

FoDRoW,
Dairy Barn,
Coombe Keynes,
Wareham,
Dorset,
BH20 5PS.

Chief Executive,
Dorset County Council,
County Hall,
Colliton Park,
Dorchester,
Dorset,
DT1 1XJ.

4th October 2010

Re: Rights of Way Definitive Map Modification Orders

Dear Sir,

Friends of Dorset's Rights of Way (FoDRoW) currently has a number of applications for Definitive Map Modifications (DMMOs) lodged with Dorset County Council. With immediate effect the Trail Riders' Fellowship (TRF) is managing and prosecuting these applications on behalf of FoDRoW. All correspondence regarding these applications should now be directed to the TRF instead of FoDRoW. Please also take this letter as our authority for Dorset County Council to accept and act on correspondence and instructions from the TRF relating to these applications.

The contact details for the Trail Rider's Fellowship are included below. Please send all correspondence electronically by email where possible.

Dave Tilbury (TRF),
C/o Oakbank Cottage,
1 Oakbank Road,
Eastleigh,
SO50 6PA.

Tel: 0560 279 5905
Email: southandsouthwest@trf.org.uk

Please let me know if you need anything further from FoDRoW or if any further details or clarification is required.

Yours faithfully,

SIGNATURE REDACTED

Jonathan Stuart,
FoDRoW Chairman





FORM A

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 (FoDRoW)

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: SY 7393 9842
to: SY 7633 9843
- (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:-

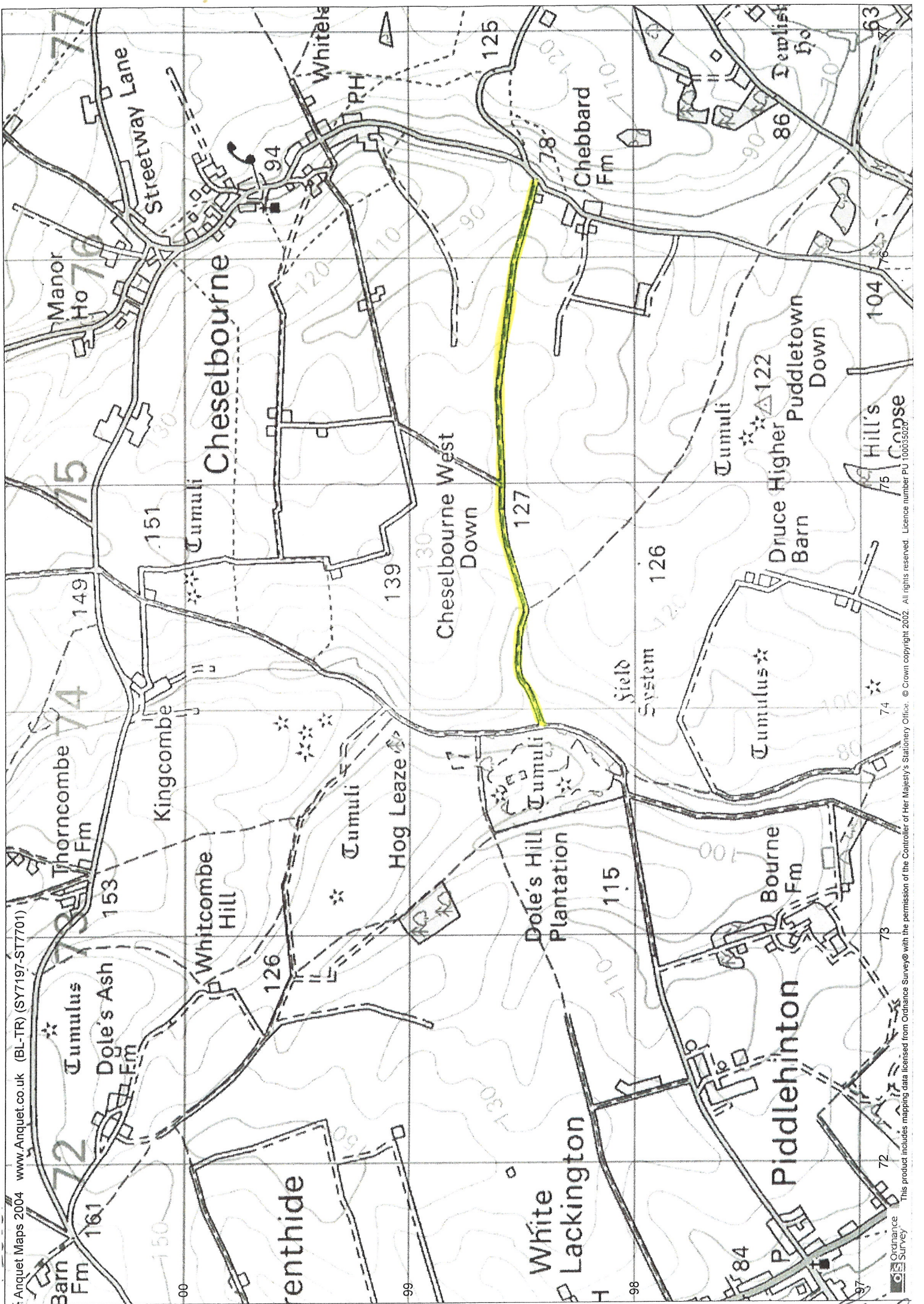
- (iii) Cheselbourne Inclosure, DRO Ref Inclosure 79; Dewlish Inclosure, DRO Ref D/FSI: Box
154; Piddlehinton Inclosure, DRO Ref Inclosure 21A; Piddletrenthide Inclosure, DRO Ref
Inclosure 67

Signed: SIGNATURE REDACTED

Date: 25th September 2004

- (i) I
(ii) Insert address of applicant(s)

- (iii) Insert list of documents
* Delete as appropriate





DORSET COUNTY COUNCIL

FORM C

**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: Chief Executive
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 REDACTED Date: 11th December 2004

NOTES FOR GUIDANCE

This certificate should only be completed 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.

Dewlish BR18, Cheselbourne BR8 (part). Unable to identify all landowners; site notices posted at SY 7634 9843 on 5th December 2004 & SY 7393 9843 on 11th December 2004.

Notice of Application Sent To:

| Name | Address |
|-------------------|--|
| 1. Chebbard Farm | Chebbard, Dorchester, Dorset, DT2 2LW. |
| 2. Waterside Farm | Cheselbourne, Dorchester, Dorset, DT2 7NW. |
| 3. | |
| 4. | |
| 5. | |
| 6. | |

(i) Insert name of applicant(s)

(ii) Insert address of applicant(s) 21 September 2004

Lucy



FORM D

DORSET COUNTY COUNCIL

APPLICATION FOR PERMISSION TO NOTIFY LANDOWNERS
BY SITE NOTICE

Wildlife and Countryside Act 1981

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

PATH LOCATION DETAILS:

PARISH: Cheselbourne & Dewlish DISTRICT: West Dorset

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

DESCRIPTION OF PATH *[include a map]:*

FROM: SY 7393 9842

TO: SY 7633 9843

I/WE (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 REDACTED

Signed: _____ Date: 25th September 2004

(i) Insert name of applicant(s)

(ii) Insert address of applicant(s)

Application for Permission to Notify Landowners by Site Notice

FoDRoW is applying for permission to post a site notice to inform landowners about the DMMO application that accompanies this form. Not all the owners of land crossed by the claimed route have been identified using the process described below and we wish to use a site notice to notify the those landowners.

FoDRoW follows the procedure outlined below to identify the owners of land crossed by the route of a DMMO claim:

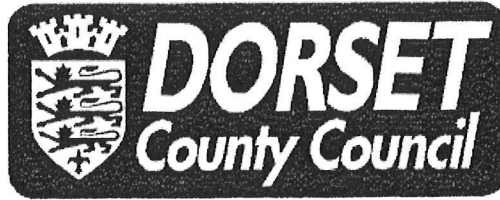
1. Visit the Land Registry. Request the Land Registry staff identify the titles of land crossed by the route. Where the land is registered we obtain copies of the title and plan to identify the landowner and the boundaries of the land they own. If owners cannot be identified for the entire length of the track the following steps are taken.
2. Continue working at the Land Registry and attempt to identify owners of land upto 2 fields away from the claimed route in addition to the landowners identified in step 1.
3. Write to the landowners identified in steps 1 and 2. If other farms or possible major landowners are located near the route and their details were not identified in steps 1 & 2 then write to those farms and landowners too. All farms in the vicinity of the claimed route will be considered and contacted if appropriate.

The letter sent includes a clear map showing the claimed route and a form for the landowner to return. The form allows the landowner to indicate whether he owns all of the land crossed by the claimed route, none of the land or some of the land. In the latter two cases we ask the landowner to supply the details of the correct landowners if they are known. A copy of the letter, map and form can be supplied to Dorset County Council if requested.

4. At least 28 days are provided for the landowners to respond before a DMMO claim is submitted.

This process was developed in consultation with Gillian Parkinson at DCC. It was felt that a thorough Land Registry search followed, if necessary, by letters to local farms and relevant landowners was a reasonable effort to make to identify landowners. If the land was not registered and local landowners were unwilling or unable to supply the ownership details when contacted then all reasonable steps had been taken.





**NOTICE OF APPLICATION
FOR A MODIFICATION TO THE DEFINITIVE MAP AND
STATEMENT**

Wildlife and Countryside Act 1981

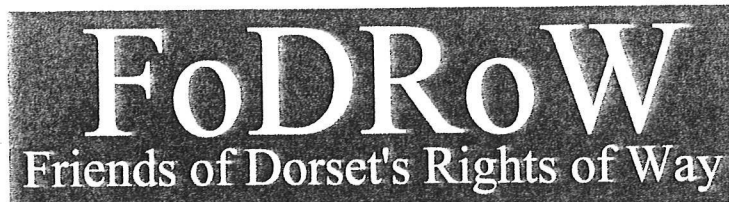
NOTICE IS GIVEN that on 25TH September 2004 the FRIENDS OF DORSET'S RIGHTS OF WAY made application to the Chief Executive, Dorset County Council, County Hall, Dorchester, Dorset DT1 1XJ that the Definitive Map and Statement of rights of way for the area be modified by upgrading the Bridleway which runs from SY7393 9842 to SY7633 9843 in the Parish of Cheselbourne and Dewlish to a byway open to all traffic

.

DATE: 18th November 2004

PLEASE REFER TO MAP BELOW

A handwritten signature in the bottom right corner of the page.



FoDRoW.
PO Box 5365.
Dorchester,
Dorset, DT2 8WH.

<http://www.fodrow.com>

20th December 2004

Re: Placing of Site Notices for DMMO Applications

Dear Mrs Douth,

I am writing to confirm we have placed site notices for 5 DMMO applications. The relevant applications are listed below along with the location of the site notices and the dates the notices were placed. All notices were placed prominently and were well secured. I trust these applications can now be passed to the Rights of Way department for their attention. When I last spoke to Chris Slade in RoW he mentioned they had not received my application for byway status on Piddlehinton BR3. That claim was submitted on the 24th March 2004 and does not require site notices. Please also pass that application to RoW or advise me by return if that cannot be done.

Batcombe, Leigh; ST 61250 05220 to ST 61705 05505; submitted 14th July 2004.

ST 61250 05220 - Notice placed 5th December 2004

ST 61705 05505 - Notice placed 5th December 2004

Cheselbourne, Dewlish; SY 7393 9842 to SY 7634 9843; submitted 25th September 2004.

SY 7634 9843 - Notice placed 5th December 2004

SY 7393 9843 - Notice placed 11th December 2004

Piddlehinton, Piddletrenthide; SY 6926 9636 to SY 7101 9820; submitted 25th September 2004.

SY 6926 9636 - Notice placed 11th December 2004

SY 7101 9820 - Notice placed 11th December 2004

P'hinton, P'trenthide, Cheselbourne; SY 7289 9792 to ST 7462 0038; submitted 25th Sept 2004.

ST 7462 0038 - Notice placed 5th December 2004

SY 7289 9792 - Notice placed 11th December 2004

Piddletrenthide; ST 711 009 to SY 738 988; submitted 11th November 2004.

ST 711 009 - 5th December 2004

SY 93895 98710 - 11th December 2004

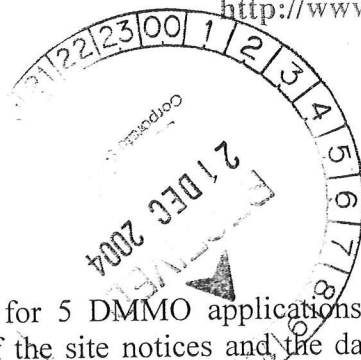
The site notice for the south east end of this claim was placed about 150m south of the claimed route. There was no suitable place to secure the notice at the end of the claimed route and the notice was tied to a metal gate at SY 93895 98710 instead.

In view of the time that has passed since some claims were submitted I would be grateful if you could write to me by return post to advise if any further actions are required from us in respect of these claims and when these claims will be passed to the Rights of Way department.

Yours sincerely,

SIGNATURE REDACTED

Jonathan Stuart.





FORM G

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: SY 7393 9842

TO: SY 7633 9843

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

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*~~

DRO Inclosure 79
DRO Ref D/FSI: Box 154
DRO Inclosure 21a
DRO Ref Inclosure 67

~~Tithe 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]*~~

SIGNATURE REDACTED

Signed: _____

Date: 25th September 2004

(i) Insert name of applicant(s)

(ii) Insert address of applicant(s)

* Delete as appropriate

02 October 2003

Copies of Documentary Evidence to Support this DMMO Claim

FoDRoW has supplied electronic copies of evidence to support this claim. A CD is included with this claim that contains high resolution electronic copies of all the claim documents. The name of the CD is:

“FoDRoW Evidence, 25 Sept 2004”

If Dorset County Council requires paper copies of any evidence this can be supplied on request. However, electronic copies have been supplied because they are far more detailed than can be provided in a printed version.

The CD includes a picture viewer that will start automatically when the CD is inserted in a PC. This enables the user to select which documents they wish to view and then navigate around the document, zooming in and out to show more or less detail as required. The CD software will work on any PC running Windows 95 or higher.



Fodrow Evidence CD September 2004
Containing:

Finance Act Maps

Index Map

9:4 - IR 125/1/54

9:7 - IR 125/1/55

9:8 - IR 125/1/56

9:10 - IR 125/1/57

9:11 - IR 125/1/58

9:12 - IR 125/1/59

9:13 - IR 125/2/89

9:14 - IR 125/2/90

9:15 - IR 125/1/60

9:16 - IR 125/1/61

10:1 - IR 125/1/62

10:5 - IR 125/1/63

10:6 - IR 125/1/64

10:9 - IR 125/1/65

10:10 - IR 125/1/66

10:13 - IR 125/1/67

10:14 - IR 125/1/68

14:1a - IR 125/2/137 Part 1

14:1b - IR 125/2/137 Part 2

14:4 - IR 125/2/140

14:5 - IR 125/2/141

14:8 - IR 125/2/144

14:9 - IR 125/2/145

14:10 - IR 125/2/146

14:11 - IR 125/2/147

14:12 - IR 125/2/148

14:13 - IR 125/2/149

14:14 - IR 125/2/150

14:15 - IR 125/2/151

15:1 - IR 125/2/153

15:2 - IR 125/2/154

15:3 - IR 125/1/70

15:4 - IR 125/1/71

15:5 - IR 125/2/155

15:6 - IR 125/2/156

15:7 - IR 125/1/72

15:8 - IR 125/1/73

15:9 - IR 125/1/74

15:10 - IR 125/1/75

15:11 - IR 125/1/76

15:12 - IR 125/1/77

15:13 - IR 125/2/158

15:14 - IR 125/2/159

15:15 - IR 125/1/78

15:16 - IR 125/1/79

16:1 - IR 125/1/80

16:2 - IR 125/1/81

16:3 - IR 125/1/82

16:6 - IR 125/1/85

16:8 - IR 125/1/87

16:10 - IR 125/1/89
16:11 - IR 125/1/90
16:12 - IR 125/1/91
16:13 - IR 125/1/92
16:14 - IR 125/1/93
16:15 - IR 125/1/94
21:4 - IR 125/2/190
21:8 - IR 125/2/194
21:12 - IR 125/2/198
21:16 - IR 125/2/202
33:14 - IR 125/2/252
33:15 - IR 125/2/253
42:1 - IR 125/2/439
42:2 - IR 125/2/440
42:3 - IR 125/2/441
42:5 - IR 125/2/443
42:6 - IR 125/2/444
42:7 - IR 125/2/445
42:9 - IR 125/2/447
42:10 - IR 125/2/448
42:11 - IR 125/2/449
42:13 - IR 125/2/451
42:14 - IR 125/2/452
42:15 - IR 125/2/453
54:2 - IR 125/2/574
54:3 - IR 125/2/575
54:4 - IR 125/2/576
54:7 - IR 125/2/579
54:8 - IR 125/2/580
56:2 - IR 125/2/596

Inclosure Maps

Cheselbourne Map 1
Cheselbourne Map 2
Cheselbourne Map 3
Cheselbourne Award 1
Dewlish Map 1
Dewlish Map 2
Dewlish Map 3
Dewlish Award 1
Dewlish Award 2
Piddlehinton Map 1
Piddlehinton Map 2
Piddlehinton Map 3
Piddlehinton Award 1
Piddlehinton Award 2
Piddlehinton Award 3
Piddlehinton Award 4
Piddletrenthide Map 1
Piddletrenthide Map 2
Piddletrenthide Map 3
Piddletrenthide Award 1



Byway Claim for Cheselbourne BR8 (part) & Dewlish BR18

Introduction

This document supports FoDRoW's DMMO claim for byway status on part of Cheselbourne BR8 and all of Dewlish BR18. The claimed route runs west from the county road at SY 7633 9843 to the junction with a bridleway at SY 7393 9842. The bridleway that the claimed route joins will be the subject of a separate byway claim. The entire route is highlighted on the enclosed map, which is an enlarged OS 1:50000 map. This route is currently recorded as two separate bridleways, which are:

SY 7393 9842 to SY 7499 9860 – Part of Cheselbourne BR8
SY 7499 9860 to SY 7633 9843 – Dewlish BR18.

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, DRO Ref Inclosure 79

The Cheselbourne inclosure map and award clearly shows the claimed route between SY 7393 9842 and SY 7499 9860 as public carriage roads 6 and 7. This is conclusive proof that the Cheselbourne section of the claimed route carries public vehicular rights.

At grid reference SY 7499 9860 the Cheselbourne inclosure map & award shows the public carriage road extending to Higher Chebbard Gate, a location where, according to the inclosure award, it "enters the parish of Dewlish". Thus the road continued beyond Higher Chebbard Gate, but in which direction? A bridleway extends north east from SY 7499 9860 but this is not in Dewlish parish and is described as a "Public Halter Path" in the Cheselbourne inclosure award; thus the continuation of public carriage roads 6 & 7 was not along this route.

To enter the parish of Dewlish the road must have continued eastwards on the claimed route towards SY 7633 9843. The existence of this road, and no other likely route, is confirmed on the Dewlish inclosure map (see below). Furthermore, the description of "Blandford" roads on the Piddlehinton and Piddletrenthide inclosure maps (see below) also indicates the road continued in an eastward direction along the claimed route and beyond to Blandford.

Dewlish Inclosure, DRO Ref D/FSI: Box 154

None of the claimed route is documented in the Dewlish inclosure award despite being located within the parish of Dewlish. However, the Dewlish inclosure map shows the claimed route from "Chebbard gate", at location SY 7633 9843, where the route joins the modern county road, running westwards to the boundary with Cheselbourne. Furthermore, other local public roads are also excluded from the inclosure award, such as the modern county road south of Chebbard Gate, and these are marked on the inclosure map in the same manner as the claimed route.

The western end of the claimed route on the Dewlish inclosure map is marked "from Piddle Hinton". This indicates the route joined the public carriage roads marked on the on the Cheselbourne and Piddlehinton inclosure maps to provide a through route to Piddlehinton.



Thus while the Dewlish inclosure award does not document the claimed route, the map evidence does indicate the claimed route in Dewlish parish is part of a longer, continuous route. The route within Cheselbourne, and thence into Piddlehinton, consisted of public carriage roads and the route within Dewlish is drawn in the same way as other public roads in the parish, making it more likely than not that the entire route carried public, vehicular rights.

Piddlehinton Inclosure, DRO Ref Inclosure 21A

The Piddlehinton inclosure map identifies the location of "Cheselbourne gate" as SY 7393 9842, which is one end of the claimed route, and the claimed route is marked "To Milbourne & Blandford". Public carriage road "B" on the inclosure map is the "Milbourne & Blandford Road" and the award describes this road as branching at Cheselbourne gate "towards Milbourne and Blandford".

The location of Cheselbourne gate confirms public road B continued on the claimed route. The name "Milbourne and Blandford Road" also indicates a long distance route that would have continued along and beyond the claimed route. The assertion that this road continued along the claimed route is made because none of the maps consulted identify a reasonable alternative route for this road. Considering the location of Milborne St Andrew and Blandford it is logical that the "Milbourne and Blandford Road" continued along the claimed route and that its status of public carriage road was maintained throughout the route.

Piddletrenthide Inclosure, DRO Ref Inclosure 67

The Piddletrenthide inclosure map and award shows a route from ST 7117 0095 south to SY 7260 9962. It is called the "Plush and Blandford Road" and is categorised in the award as a public carriage road. The name indicates the road ran from Plush, south east along the route shown on the Piddletrenthide map, and continued to Blandford. Its likely route beyond that shown on the Piddletrenthide map is south to Doles Ash gate, then Cheselbourne gate at SY 7393 9842, and east to Chebbard gate at SY 7633 9843 along the claimed route.

This inclosure map and award does not provide direct evidence of the existence or status of the claimed route. However, it does indicate that the "Plush and Blandford Road" extended beyond what is shown on this inclosure map and the likely path is along the claimed route, reaffirming the existence and status of the claimed route.

Summary

The Cheselbourne inclosure map and award proves conclusively that the claimed route within Cheselbourne parish has public vehicular rights.

The Cheselbourne and Dewlish inclosure maps and awards leave little doubt that the claimed route exists within the parish of Dewlish with public vehicular rights as an extension of public carriage roads 6 and 7 in Cheselbourne.

Finally, the 4 inclosure maps indicate a network of significant roads existed in this area. Roads from Plush and Piddlehinton converged to continue to Milbourne and Blandford along the claimed route, making this a significant public road for vehicular traffic in the past. There is strong evidence to show this Blandford road followed the path of the claimed route and no evidence to indicate an alternative route for this road.

