



Dorset Council

601/25

Rail Crossing Diversion and Definitive Map and Statement Modification Order

**Highways Act 1980
Wildlife and Countryside Act 1981**

Dorset Council (Part of Footpath 20, Motcombe at Kings Court) Rail Crossing Diversion Order 2025

This Order is made by Dorset Council ("the authority") under section 119A of the Highways Act 1980 ("the 1980 Act").

The Footpath described in paragraph 1 of this Order in the authority's area crosses a railway otherwise than by a tunnel or bridge.

It appears to the authority that it is expedient in the interests of the safety of members of the public using, or likely to use, the said Footpath that it should be diverted on to the land of the same owner as described in the schedule.

The Dorset Council has required the operator of the railway to enter into an agreement to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in the erection or maintenance of barriers and signs and in bringing the new site of the Footpath into a fit condition for use by the public.

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.

Motcombe Parish Council and Gillingham Town Council have been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situate at Motcombe 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 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 Motcombe and Gillingham parishes 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.
6. The operator of the railway crossed by the Footpath described in Paragraph 1 shall maintain the underbridge to be provided on the new route of Footpath 20 created by this order.

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

Footpath 20, Motcombe:

- A1 – B From point A1 (ST 8185 2641) north of the historic site of King's Court Palace on the southern side of the railway, north east across a field then across the railway to point B (ST 8197 2668) on the northern side of the track. (No recorded width)

Part 2

Description of site of new paths

Footpath 32 , Motcombe (a new footpath):

- A1 – C1 From the unaffected part of Footpath 20, Motcombe (to be renumbered Footpath 32) at point A1 (ST 8185 2641), north of the historic site of King's Court Palace, north west across the field to its junction with Footpath 99, Gillingham at the parish boundary at point C1 (ST 8179 2647). Width: 2 metres

Footpath 20, Motcombe:

- E – F – From its junction with Footpath 99, Gillingham at the parish boundary at point E (ST 81770 26497) north north west through a tunnel under the railway via a field gate at point F (ST 8176 2650) to point G (ST 8175 2653) then north east through a field along the northern side of the railway to the unaffected part of Footpath 20 at point B (ST 8197 2668). Width: 2 metres

Footpath 99, Gillingham (a new footpath):

- C1 – D - From its junction with the new route of Footpath 20, Motcombe (to be renumbered Footpath 32, Motcombe) at the parish boundary at point C1 (ST 8179 2647), north west to a field gate at point D (ST 81778 26491), then generally north west to its junction with Footpath 20, Motcombe at the parish boundary at point E (ST 81770 26497). Width: 2 metres

Part 3

Limitations and Conditions

To BS5709:2018:

- Point D (ST 81778 26491) Field gate
Point F (ST 8176 2650) Field gate

Part 4

Modification of Definitive Statement

Variation of particulars of paths

Delete:

Footpath 20, Motcombe:

From: 817262 To: 821273

King's Court Bridge to join Path No 8 at Woodwater.

Add:

Footpath 20, Motcombe:

From: ST 81770 26497 To: 821273

From its junction with Footpath 99, Gillingham at the parish boundary at ST 81770 26497 north north west through a tunnel under the railway via a field gate at ST 8176 2650 to ST 8175 2653 then north east through a field along the northern side of the railway to ST 8197 2668 then north east to join Path No 8 at Woodwater. Width: 2 metres between ST 81770 26497 and ST 8197 2668

Add:

Footpath 32, Motcombe

From: 817262 To: ST 8179 2647

From King's Court Bridge to ST 8185 2641, north of the historic site of King's Court Palace, north west across the field to its junction with Footpath 99, Gillingham at the parish boundary at ST 8179 2647. Width: 2 metres between ST 8185 2641 and ST 8179 2647.

Add:

Footpath 99, Gillingham

From: ST 8179 2647 To: ST 81770 26497

From its junction with Footpath 32, Motcombe at the parish boundary at ST 8179 2647, north west to a field gate at ST 81778 26491, then generally north west to its junction with Footpath 20, Motcombe at the parish boundary at ST 81770 26497. Width: 2 metres

Dated this 15th day of August 2025

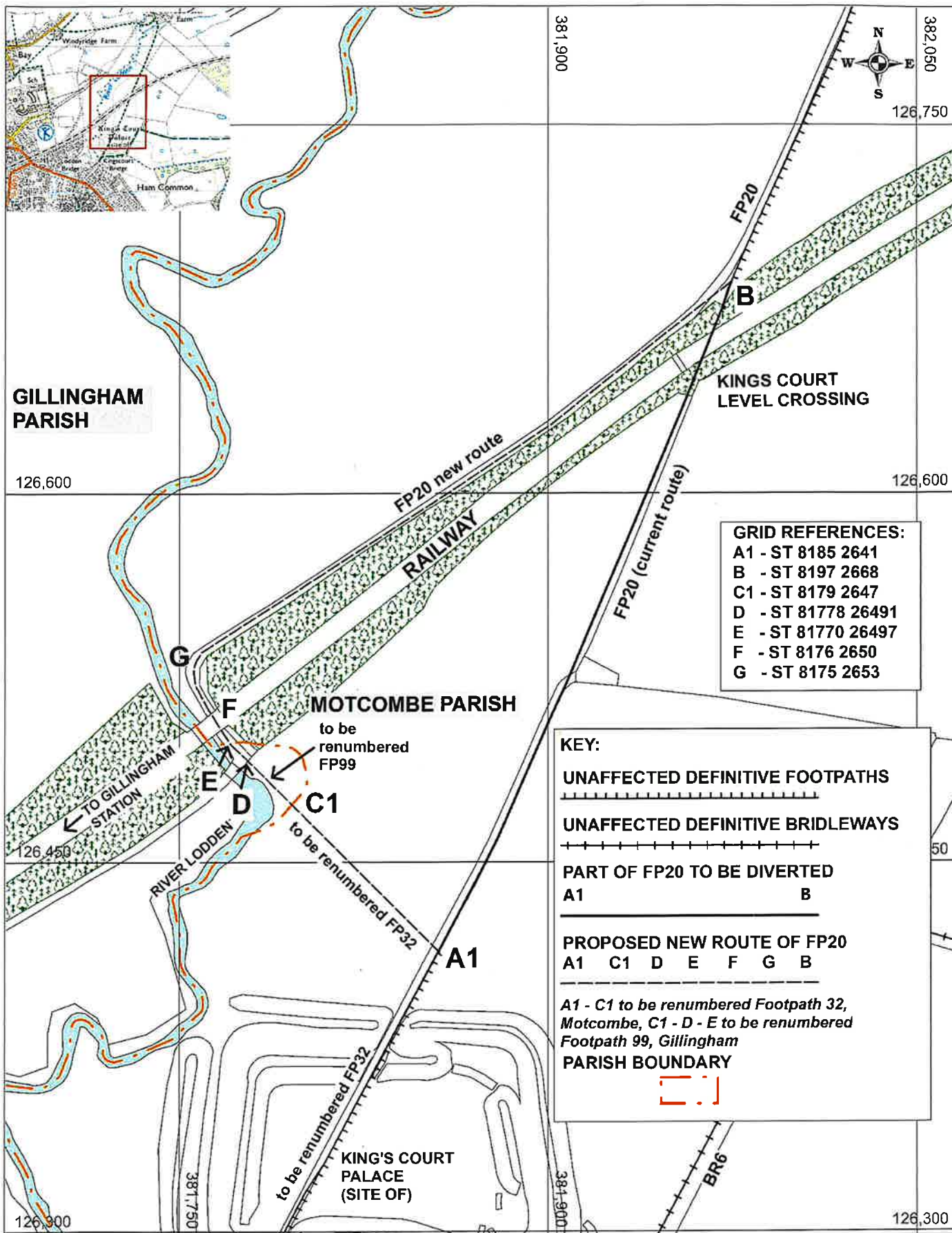
THE COMMON SEAL of
DORSET COUNCIL
was affixed in the presence of:-



Coram N

Authorised signatory

601/25



Dorset Council (Part of Footpath 20, Motcombe at Kings Court) Rail Crossing Diversion Order 2025

Jonathan Hain

Ref: P271/25/4

Date: 05/08/2025

Drawn by: CAM

Scale: 1:2000

Cent X: 381,873

Cent Y: 126,548



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Limited (2017 onwards)