

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: Director For Environment
Dorset County Council
County Hall
DORCHESTER
Dorset
DT1 1XJ**

I/We (i)

JOHN GILL

of (ii)

33 PARK Rd. PORTLAND DT52AD

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 / restricted byway / byway open to all traffic* * which runs

from:

to:

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

from:

to:

(c) **Upgrading/downgrading** to a *footpath / bridleway / restricted byway / byway open to all traffic* * the *footpath / bridleway / byway open to all traffic* which runs

from:

to:

(d) **Varying/adding** to the particulars relating to the *footpath / bridleway / restricted byway / byway open to all traffic* *

from:

to:

by providing that

and shown on the map accompanying this application (see overleaf).

N.B. PLEASE DESCRIBE ROUTE AND STATE WIDTHS WHERE APPROPRIATE

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

(iii)

Signed: SIGNATURE REDACTED

Date: 3 Sept. 2013.

(i) name of applicant(s)
(ii) address of applicant(s)

(iii) Insert list of documents
* Delete as appropriate

PLEASE ATTACH A MAP SHOWING THE PRECISE LINE OF THE ROUTE USED AND SIGN IT

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5



3



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②





①

FOR CLARIFICATION

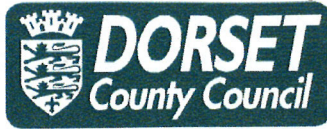
The railway cutting is approximately 6 metres deep, 200 metres long with near vertical banking on the west side and a very shallow bank on the east. The NW to SE direction of the line of path gives much protection from prevailing winds. The environment therefore at the bottom of the cutting is perfect for many species of wildlife and consequently a joy to walk and photograph.

The Form E from Ken Dolbear(OBE) and T. Mathews are both supported by sequential diaries of photographed wildlife, particularly butterflies. T. Mathews lived at 33 Park Road from a child and has walked the path as a rail line and after as a footpath.

Stone Firms have filled in the lower end of the path in the cutting as shown in Photo 1 formerly looking like Photo 2. Photo 3 is from the bottom of the cutting as is Photo 4. Photo 5 shows what is now buried by the quarry waste. Photo 6 shows the top of the steps and railings that Stone Firms erected to aid access to the public path in the cutting. This represents clear evidence that the company knew it was regularly walked by the public and that they did not oppose it in any way.

I would be grateful if you could process this application as soon as possible as the preservation of the path is now an urgent matter. Stone Firms are about to submit an application for retrospective consent to allow the dumping of the quarry waste and in fact want to further infill the cutting as far as the retaining wall. As shown by the numerous witness statements attached, the path has been regularly walked for many years and the local community are very keen that it be adopted on the definitive map as a footpath.

John Gill



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 for Environment
Dorset County Council
County Hall
Colliton Park
DORCHESTER
Dorset
DT1 1XJ

I/We(i) JOHN GILL
of (ii) 33 PARK Rd. PORTLAND DT5 2AD.

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 REDACTED Date: 3 Sept. 2013.

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:

Table with 2 columns: Name, Address. Row 1: STONE FIRMS, EASTON, PORTLAND DT5.