

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

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| Decision Maker: | Jonathan Woods |
| Title: | Upton Grey Footpath 7 – Diversion Order |

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1. The decision:

- 1.1. That an Order to divert Upton Grey Footpath No 7, made under Section 119 Highways Act is made by Countryside Access Group Manager.

2. Reason(s) for the decision:

- 2.1. The application has been submitted by the land owner, to formalise what is currently walked on the ground. A more natural curved route, away from the boundary of the field and 4 Hoddington Farm Cottages.
- 2.2. The definitive line of Upton Grey Footpath No 7, commences at a junction with Lees Hill, over a stile and proceeds a westerly, southerly, south-westerly, southerly and then south-westerly direction.
- 2.3. The diversion route will have a 3 metre wide grass track, hedged with native broadleaved species and stock fenced on either side
- 2.4. Officers consider it would be expedient to divert this footpath in the interest of not only the land owner but also of the user, as this is the chosen flow of the right of way, the diversion will formalise what is on the ground and will prevent confusion when comparing with the definitive line.
- 2.5. It is not considered to be substantially less convenient to the user, and the enjoyment may also seem to be improved, with a more gentle line reducing the amount of changes in direction.

3. Other options considered and rejected:

- 3.1. Not applicable.

4. Conflicts of interest:

Not applicable.

5. Dispensation granted by the Head of Paid Service:

5.1 Not applicable.

6. Supporting information:

6.1. Appendix A – Consultees

6.2. Appendix B – Impact Assessment

6.3. Appendix C - Plan

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

Date:

21 June 2018

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

Consultations with Other Bodies:

Basingstoke and Dean District Council

Basingstoke and Dean District Council have made no comment on this proposal.

District Councillor – Mark Ruffell

Councillor Mark Ruffell has made no comment on this proposal.

Local Member – Councillor Anna McNair Scott

Councillor McNair Scott has made no comment on this proposal.

Upton Parish Council

The Parish Council have no objection to the movement of footpath 7. The new route is very close to the previous one and there is no disadvantage from where it has been moved to.

Area Countryside Access Manager

The Area Countryside Access Manager is supportive of this proposal.

The Ramblers

The Ramblers have no objection to this diversion to Upton Grey FP7.

The Open Spaces Society

The OSS says that the alignment of the proposed route flows nicely and is effectively the path that walkers would naturally choose. In that respect they approve.

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: The proposed change is a more natural route than the previous route.