) a right of way on foot,
(b) a right of way on horseback or leading a horse, and
(c) a right of way for vehicles other than mechanically propelled vehicles.
- Byway: (i.e. byway open to all traffic) A highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used mainly for the purpose for which footpaths and bridleways are so used.