



Dorset County Council

Dorset Highways

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Date: 28 June 2016

Ask for: Carol Mckay

My ref: CAM RW/P165

Dear Sir or Madam

SECTION 119, HIGHWAYS ACT 1980 PROPOSED DIVERSION OF FOOTPATH 11, HOLWELL

The County Council has received an application to divert Footpath 11, Holwell as shown on the enclosed Drawing (16/08).

This diversion is being made in the interest of the landowner as the current definitive footpath is partly obstructed by fences and also runs along the driveway of Penny Farm, and the proposed new footpath offers a safer and more pleasant route through fields.

The current definitive route of Footpath 11, Holwell runs from point A on the driveway, across a field to point B where it rejoins the driveway for approximately 100 metres, then enters a second field and continues around the field edge via point C to point D where it joins Footpath 10, Holwell. The proposed new route of Footpath 11, Holwell runs from point A along the driveway for approximately 36 metres to point E where it enters a field, runs across the field to point F then enters a second field continuing to point G where it crosses into a small field before joining Footpath 10, Holwell at point H. The current route from A – B – C – D is approximately 389 metres long and the proposed new route from A – E – F – G – H is approximately 410 metres long. The proposed footpath will be 2 metres wide. There will be medium mobility kissing gates at points E and F and a field gate at point G, all to British Standard BS5709:2006.

Under Section 119 of the Highways Act 1980, the ends of the diversion must be in places substantially as convenient to the public. Regard must also be paid to the effect the diversion would have on public enjoyment of the footpath as a whole, and on land served by the existing and proposed routes.

Section 29 of the Highways Act 1980, as amended by the Countryside and Rights of Way Act 2000, says that when making diversion orders the County Council must have regard to the needs of agriculture, forestry and the desirability of conserving flora, fauna and geological and physiographical features.

Mike Harries, Director for Environment and Economy

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The current route of Footpath 11, Holwell is available for inspection but is partly obstructed by fencing. It can, however, be viewed from the adjacent driveway. The proposed route is available for inspection but consultees should note that the kissing gates currently in use have not yet been adjusted to meet medium mobility standards.

I should be grateful to have any comments you may wish to make in writing by **Friday 29 July** so that they may be taken into consideration. If you think you will need more time to respond please let me know as soon as possible. Your comments will be treated as public information (please refer to the Data Protection information at the end of this letter) and may be incorporated if a report is made to the Regulatory Committee.

The file is available for public inspection at County Hall, by appointment. Members of the public are allowed limited public speaking at a Committee meeting. If the case is to be brought before the Committee we will write to those directly affected to advise them. If you wish to be informed of the details of the meeting please let me know.

Yours faithfully

Carol McKay

Carol McKay
Definitive Map Technical Officer (Public Path Orders)
Regulation Team

Dorset County Council is a Data Controller for the purposes of the Data Protection Act 1998. This Act regulates how we obtain, use and retain personal information. The information you supply will be used for the purpose of fulfilling our functions and duties, including those under the Highways Act 1980 and the Wildlife and Countryside Act 1981. Any information provided, including personal details will be available for public inspection, disclosed to interested third parties and may be used during public inquiries and other proceedings. By replying to this correspondence you are consenting to your personal information being retained and used for these purposes. Further information about the use of personal information and data protection is available on our web-site at www.dorsetforyou.com or by contacting the Council's Data Protection Officer.