

**HAMPSHIRE COUNTY COUNCIL  
Officer Decision Record**

<b>Decision Maker:</b>	Jonathan Woods
<b>Title:</b>	Fordingbridge Footpath 68 – Diversion Order

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**1. The decision:**

1.1 That an Order is made under Section 119 Highways Act 1980, to divert part of Fordingbridge Footpath 68.

**2. Reason(s) for the decision:**

2.1 The applicant has applied for this diversion to improve privacy and to utilise the pasture to graze horses. The current route is across the middle of the pasture where the gradient is steeper than that of the proposed route to the south, some users may find this a less strenuous path and therefore would benefit from the diversion.

**3. Background**

3.1 The current line of Fordingbridge Footpath 68 commences at a junction with Southampton Road, through a kissing gate and proceeds north-eastly across open pasture where the gradient is quite steep.

3.2 A 2 metre wide grass path, commencing at a junction with Southampton Road, through a kissing gate, proceeding north-eastly around the edge of the pasture where the gradient is not so steep.

**4. Other options considered and rejected:**

4.2 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:**

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**20 August 2019**

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

**Consultations with Other Bodies:**

New forest District Council

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

Local Member – Councillor Heron

Councillor Heron has no objection to this application.

Councillor Ann Bellows

Councillor Bellows is familiar with this route and has no comments to make.

Fordingbridge Parish Council

Fordingbridge Parish Council has no objection to the proposed diversion but would ask that the footpath is not fenced off, or failing that, there is only a fence on one side.

New Forest National Park Authority

New Forest National Park Authority has no comment to make.

Area Countryside Access Manager

The Area Countryside Access Manager is supportive of this proposal.

The Ramblers

The Ramblers would agree to the diversion on condition that the Definitive Statement is for a 2 metre wide unenclosed path.

The Open Spaces Society

The Open Spaces Society do not object 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.