

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	Jonathan Woods
Title:	Kings Somborne Footpaths 3 & 4 – Diversion Order

Tel: 01962 847096

Email: tara.pothecary@hants.gov.uk

1. The decision:

- 1.1. That an Order to divert part of Kings Somborne Footpaths 3 & 4, 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 parts of these footpaths in the interest of the landowner for security and privacy reasons. The current line of Footpath 3 runs across arable land and joins Footpath 4 which proceeds through Upper Eldon Farm.
- 2.2. The proposed routes of Footpaths 3 & 4 are currently used on a permissive basis, the alignments of these routes are not considered to be substantially less convenient to the public than the existing routes. The new routes are more direct, 60 metres shorter.
- 2.3. The proposed diversion of Footpath 4 would be traffic free and could enhance the enjoyment of the route for some, as the feeling of intrusion by walking through a private setting will be removed.

3. Other options considered and rejected:

- 3.1. Not applicable.

3.2. Conflicts of interest:

- 4.1. Not applicable.

4. Dispensation granted by the Head of Paid Service:

4.1. Not applicable.

5. Supporting information:

5.1. None

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

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

Consultations with Other Bodies:

Test Valley Borough Council

Test Valley Borough Council have no objects to this diversion.

Local Member – Councillor Gibson

Councillor Gibson is aware of this proposal.

Kings Somborne Parish Council

Kings Somborne Parish Council has no problem with what is being proposed.

Area Countryside Access Manager

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

The Ramblers

The Ramblers have been consulted, but have not made any comment.

The Open Spaces Society

The Open Spaces Society have been consulted, but have not made any comment.

Compton Manor Estate

Compton Manor Estate agree 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:

No impact identified.