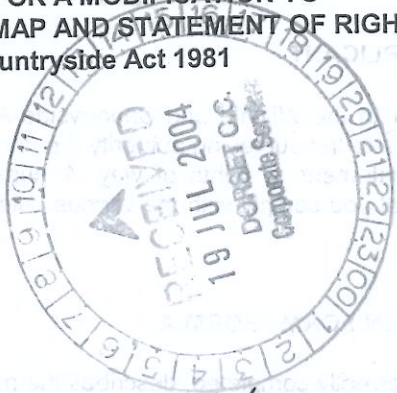


DORSET COUNTY COUNCIL

APPLICATION FORM FOR A MODIFICATION TO THE COUNTY OF DORSET DEFINITIVE MAP AND STATEMENT OF RIGHTS OF WAY Wildlife and Countryside Act 1981



To: Chief Executive Dorset County Council County Hall Colliton Park DORCHESTER Dorset DT1 1XJ

I/We (i) FRIENDS OF DORSET'S RIGHTS OF WAY of (ii) PO BOX 5365, DORCHESTER, DORSET, DT2 8WH. hereby apply for an order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by *:-

(a) Deleting the footpath / bridleway / byway open to all traffic * which runs from: to:

(b) Adding the footpath / bridleway / byway open to all traffic * which runs from: to:

(c) Upgrading/downgrading to a footpath / bridleway / byway open to all traffic * the footpath/bridleway/byway open to all traffic which runs from: ST 7722 0043 to: SY 7653 9940

(d) Varying/adding to the particulars relating to the footpath / bridleway / byway open to all traffic * from: to: by providing that

and shown on the map annexed hereto (see overleaf).

I/We attach copies of the following documentary evidence [including statements of witnesses] in support of this application:-

- (iii) CHESLBORNE INCLOSURE MAP & AWARD DELISH INCLOSURE MAP & AWARD

SIGNATURE REMOVED

Signed:

Date: 17 July 2004

- (i) (ii)

(iii) Insert list of documents * Delete as appropriate



DORSET COUNTY COUNCIL

CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR MODIFICATION ORDER
THE COUNTY OF DORSET DEFINITIVE MAP AND STATEMENT OF RIGHTS OF WAY

Wildlife and Countryside Act 1981

To: Director of Environmental Services
Dorset County Council
County Hall
Colliton Park
DORCHESTER
Dorset
DT1 1XJ

I/We(i) Friends of Dorset's Rights of Way (FoDRoW)

of (ii) PO Box 5365, Dorchester, Dorset, DT2 8WH

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with in relation to the attached application.

Signed: SIGNATURE REMOVED Date: 26th October 2005

NOTES FOR GUIDANCE

This certificate should be completed only when notice of the application has been served on all owners and occupiers affected by the proposal. A list of the names and addresses of all individuals notified should be provided below. Please indicate if you have been unable to identify all owners and occupiers of any land to which the application relates.

Notice of Application Sent To:

Name	Address
1. Roger Gray	Maryfield, Streetway Lane, Cheselbourne, Dorset, DT2 7NU
2. M. Besent, Besent & Sons	Higher Melcombe Farm, Higher Melcombe, Melcombe Bingham, Dorchester, Dorset, DT2 7PB
3. Mrs V Booth	Manor Farm, Dewlish, Dorchester, Dorset, DT2 7LR
4. Mrs Frampton	Manor Farm, Dewlish, Dorchester, Dorset, DT2 7LR
5. Mr Turner	Old Rectory Farm, Cheselbourne, Dorset, DT2 7NP
6. Mary Besent	Eastfield Farm, Cheselbourne, Dorset, DT2 7NP

DORSET COUNTY COUNCIL

PUBLIC RIGHTS OF WAY DOCUMENTARY EVIDENCE CHECKLIST

Wildlife and Countryside Act 1981

To: Chief Executive
Dorset County Council
County Hall
Colliton Park
DORCHESTER
Dorset
DT1 1XJ

PATH DETAILS:-

PARISH: CHESELBOURNE & DEWLISH DISTRICT: WEST DORSET

BELIEVED STATUS OF PATH: ~~footpath / bridleway~~ / byway open to all traffic [delete as appropriate]

DESCRIPTION OF PATH [please indicate route on a map - 1:2500 scale if possible]

FROM: ST 7722 0043

TO: SY 7653 9940


I/We (i) FRIENDS OF DORSET'S RIGHTS OF WAY
of (ii) PO Box 5365, DORCHESTER, DORSET, DT2 8WH.

have carried out research at the County Records Office and/or Public Records Office and wish the following documents to be considered in support of my application [see notes on reverse of FORM A]:

Document	DRO/PRO Reference
Inclosure Award and Map*	(CHESELBOURNE) DRO INCLOSURE 79 (DEWLISH) DRO D/FSI: Box 154
Title Apportionment and Map*	
Finance Act 1910 Maps*	
Ordnance Survey Maps*	
Railway/Canal Survey Maps and Schedules*	
Estate Maps and Records*	
Quarter Session Rolls*	
Sale Catalogues*	
Highway Board Minute Books*	
Others [please state]:	

Signed: SIGNATURE REMOVED

Date: 17 JULY 2004

(i)  Insert address of applicant(s) * Delete as appropriate

Byway Claim for Cheselbourne BR6 & Dewlish BR3

Introduction

This document supports FoDRoW's DMMO claim for byway status on a track to the east of Cheselbourne, which is currently classified as bridleway 6 in Cheselbourne and bridleway 3 in Dewlish. The claimed route runs between two county roads, from grid reference SY 7653 9940 north east then north to ST 7722 0043 and is highlighted on the enclosed 1:10000 scale reproduction of a 1:50000 OS map.

The basis of this claim is the route's inclusion on two inclosure maps and awards. No evidence has been found to indicate this road has ever been stopped up. Thus on the basis of the evidence presented below FoDRoW believes the route should today be a byway.

FoDRoW believes enough evidence is being submitted to justify this claim. Further evidence does exist and may be submitted at a later date. However, having considered the volume of claims likely to be submitted in the coming years this claim is being submitted now to avoid a future flood of claims when they are all fully researched.

Cheselbourne Inclosure Map & Award, DRO Reference Inclosure 79

The Cheselbourne inclosure map shows the claimed route in its entirety. Road N° 3 on the map occupies the full length of the claimed route, and indeed extends beyond the claimed route at its north east end onto what is today a tarmac county road. Thus today part of road N° 3 is a county road and the remainder is a bridleway.

On the map the road is marked "N° 3 30 feet" on the two sections of Cheselbourne BR6. The section that is in Dewlish is also shown on the map and although this is not shaded it does prove a continuous route for road 3 through both parishes. It is also clear from this map that the road N° 3 corresponds to the claimed route.

The inclosure award describes road N° 3 as

"One other Public Carriage Road and Driftway of the width of thirty feet and numbered '3' on the said map or plan and commencing at the public highway leading through the village of Cheselbourne aforesaid near a garden numbered ??5 on the said map and extending in its ancient course between the East and waterside fields and thence in a straight line to the south west corner of the East Down and from thence running in a Northerly direction over the East Down crossing the Public Road N° 2 and from thence in the same direction over Middle field Down entering the Public Road N° 1 near the gate leading to Cheselbourne Mill".

This description clearly identifies the route of road N° 3; the description corresponds to the inclosure map and modern OS maps and reiterates that the route of this road follows today's Cheselbourne BR6 and Dewlish BR3.

Dewlish Inclosure Map & Award, DRO Reference D/FSI: Box 154

The Dewlish inclosure map shows the section of the claimed route that is in Dewlish parish. The road is marked as "N° VI Chesilbourn (sic) Drove Road 30 feet". This part of the road corresponds with the section that is not shaded on the Cheselbourne inclosure map. Where the claimed route leaves Dewlish it is marked "Chesilbourn" at its west end and the north east end is marked "To Bingham's Melcombe". This reiterates that the section shown is part of the longer road.

The inclosure award describes road N° VI as follows:

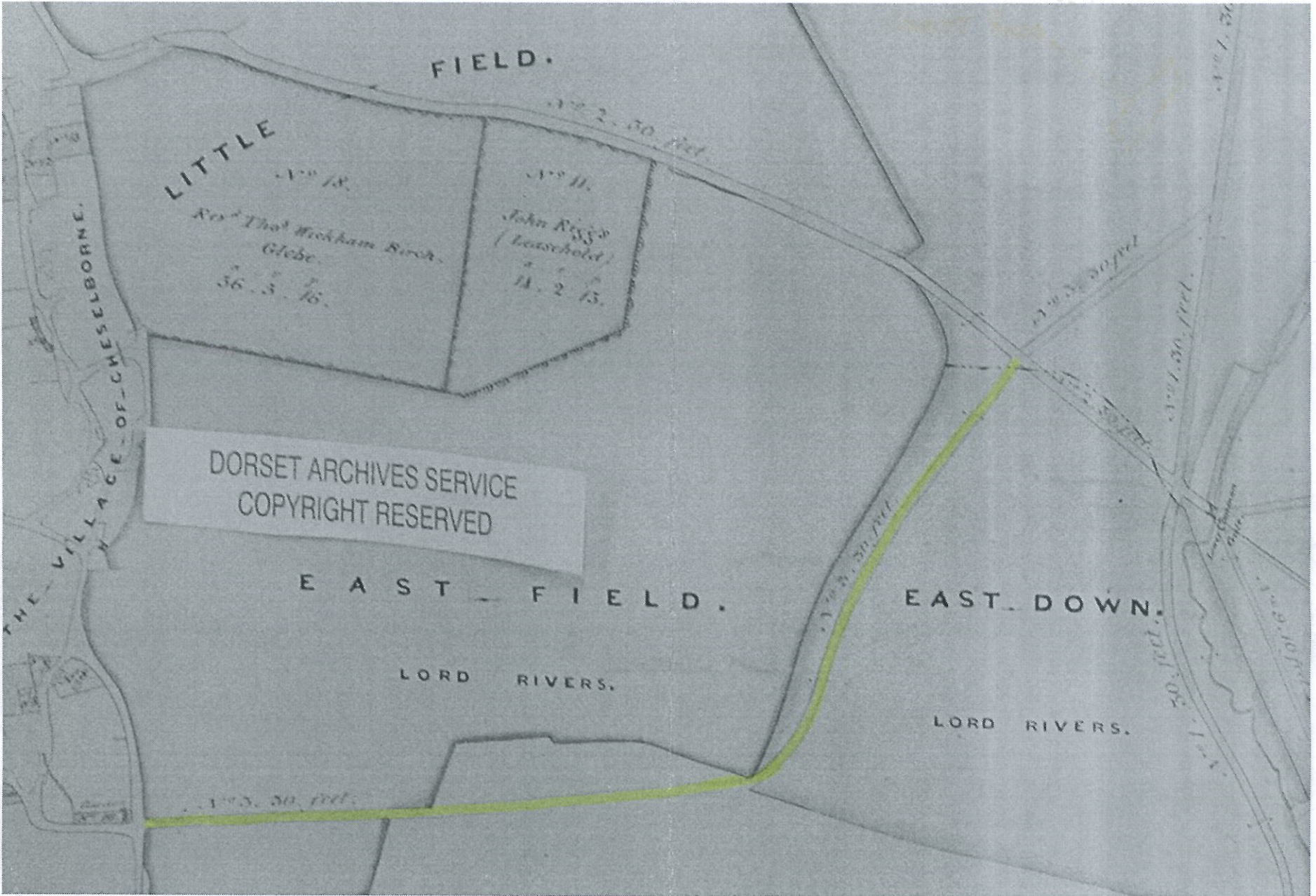
“One other Public Carriage Road and Highway of the breadth of thirty feet called the 'Chesilbourn Drove Road' beginning at Chesilbourn Drove end and extending in a North east direction over Whitelands down and Melcombe Bottom towards Bingham's Melcombe.”

The map annotations and the description in the Dewlish award describes the full route of this road. This description corresponds exactly to road N° 3 on the Cheselbourne inclosure map and award and to the modern bridleways on this route.

Summary

There is extremely strong evidence that Cheselbourne BR6 and Dewlish BR3 should be correctly classified as a byway. Two inclosure maps and awards clearly show this route as being a public carriage road. This status is reiterated by the fact that the northern end of the route described on the inclosure awards is today a tarmac county road. That section is marked in red on the enclosed map. Cheselbourne Mill, grid reference ST 7739 0077, which is referred to in the Cheselbourne inclosure award, is also marked on the map.

No evidence has been found to indicate this road has been stopped up. Therefore the claimed route carries vehicular rights and should be classified as a byway.



Cheselbourne Inclosure Map (extract), DRO Reference "Inclosure 79"

26th October 2005

Re: Byway application on Callway Lane Cheselbourne

Dear Sir,

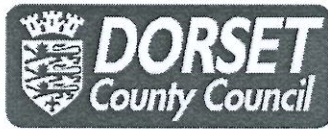
In July 2004 we made an application for byway status on Callway Lane in Cheselbourne (FoDRoW Reference 16). Investigations at the Land Registry identified the owner of part of the claimed route and that person, Mr Gray, gave us the details of M. Besent who we were told owned and occupied the remainder of the claimed route. On that basis we sent Form Bs to both those people and sent a Form C to DCC certifying that we had notified the owners and occupiers. However, we have now been told that three further people have been identified as having an interest in this route, as land owners, occupiers or both.

Enclosed with this letter is an updated Form C to provide the details of all owners & occupiers, including the three "new" individuals. The new owners/occupiers are Mr Turner, Mrs Booth and Mrs Frampton. I can confirm that we have today sent Form Bs to each of these people. Enclosed with the Forms Bs was a map showing the claimed route, a Form F to enable the individuals to submit evidence supporting or contesting the application, and a letter asking if they know of any further owners and occupiers of the claimed route. We have also written once again to Mr Gray and M Besent asking if they know of any further owners or occupiers.

We cannot think of anything further we can do to identify the land's owners and occupiers and believe we have identified everyone affected by our application. That is why we have sent DCC a new Form C and have not requested permission to erect site notices. If we do discover any further information regarding the owners or occupiers of this route then we will inform DCC immediately. In the meantime I would be grateful if you could let me know if we need to do anything further to ensure compliance with our duties to inform all owners and occupiers affected by this claim.

Yours sincerely,





DORSET COUNTY COUNCIL

CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR MODIFICATION ORDER

THE COUNTY OF DORSET DEFINITIVE MAP AND STATEMENT OF RIGHTS OF WAY

Wildlife and Countryside Act 1981

To: Director of Environmental Services
Dorset County Council
County Hall
Colliton Park
DORCHESTER
Dorset
DT1 1XJ

I/We(i) Friends of Dorset's Rights of Way (FoDRoW)

of (ii) PO Box 5365, Dorchester, Dorset, DT2 8WH

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with in relation to the attached application.

SIGNATURE REMOVED

Signed: Date: 26th October 2005

[Redacted signature area] FOR GUIDANCE

This certificate should be completed only when notice of the application has been served on all owners and occupiers affected by the proposal. A list of the names and addresses of all individuals notified should be provided below. Please indicate if you have been unable to identify all owners and occupiers of any land to which the application relates.

Notice of Application Sent To:

Table with 2 columns: Name, Address. Contains 5 entries for Roger Gray, M. Besent, Mrs V Booth, Mrs Frampton, and Mr Turner.

4985
JC

13th November 2005

Re: Form D relating to byway application on Callway Lane, Cheselbourne

Dear Sir,

Enclosed is a Form D to request permission to erect site notices to inform land owners and occupiers of our application for byway status on Callway Lane, Cheselbourne.

When this application was first submitted we were sure we had notified all owners and occupiers. We had identified one owner through a Land registry search and that landowner gave us the details of the other owner affected by our application. However, other owners affected by this application have recently approached Dorset CC. FoDRoW has sent Form Bs to all these owners and occupiers and asked them if they know of any other owners/occupiers who we may not have identified. One land owner has advised us that he believes we have not informed all owners & occupiers but was unable to give us their details. For this reason we are now submitting a Form D to Dorset CC to request permission to erect site notices.

This request is being made for completeness, i.e. to ensure adherence to the law regarding DMMO applications and in an attempt to notify all affected land owners and occupiers. I would appreciate it if DCC could advise us if it is no longer permissible or required to erect a site notice, that is bearing in mind this claim is now being investigated by DCC. If that is not the case then we look forward to receiving the site notices and will erect them as soon as possible.

Yours sincerely,

SIGNATURE REMOVED

E-mailed &
15/11/05 DE
Notice emailed
16-11-05
jt





DORSET COUNTY COUNCIL

APPLICATION FOR PERMISSION TO NOTIFY LANDOWNERS BY SITE NOTICE

Wildlife and Countryside Act 1981

To: Director of Environmental Services
Dorset County Council
County Hall
Colliton Park
DORCHESTER
Dorset
DT1 1XJ

PATH LOCATION DETAILS:

PARISH: Cheselbourne DISTRICT: West Dorset

CLAIMED STATUS OF WAY: ~~Footpath / Bridleway /~~ Byway Open to All Traffic [delete as appropriate].

DESCRIPTION OF PATH [include a map]:

FROM: ST 77225 00435

TO: SY 76535 99400

CURRENT RECORDED STATUS ON DEFINITIVE MAP: No status recorded / ~~Footpath / Bridleway /~~ Byway Open To All Traffic [delete as appropriate]

IWE (i) Friends of Dorset's Rights of Way (FoDRoW)

of (ii) PO Box 5365, Dorchester, Dorset, DT2 8WH.

have carried out an investigation in an attempt to discover the owners and occupiers of the land affected by the application. I have made enquiries of: [delete those that are not applicable].

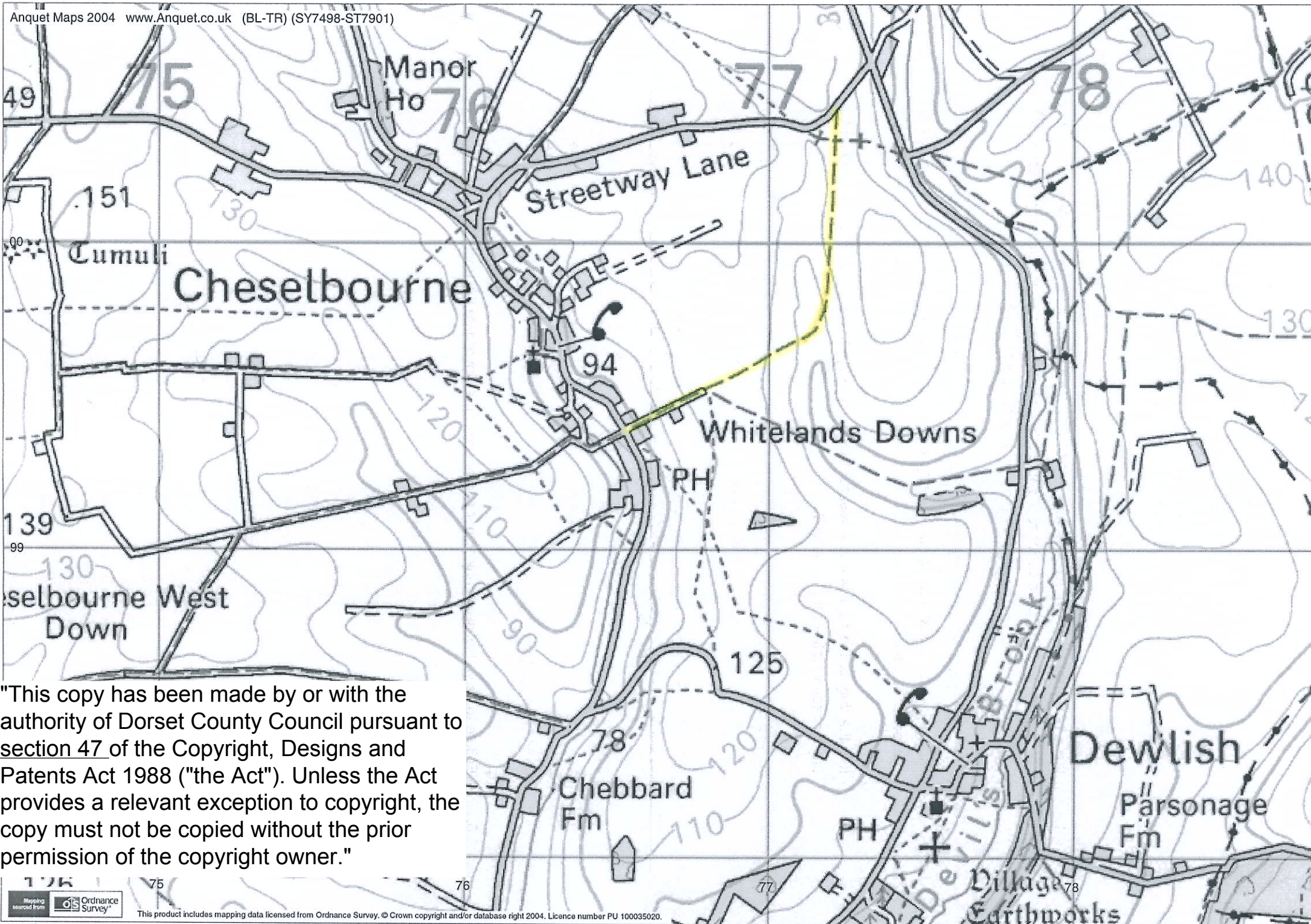
- * Adjoining landowners
* Local inhabitants
* ~~Post Office~~
* Parish Council
* ~~Register of Electors~~
* Land Registry
* Other appropriate sources [please state].- Please see enclosed explanation.

I have been unable to discover ownership of the land, and I request the Council to direct that Notice may be served by posting said Notices at either end of the way claimed.

SIGNATURE REMOVED

Signed: Date: 13th November 2005

(ii) Insert address of applicant(s)



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NOTICE OF APPLICATION FOR A MODIFICATION ORDER

**Section 53(5) of and Schedule 14 to the Wildlife and
Countryside Act 1981**

**The County of Dorset definitive map and statement
of rights of way**

**To: The owner(s) or occupier(s) of the route from Cheselbourne
to Streetway Lane known as Callway Lane**

**I, Jonathan Stuart of the Friends of Dorset's Rights of Way hereby give
notice that on 17 July 2004 I made application to the Director of
Environmental Services, Dorset County Council, County Hall,
Dorchester, Dorset DT1 1XJ that the definitive map and statement of
rights of way for the area be modified by upgrading to byway the route
known as Callway Lane and currently recorded as Bridleway 6,
Cheselbourne and Bridleway 3, Dewlish from Cheselbourne to Streetway
Lane, as shown on the attached map.**

Dated: 16 November 2005

Signed: SIGNATURE REMOVED

(Applicant)

**If you are an owner or occupier of land affected by the route and have
not already contacted the applicant please inform:**

**Mr J Stuart
FODROW
PO Box 5365
DORCHESTER
Dorset
DT2 8WH**

Telephone: 08703 834010

PLEASE REFER TO MAP ATTACHED