

## Bell, Roger

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**From:** Ralph Holmes <[REDACTED]>  
**Sent:** 16 November 2014 21:23  
**To:** Bell, Roger  
**Subject:** CLAIMED PATH

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Red Category

Dear Roger

Many thanks for consulting the Open Spaces Society about the claimed path in Preston.

Whilst the Society would welcome an order for adding a path to the Definitive Map as shown, we have no relevant new evidence.

Kind regards

Ralph Holmes  
Local Correspondent  
Open Spaces Society



**Roger Bell**  
**Rights of Way**

Telephone: 01305 224921

Minicom: 01305 267933

**We welcome calls via text Relay**

Email: [c.j.pinder@dorsetcc.gov.uk](mailto:c.j.pinder@dorsetcc.gov.uk)

DX: DX 8716 Dorchester

Website: [www.dorsetforyou.com](http://www.dorsetforyou.com)

Date: 21 November 2014

Ask for: Claire Pinder

My ref: Enquiry 2014/304

Your ref: RW/T494

Dear Roger

**Historic Environment Record Consultation Response for:  
Proposed Definitive Map Modification Order Weymouth**

With reference to your letter of 12 November there are at present no recorded archaeological finds and features or historic buildings on the routes affected by this proposal, though many in the general vicinity.

However, since the proposed change is to alter the route of the bridleway as depicted on the definitive map to reflect what exists on the ground, I do not feel that this constitutes a constraint in this context.

Yours sincerely

**Claire Pinder**  
Senior Archaeologist



Our Ref: SO/0047541  
Your Ref:

Date: 25/11/2014



Andy Wealsby-Hughes, .  
Dorset County Council  
County Hall  
Collilton Park  
Dorchester  
Dorset, DT1 1XJ.

Plant Location  
95 Kilbirnie Street  
Glasgow  
G5 8JD  
Phone: 0141 418 4093  
Phone: 0845 070 3497  
Fax: 0141 429 6432  
Email: plantlocation@sgn.co.uk

Dear Customer,

**Re: Enquiry at: Weymouth, .**

Thank you for your enquiry regarding the above location.

Please find enclosed an extract from our mains records in the location of the area covered by your proposals for your guidance. This plan only shows those pipes owned by SGN in its role as a Licensed Gas Transporter (GT). It should be noted that gas pipes owned by other GTs or privately owned may be present in this area and information regarding such pipes should be obtained from the owners. Where SGN knows this, they will be represented on the plans as a shaded area and/or a series of x's.

**The information shown on this plan is given without obligation, or warranty and the accuracy cannot be guaranteed. Service pipes, valve siphons, stub connections etc, are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the plan is only valid for 28 days.**

You will note the presence of our Low/Medium/Intermediate Pressure gas main in the proximity to your site. There should be **no** mechanical excavations taking place above or within **0.5m** of the low pressure system, **0.5m** of the medium pressure system and **3m** of the intermediate pressure system. You should where required **confirm the position** of mains **using hand dug trial holes** .

**A colour copy of these plans and the gas safety advice booklet should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.**

For safety reasons, safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (direct labour or contractors) working for you on or near gas plant. In addition please follow the advice given in our gas safety booklet (enclosed).

24 hour gas escape number 0800 111 999\*  
\*Calls will be recorded and may be monitored

Southern Gas Networks plc is part of the Scotia Gas Networks Group  
Registered Office: St Lawrence House Station Approach Horley  
Surrey RH6 9HJ  
Registered in England & Wales No. 05167021  
<http://www.sgn.co.uk>

It must be stressed that both direct and consequential damage to gas plant can be dangerous both for your employees and the general public, repairs to any such damage will incur a charge. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

If you require any further information please contact the number below.

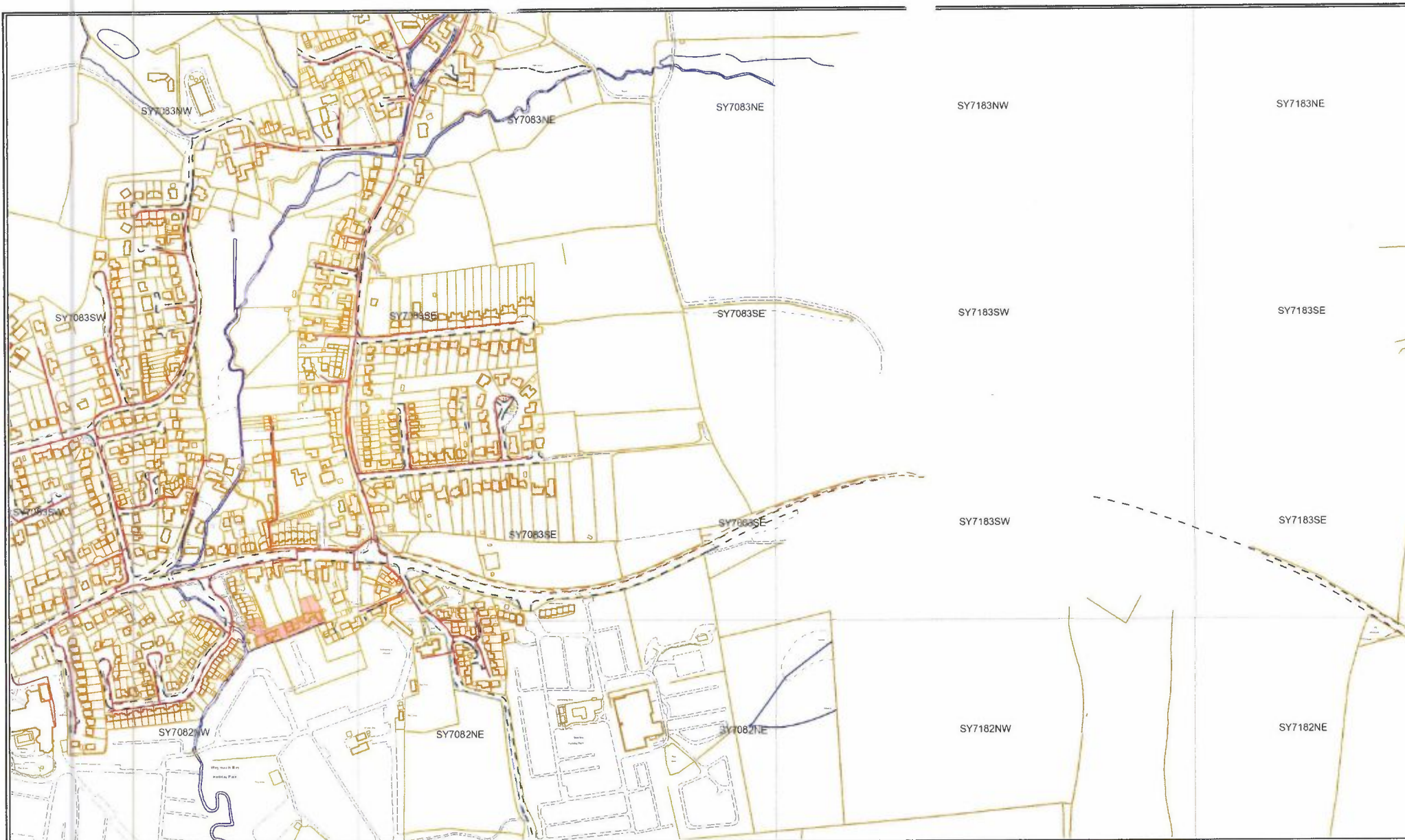
Yours faithfully,

Alison Mair

0141 418 4093

24 hour gas escape number 0800 111 999\*  
\*Calls will be recorded and may be monitored

Southern Gas Networks plc is part of the Scotia Gas Networks Group  
Registered Office: St Lawrence House Station Approach Horley  
Surrey RH6 9HJ  
Registered in England & Wales No. 05167021  
<http://www.sgn.co.uk>



SCALE: 1:4163

USER ID: am54938









DATE: 25/11/2014

INTERNAL USE ONLY

GRID REFERENCE:  
E370920,N83232,SY 70 83

Some examples of Plant Items

Valve  Syphon 

LP MAINS   
MP MAINS   
IP MAINS   
LHP MAINS   
HISTORY DATA   
LAS   
GTs  SSSIs 

Depth of Cover 

Diameter Change 

Material Change 

This plan shows the location of those pipes owned by Scotia Gas Networks (SGN) by virtue of being a licensed Gas Transporter (GT). Gas pipes owned by other GTs or third parties may also be present in this area but are not shown on this plan. Information with regard to such pipes should be obtained from the relevant owners. No warranties are given with regard to the accuracy of the information shown on this plan. Service pipes, valves, siphons, sub-connections etc are not shown but their presence should be anticipated. You should be aware that a small percentage of our pipes/assets may be undergoing review and will temporarily be highlighted in yellow. If your proposed works are close to one of these pipes, you should contact the SGN Plant Protection Team on 08450703497 for advice. No liability of any kind whatsoever is accepted by SGN or its agents, servants or sub-contractors for any error or omission contained herein. Safe digging practices, in accordance with HSE (G47), must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that plant location information is provided to all persons (whether direct labour or sub-contractors) working for you on or near gas apparatus. Information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

Intranet WebGIS 2.1

Dorset County Area

This plan is reproduced from or based on the OS map by Scotia Gas Networks plc, with the sanction of the controller of HM Stationery Office. Crown Copyright Reserved.





Mr R Bell  
Rights of Way Officer (Definitive Map Team)  
Countryside Access  
County Hall, Colliton Park  
Dorchester, Dorset  
DT1 1XJ

Dear Mr Bell,

**WILDLIFE AND COUNTRYSIDE ACT 1981  
APPLICATION FOR A DEFINITIVE MAP MODIFICATION ORDER – WEYMOUTH**

Thank you for your letter dated 12 November 2014 and the enclosed copy of the Drawing 14/16 in connection with the above proposal.

I am authorised to reply on behalf of the South Dorset Group of the Ramblers.

I have no documentary evidence to either support or refute the claim to add a footpath from Verlands Road to join Footpath 27, Weymouth.

Thank you for consulting the Ramblers on this application.

Yours sincerely,

Kate Gocher

Footpath Secretary, South Dorset Group

Copy to Jan Wardell, Area Footpath Secretary

Ramblers, South Dorset Group  
Kate Gocher, Group Footpath Secretary

  
[www.southdorsetramblers.org.uk](http://www.southdorsetramblers.org.uk)

Your Ref: RW/T494

Our Ref: KG W27

Date: 27 November 2014

## Bell, Roger

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**From:** Mike Clarke <[REDACTED]>  
**Sent:** 01 December 2014 10:49  
**To:** Bell, Roger  
**Cc:** Mike Clarke  
**Subject:** Wildlife and Countryside Act 1981 - T494

Roger

Many thanks for sending the attached information.

We object to the application based on the following rationale:-

- A number of people already walk across our land (even though there are signs and a fence/hedge, which have been broken through) and formalising the pathway would only lead to an increase in this;
- A formal public footpath would lead to more people parking on Verlands Road to use the path; this would be at the detriment of the local residents;
- It would impact any future development of the land to the south of the path as it could make access to our land more difficult.

Regards

Mike Clarke

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**From:** Bell, Roger [<mailto:r.bell@dorsetcc.gov.uk>]  
**Sent:** 20 November 2014 09:51  
**To:** 'Mike Clarke'  
**Subject:** FW: Wildlife and Countryside Act 1981 T494

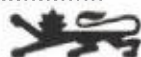
**Subject:** FW: Wildlife and Countryside Act 1981 T494

Please see attached letter and drawing regarding a definitive map and statement modification order in Weymouth.

Any comments relating to the consultation should be sent to the case officer Roger Bell at the address below or email [R.Bell@dorsetcc.gov.uk](mailto:R.Bell@dorsetcc.gov.uk)

Regards  
Definitive Map Team  
Dorset Countryside

.....  
**Dorset County Council**



County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ

Rights of way advice: <http://www.dorsetforyou.com/rightsofway>

Interactive map: <http://explorer.geowesssex.com/>

Register of DMMO applications: <http://mapping.dorsetforyou.com/countryside/dmmo>

Before printing, think about the environment

**Coast and countryside services  
County Hall  
Dorchester  
Dorset  
DT1 1XJ  
3 December 2014  
DMMO T494**

**Dear Mr Roger Bell,**

**With Regards to the application submitted by Mr David Samuel Alexander McCune for aiming to open private land for a route used by the public, from Verlands Road. (Grid Ref) (SY70738319) To (SY71128318)**

**I cannot see this is at all possible for Mr McCune to apply for this in the first place, as I have a letter from**

**Redferns Solicitors, 34a St Thomas Street Weymouth, DT4 8EJ, on the Local Land Search which states,**

**It reveals that Verlands Road is adopted up to the point of the end boundary of 28 Verlands Road, and from there onwards it is unadopted and will therefore not be maintained at the expense of the Local Authority.**

**The Title to the property and access way from the point (as stated,) that it becomes PRIVATE and UNADOPTED.**

**I'm sure Mr McCune is aware of this track being private, as on two separate occasions he has reminded myself and my husband, where do you think you are going? That's Private Land you know!**

**We did Inform him this is a private foot path and we have every rights to go through up to our land.**

**I check my land regularly per year which includes boundary fences along the East and West side of the plot, and on many of accessions I have found Fly Tipping, which is most disturbing. I maybe on record for calling the council to ask if the Fly Tipping could be removed, unfortunately it would be down to me to clear it at my expense.**

I decided to erect a sign to say Private No Dumping, that didn't last long as it disappeared the next time I had looked, and Fly Tipping has continued to date.

Knowing the boundary fences were in good repair I decided to let the plot get overgrown so as to deter the Fly Tippers and dog walkers penetrating further into the plot.

**Statistics on Fly Tipping and Litter,**

Are as follows,

This country suffers 30 million tons of litter left everywhere per year, this cost the tax payer 1 billion a year for its clearance.

Allowing a public foot path from the top of Verlands Road would only make the situation worse in this area and us the landowners would have to clear up their mess at our expense.

**Now Statistics on Dog Walkers,** and the anti social behaviour many of them inflicted on the general public by not clearing up the mess that dogs and there irresponsible owners leave on footpaths, playing fields, etc.

This mess amounts to (1,000 Tons per day,) across the country, and cost (22 Billion Pounds) a year to clear up out of tax payers money, plus you have the health hazard of a condition named Toxocariasis a parasite that can causes blindness in children and adults.

I have been on my land on many occasion when I have said to dog owners, do you know this is private land, (It's my land,) they soon call their dogs and leave quickly without any dog mess bags making it a mine field of dog fesses. Mr and Mrs Rookes locked there gate to stop dog walkers disturbing and upsetting their horses, and the reply, was a discussing act of dog mess smeared all over the gate.

Last but not least, has It been taken into account the amount of traffic this could generate going up and down Verlands Road should It be made a public foot path at the top, early mornings, late evenings 24/7. I'm sure the residence would not be impressed expecially when litter could be dropped and more road repairs required due to more traffic, will the Local Authority maintain this extra work load?

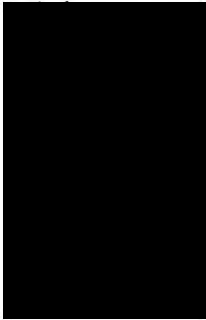
Yours sincerely

Mrs M Chapman



**Sender**

**Mrs M Chapman**



**Other land owners not mentioned**

**Mr R B Brazilay**


**Dorset**

**Mrs F Brazilay**

**Devon**

**Mr J Clark**

**Lincs**



6<sup>th</sup> January 2015

Dear Mr Bell

Please accept this letter as our objection to the public right of way across our field from Verlands Road to Preston Road. There are multiple strong reasons to our objection.

We have used the field for riding and grazing our horses. We have owned and rented the field for over 25 years and continue to use our field. We feel very strongly that two public rights of way on such a small field of only 4 acres is unjust.

There has always been a footpath along the northern boundary which we have maintained and kept to the current requirements of field boundaries used as public rights of way. All of the supporters for the Verlands Road footpath could use the current public footpath from Winslow Road to the north to access Preston road and surrounding fields.

We have had a terrible problem with dogs fouling throughout the field mainly along both the northern footpath and the Southern boundary. This has caused us more issues and time cleaning up after other people and their dogs. It is a dog owner's responsibility to clean up and this has not been done. There are locked gates on the southern boundary to stop the public using the pathway; the locks on these gates & fences have been cut on several occasions (Crime No. C-10/0/004740). We have also had dog faeces put on the locks to stop us unlocking them when we require to. All of this anti-social behaviour has proved that the support for the footpath to be a public right of way is down to a personal vendetta.

We have taken the time to print off all of the support forms and highlighted discrepancies on the vast majority of them.

Most of the forms have different handwriting on them, this proves that the supporters who have filled in the form have been influenced by others and have therefore not given any truthful answers. A large selection of forms have had certain sections filled in by the same person. This again proves that the supporters have been influenced and persuaded into supporting the footpath application without actually knowing or using the footpath.

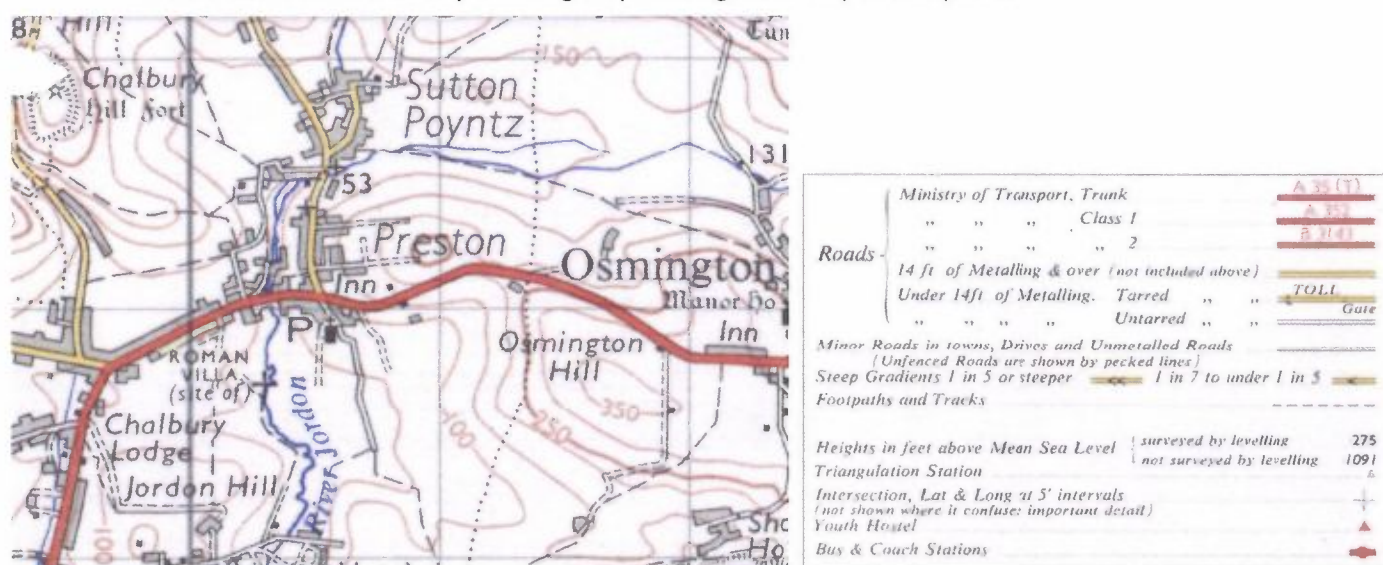
The highways act of 1980 section 31(1) states for a footpath to be declared a public right of way in most cases it must have been used uninterrupted by the public for over 20 years. Most of the supporters have stated on their forms that they have not been using the footpath for more than 20

years. We have had the ownership & tenancy of this field for over 25 years and it has never been a public right of way therefore anyone who has used this path would have had to climb over locked gates.

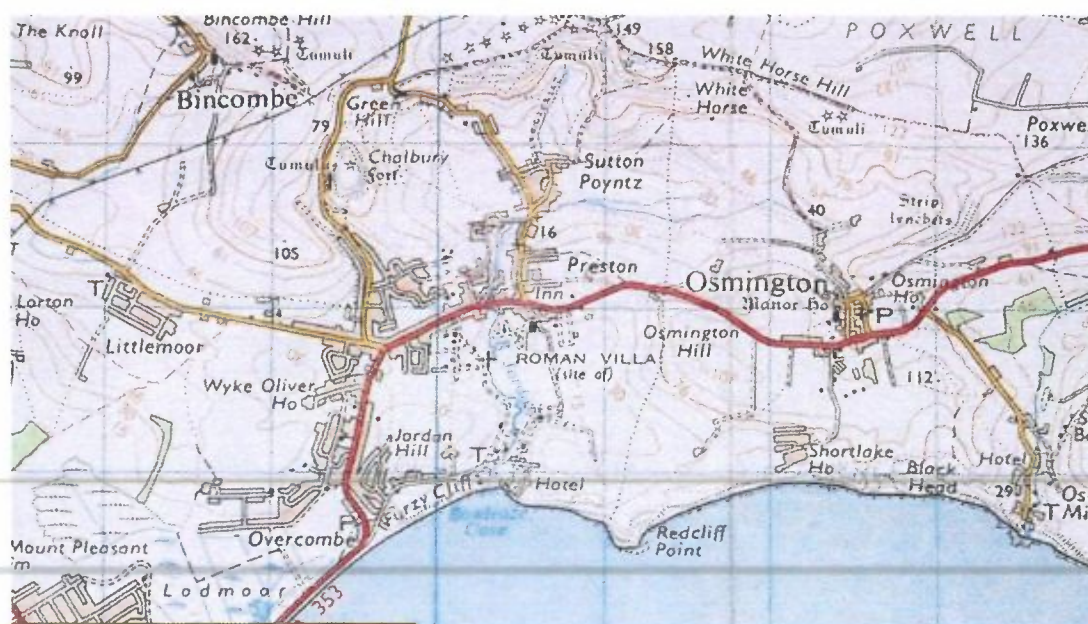
Please could you take the time to view all the printed supporters' forms for the other marked discrepancies?

We have checked both current and historical ordnance surveys maps to establish that the two footpaths: one to the north of the field and one to the south are not listed on any of them.

OS MAP 1952-1961 with key showing no public rights of way or footpaths.



OS MAP 1973 showing the footpath from Winslow Rd but no footpath from Verlands Rd



Current OS Map – Showing the public right of way to the north of the field from Winslow Road but no public right of way from Verlands Road



To conclude we strongly object to our land becoming a public right of way.

No one has ever been given permission to use the southern boundary of our field as a public footpath and the gates to our knowledge have always been locked.

Yours Sincerely,

[Redacted Signature]

Mr Paul & Mrs Louise Rookes

# Footpath Application T494

My observations on Mr & Mrs Rookes's objections to the above Footpath Application reason by reason:

He states that he and his wife have owned or rented this one field in question which includes the footpath route for over 25 years, that would take us back to 1990 and before. Pre 1992 the only way into these fields was by passing over my drive adjacent to Pickwick which had a right of way across it and the only person to use this entry was Miss Pitman. (See Plan 1)

The Rookes family only purchased this piece of land in 2003 and they then allowed the use of the track for access to Winslow Hill until 2009 before locking the access gate halfway up the track.

I have never known the Rookes family to have horses in this field but when he and his wife purchased their land in 2003 they did it in conjunction with the Gear family who did own horses who may have leased some of this land from the Pitman Estate in the early 2000's.

When I passed out the support forms in 2009 to my witnesses they consisted of:

- 1 Public Rights of Way Evidence Form E
- 2 Public Rights of Way Evidence Form Guidance Notes
- 3 Dorset County Map of the area at 1:5000 scale

In the Guidance Notes section 3 clearly states that the user of the footpath route must have used it for 20 years or more and all of my witnesses adhered to these requirements.

All the Evidence Forms have a Declaration Box which had to be signed certifying that the fact stated in the form are true.

Mr Rookes states again that "we have had the ownership & tenancy of this field over 25 years and it has never been a public right of way therefore anyone who has used this path would have to climb over locked gates."

It has never been claimed that the track is a Public Right of Way; also I have already proved by photographs & Land Registry Titles that the above statement is completely untrue.

Regarding OS maps, there is clearly a track marked as 'FP' on the 1958, 1969 OS maps of this area, tracking across all of the route applied for in T494, it is also shown on the Sutton Poyntz Society letter to me supporting the application dated 8th October 2009 as an extract from the Weymouth & Portland Local Plan 1993. (Copy Enclosed)

Finally Mr Rookes states the gates to the southern boundary of their field have always been locked. He does not give dates but it has been already proved that the gate across the track on the southern boundary of their field was not locked until 1<sup>st</sup> November 2009.



David McCune MIET

1<sup>st</sup> March 2015

**TIMELINE FOR FOOTPATH APPLICATION – T494**  
**To be read in conjunction with Plans 1,2,3 and 4**

- 1986 Purchased Pickwick, Verlands Rd., Preston, Weymouth, Dorset DT3 6BY which had access to Joyce Pitman's land across a right of way to the east of Pickwick. (See Plan 1)
- 1992 Purchased land to the East of Pickwick from Joyce Nina Pitman which necessitated the rearrangement of her access to her land. (See Plan 2)
- 1998 Joyce Nina Pitman died intestate.
- 1999 Assent granted to Walter Pitman, Edna May Dawes, Sheila Corbbett (Brother & Sisters of the deceased). See Land Registry Form DL attached.
- 2001 All land to the east and north of Pickwick to be sold by Symonds & Sampson on behalf of the Pitman families. Small parcels of land sold to the Langhams, 6 Sutton Park, Preston, Dorset and to the Jones, 8, Sutton Park, Preston, Dorset. This sale included a right of way access across the land to the east of their new acquirement and included the track running east from Verlands Road. (See Plan 3)
- 2002 Small parcel of land to the east of Winslow Road sold to R Staniforth, 28, Winslow Road, Preston, Dorset
- 2003 Two large parcels of land to the east of Verlands Road/Winslow Road, sold to Paul & Nicola Rookes, division fence between these parcels of land removed.
- 2007 One gate repositioned on the south side of Rookes's field and two new gates erected in the track. (Gates 1,2 & 3 on Plan 4 ). The northern fence on the upper part of the track removed.
- 2009 Applied for Footpath Modification Order. See my note and 8 photographs dated 13 January 2010, which should be on file, showing all 2009 events including the first time locking of Gate 3. Gate 1 has never been locked to the present day.



David McCune MIET

1<sup>st</sup> March 2015

DT 272237

DL

1. Property

Land off Verlands Road at Preston near Weymouth Dorset

2. Where the Registry is to deal with someone else

Give below the details of the person with whom the Registry should deal as directed in panel 8 of Form FR1/panel 5 of Form CN1.

Name

Address/DX No.

Reference

Telephone No.

3. As directed in panel 8 of Form FR1/panel 5 of Form CN1, the following documents are to be issued to the person named in panel 2 above (for ease of completion, reference may be made to the item number only)

4. Documents lodged

Notes (a) The first column is for official use only. If the Registry places an asterisk "\*" in this column, it shows that we have kept that document.

(b) Number the documents in sequence; copies should also be numbered and listed as separate documents.

OFFICIAL USE ONLY (a)	Item No.(b)	Date	Document	Parties
	1	27.3.75	Conveyance	Miss C M Pavey (1) Miss J Pitman (2)
	2	27.3.75	Mortgage	Miss J Pitman (1) Miss C M Pavey (2) (receipted)
	3	5.11.98	Probate	Joyce Nina Pitman
	4	16.12.99	Assent	Eric Walter Pitman, Edna May Dawes, Sheila Cobbett