

**HAMPSHIRE COUNTY COUNCIL**  
**Officer Decision Record**

<b>Decision Maker:</b>	Jonathan Woods
<b>Title:</b>	Hurstbourne Tarrant FP 12 - Diversion Order

**Tel:** 01962 847096

**Email:** tara.pothecary@hants.gov.uk

**1. The decision:**

1.1 That an Order is made under Section 119 of the Highways Act 1980, to divert part of Hurstbourne Tarrant FP 12.

**2. Background**

2.1 Hurstbourne Tarrant Footpath 12 terminates several metres short of the junction with the road, and for many years, access to the road was possible only via a narrow grass strip running next to the village hall car park, with the acquiescence of the landowner. The new landowner does not wish this arrangement to continue, and so it is necessary to realign the footpath so that it connects with a public highway.

2.2 The ownership of this land has recently changed hands, and the new owner, who is redeveloping the hall, has indicated that they would prefer to see the path realigned to avoid conflict with users of the path. In light of this, and the limited space at the junction with the road at this location, the Countryside Service has approached the landowner whose field accommodates the majority of the path to discuss the possibility of a diversion of the path, to run along the southern boundary of the field.

2.3 They have agreed to this. The field contains livestock, and so it is considered that a diversion of the path would be in both the interests of the public and the landowner. Officers consider that the proposed route is not substantially less convenient than the current definitive line and will terminate at a safer location (a lay-by situated next to the road). There are no proposals to fence the newly realigned route.

**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: 12 September  
2019**

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

**Appendix A**

**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.

Hurstbourne Tarrant Parish Council

Hurstbourne Tarrant Parish Council agree that a diversion is a very sensible suggestion under the circumstances.

The Ramblers

The Ramblers raise no objections to the proposed diversion.

The Open Spaces Society

The Open Spaces Society do not oppose this diversion.

## 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.

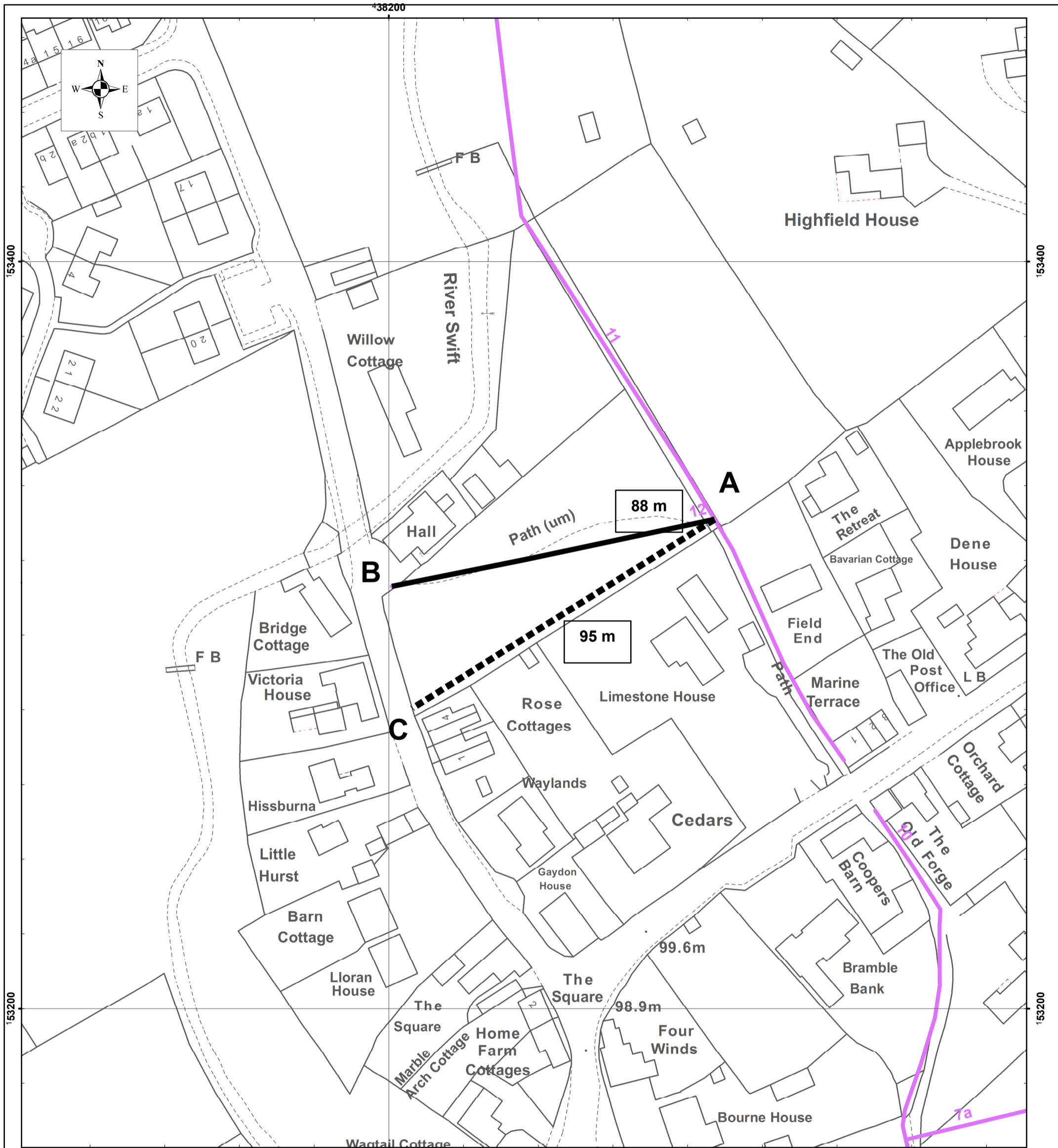
b) Environmental:

No impact identified.

# HAMPSHIRE COUNTY COUNCIL

MAP REFERRED TO IN

THE HAMPSHIRE (BOROUGH OF TEST VALLEY NO. 23) (PARISH OF HURSTBOURNE TARRANT  
 – PART OF FOOTPATH NO. 12) PUBLIC PATH DIVERSION AND DEFINITIVE MAP  
 AND STATEMENT MODIFICATION ORDER 2019



SCALE 1:1,000

LEGEND

FOOTPATH TO BE EXTINGUISHED:-

FOOTPATH TO BE ADDED :-

EXISTING FOOTPATH:-

MAP PRODUCED FROM DIGITAL DATA SUPPLIED BY ORDNANCE SURVEY

THE COMMON SEAL OF HAMPSHIRE COUNTY COUNCIL WAS HEREUNTO AFFIXED IN THE PRESENCE OF:-

.....AUTHORISED SIGNATORY  
 .....  
 DATE.....

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FELICITY ROE,  
 DIRECTOR OF CULTURE, COMMUNITIES AND BUSINESS SERVICES, WINCHESTER