

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	Jonathan Woods
Title:	Amport Footpath No. 23 and Thruxton Footpath No. 6 – Diversion Order

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1. The decision:

- 1.1. That an Order to divert Amport Footpath No. 23 and Thruxton Footpath No. 6 is made under Section 119 of the Highways Act.

2. Reason(s) for the decision:

- 2.1. The land owner has applied for a diversion to correct a long standing anomaly which has seen the definitive lines obstructed for a number of decades.
- 2.2. The Area Countryside Access Manager has indicated that they are happy with the proposed routes which are not considered to be substantially less convenient to the user.
- 2.3. Proposed Alignment of Thruxton Footpath 6 commences at Point A through a gate into field and proceeds south eastward then south westward around the field edge to a gate at the parish boundary.
- 2.4. Proposed Alignment of Amport Footpath 23 continues at a junction with Thruxton Footpath 6 at the parish boundary and proceeds south eastward then south westward to a gate at Point C, then continues south eastward, along a track for 228 metres before bearing east to re-join footpath 23.
- 2.5. The proposed routes will vary in widths with a minimum of 2 metres and will have variable surfaces.
- 2.6. Officers consider it would be expedient to divert these footpaths in the interest of the user, as well as the land owner, whilst correcting a long-standing issue on the definitive paths, with the least expense on the public purse.

3. Other options considered and rejected:

Not applicable.

4. Conflicts of interest:

Not applicable.

5. Dispensation granted by the Head of Paid Service:

Not applicable.

6. Supporting information:

6.1. Appendix A – Consultees

6.2. Appendix B – Impact Assessment

6.3. Appendix C - Plan

<p>Approved by:</p> <p>Jonathan Woods Countryside Access Group Manager</p>	<p>Date:</p> <p>18 October 2018</p>
<p>On behalf of the Director of Culture, Communities and Business Services</p>	

Consultations with Other Bodies:

Test Valley Borough Council

Test Valley Borough has been consulted on this diversion, but has made no comment.

Local Member – Councillor Zillah Brooks

Councillor Zillah Brooks has been consulted on this diversion, but has made no comment.

Amport Parish Council

Amport Parish Council has been consulted on this diversion, but has made no comment.

Amport Footpath Warden

The proposed diversion makes eminent sense and we would certainly support the proposal.

Area Countryside Access Manager

The Area Countryside Access Manager is supportive of this proposal.

The Ramblers

Andover Ramblers fully supports the proposed diversions of Amport 23 and Thruxton 6. It will correct a longstanding anomaly and make the rights of way much more usable.

The Open Spaces Society

Do not object to this proposal.

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

1) Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

In determining this application, the County Council is exercising its functions as the highway authority and as such must give due consideration to the statutory tests set out in s119 Highways Act 1980. These statutory tests have to be considered in conjunction with the over-arching duty of s149 Equalities Act. The proposed route is no more or less convenient than the existing route.

2. Impact on Crime and Disorder:

2.1. It is unlikely that this proposal will have any impact on reported crime in this area.

3. Climate Change:

a) **How does what is being proposed impact on our carbon footprint / energy consumption?**

No impact identified.

b) Environmental: The proposed change will have an improved route with a good link to the network.