

HAMPSHIRE COUNTY COUNCIL
Officer Decision Record

Decision Maker:	Jonathan Woods
Title:	East Woodhay Footpath 26 and East Woodhay Bridleway 27 – Diversion Orders

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1. The decision:

1.1 That an Order is made under Section 119 Highways Act 1980, to divert parts of East Woodhay Footpath 26 and East Woodhay Bridleway 27.

2. Reason(s) for the decision:

2.1 Officers consider it necessary to divert part of East Woodhay Footpath 26 in the interest of safety of the user. The line of East Woodhay Bridleway 27 is no longer reflects what is used on the ground, and therefore officers consider it expedient to divert on the grounds of convenience to the user.

3. Background

3.1 A section of Footpath 26 runs close to a disused chalk pit which has eroded away. Following a site visit from a Geotechnics Engineer the recommendation was to re-route the footpath as far from the pit as is possible. Point A on the plan attached shows where the path has eroded away.

3.2 As part of this diversion the landowner has asked if the County Council could consider a diversion on the southern section of East Woodhay 26, rerouting the path round the edge of his field (see Point D to F on the attached plan).

3.3 Part of Bridleway 27 is no longer in regular use, and for a number of years users have instead used a route just south of the definitive line. This being the case it is considered that expedient to divert this section of the bridleway to reflect what is being used on the ground.

4. Other options considered and rejected: Not applicable.

5. Conflicts of interest: Not applicable.

6. Supporting information: None

**Approved by: Jonathan Woods Countryside Access
Group Manager**

Date:

29 October 2019

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

Appendix A

Consultations with Other Bodies:

Basingstoke and Deane Borough Council

Basingstoke and Deane Borough Council have been consulted on this proposal but made no comment.

Local Member – Councillor Thacker

Councillor Thacker is happy to support both changes to the network.

East Woodhay Parish Council

East Woodhay Parish Council are not in agreement of the change to move the footpath in section F-D as they feel this will deprive the public of a great view.

Area Countryside Access Manager

The Area Countryside Access Manager is supportive of this proposal.

The Ramblers

The Ramblers have not objected to this proposal.

The Open Spaces Society

The Open Spaces Society made no comment on this application.

The British Horse Society

The BHS have been consulted on this proposal but have not made any comment.

Cycling UK Off-Road

Cycling UK agreed that it seems prudent to divert FP 26 away from the chalk pit and they have no objection to the realignment so that it accords with the actual usage.

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.