



**Dorset  
Council**

**Public Path Diversion  
and  
Definitive Map and Statement Modification Order**

**Highways Act 1980  
Wildlife and Countryside Act 1981**

**Dorset Council (Parts of Footpaths 23 & 24, Owermoigne  
at Lower Watercombe House)  
Public Path Diversion Order 2021**

This Order is made by Dorset Council ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owner of the land crossed by the footpaths described in paragraph 1 of this Order it is expedient that the line of the paths should be diverted.

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the County of Dorset definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

Mr Paul Skinner has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new sites of the paths into a fit condition for use by the public.

Owermoigne Parish Council has been consulted as required by section 120(2) of the 1980 Act.

**BY THIS ORDER:**

1. The public rights of way over the land situate at Lower Watercombe House, Owermoigne and shown by bold continuous lines on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up after 7 days from the date of confirmation of this Order or on the date which Dorset Council certify that work has been carried out to bring the site of the new highways mentioned in Part 2 of the Schedule to this Order into a fit condition for use by the public, whichever is the later and thereupon the County of Dorset definitive map shall be modified by deleting from it those public rights of way.
2. Notwithstanding this Order, where immediately before the date on which the paths are diverted in pursuance of this Order, there is apparatus under, in, on, over, along or across the paths belonging to the statutory undertakers for the purpose of carrying out their undertaking then such undertakers shall continue to have the same rights in respect of their apparatus as they would have had if this Order had never been made.

3. There shall at the end of 7 days from the date of confirmation of this Order be public footpaths over the land situate at Lower Watercombe House, Owermoigne described in Part 2 of the Schedule to this Order and shown by bold broken lines on the map contained in this Order and thereupon the County of Dorset definitive map shall be modified by adding those paths to it.
4. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule to this Order.
5. The County of Dorset definitive statement shall be modified as described in Part 4 of the Schedule to this Order.

## **SCHEDULE**

(The points specified relate to the map attached to the Order and their positions are identified by national grid references)

### **Part 1**

#### **Description of site of existing paths**

##### **Part of Footpath 23, Owermoigne:**

*(part of the Hardy Way)*

- A – B      The full width of the footpath from the unaffected part of Footpath 23 at point A (SY 76368703) generally south south west along a tarmac driveway to its junction with the current route of Footpath 24, Owermoigne, north of Lower Watercombe House at point B (SY 76188651). (No recorded width).

##### **Part of Footpath 24, Owermoigne:**

*(part of the Hardy Way)*

- D – B – C      The full width of the footpath from the unaffected part of Footpath 24 at point D (SY 76138622) generally north north east across fields, then north west, passing between Lower Watercombe House and Lower Watercombe Barn to its junction with the current route of Footpath 23 at point B (SY 76188651). Continuing west along a field to the unaffected part of Footpath 24, west north west of Lower Watercombe House at point C (SY 76088651). (No recorded width).

### **Part 2**

#### **Description of site of new paths**

##### **Part of Footpath 23, Owermoigne:**

*(part of the Hardy Way)*

- A – E – C      From the unaffected part of Footpath 23 at point A (SY 76368703), west into a field and continuing west north west along the field edge to point E (SY 76338703), then generally south south west along the field boundary, running parallel with the Warmwell parish boundary to its junction with Footpath 24, west north west of Lower Watercombe House at point C (SY 76088651). Width: The width of this part of Footpath 23 is 2 metres.

##### **Part of Footpath 24, Owermoigne:**

*(part of the Hardy Way)*

- D – F – C      From the unaffected part of Footpath 24 at point D (SY 76138622), north west across a field to point F (SY 75998632), then generally north north east along the field boundary, running parallel with the Warmwell parish boundary to its junction with Footpath 23, west north west of Lower Watercombe House at point C (SY 76088651). Width: The width of this part of Footpath 24 is 2 metres.

### **Part 3**

#### **Limitations and Conditions**

All to BS5709:2018:

Point A	SY 76368703	Pedestrian gate
Point C	SY 76088651	Pedestrian gate

### **Part 4**

#### **Modification of Definitive Statement**

##### **Variation of particulars of paths**

##### **Footpath 23, Owermoigne:**

###### **Delete:**

From: 763871 To: 762865

Path No 16 Warmwell parish boundary southwards to Path No 24.

###### **Add:**

From: SY 763871 To: SY 76088651

Path No 16 Warmwell parish boundary southwards to SY 76368703, west into a field and continuing west north west along the field edge to SY 76338703, then generally south south west along the field boundary, running parallel with the Warmwell parish boundary to its junction with Footpath 24, west north west of Lower Watercombe House. Width: 2 metres between SY 76368703 and SY 76088651.

##### **Footpath 24, Owermoigne:**

###### **Delete:**

From: 75698563 To: 761865

Junction with Path No 6 and Paths 5 and 17, Warmwell at parish boundary northwards to Path No 1 Warmwell at parish boundary.

###### **Add:**

From: SY 75698563 To: SY 761865

Junction with Path No 6 and Paths 5 and 17, Warmwell at parish boundary northwards to SY 76138622, then north west across a field to SY 75998632, then generally north north east along the field boundary, running parallel with the Warmwell parish boundary to its junction with Footpath 23, west north west of Lower Watercombe House at SY 76088651 and continuing west to its junction with Footpath 1, Warmwell at the parish boundary. Width: 2 metres between SY 76138622 and SY 76088651.

Dated this 13<sup>TH</sup> day of AUGUST 2021

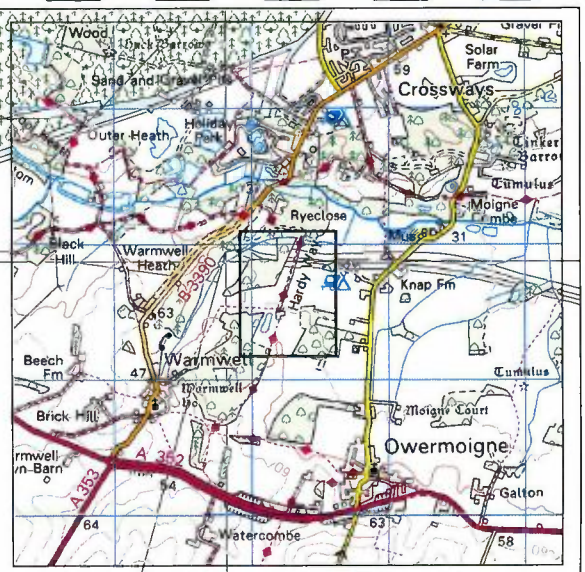
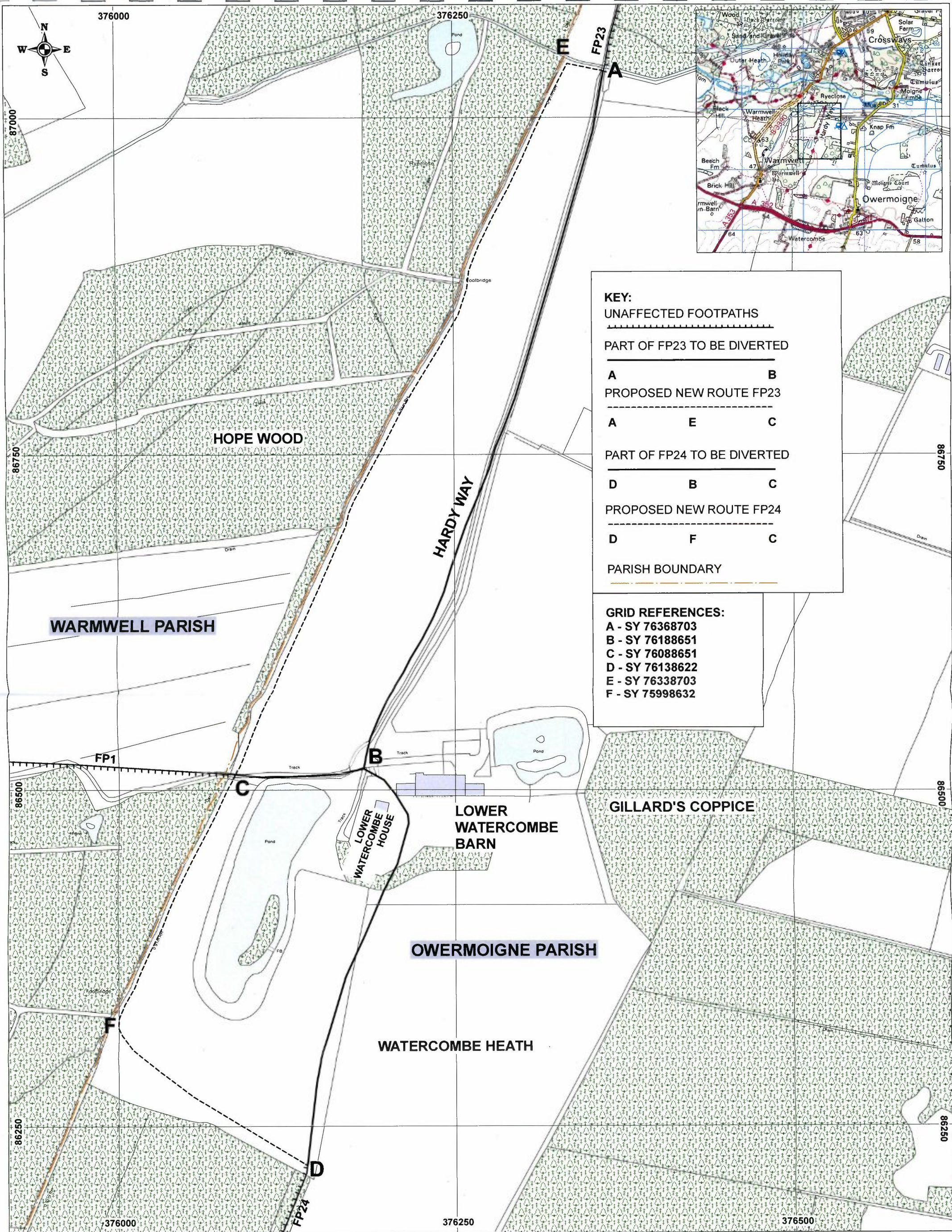
THE COMMON SEAL of  
DORSET COUNCIL  
was affixed in the presence of:-



444/21

Authorised signatory





**KEY:**

UNAFFECTED FOOTPATHS

PART OF FP23 TO BE DIVERTED

A B

PROPOSED NEW ROUTE FP23

A E C

PART OF FP24 TO BE DIVERTED

D B C

PROPOSED NEW ROUTE FP24

D F C

PARISH BOUNDARY

**GRID REFERENCES:**  
A - SY 76368703  
B - SY 76188651  
C - SY 76088651  
D - SY 76138622  
E - SY 76338703  
F - SY 75998632

DORSET COUNCIL (PARTS OF FOOTPATHS 23 & 24 OWERMOIGNE AT LOWER WATERCOMBE HOUSE) PUBLIC PATH DIVERSION ORDER 2021

Ref: P205/21/3  
Date: 06/07/2021  
Scale 1:2500 at A3  
Drawn By: CAM  
Cent X: 376267  
Cent Y: 86627

**Dorset Council**

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