

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	Jonathan Woods
Title:	Old Alresford Footpaths 3 & 4 – Diversion Order

Tel: 01962 847096

Email: tara.pothecary@hants.gov.uk

1. The decision:

- 1.1. That an Order to divert part of Old Alresford Footpaths 3 & 4, made under Section 119 Highways Act is made by Countryside Access Group Manager.

2. Reason(s) for the decision:

- 2.1. Officers consider that it is expedient to divert these parts of the footpaths in the interests of the landowner following development.
- 2.2. The current line of Footpath 3 is obstructed by hedging and Footpath 4 by buildings. These routes have been temporary diverted over a number of years and considered for diversion but never progressed.
- 2.3. The temporary routes are not considered to be substantially less convenient to the public than the existing routes. It is therefore recommended that an Order is made under s119 of the Highways Act 1980 to formalise these routes.

3. Other options considered and rejected:

- 3.1. Not applicable.

4. Conflicts of interest:

- 4.1. Conflict of interest declared by an Executive Member who is consulted by the officer which relates to the decision:
Not applicable.

5. Dispensation granted by the Head of Paid Service:

- 5.1 Not applicable.

6. Supporting information:

6.1. None

**Approved by: Jonathan Woods Countryside Access
Group Manager**

**Date: 11 December
2017**

**On behalf of the Director of Culture, Communities
and Business Services**

Consultations with Other Bodies:

Winchester City Council

Winchester City Council has no objections to this proposal.

Local Member – Councillor Porter

Councillor Porter is aware of this diversion and has raised no concerns.

Old Alresford Parish Council

Old Alresford Parish Council has made no comment on this proposal.

Area Countryside Access Manager

The Area Countryside Access Manager has been consulted on this proposal.

The Ramblers

The Ramblers do not object to this proposal.

The Open Spaces Society

The Open Spaces Society is perfectly happy with this proposal.

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

1) Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

In determining this application, the County Council is exercising its functions as the highway authority and as such must give due consideration to the statutory tests set out in s119 Highways Act 1980. These statutory tests have to be considered in conjunction with the over-arching duty of s149 Equalities Act. The proposed route is no more or less convenient than the existing route.

2. Impact on Crime and Disorder:

2.1. It is unlikely that this proposal will have any impact on reported crime in this area.

3. Climate Change:

a) **How does what is being proposed impact on our carbon footprint / energy consumption?**

No impact identified.

b) Environmental:

No impact identified.