

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

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|------------------------|---------------------------------------|
| Decision Maker: | Jonathan Woods |
| Title: | Greatham Footpath 9 – Diversion Order |

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1. The decision:

- 1.1. That an Order to divert part of Greatham Footpath 9, made under Section 119 Highways Act is made by Countryside Access Group Manager.

2. Reason(s) for the decision:

- 2.1. Officers consider that it is expedient to divert part of this footpath in the interest of the landowner for safety, security and privacy reasons. The current line of Footpath 9 commences at a junction with Petersfield Road, (A325) Point A on the order plan, and proceeds over a stile in a north-westerly direction, along a small section of tarmac drive, up a short slope and continuing along a narrow, uneven path closed between hedging and fencing, along field edge to re-join Footpath 9 at Point B on the order plan.
- 2.2. The proposed diversion route also commences at a junction with Petersfield Road, (A325) Point C on the order plan, and proceeds in a north-westerly direction along a 2.5 metre grass surfaced field edge path, with established hedging to the west and stock fencing to the east, to Point C on the order plan.
- 2.3. The application has been submitted by the land owner, in their interest to move the route off the shared access drive, but it will benefit the user by the proposed route being traffic free, but also a more accessible route, with no stiles or gates and it will be a more direct route.
- 2.4. Officers consider it would be expedient to divert this footpath in the interest of the land owner and the user, providing a safer, more assessable route than what is currently on the ground.

3. Other options considered and rejected:

- 3.1. Not applicable.

4. Conflicts of interest:

4.1. Not applicable.

5. Dispensation granted by the Head of Paid Service:

Not applicable.

6. Supporting information:

6.1. None

Approved by: Jonathan Woods Countryside Access Date: 5 November 2018
Group Manager

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

Consultations with Other Bodies:

East Hants District Council

East Hants District Council have been consulted but made no comment on this diversion.

Local Member – Councillor Oppenheimer

Councillor Oppenheimer commented that the diversion seems fine to him, not a massive diversion.

Greatham Parish Council

Greatham Parish Council considered the issue of diverting this footpath at their meeting on 4th June and resolved to support the landowner's request. The Council believe that the new proposed route, next to Hill View Cottages, provides better access and views and the footpath will be wider than the current one.

Area Countryside Access Manager

The Area Countryside Access Manager has been consulted on this proposal.

The Ramblers

The Ramblers find this proposal "very acceptable in its positioning". Their only concern is the maintenance involved in cutting back the hedge.

The Open Spaces Society

The Open Spaces Society have no objects to this application.

L'Abri Fellowship

The L'Abri Fellowship support this application.

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:

No impact identified.