



**Dorset  
Council**

**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 15 and Footpath 19, Beer Hackett)  
Definitive Map and Statement Modification Order 2022**

The above Order, made on 23 September 2022, if confirmed as made, will modify the definitive map and statement for the area by:

**Deleting from them:**

Part of Footpath 15, Beer Hackett: The whole width of the footpath from the unaffected part of Footpath 15, in a field at ST 59941172, south south east across the field and a river and continuing south south east across a second field to rejoin the unaffected part of Footpath 15 at ST 59971161. (No recorded width).

Footpath 19, Beer Hackett: The whole width of the footpath from its junction with the D20518 Road, east of Stone Cottage at ST 60041177, generally south, passing through a number of gardens/properties at Church Close and crossing into a field to ST 60031168. (No recorded width).

**Adding to them:**

Part of Footpath 15, Beer Hackett: From the unaffected part of Footpath 15, in a field at ST 59941172, south east across the field to its junction with the modified route of Footpath 19 at ST 59981165, then continuing south south west, crossing the river and across a second field to rejoin the unaffected part of Footpath 15 at ST 59971161. The width varies: 2 metres between ST 59941172 and ST 59981165, 90cm at ST 59981165, widening to 2 metres at ST 59971161.

Footpath 19, Beer Hackett: From its junction with the D20518 road at ST 60011178, south passing through the churchyard and to the east of St Michael's Church to ST 60011174 then continuing generally south across a field to its junction with the modified route of Footpath 15 at ST 59981165. Width: 2 metres except for 1.4 metres at ST 60011178 and 1.2 metres at ST 60011174. Limitations: Pedestrian gates at ST 60011178 and ST 60011174.

A copy of the Order and the Order map 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](http://www.dorsetcouncil.gov.uk/row-orders).

Any representations about or objections to the order may be sent in writing to Kerry Smyth, Definitive Map Technical Officer, Definitive Map Team, Spatial Planning, Dorset Council, County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ (Ref: RW/T676), or via email to [Kerry.smyth@dorsetcouncil.gov.uk](mailto:Kerry.smyth@dorsetcouncil.gov.uk) not later than 23 December 2022. 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: 10 November 2022  
Jonathan Mair, Monitoring Officer



**Dorset  
Council**

**Wildlife and Countryside Act 1981**

**Dorset Council**

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

**Dorset Council (Part of Footpath 15 and Footpath 19, Beer Hackett)  
Definitive Map and Statement Modification Order 2022**

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 9 June 2022.
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 15 and Footpath 19, Beer Hackett) Definitive Map and Statement Modification Order 2022".

Dated this 23<sup>rd</sup> day of SEPTEMBER 2022

THE COMMON SEAL OF  
DORSET COUNCIL

was fixed in the presence of:-



527/22

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 paths to be deleted**

##### Part of Footpath 15, Beer Hackett:

- A – B      The whole width of the footpath from the unaffected part of Footpath 15, in a field at point A (ST 59941172), south south east across the field and a river and continuing south south east across a second field to rejoin the unaffected part of Footpath 15 at point B (ST 59971161). (No recorded width).

##### Footpath 19, Beer Hackett:

- D – E      The whole width of the footpath from its junction with the D20518 Road, east of Stone Cottage at point D (ST 60041177), generally south, passing through a number of gardens/properties at Church Close and crossing into a field to point E (ST 60031168). (No recorded width).

#### **Description of paths to be added**

##### Part of Footpath 15, Beer Hackett:

- A – C – B      From the unaffected part of Footpath 15, in a field at point A (ST 59941172), south east across the field to its junction with the modified route of Footpath 19 at point C (ST 59981165), then continuing south south west, crossing the river and across a second field to rejoin the unaffected part of Footpath 15 at point B (ST 59971161). The width varies: 2 metres between points A (ST 59941172) and C (ST 59981165), 90cm at point C (ST 59981165), widening to 2 metres at point B (ST 59971161).

##### Footpath 19, Beer Hackett:

- F – G – C      From its junction with the D20518 road at point F (ST 60011178), south passing through the churchyard and to the east of St Michael's Church to point G (ST 60011174) then continuing generally south across a field to its junction with the modified route of Footpath 15 at point C (ST 59981165). Width: 2 metres except for 1.4 metres at point F (ST 60011178) and 1.2 metres at point G (ST 60011174). Limitations: Pedestrian gates at point F (ST 60011178) and point G (ST 60011174).

## Part II

### **Modification of definitive statement Variation of particulars of paths**

#### Footpath 15, Beer Hackett:

**Delete:**

From: 599118                      To: 599113

Road at Beer Hackett west of church southwards to Yetminster parish boundary.

**Add:**

From: ST 599118                      To: ST 599113

Road at Beer Hackett west of church, southwards to ST 59941172, south east across the field to its junction with Footpath 19 at ST 59981165, then continuing south south west, crossing the river and across a second field to ST 59971161 and continuing generally south to the Yetminster parish boundary. The width varies: 2 metres between ST 59941172 and ST 59981165, 90cm at ST 59981165, widening to 2 metres at ST 59971161.

#### Footpath 19, Beer Hackett:

**Delete:**

From: 600117                      To: 599116

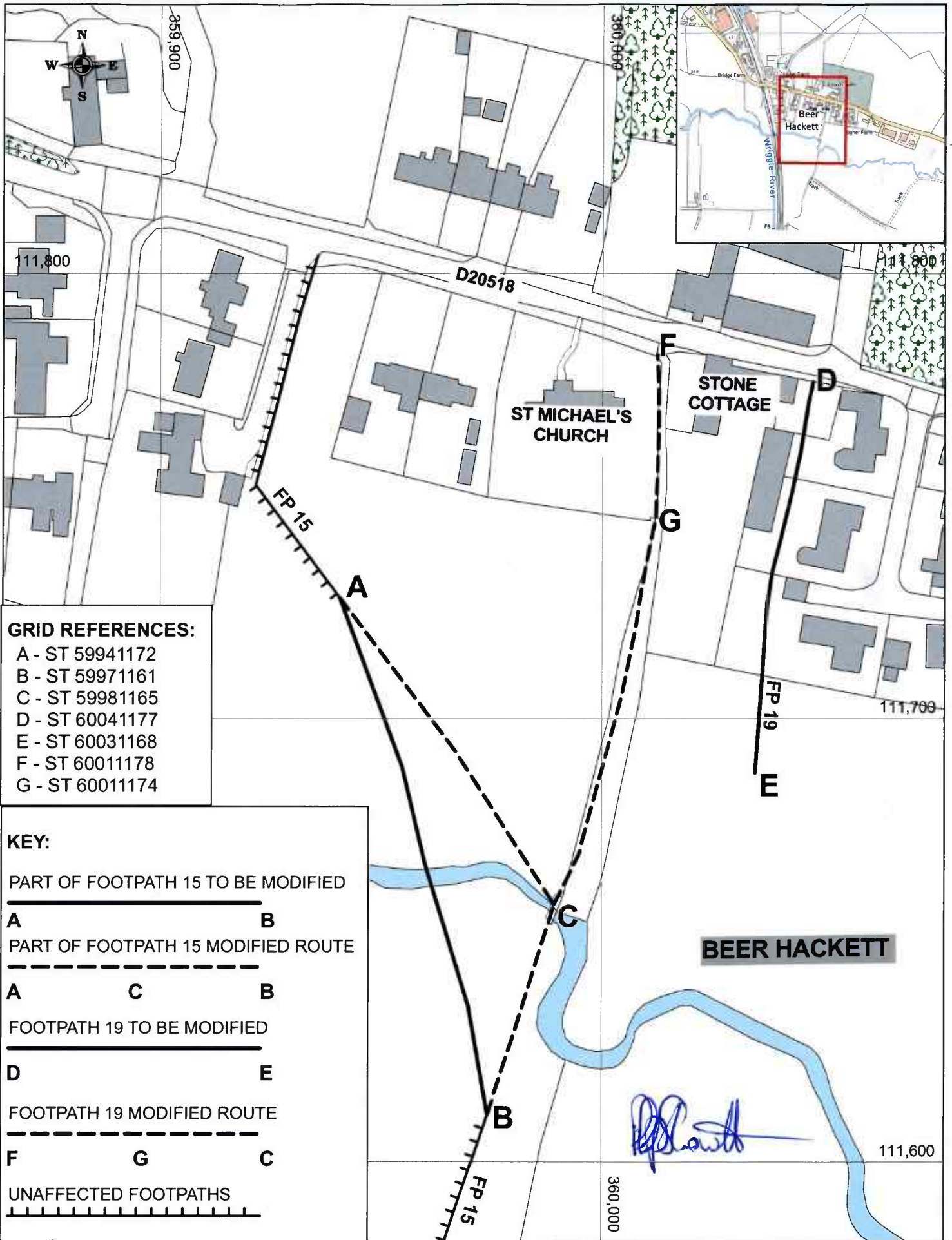
Road at Beer Hackett, through east side of a churchyard to join Path No 15.

**Add:**

From: ST 60011178                      To: ST 59981165

From its junction with the D20518 road, south passing through the churchyard and to the east of St Michael's Church to ST 60011174 then continuing generally south across a field to its junction with Footpath 15. Width: 2 metres except for 1.4 metres at ST 60011178 and 1.2 metres at ST 60011174. Limitations: Pedestrian gates at ST 60011178 and ST 60011174.





**GRID REFERENCES:**

- A - ST 59941172
- B - ST 59971161
- C - ST 59981165
- D - ST 60041177
- E - ST 60031168
- F - ST 60011178
- G - ST 60011174

**KEY:**

- PART OF FOOTPATH 15 TO BE MODIFIED  

A
B
- PART OF FOOTPATH 15 MODIFIED ROUTE
- FOOTPATH 19 TO BE MODIFIED
- FOOTPATH 19 MODIFIED ROUTE
- UNAFFECTED FOOTPATHS

**DORSET COUNCIL (PART OF FOOTPATH 15 AND FOOTPATH 19, BEER HACKETT) DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2022**

**Ref: T676/22/1**  
**Date: 16/09/2022**  
**Drawn by: KJS**  
**Scale: 1:1100**  
**Cent X: 359,971**  
**Cent Y: 111,721**



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 & 2014, © Getmapping Plc and Bluesky International  
 Limited (2017 onwards)

## **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 routes of Footpath 15 and Footpath 19, Beer Hackett.*

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 Kerry Smyth, Definitive Map Technical Officer, Definitive Map Team, Spatial Planning, Dorset Council, County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ (Ref: RW/T676), or via email to [kerry.smyth@dorsetcouncil.gov.uk](mailto:kerry.smyth@dorsetcouncil.gov.uk) not later than 23 December 2022. 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 Kerry Smyth on 01305 221559 or email [kerry.smyth@dorsetcouncil.gov.uk](mailto:kerry.smyth@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.