

## HAMPSHIRE COUNTY COUNCIL

### Officer Decision Record

<b>Decision Maker</b>	Jonathan Woods – Countryside Access Group Manager
<b>Title</b>	Proposal to make a Definitive Map Modification Order to correct the alignment of Steep Footpath 1

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#### **1. The decision:**

- 1.1. A recent investigation into the alignment of Steep Footpath 1 has revealed that the Definitive Map of Public Rights of Way is in error, and requires modification. A full report into the history of the path is appended to this decision record.
- 1.2. Officers have established that the alignment of the path currently recorded does not reflect that which was claimed by Steep Parish Council when the first Definitive Map was compiled in the 1950s.
- 1.3. In light of this information, and the fact that none of those consulted have objected to the proposal, the decision has therefore been made to make a Definitive Map Modification Order to correct the alignment of the path.

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

- 2.1. Under section 53 (2)(b) of the Wildlife and Countryside 1981, the County Council has a duty to keep the map and statement under continuous review, and make modifications to the map following the discovery of evidence that indicates this is necessary.

#### **3. Other options considered and rejected:**

- 3.1. The landowner had previously been advised that it would be necessary for them to apply for a diversion order under Section 119 of the Highways Act 1980, for which a charge would be levied. Given the discovery of the evidence that the map is in error, this course of action is now longer appropriate, as the County Council itself has a statutory duty to rectify the situation.

**4. Conflicts of interest:**

4.1. None.

**5. Dispensation granted by the Head of Paid Service:**

5.1. None.

**6. Supporting information:**

6.1. Appendix 1 – Officer Report

6.2. Appendix 2 – Plan

**Approved by:**

**Date:**

\_\_\_\_\_ (signature)

**13 October 2017**

**Jonathan Woods – Countryside Access Group Leader**

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

**CORPORATE OR LEGAL INFORMATION:**

**Links to the Corporate Strategy**

**OR**

**This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because: the County Council, in its capacity as ‘surveying authority’, has a legal duty to determine applications for Definitive Map Modification Orders made under s.53 Wildlife and Countryside Act 1981.**

**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:  
Case File – Steep Footpath 1

Countryside Access Team  
Castle Avenue  
Winchester  
SO23 8UL

## **IMPACT ASSESSMENTS:**

**This report does not require impact assessment but, nevertheless, requires a decision because the County Council, in its capacity as the 'surveying authority', has a legal duty to determine applications for Definitive Map Modification Orders made under s.53 Wildlife and Countryside Act 1981.**