



**Dorset
Council**

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

**Town and Country Planning Act 1990, Section 257
Wildlife and Countryside Act 1981, Section 53A(2)**

**Dorset Council (Part of Footpath 50, Gillingham at Gillingham Sewage
Treatment Works)
Public Path Diversion Order 2019**

This Order is made by Dorset Council ("the authority") under section 257 of the Town and Country Planning Act 1990 ("the 1990 Act") because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 (Ref 2/2018/0055/DCC). Mainly: for the extension of Gillingham Sewage Treatment Works to provide additional plant and equipment required to treat increased volume of waste water, and the installation of phosphorous removal plant.

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 hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order ("the Schedule") shall be diverted and the County of Dorset definitive map and statement shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of Dorset Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which Dorset Council certify that the terms of Article 2 above have been complied with and upon the occurrence of that diversion the County of Dorset definitive map shall be modified by deleting from it the path or way referred to in paragraph 1 of this Order and the path or way referred to in paragraph 2 of this Order shall be added to it, and the definitive statement shall be modified as described in Part 3 of the Schedule.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule:
 - a. Hedgerow to be removed and kissing gate realigned at point A (ST 80212589)

- b. Kissing gate to be installed at point B (ST 80332600).
- 5. Wessex Water are hereby required to pay for the cost of carrying out the said works.
- 6. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying out their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

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 path

Part of Footpath 50, Gillingham:

A – B From the unaffected part of Footpath 50 at its junction with Footpath 51, at the field boundary at point A (ST 80212589), east then north east across the field to rejoin the unaffected part of Footpath 50 at the field boundary at point B (ST 80332600). (No recorded width).

Part 2

Description of site of alternative highway

Part of Footpath 50, Gillingham:

A – C – B From the unaffected part of Footpath 50 at its junction with Footpath 51, at the field boundary at point A (ST 80212589), east then north north east along the edge of the field to point C (ST 80292602), then turning south east, continuing along the edge of the field and north east to rejoin the unaffected part of Footpath 50 at the field boundary at point B (ST 80332600). The width of this part of Footpath 50 is 6 metres.

Part 3

Modification of Definitive Statement

Variation of particulars of path

Footpath 50, Gillingham:

Delete:

From: 798254 To: 806262

Road at Eccliffe north east over the railway line crossing Path No 51 Common Road to join Path No 46 at the road south of Wyke Street.

Add:

From: ST 798254 To: ST 806262

Road at Eccliffe north east over the railway line crossing Path No 51 at the edge of a field at ST 80212589, east then north north east along the edge of the field to ST 80292602, then turning south east, continuing along the edge of the field and north east to the field boundary at ST 80332600. Continuing north east across fields to join Path No 46 at the road south of Wyke Street. Width: 6 metres between ST 80212589 and ST 80332600. Limitations: Kissing gates at ST 80212589 and ST 80332600 to BS5709:2018.

Dated this 26TH day of JUNE 2019

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

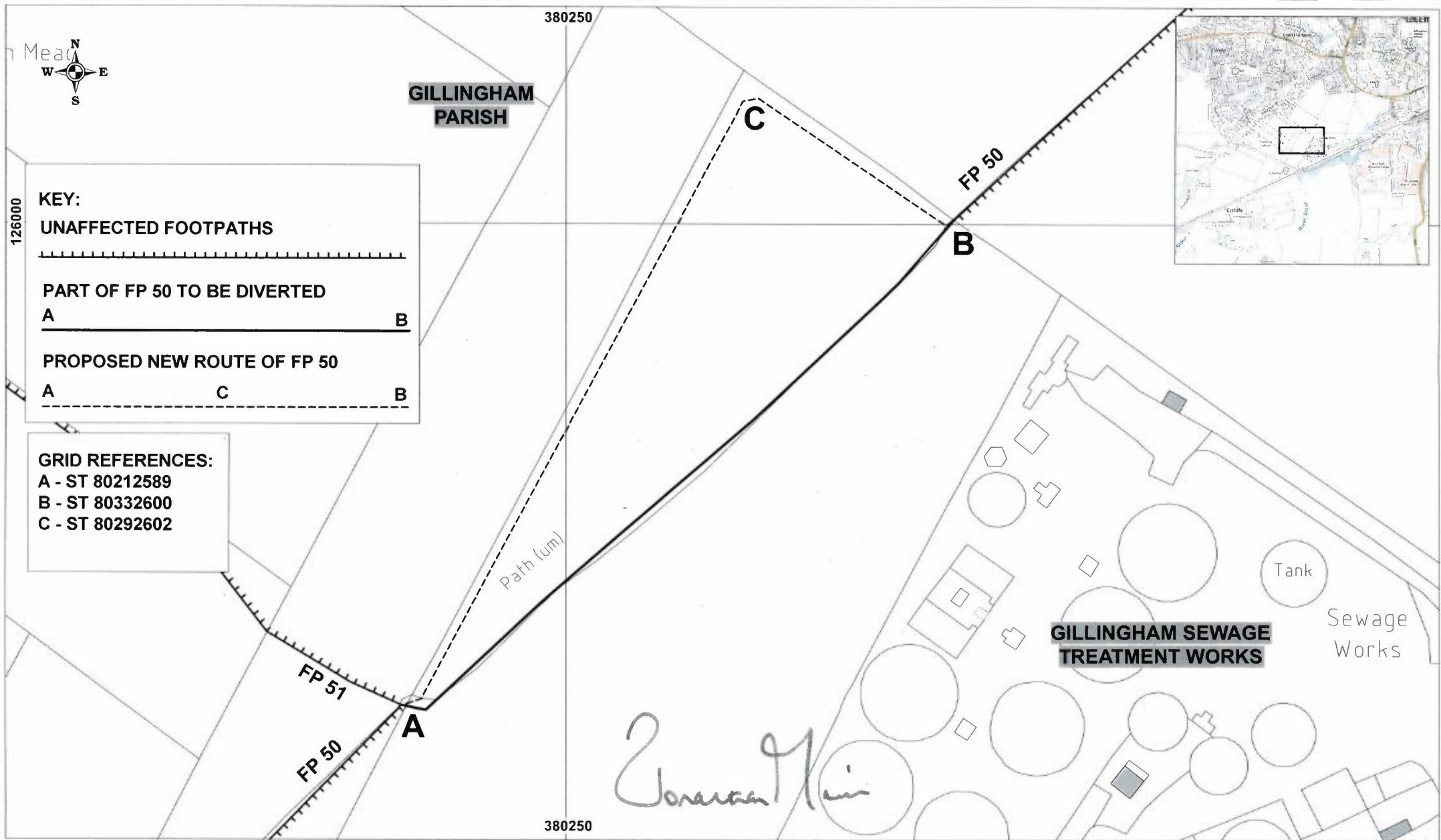

Jonathan Hui 204/19

Authorised signatory

The foregoing Order is hereby confirmed unopposed

Jonathan Hui
Authorised Signatory

Dated this 13TH day of ~~SEPTEMBER~~ 2019



SECTION 257, TOWN AND COUNTRY PLANNING ACT 1990
DORSET COUNCIL (PART OF FOOTPATH 50, GILLINGHAM AT GILLINGHAM
SEWAGE TREATMENT WORKS) PUBLIC PATH DIVERSION ORDER 2019

Ref: 18/23
Date: 01/04/2019
Scale 1:1100
Drawn By: KJS
Cent X: 380283
Cent Y: 125957



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