

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker	Jonathan Woods – 01962 840043
Title	Application for a Definitive Map Modification Order to record public Footpath in Greatham and Whitehill
Reference	DMMO 1012

Tel: 01962 840043

Email: ben.marsh@hants.gov.uk

1. The decision:

- 1.1 This is an application made by two residents of Greatham in 2008 under Section 53 of the Wildlife and Countryside Act 1981, to record a Footpath from Wolfemere Lane to a track in copse to the south of Longmoor Road. The application is supported by user evidence which the Applicant believes sufficiently demonstrates that a public right of way should be recorded.
- 1.2 Having considered the supporting evidence and taken additional research of historical documentary evidence into account, it is deemed that there are insufficient grounds to record the route on the Definitive Map as a public right of way. It is therefore recommended that the application be refused.

2. Reason(s) for the decision:

- 2.1 Hampshire County Council has a duty to determine applications made under Section 53(5) Wildlife and Countryside Act 1981.
- 2.2 An analysis of the user evidence set out in the accompanying background report concludes, on the balance of probabilities, that the public have not acquired a public right of way over the claimed route.

3. Other options considered and rejected:

- 3.1. N/A

4. Conflicts of interest:

4.1. None.

5. Dispensation granted by the Head of Paid Service:

5.1. N/A

6. Supporting information:

6.1. Background Report

6.2. Location Map

6.3. User evidence summary chart

Approved by:

Date:

23 June 2020

Jonathan Woods – 7 ci b f n g] X Y G h U h [J W A U b U [Y f

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

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	yes/no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes/no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes/no
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because: the County Council, in its capacity as ‘surveying authority’, has a legal duty to determine applications for Definitive Map Modification Orders made under s.53 Wildlife and Countryside Act 1981.	

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

Claim Reference: CR/1004

Location

Countryside Access Team
Castle Avenue
Winchester
SO23 8UL

IMPACT ASSESSMENTS:

1 Equalities Impact Assessment: N/A

2. Impact on Crime and Disorder: N/A

3. Climate Change:

How does what is being proposed impact on our carbon footprint / energy consumption? N/A

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? N/A

This report does not require impact assessment but, nevertheless, requires a decision because the County Council, in its capacity as the 'surveying authority', has a legal duty to determine applications for Definitive Map Modification Orders made under s.53 Wildlife and Countryside Act 1981.