

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker	Jonathan Woods – Countryside Access Group Manager
Title	Dedication of bridleway rights adjacent to a part of Bridleway 1, and dedication of an extension of Footpath 4, and an extinguishment of part of Bridleway 1, Parish of Baughurst
Reference	Baughurst – BW1 & FP4

Tel: 01962 845326

Email: Jennifer.holden-warren@hants.gov.uk

1. The decision:

- 1.1. That authority is given for the dedication of bridleway rights, offered by Baughurst Parish Council to be accepted. The dedication is of land adjacent to the recorded line of part of Bridleway 1, and of land to the south of the current termination of the recorded line of Footpath 4. The width of the dedicated bridleway is 2.5 metres; the width of the dedicated footpath is 1.5 metres.
- 1.2. That authority is given under the provisions of section 118 of the Highways Act (1980) to extinguish part of Bridleway 1 adjacent to the proposed dedicated bridleway rights as it will not be needed for use by the public following the dedication.

2. Reason(s) for the decision:

- 2.1. Both routes are contained within a single parcel of land, which is owned by the Parish Council, who have offered the dedication.
- 2.2. Currently, the recorded line of Bridleway 1 is obstructed by nine properties, which were built around 1956. The County Council was aware of the obstruction at the time that the houses were built, but no formal action was taken.
- 2.3. The recorded line of Footpath 4 is currently a cul-de-sac, as it terminates before joining the highway. The proposed extension, a length of approximately 20 metres, will extend the line of the footpath to a junction with the publicly maintainable highway, Long Grove. The proposed extension appears to have been used by the public for a long time and it is therefore likely that public rights could reasonably be claimed under the provisions of s31 of the Highways Act (1980).

3. Other options considered and rejected:

- 3.1. N/A

4. Consultation

- 4.1. A consultation was undertaken with the Open Spaces Society, the Ramblers, the British Horse Society, the CTC, Baughurst Parish Council, Basingstoke and Deane Borough Council, Historic England and County Councillor Derek Mellor. The consultation proposed realigning the obstructed length of bridleway in a route directly over the tumulus. During this consultation, the Parish Council proposed an alternative route which skirted around the base of the tumulus. A further consultation was undertaken on the basis of the alternative route, which also asked consultees for their view of the proposed extension to Footpath 4.
- 4.2. Responses received to both consultations are detailed below:

Baughurst Parish Council:

Bridleway 1 has long been an issue in terms of trespass, and residents not knowing quite which route to take. We own the length of land along Bridleway 1. Your proposed route crosses the ancient tumuli (burial mounds) which lie in the middle, on our land, and which fall under the responsibility of English Heritage. On the odd occasion when we have fallen trees on the mounds, we have to ask their permission before digging etc. We would ask, therefore, that any re-routing takes this into account. The biggest problem we face is the use of the mounds as a cycle track by local youth - perfect for 'jump' cycling. Generations of children have caused the mounds to become smooth and more easily degradable.

Winchester CTC

It seems sensible to correct this anomaly. My only comment is that if the developer can be identified it should defray any costs associated with this diversion.

British Horse Society

In response to the first consultation:

In principle we support Hampshire County Council's proposal to correct this anomaly, but would ask that the following be addressed in establishing the new definitive line of this path:

1. *Width of the path: the Definitive Statement for this bridleway records a width of 6 feet. The width of the south-western section of the path adequately reflects the Statement, but between points A and B on the map the width of the currently-used path is in places considerably less than 6 feet (see attached photo). We would expect the width of the realigned bridleway to meet the Countryside Service's recommended minimum width of 2.5 metres.*
2. *Route: there are a number of different paths currently in use over the ancient earthworks at point B and from the ground it is difficult to identify the precise line of the proposed new route – this should be clearly delineated and waymarked to minimise the likelihood of users straying from the line.*
3. *Surface: the surface of the walked path is generally good, but we have identified the following surface issues in the area around point B which may need addressing for the safety of users (depending the ultimate line of the path):*
 - a. *Pothole in the path on one part of the earth bank*
 - b. *Concrete step/parapet at B where there is a link from the bridleway to Long Grove*
4. *Visibility splay at the Northern end where the bridleway joins the B3051: For information (I appreciate that this is in West Berkshire and therefore outside your*

area of responsibility), at present there is very limited range of visibility where the bridleway emerges onto the B3051, a busy road that is straight and carries fast traffic at this point. I have reported this issue to West Berks RoW team, but it is something that you may wish to take up with them as well, as part of the implementation of this DMMO.

In response to the second consultation:

The BHS welcomes this proposal by the Parish Council, which will provide a more level and convenient route to the benefit of all users as well as minimising any further damage to the ancient earthworks.

I have nothing further to add to previous comments in my email dated 21 July 2019, but should be grateful if you would confirm that there is space within the alternative route to meet the County Council's recommended minimum width for a bridleway of 2.5 metres.

Ramblers

I inspected the bridleway yesterday, and I note that the proposed amendment largely follows the route on the ground, part of which we, The Ramblers, cleared last year. As such we have no objection to the proposed amendment. There seems to be a large number of informal paths in the north-eastern part of the bridleway, to the extent that the adjacent footpath 3 is unused and impassable. I would request, therefore, that the route is more clearly waymarked.

4. Conflicts of interest:

4.1. None.

5. Dispensation granted by the Head of Paid Service:

5.1. N/A

6. Supporting information:

6.1. Location Map

Approved by:

Date:

20 August 2019

Jonathan Woods – Countryside Access Group Leader

On behalf of the Director of Culture Communities and Business Services

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

Claim Reference: Baughurst – BW1 & FP4

Countryside Access Team
Castle Avenue
Winchester
SO23 8UL

IMPACT ASSESSMENTS:

1 Equalities Impact Assessment: N/A

2. Impact on Crime and Disorder: N/A

3. Climate Change:

How does what is being proposed impact on our carbon footprint / energy consumption? N/A

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? N/A