



**Dorset
Council**

RPT TO STRATEGIC & TECHNICAL PLANNING CTTEE

17/10/24

MIN 50

946/24

**HIGHWAYS ACT 1980, SECTION 119B
SPECIAL DIVERSION ORDER FOR CERTAIN HIGHWAYS WHICH CROSS LAND
OCCUPIED FOR THE PURPOSES OF A SCHOOL
AND
WILDLIFE AND COUNTRYSIDE ACT 1981
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

**Dorset Council (Part of Footpath 62, Weymouth)
Public Path Special Diversion Order 2024**

This Order is made by Dorset Council ("the Council") under section 119B (4) of the Highways Act 1980 ("the 1980 Act") because it appears to the council that as respects the relevant highway described in article 1 below ("the highway") –

- (a) the Council is the highway authority for the area;
- (b) the highway crosses land occupied for the purposes of a school; and
- (c) it is expedient for the purposes of protecting the pupils or staff from –
 - i. violence or the threat of violence,
 - ii. harassment,
 - iii. alarm or distress arising from unlawful activity,
 - iv. any other risk to their health or safety arising from such activity,that the highway, or part of the highway, should be diverted; and
- (d) it is requisite for that purpose to extinguish the public right of way described in Part 2 of that Schedule.

The police authority, Dorset Police, for the area in which the highway lies has been consulted as required by section 119B(6) of the 1980 Act.

Weymouth Town Council has been consulted as required by section 120(2) (a) of the 1980 Act.

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.

Radipole Primary School 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.

BY THIS ORDER:

1. The public right of way over the land situate at Radipole Primary School, Weymouth parish 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 extinguished 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 Radipole Primary School, Weymouth parish 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.

Part 4

Modification of Definitive Statement

Variation of particulars of path

Footpath 62, Weymouth:

Delete:

From: 666813 To: 666819

Radipole Lane (near church) northwards then north easterly at County Primary School to Radipole Lane north to Corfe Road then westwards to join Path No 61 (Corfe Hill Drive)

Add:

From: 666813 To: 666819

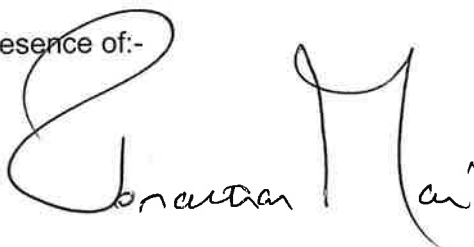
Radipole Lane (near church) northwards to SY 66789 81689 then generally east north east to SY 6679 8168, then east north east to SY 6680 8168, north east to SY 66828 81694, north north east to SY 66829 81696 and then north east to SY 6689 8171, generally north to SY 6689 8172 and generally east north east to its junction with the footway adjacent Radipole Lane at SY 6690 8172, then generally north north west along the footway and across the entrance to Radipole Primary School to the unaffected part of Footpath 62 at SY 6689 8176 then north to Corfe Road then westwards to join Path No 61 (Corfe Hill Drive)

Width: 2 metres except at SY 6679 8168 and SY 6680 8168: 1.2 metres

Dated this 30th day of December 2024

THE COMMON SEAL of
DORSET COUNCIL

was affixed in the presence of:-



Authorised signatory

946/24



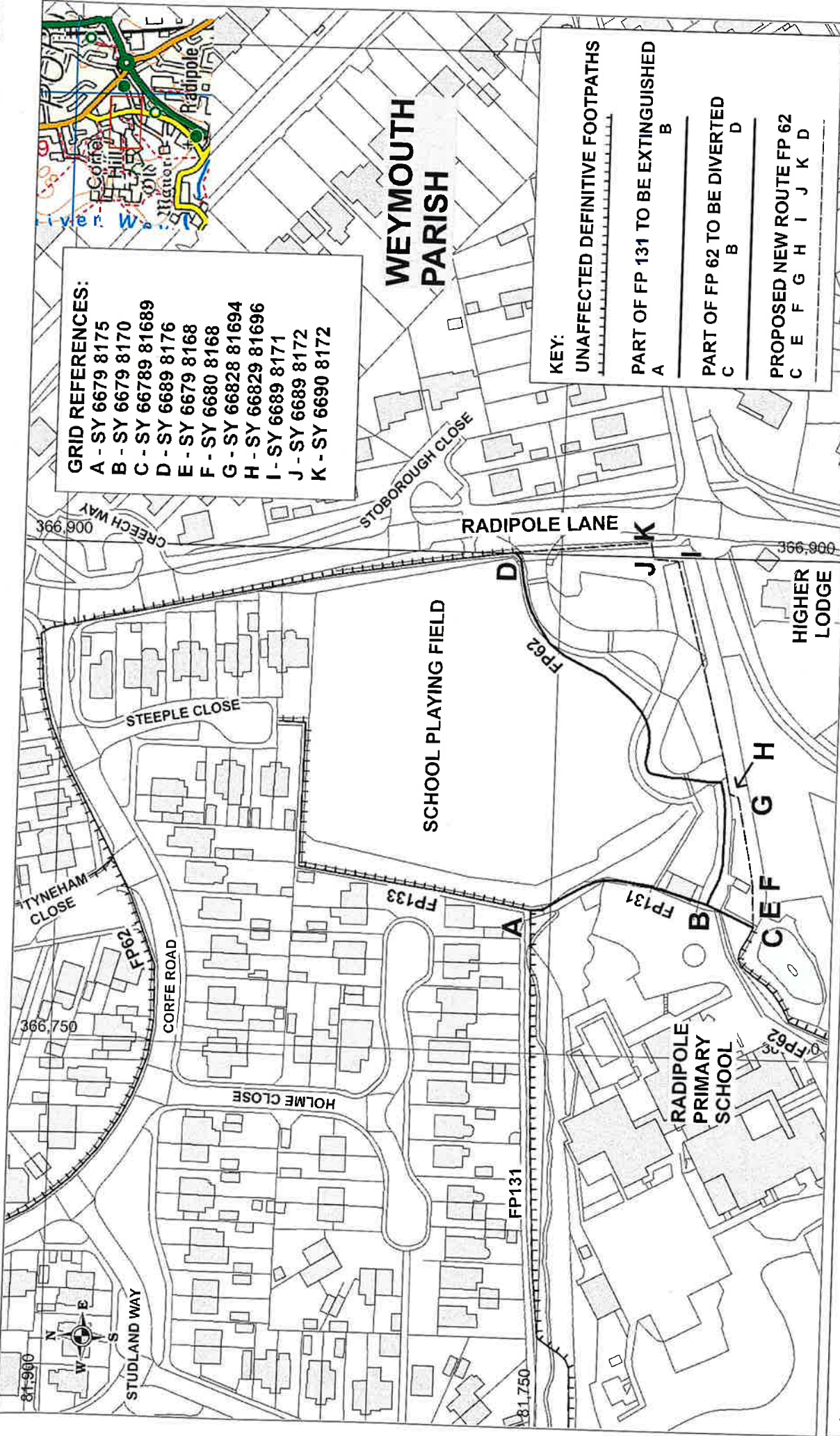
WEYMOUTH PARISH

GRID REFERENCES:

- A - SY 6679 8175
- B - SY 6679 8170
- C - SY 66789 81689
- D - SY 6689 8176
- E - SY 6679 8168
- F - SY 6680 8168
- G - SY 66828 81694
- H - SY 66829 81696
- I - SY 6689 8171
- J - SY 6689 8172
- K - SY 6690 8172

KEY:

- UNAFFECTED DEFINITIVE FOOTPATHS
- PART OF FP 131 TO BE EXTINGUISHED
- PART OF FP 62 TO BE DIVERTED
- PROPOSED NEW ROUTE FP 62



© Crown copyright and database rights 2024
 OS 0100060663. Aerial Photography © UKPerspectives 2002 & © Geomapping 2005, 2009 & 2014. © Geomapping Plc and Bluesky International Limited (2017 onwards)

Ref: P261/24/11
 Date: 18/10/2024
 Scale: 1:1500
 Drawn by: CAM
 Cent X: 366849
 Cent Y: 81788

Dorset Council (Part of Footpath 131, Weymouth) Public Path Special Extinguishment Order 2024
 Dorset Council (Part of Footpath 62, Weymouth) Public Path Special Diversion Order 2024

S. Sordani