

**HAMPSHIRE COUNTY COUNCIL
Officer Decision Record**

Decision Maker:	Jonathan Woods
Title:	Havant Footpath 9 – Extinguishment Order

Tel: 01962 847096

Email: tara.pothecary@hants.gov.uk

1. The decision:

1.1 That an Order is made under Section 118 Highways Act 1980, to extinguish Havant Footpath 9, which will address a long-standing anomaly on the Definitive Map.

2. Reason(s) for the decision:

2.1 To rectify this anomaly, the County Council proposes to extinguish the route, on the grounds that it is no longer needed for public use (as shown on the attached plan).

3. Background

3.1 Due to the necessary diversion not having been carried out by the planning authority when the area was developed in the 1960s, the line of Havant Footpath 9 is still recorded running through a number of properties in the area.

3.2 Officers consider that, in view of the existence of other paths in the immediate vicinity of Footpath 9, it is expedient to extinguish this footpath.

4. Other options considered and rejected: Not applicable.

5. Conflicts of interest: Not applicable.

6. Dispensation granted by the Head of Paid Service: Not applicable.

7. Supporting information: None

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

Date:

20 August 2019

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

Appendix A

Consultations with Other Bodies:

Havant Borough Council

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

The Open Spaces Society

The Open Spaces Society have no objection to 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:

No impact identified.