

## HAMPSHIRE COUNTY COUNCIL

### Officer Decision Record

<b>Decision Maker</b>	Jonathan Woods – Countryside Access Group Manager
<b>Title</b>	Application for a Map Modification Order to record a public footpath between Garnier Road and Five Bridges Road, Winchester
<b>Reference</b>	CR/999

**Tel:** 01962 846044

**Email:** [harry.goodchild@hants.gov.uk](mailto:harry.goodchild@hants.gov.uk)

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

- 1.1. This is an application, made by a member of the public in 2007, under Section 53 of the Wildlife and Countryside Act 1981. The application seeks to record a public footpath over St Catherine's Hill, running between Garnier Road and Five Bridges Road, Winchester.
- 1.2. It is considered that the documentary and user evidence reviewed is insufficient for it to be inferred that, on the balance of probabilities, the public has acquired a right of way on the claimed route, and it recommended that the application be refused.

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

- 2.1. Hampshire County Council has a duty to determine applications made under Section 53(5) Wildlife and Countryside Act 1981. An analysis of documentary and user evidence (set out in the accompanying background report) indicates that, on the balance of probability, the public has not acquired a right of way over the claimed route.

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

- 3.1. N/A

#### **4. Conflicts of interest:**

- 4.1. None.

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

5.1. N/A

**6. Supporting information:**

6.1. Full Officer Report

6.2. Location Map

6.3. User Evidence Chart

**Approved by:**

**Date:**

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

**20 November 2017**

**Jonathan Woods – Countryside Access Group Leader**

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

**CORPORATE OR LEGAL INFORMATION:**

## Links to the Corporate Strategy

<b>Hampshire safer and more secure for all:</b>	yes/no
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes/no
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes/no
Corporate Improvement plan link number (if appropriate):	
<b>OR</b>	
<p><b>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.</b></p>	

### **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

Claim Reference: CR/999

Location

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

**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.**