

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	Jonathan Woods
Title:	Barton Stacey Footpath 2 – Diversion Order

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1. The decision:

- 1.1. That an Order to divert Barton Stacey Footpath No. 2, 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, Defence Infrastructure Organisation (DIO) based on health and safety and to direct the users away from the Range Danger Area (RDA) that is used on a regular basis.
- 2.2. Barton Stacey Footpath No. 2 currently runs through the middle of the RDA, the DIO have a duty to provide “safe place” for both members of the public and the military users.
- 2.3. Under current byelaws the area of land in the RDA is closed to public access, this includes the southern section of footpath 2.
- 2.4. The diversion offers a route that will not be subject to Red Flag and is therefore a safer route. It will be useable at all times which offers clarity for users knowing that they will not need to be walking on the road.
- 2.5. The proposed route will have a 2.5 metre wide grass track, which will have hedging to one side. It links to the right of way network to the south of the A30 providing a safer crossing than the original route which exits onto a crossroads.
- 2.6. Officers consider it would be expedient to divert this footpath in the interest of the user providing a safer route, with good connections to the network and usable all year round.

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:

Test Valley Borough Council

Test Valley Borough Council have made no comment on this proposal.

Local Member – Councillor Andrew Gibson

Councillor Gibson is aware of this proposal.

Barton Stacey Parish Council

Barton Stacey Parish Council have made no comment on this proposal.

Area Countryside Access Manager

The Area Countryside Access Manager is supportive of this application.

The Ramblers

Andover Ramblers strongly supports the proposal.

The Open Spaces Society

Asked for the proposed diversion route to be extended and then they would have no objection to this application.

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 will have a safer route, accessible at all times with a good link to the network, providing a safer crossing to join this network.