

dorset T338 - the law

**SCHEDULE 14 TO THE WILDLIFE AND COUNTRYSIDE ACT 1981**

**Applications for certain orders under part III, Section 53**

***Form of applications***

**1**

An application shall be made in the prescribed form and shall be accompanied by—

- (a) a map drawn to the prescribed scale and showing the way or ways to which the application relates; and
- (b) copies of any documentary evidence (including statements of witnesses) which the applicant wishes to adduce in support of the application.

***Extracts from the Officer Report***

1.11 A new consultation was undertaken in July / August 2018 and the application examined again in detail, particularly with respect to the strict requirements of the Wildlife and Countryside Act 1981[WCA] (section 53(5) and paragraph 1 of Schedule 14).

1.12 Confirmation was sought from the Supreme Court in 2019 that its Declaration of 2015 did mean that this application was deemed fully compliant with paragraph 1 of the Act. This was confirmed

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12.20 The second area of objection was that the application did not satisfy the Natural Environment and Rural Communities Act 2006 because the map submitted with the application was not 'drawn to' the correct scale.

**Officer Comment**

b) This objection is considered invalid as discussed in paragraph 1.9 and 1.12. The Supreme Court declared that the application was made in accordance with paragraph 1 of Schedule 14 to the Wildlife and Countryside Act 1981.

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14.6 The Supreme Court ruling of 2015 declared that the application did comply strictly with the requirements of the Wildlife and Countryside Act 1981[WCA] (section 53(5) and paragraph 1 of Schedule 14). This was confirmed by the Supreme Court in 2019.

14.7 Therefore, this application can engage the exception in Section 67 of the Natural Environment and Rural Communities Act 2006 and these unrecorded public mechanically propelled vehicular rights have not been extinguished.