

T354 Report Update Sheet

Application for a definitive map and statement modification order to upgrade Bridleways 17 (Part), 35 and Crabb's Barn Lane, Beaminster, to a Byway Open to all Traffic.

Comments on the report have been received from Mr. G. Plumbe of the Green Lanes Association and from Mr. J. Cheal of Mogers Drewitt, Solicitors. Members will have received copies of two letters dated 18th March 2019 from Mr. Plumbe and the e mail from Mr. Cheal sent on 19th March. The issues raised relating to compliance and the submission of documents and user evidence in support of the application have been discussed in the report. Additional matters to be considered are set out below.

Mr. Plumbe refers to the question of whether the evidence of use supports byway open to all traffic status by definition. A byway open to all traffic is a highway over which the public has a right for vehicular and other kinds of traffic, but which is used by the public mainly for the purpose for which footpaths and bridleways are so used. There is evidence that the way is used by the public for the purposes of a footpath and bridleway and it is considered by officers the claim is not affected by the description of the claimed route as a byway open to all traffic.

Mr. Plumbe makes reference to the map accompanying the application, and maintains that it only shows a short section of the claimed route. The map submitted with the application was marked in a way that referred to the whole length of the claimed footpath, and members will be shown this map at the Committee meeting.