



**Dorset
Council**

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

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

**Dorset Council (Part of Footpath 29, Shillingstone at Ham Farm)
Public Path Diversion Order 2023**

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 owners of the land crossed by the footpath described in paragraph 1 of this Order it is expedient that the line of the path 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 Morgan Smith 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 site of the path into a fit condition for use by the public.

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

BY THIS ORDER:

1. The public right of way over the land situate at Ham Farm, Shillingstone and shown by a bold continuous line 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 highway 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 that public right of way.
2. Notwithstanding this Order, where immediately before the date on which the path is diverted in pursuance of this Order, there is apparatus under, in, on, over, along or across the path 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 a public footpath over the land situate at Ham Farm, Shillingstone described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map contained in this Order and thereupon the County of Dorset definitive map shall be modified by adding that path 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 path

Part of Footpath 29, Shillingstone:

A – B The whole width of the footpath from the unaffected part of Footpath 29, in a field at point A (ST 82481030), east and generally north east, across fields and through the farmyard to its junction with Brodham Way at point B (ST 82681055). (No recorded width).

Part 2

Description of site of new path

Part of Footpath 29, Shillingstone:

A – C – D From the unaffected part of Footpath 29, in a field at point A (ST 82481030),
– E – F – north east to the field boundary at point C (ST 82491031), then continuing
G north east along a grass surfaced track (via point D (ST 82511033), passing
 to the north of Ham Farm to point E (ST 82661054), then north along a
 stone/gravel surfaced track to point F (ST 82663 10551), turning east north
 east to its junction with Brodham Way at point G (ST 82666 10552). The width
 of this part of Footpath 29 varies: 2 metres between points A (ST 82481030)
 to C (ST 82491031), 1.5 metres between points C (ST 82491031) and D (ST
 82511033), 2 metres between points D (ST 82511033) to G (ST 82666
 10552), except for 1.5 metres at point F (ST 82663 10551).

Part 3

Limitations and Conditions

To BS5709:2018:

Point C	(ST 82491031)	Kissing gate
Point E	(ST 82661054)	Kissing gate
Point F	(ST 82663 10551)	Gap (1.5 metres)

Part 4

Modification of Definitive Statement

Variation of particulars of path

Footpath 29, Shillingstone

Delete:

From: 822102 To: 826105
Lanchards Lane north east to White Pit Lane, junction.

Add:

From: ST 822102

To: ST 826105

Lanchards Lane north east to ST 82481030, north east to the field boundary at ST 82491031, then continuing north east along a grass surfaced track (via ST 82511033), passing to the north of Ham Farm to ST 82661054, then north along a stone/gravel surfaced track to ST 82663 10551, turning east north east to its junction with Brodham Way at ST 82666 10552. Width: 2 metres between ST 82481030 to ST 82491031, 1.5 metres between ST 82491031 and ST 82511033, 2 metres between ST 82511033 to ST 82666 10552, except for 1.5 metres at ST 82663 10551. Limitations: Kissing gates at ST 82491031 and ST 82661054, Gap at ST 82663 10551 all to BS5709:2018.

Dated this 24TH day of FEBRUARY 2023

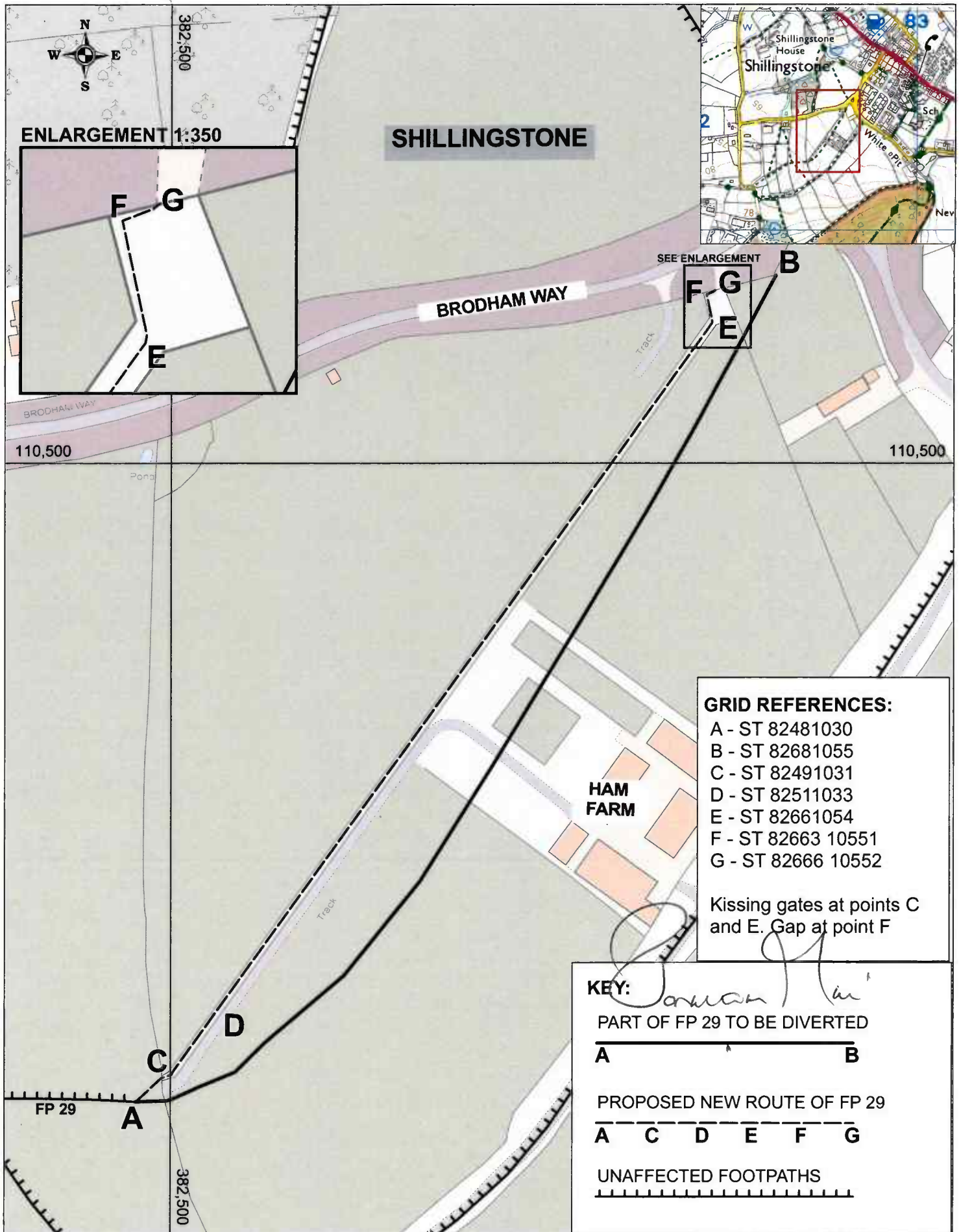
THE COMMON SEAL of
DORSET COUNCIL

was affixed in the presence of:-



Authorised signatory





**DORSET COUNCIL (PART OF FOOTPATH 29,
SHILLINGSTONE AT HAM FARM) PUBLIC PATH
DIVERSION ORDER 2023**

Ref: P239/22/1
Date: 21/02/2023
Drawn by: KJD
Scale: 1:1500
Cent X: 382,594
Cent Y: 110,452



**Dorset
Council**

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