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Date: 15 December 2023
Ref: RLB/PLA001/00659
Officer: Rebecca Buck
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Your Ref: ROW/3284094

Dear Sirs

**Highways Act 1980 - Section 119
Dorset Council (Footpath 16, Melcombe Horsey And Footpath 26, Cheselbourne) Public
Path Diversion Order 2014**

Thank you for your letter dated 15th November 2023 enclosing the statements of case received in relation to the above submission.

The Council would like to make the following comments on the Ramblers' Association's statement of case (The numbered paragraphs reflect the numbering in their statement):

7) Interests of the landowner.

The current owners, Mr and Mrs Sutton, have illustrated in their Statement of Case how the diversion will improve land management. The improvement to security and privacy is minimal but the improvement to land management is clear from the information provided and reiterates the reasons for the original application by Mr Metcalfe.

The Ramblers' letter dated 19 July 2010 (Doc ref 6) also states:

"Whilst I acknowledge that the new line of the paths 16/26 are clearly in your interest as they will no longer be on your land...."

Overall Dorset Council considers that the diversion is in the interests of the landowner.

8) Public enjoyment

The Ramblers state that the new route is "flat and uninspiring" and that the current route is "more enjoyable than the proposed diversion", however Dorset Council feel that the extensive panoramic views to the south and the increased accessibility along the new footpath compensate for the loss of the current footpath.

No other objections have been received throughout the application process from any other user groups or members of the public.

It is noted that the Ramblers' initial response to the proposal (see Ramblers' letter dated 19 July 2010 Doc ref 6 in the Council's submission) states that the new paths are less convenient but there is no reference to public enjoyment.

10) Convenience v public enjoyment

Regardless of whether convenience is distinct from public enjoyment, a route without any limitations is generally preferable for most users and therefore the lack of furniture on the new route contributes to the enjoyment of walkers.

11) Comments on the observations of other parties

Dorset Council concedes that the Ramblers' response to the pre-application consultation Form 119/A was to object to the diversion. The Ramblers' subsequent letter dated 19 July 2010 (Doc ref 6) also states "I do not support the proposal".

The Council has no further comments.

Yours faithfully

Rebecca Buck

Legal Services