

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Dorset County Council
(Footpath from Broad Street to Marine Parade, Lyme Regis (known as
Teneriffe Path)) Definitive Map and Statement Modification Order 2013

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **7 October 2016**.

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **Woodmead Halls, Hill Road, Lyme Regis, Dorset, DT7 3PG** on **Wednesday 22 February 2017** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding to them the footpath in Lyme Regis in the West Dorset District, known as Teneriffe Path, with a tarmac/concrete surface, from its junction with the A3052 Broad Street between Nos. 13 and 14 Broad Street at SY 34149208, through an archway and south south west along a covered walkway and continuing between walls to the entrance to the Masonic Hall at SY 34139205. Then south west down a slope between walls to SY 34109203 and south south west down concrete steps and between walls to SY 34109202. Turn south south east and continue down steps between Nos. 6a and 7 Marine Parade and through a doorway and down two concrete steps to exit onto Marine Parade at SY 34109201.

The width of the footpath varies:

SY 34149208 - 2.7 metres. Between SY 34149208 and SY 34139205 - covered walkway - 1.78 metres, from end of covered walkway to SY 34139205 - 2 metres. SY 34139205 - 1.56 metres. Between SY 34139205 and SY 34109203 - 1.8 metres. SY 34109203 - 1.2 metres. Between SY 34109203 and SY 34109202 - 1.2 metres. SY 34109202 - 1.05 metres. Between SY 34109202 and SY 34109201 - 1.2 metres. SY 34109201 - 0.73 metres.

Limitation: SY 34109201 - Wooden door 0.73 metres wide

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: helen.sparks@pins.gsi.gov.uk

Please quote reference number FPS/C1245/7/38 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the offices of Dorset County Council, County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ during normal office hours. To arrange a viewing, please contact Ms Sarah Meggs on Telephone Number 01305 225104.

As the Authority has indicated that it will not be supporting the Order at the Inquiry, the case for the Order will be presented by Mr M Lewis (for Lyme Regis Town Council). He will be expected to adhere to the following timetable as if he was the Authority.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 2 December 2016]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date [by 13 January 2017]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies to the Authority, the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy to the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

4 weeks before the date of the inquiry [by 25 January 2017]

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for inquiry

Dorset County Council 

Wildlife and Countryside Act 1981

**Dorset County Council
County of Dorset Definitive Map and Statement of Rights of Way**

**Dorset County Council (Footpath from Broad Street to Marine Parade,
Lyme Regis (known as Tenerife Path))
Definitive Map and Statement Modification Order 2013**

This Order is made by Dorset County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that 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)(c)(i) namely, that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates.

The authority have consulted with every local authority whose area includes the land to which the order relates. The Dorset County Council hereby order that:

1. For the purposes of this order the relevant date is 5 August 2013.
2. The County of Dorset Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This order shall take effect on the date it is confirmed and may be cited as the "Dorset County Council (Footpath from Broad Street to Marine Parade, Lyme Regis (known as Tenerife Path)) Definitive Map and Statement Modification Order 2013".

SCHEDULE

(The points specified relate to the map attached to the Order and their positions are identified by national grid references)

Part I

Modification of definitive map Description of path to be added

A footpath in Lyme Regis in the West Dorset District:

A – B – C Known as Teneriffe Path, with a tarmac/concrete surface, from its junction
– D - E with the A3052 Broad Street between Nos. 13 and 14 Broad Street at point A (SY 34149208), through an archway and south south west along a covered walkway and continuing between walls to the entrance to the Masonic Hall at point B (SY 34139205). Then south west down a slope between walls to point C (SY 34109203) and south south west down concrete steps and between walls to point D (SY 34109202). Turn south south east and continue down steps between Nos. 6a and 7 Marine Parade and through a doorway and down two concrete steps to exit onto Marine Parade at point E (SY 34109201).

The width of the footpath varies:

Point A – 2.7 metres

Between points A and B – Covered walkway – 1.78 metres, from end of covered walkway to point B – 2 metres

Point B – 1.56 metres

Between points B and C – 1.8 metres

Point C – 1.2 metres

Between points C and D – 1.2 metres

Point D – 1.05 metres

Between points D and E – 1.2 metres

Point E – 0.73 metres

Limitation: Point E Wooden door 0.73 metres wide

Part II

Modification of definitive statement Variation of particulars of path

A footpath in Lyme Regis in the West Dorset District

From: SY 34149208 To: SY 34109201

Known as Teneriffe Path, with a tarmac/concrete surface, from its junction with the A3052 Broad Street between Nos. 13 and 14 Broad Street, through an archway and south south west along a covered walkway and continuing between walls to the entrance to the Masonic Hall at SY 34139205. Then south west down a slope between walls to SY 34109203 and south south west down concrete steps and between walls to SY 34109202. Turn south south east and continue down steps between Nos. 6a and 7 Marine Parade and through a doorway and down two concrete steps to exit onto Marine Parade.

The width of the footpath varies:

SY 34149208 – 2.7 metres

Between SY 34149208 and SY 34139205 – Covered walkway – 1.78 metres, from end of covered walkway to SY 34139205 – 2 metres

SY 34139205 – 1.56 metres

Between SY 34139205 and SY 34109203 – 1.8 metres

SY 34109203 – 1.2 metres

Between SY 34109203 and SY 34109202 – 1.2 metres

SY 34109202 – 1.05 metres

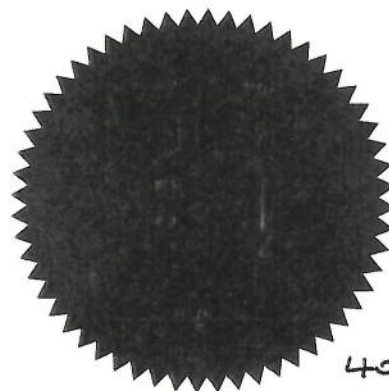
Between SY 34109202 and SY 34109201 – 1.2 metres

SY 34109201 – 0.73 metres

Limitation: SY 34109201 – Wooden door 0.73 metres wide.

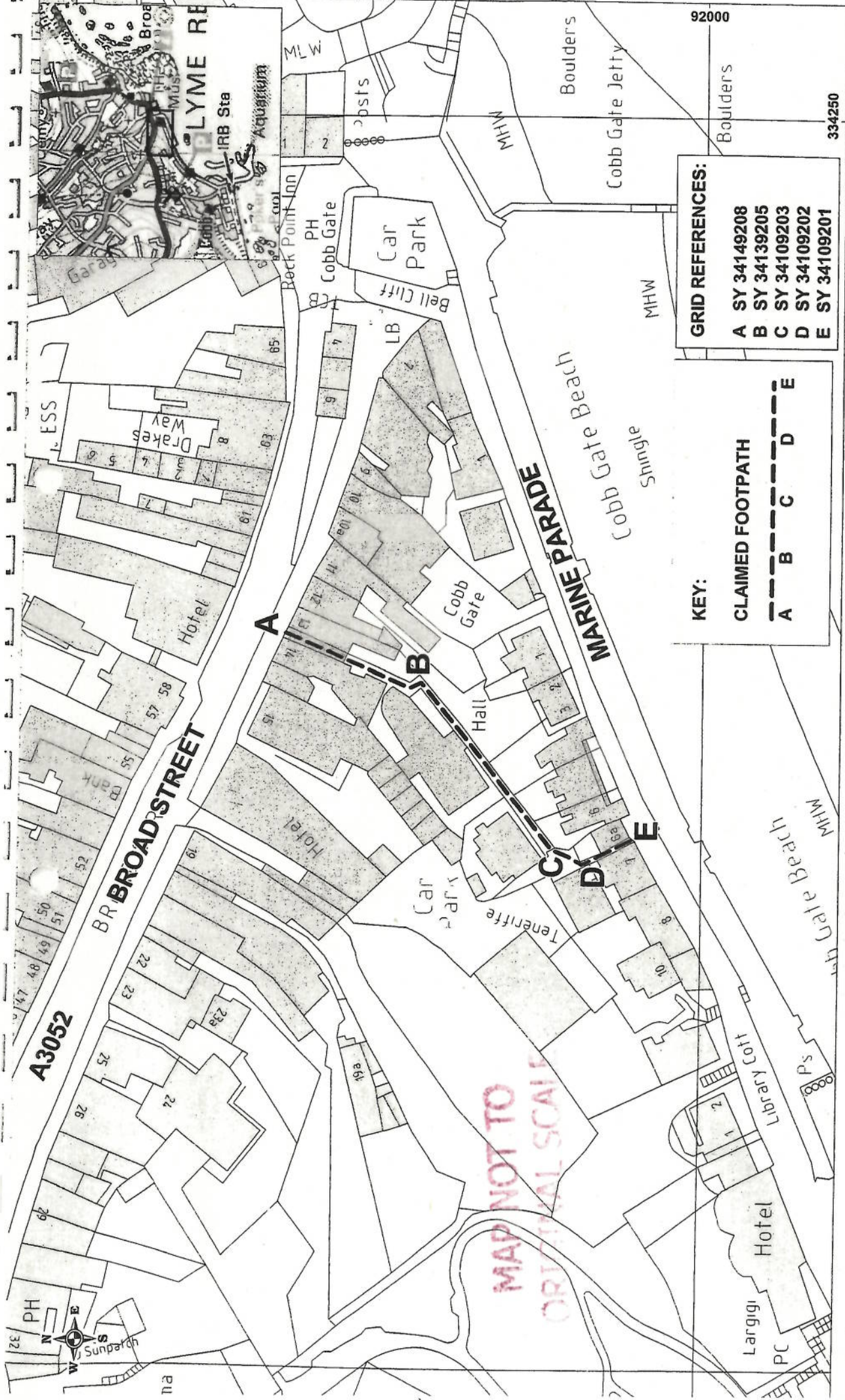
Dated this 9th day of August 2013

THE COMMON SEAL OF THE
DORSET COUNTY COUNCIL
was fixed in the presence of:-



Jonathan M...

Authorised Signatory



GRID REFERENCES:

A	SY 34149208
B	SY 34139205
C	SY 34109203
D	SY 34109202
E	SY 34109201

KEY:

CLAIMED FOOTPATH

A B C D E



Ref: 09/04
 Date: 03/02/2009
 Scale 1:1000
 Drawn By: ACH
 Cent X: 334132
 Cent Y: 92055

DORSET COUNTY COUNCIL (FOOTPATH FROM BROAD STREET TO MARINE PARADE, LYME REGIS KNOWN AS TENERIFFE PATH)) DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2013

Sonoma Mai