

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	Jonathan Woods – Countryside Strategic Manager
Date:	14 April 2025
Title:	Application for a Definitive Map Modification Order to record a restricted byway from Vinnells Lane to Petersfield Road Parish of West Meon
Reference:	DMMO 1257
Contact name:	Bev Harding-Rennie, Definitive Map Officer
Email:	bev.harding-rennie@hants.gov.uk

1. The decision:

- That authority be given for the making of a Definitive Map Modification Order to record a byway open to all traffic (BOAT) with a variable width of 4.5 -14 metres, as shown between Points A, B and C on the attached plan, in consequence of events specified in section 53(3)(c)(i) of the Wildlife and Countryside Act 1981.
- That the Order be confirmed as an unopposed Order if no objections or representations are received, on the basis that the Council is satisfied that the Order should be confirmed on the balance of probabilities; or, if objections or representations to the Order are received that they be submitted to the Secretary of State with a request that the Order be confirmed, subject to any additional evidence that comes to light as a result of this process.

2. Reason(s) for the decision:

- This application was made by a representative of the British Horse Society in 2019, under Section 53 of the Wildlife and Countryside Act 1981, to record a restricted byway in the parish of West Meon. The application is supported by historic documentary evidence that the Applicant believes demonstrates that a public right of way should be recorded.
- Notwithstanding the fact that the application sought to record a restricted byway, having reviewed the evidence submitted with the application, undertaken additional research, and evaluated the provisions of the Natural Environment and Rural Communities Act (2006) and the character of the route, it is considered that the appropriate status to be recorded is byway open to all traffic (BOAT).

3. Other options considered and rejected/Further information:

None

4. Conflicts of interest:

None

5. Dispensation granted by the Head of Paid Service:

N/A

Supporting information:

- Full Officer Report
- Appendix 1 – Location Plan
- Appendix 2 – Documentary Evidence

Approved by:

Date: 14 April 2025

Jonathan Woods – Countryside Strategic Manager

On behalf of the Director of Universal Services

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

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.)

<u>Document</u>	<u>Location</u>
Application Reference: DMMO 1257 (West Meon)	<i>Countryside Access Team Universal Services The Castle Winchester Hampshire SO23 8UD</i>

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

Hampshire County Council declared a climate change emergency on 17 June 2019 and a Climate Change Strategy and Action Plan has since been adopted. The County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear,

robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.

The legislative framework for Definitive Map Modification Orders does not enable the decision maker to take into account any environmental concerns relating to an application and a climate change impact assessment has therefore not been carried out in relation to this application. The Countryside Access Team strives to reduce their environmental impact wherever possible.