

# HAMPSHIRE COUNTY COUNCIL

## Officer Decision Record

<b>Decision Maker</b>	Jonathan Woods - Access Group Manager
<b>Title</b>	Creation Order adding public bridleways in the parishes of Botley and Hedge End

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### 1. **The decision**

- 1.1 That the Access Group Manager approves the creation of a Bridleway from the junction of Botley Bridleway 6c and Hedge End Footpath 6c to U521 Shamblehurst Lane South; and a Bridleway from U521 Shamblehurst Lane South to B3442 Tollbar Way, in the parishes of Botley and Hedge End.
- 1.3 That the Access Group Manager gives approval for the proposal to create a bridleway to be incorporated into the highway network under Section 26 of the Highways Act 1980.

### 2. **Reason(s) for the decision**

- 2.1 The Bridleways are already on the List of Streets as Maunsell Way Bridleway and Shamblehurst Lane Bridleway. The Bridleways were established on the ground when the housing estate was developed but have not been added to the Definitive Map. Adding the Bridleway from Botley Bridleway 6c to Shamblehurst Lane South will also resolve an anomaly where Botley Bridleway 6c currently meets with a footpath.
- 2.2 The land over which the proposed Bridleways are located is owned by Eastleigh Borough Council, Hedge End Town Council, Persimmon Homes, and Taylor Wimpey. It is deemed that the most expedient route for adding the routes to the Definitive Map is through a Creation Order under s26 Highways Act. The proposed Bridleways are to be created with a width of 3 metres.

### 3. **Background to the decision:**

- 3.1 We have consulted with the Landowners, Local Councils, Ramblers, British Horse Society, and Hampshire Rights of Way Improvement Trust.

3.2 There is a risk that someone with interest in the land, could, in response to the County Council making a Creation Order under Section 26 Highways Act, make a claim for compensation, however, we have not received any objections to the proposed creation of the Bridleways. If we do receive a claim for compensation, a further decision will be made as to whether to rescind the order. Following the creation of the routes the Countryside Service will take on the ongoing maintenance of the routes.

3.3 We have received a comment from Hedge End Town Council who have asked questions including in relation to the vehicle restriction gate at Shamblehurst Lane. The Area Countryside Access Manager has confirmed once added to the Definitive Map, that the Area Team will survey the routes, implement any necessary works to bring the paths into a fit condition for public use as a Bridleway, and resolve any issues in relation to limitations.

**4. Other options considered and rejected**

4.1 We have also considered a Definitive Map Modification Order and Creation Agreement; however, a Creation Order is deemed most appropriate in consideration that none of the effected landowners have raised an objection to the proposed order.

**5 Conflicts of interest:**

5.1 None.

**6 Dispensation granted by Head of Paid Service:**

6.1 N/A.

**7 Dispensation granted by the Head of Paid Service:**

7.1 N/A.

**8 Supporting information:**

8.1 Draft Order Plans x2.

**Approved by:**

**Date:**

**17 March 2020**

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**Jonathan Woods – Access Group Manager**

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

**CORPORATE OR LEGAL INFORMATION:**

**Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes/no
Corporate Improvement plan link number (if appropriate): yes	
<b>Maximising well-being:</b>	yes/no
Corporate Improvement plan link number (if appropriate): yes	
<b>Enhancing our quality of place:</b>	yes/no
Corporate Improvement plan link number (if appropriate): yes	

**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.)**

Document

Location

N/A

## **IMPACT ASSESSMENTS:**

**1 Equalities Impact Assessment: Yes**

**2. Impact on Crime and Disorder: Yes**

**3. Climate Change:**

How does what is being proposed impact on our carbon footprint / energy consumption? The decision to create the Bridleways supports our commitment to active travel.

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? The decision to create the Bridleways supports our commitment to active travel.