

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	Jonathan Woods
Title:	Bramdean and Hinton Ampner Footpath 19 & Warnford Footpath 8 – Diversion Order

Tel: 01962 847096

Email: tara.pothecary@hants.gov.uk

1. The decision:

- 1.1. That an Order to divert Bramdean and Hinton Ampner Footpath 19 & Warnford Footpath 8, is made under Section 119 Highways Act.

2. Reason(s) for the decision:

- 2.1. Officers consider that it is expedient to divert this footpath in the interests of the landowner for privacy and security reasons. The application has been submitted by the landowner, who intends to convert the farm buildings, to which part of the footpath runs adjacent, for residential use.
- 2.2. During the works the path would need to be closed and diverted whilst the demolition works, excavation and asbestos removal are completed. The route will also experience an increase in traffic for the contractor's vehicles. The works are estimated to take between 12 and 18 months.
- 2.3. The proposed alignment is not considered to be substantially less convenient to the public. It would be free from traffic and may enhance the enjoyment of the route for some, as the feeling of intrusion by walking through a private setting will be removed.
- 2.4. The new path will have a gate situated at the junction with Footpaths 8 and 19 (where there is currently a stile), improving accessibility on this route.
- 2.5. The proposed route will have a 2.5 metre wide grass track, which will be bordered by a hedge for part of its length, with a post and rail fence installed around the dew pond.

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. Appendix A – Consultees

6.2. Appendix B – Impact Assessment

6.3. Appendix C – Plan

Approved by: Jonathan Woods Countryside Access Date:
Group Manager

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

Consultations with Other Bodies:

Winchester District Council

Winchester District Council does not wish to make any formal comment on this proposal.

Local Member – Councillor Roy Humby

Councillor Rob Humby is aware of this proposal.

Bramdean and Hinton Ampner Parish Council

The Parish Council would raise no objection to the proposed diversion of Footpath No 19.

Local Member – Councillor Roger Huxstep

Councillor Huxstep is aware of this proposal.

Warnford Parish Council

Warnford Parish Council will not object to this proposal.

Area Countryside Access Manager

The Area Countryside Access Manager has been consulted on this proposal and is satisfied with the proposed diversion route.

South Downs National Park Authority

The SDNP Authority has raised no objection to this proposal and has recommended a number of improvements to the connecting route that lies between A to E.

The Ramblers

The Ramblers have no objection to the diversion as proposed.

The Open Spaces Society

Open Spaces Society would support 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: The proposed change will have a more open aspect which some users would see as an improvement and will be traffic free.