



**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 40, Dorchester at Dorset County Hospital)
Public Path Diversion Order 2023**

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 namely: the partial demolition of onsite buildings and structures and the consolidation and expansion of healthcare facilities including up to 10,920 square metres of net additional floorspace (including an extension to the emergency department and intensive care unit, expansion of medical and health services including a primary care health hub and a new hospital support centre) green infrastructure and other ancillary works including changes to site access arrangements (reference P/OUT/2022/02976).

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 Article 1 of this Order and the path or way referred to in Article 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:
 - Footpath to be constructed to a width of 2 metres with a maximum gradient of 1:20.
 - 2 metre gap to be created in hedgerow at point A
 - Vegetation clearance between points E-F (as necessary)
 - 2 metre gap to be created in wall at point H
5. Dorset County Hospital National Health Service Foundation Trust is 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 40, Dorchester:

A – B – C The whole width of the footpath from the unaffected part of Footpath 40, west
– D of Dorset County Hospital buildings at point A (SY 68449045), south south
 east along a double fenced tarmac surfaced path to point B (SY 68459040)
 then turning east north east to point C (SY 68499041) and continuing south
 south east, passing to the west of Damers Court, to its junction with Damers
 Road at point D (SY 68519030).

Part 2

Description of site of alternative highway

Part of Footpath 40, Dorchester:

A – E – F From the unaffected part of Footpath 40, west of Dorset County Hospital
– G – H – buildings at point A (SY 68449045), west south west along a gravel surfaced
I path, fenced on both sides to point E (SY 68369043), then south along a
 tarmac surfaced path to point F (SY 68370 90358) , turning east to point G
 (SY 68378 90359) then south south west to point H (SY 68379034) and south
 west to its junction with Damers Road at point I (SY 68379033). The width of
 this part of Footpath 40 is 2 metres.

Part 3

Modification of Definitive Statement

Variation of particulars of path

Footpath 40, Dorchester:

Delete:

From: SY 68429053 To: 685903

From the southern side of Bridport Road opposite St Martin's Place south south eastwards for 130 metres and then westwards for 30 metres to SY 68489042 then south south eastwards to Damers Road. Width: Between SY 68429053 and SY 68489042 - 5 feet.

Add:

From: SY 68429053 To: SY 68379033

From the southern side of Bridport Road opposite St Martin's Place south south eastwards to SY 68449045, west south west along a gravel surfaced path, fenced on both sides to SY 68369043, then south along a tarmac surfaced path to SY 68370 90358, turning east to SY 68378 90359 then south south west to SY 68379034 and south west to its junction with Damers Road. Width: 5 feet between SY 68429053 and SY 68449045, 2 metres between SY 68449045 and SY 68379033.

Dated this 9TH day of JUNE 2023

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



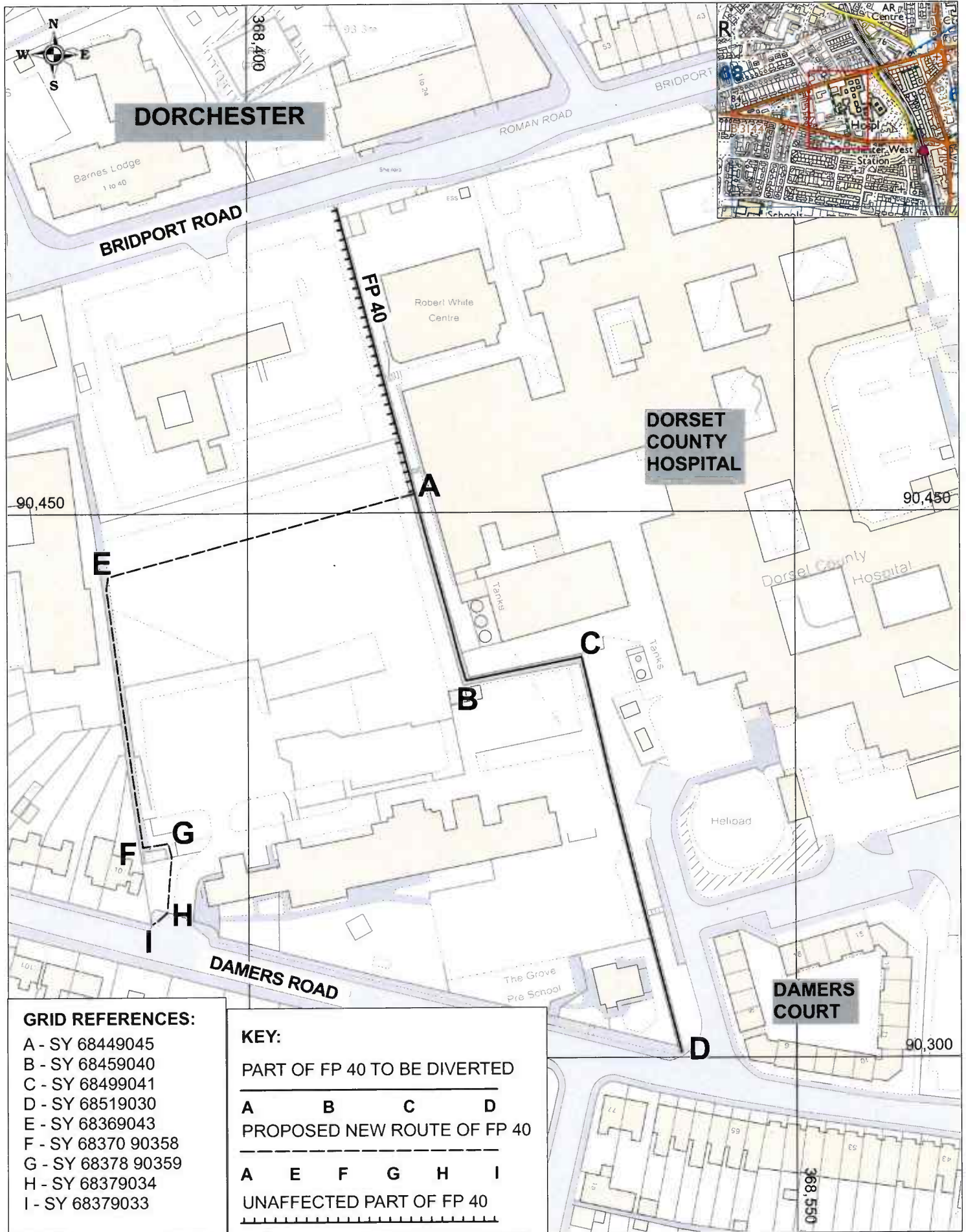
Grace Evans 426/23

Authorised signatory

The foregoing Order is hereby confirmed unopposed

Sonara Hai
Authorised Signatory

Dated this 1ST day of DECEMBER 2023



GRID REFERENCES:

- A - SY 68449045
- B - SY 68459040
- C - SY 68499041
- D - SY 68519030
- E - SY 68369043
- F - SY 68370 90358
- G - SY 68378 90359
- H - SY 68379034
- I - SY 68379033

KEY:

- PART OF FP 40 TO BE DIVERTED
- A B C D**
-
- PROPOSED NEW ROUTE OF FP 40
-
- A E F G H I**
-
- UNAFFECTED PART OF FP 40
-

SECTION 257, TOWN AND COUNTRY PLANNING ACT 1990
DORSET COUNCIL (PART OF FOOTPATH 40, DORCHESTER AT DORSET COUNTY HOSPITAL) PUBLIC PATH DIVERSION ORDER 2023

brockevans

Ref: P250/23/1
Date: 08/06/2023
Drawn by: KJD
Scale: 1:1300
Cent X: 368,465
Cent Y: 90,420



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