

HAMPSHIRE COUNTY COUNCIL
Officer Decision Record

Decision Maker:	Jonathan Woods
Title:	Tangley Footpath 14 – Diversion Order

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1. The decision:

- 1.1. That an Order to divert part of Tangley Footpath 14, made under Section 119 Highways Act is made by Countryside Access Group Manager.

2. Reason(s) for the decision:

- 2.1. Hampshire County Council has received an application to divert part of Tangley Footpath No.14 in the District of Test Valley under section 119 of the Highways Act 1980. A plan showing the route of the proposed diversion is attached.
- 2.2. The applicant has applied for this diversion to formalise the route which is currently being used by the public. Some users may find the proposed route a more pleasant one, with a drier surface in comparison to the definitive route, and enhanced views to the south and south west.
- 2.3. The definitive line of Footpath 14 commences at a junction with Hungerford Lane, Point A on the plan (SU 3270 5399) and proceeds north eastward along woodland edge to Point B (SU 3344 5416). Approximately 759 metres in length.
- 2.4. The proposed alignment is a 2-metre-wide path, commencing at a junction with Hungerford Lane, Point C on the plan (SU 3271 5398), proceeding north eastward, through a kissing gate, south of the definitive line, along woodland edge to Point D (SU 3345 5411). Approximately 761 metres in length.
- 2.5. Officers consider that the proposed route is not substantially less convenient to the public and to proceed with the application would correct this anomaly.

3. Other options considered and rejected:

- 3.1. Not applicable.

4. Conflicts of interest:

- 4.1. 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 Date: 13/02/2019
Group Manager

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

Consultations with Other Bodies:

Test Valley Borough Council

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

Local Member – Councillor North

Councillor North was consulted on this proposal but made no comment.

Tangley Parish Council

Tangley Parish Council were consulted on this proposal but made no comment.

Area Countryside Access Manager

The Area Countryside Access Manager is supportive of this proposal.

The Ramblers

The Ramblers support this application.

The Open Spaces Society

The Open Spaces Society agree 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:

No impact identified.