

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker	Jonathan Woods – Countryside Access Group Manager
Title	Dedication of public footpath rights by Hampshire County Council and Gosport Borough Council – Bridgemary, Gosport

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1. The decision:

- 1.1. In 2006, a member of the public submitted an application to Hampshire County Council to have a route connecting Wych Lane and Nobes Avenue (as well as two spurs linking the route to Fisher Road) in Bridgemary, Gosport, as public footpaths, based on evidence of long use by the public without challenge. The routes in question run through land within the ownership of Hampshire County Council (HCC) and Gosport Borough Council (GBC).
- 1.2. The claimed routes are all recorded on the list of streets maintainable at public expense. Given this fact, when the claim was for investigation in 2016, rather than conduct further research, officers instead approached GBC and the Estates team within HCC to explore the possibility of a voluntary dedication of public rights. This course of action was subsequently agreed by both HCC (in May 2016) and GBC (June 2017). Through these discussions, it was also determined that other routes in the immediate vicinity, which are also recorded on the List of Streets (all of which are on GBC-owned land) should also be dedicated as public footpaths. The routes in question are shown on the plan included at Appendix 1.
- 1.3 It has therefore been determined that the claim for public footpath rights should be resolved through a voluntary dedication, through an agreement under Section 25 Highways Act 1980 between HCC (in its capacity as highway authority) and GBC, and through a deed of dedication under Section 1 Localism Act 2011 (for the section on HCC land).

2. Reason(s) for the decision:

- 2.1. A voluntary dedication of footpath rights by the relevant landowners results in a more efficient use of officer time (as opposed to a lengthy investigation in to the merits of the evidence put forward in support of the 2006 claim). The routes are already in daily use by the public, and so the dedication is simply a formalising of the current position, which also allows the routes to be recorded on the Definitive Map. All routes are already maintained at public expense – this position will remain unchanged.

3. Other options considered and rejected:

3.1. N/A

4. Conflicts of interest:

4.1. None – Hampshire County Council has consulted the Academy which runs the nearby Bridgemary School, and it has offered no objection to the proposals.

5. Dispensation granted by the Head of Paid Service:

5.1. N/A

6. Supporting information:

6.1. Appendix 1 – Plan showing proposed dedication.

Approved by:

Date:

_____ (signature)

Jonathan Woods – Countryside Access Group Leader

20/06/2017

**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: CR/976
Claim for public footpaths – Wych Lane,
Nobes Avenue and Fisher Road,
Bridgemary

Countryside Access Team
Castle Avenue
Winchester
SO23 8UL

IMPACT ASSESSMENTS:

1 Equalities Impact Assessment: N/A

2. Impact on Crime and Disorder: N/A – All routes are already in regular public use.

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