

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker	Jonathan Woods – Countryside Access Group Manager
Title	Dedication of public footpath rights at Top Field, Parish of Kings Worthy

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1. The decision:

- 1.1. Hampshire County Council has received an offer for the dedication of public footpath rights on land known as 'Top Field'. The offer has been made by Drew Smith Homes Ltd, which owns the land over which the routes run. The dedications will provide links to and between other footpaths recently recorded through diversion orders made by Winchester City Council (WCC) under Section 257 of the Town and Country Planning Act 1990. The routes to be dedicated, which are shown on the accompanying Location Map, will be dedicated under Section 25 Highways Act 1980, and will be 1.5 metres wide.
- 1.2. The diversion orders made by WCC realigned public rights that were due to be recorded by Hampshire County Council via a Definitive Map Modification Order (DMMO). Approval for the DMMO was given by the County Council's Regulatory Committee in October 2019, but the need to realign some of these routes to accommodate proposed development resulted in a diversion order being made by WCC (in its capacity as planning authority) in December 2019. This order was confirmed on 2 March 2020.
- 1.3. The alignment of the footpaths to be dedicated mirror some of the routes that were approved at the Regulatory Committee meeting of October 2019. Because the landowner was content to accommodate these routes through the development site there was no need for them to be included in WCC's diversion order, and the landowner has agreed to dedicate these routes voluntarily. The routes will therefore no longer need to be recorded via a DMMO (two other routes that sit outside the boundary of the development site will still need to be recorded by a DMMO in due course).
- 1.4. Since the dedications compliment the WCC orders by linking the diverted routes, and given the need to expedite the dedications so the completed network can be recorded on the definitive map as soon as possible, no fresh consultation has taken place. However, the proposals for the realignment of the claimed routes on the site were consulted upon by the landowner and WCC late in 2019 prior to the making of the s257 order, and no objections were submitted in respect of these proposals at the time.

2. Reason(s) for the decision:

- 2.1. The proposed dedications will contribute to the resolution of an outstanding application to record public footpath rights on Top Field, submitted by Kings Worthy Parish Council in 2018. Although authority was given for the making of an order to record these rights, the landowner has agreed to dedicate them voluntarily.
- 2.2. Although the dedications will be progressed under Section 25, through the provisions of a Memorandum of understanding between the County Council and WCC, the latter has undertaken to maintain the routes in perpetuity.

3. Other options considered and rejected:

- 3.1. N/A

4. Conflicts of interest:

- 4.1. N/A

5. Dispensation granted by the Head of Paid Service:

- 5.1. None

6. Supporting information:

- 6.1. Location Map

Approved by:

Date:

_____ (signature)

10/03/2020

Jonathan Woods – Countryside Access Group Leader

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

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.)

<u>Document</u>	<u>Location</u>
Reference: Dedication of public footpath rights at Top Field, Kings Worthy	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**