

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	<i>Felicity Roe</i>
Title:	Extinguishment of public bridleway rights between Woodhouse Lane and Billington Gardens, Hedge End (Hedge End Bridleway 6C)

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1. The decision:

- 1.1. That an Order to extinguish Hedge End Bridleway 6C, made under Section 258 Town & Country Planning Act 1990 (TCPA 1990) is made by Countryside Access Group Manager.
- 1.2. Delegated authority is given to the Chief Officer with responsibility for this subject area, i.e. Director of CCBS, under the "Town and Country Planning and Development Control exercisable by the County Council, as specified in Schedule 1, Part A of the Functions Regulations" (Constitution Part 2, Chapter 2, Para 1, Table 1).

2. Reason(s) for the decision:

- 2.1. The decision is required to progress the sale of land, held for planning purposes, which secured planning permission on 9th September 2019.
- 2.2. The decision supports delivery of the Uplands Development Infrastructure (UDI) project which supports the delivery of all three of the wider capital funded Botley projects; that is, the first phase of the Botley Bypass, the new Deer Park secondary school and the disposal of land for the development of 605 residential dwellings on the land west of Woodhouse Lane.
- 2.3. An application was previously made by Hampshire County Council to Eastleigh Borough Council for an Order under Section 257 TCPA 1990, for the diversion of Bridleway 6C between points A and B on the attached plan, as is affected by the proposed development granted planning permission. The Order was made on 23rd August 2019.
- 2.4. Objections to the Order were received from two user groups, the British Horse Society (BHS) and Eastleigh Ramblers Association (ERA), despite prior consultation through the planning application process and discussions were held with the respective parties to more fully understand their concerns such that the necessary changes could be made. Subsequently the objection

from the BHS was withdrawn however the ERA objection remained unresolved.

2.5. The County Council now proposes to use powers afforded it under Section 258 TCPA 1990, for the extinguishment of part of Bridleway 6C between points A and B on the attached plan, with the later creation of a new bridleway to the northern edge of the development site (shown on the attached plan as points ACDB). This later creation is secured in the development planning obligations and is to be delivered by Countryside Services upon receipt of the secured funds from respective phases of development.

2.6. The land over which Bridleway 6C runs was appropriated for planning purposes on 5th March 2020 and the creation of an alternative bridleway route at a later date (in lieu of the route being extinguished by the Order) is secured in the planning obligations; these are the only pre-requisites for utilising S258 TCPA 1990.

2.7. In line with Countryside Services standard practice, notice will be served on affected user groups and utilities companies prior to making the Order.

Approved by:



Felicity Roe
Director of Culture, Communities
and Business Services

Date:

09 October 2020

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes/no
People in Hampshire live safe, healthy and independent lives:	yes/∅
People in Hampshire enjoy a rich and diverse environment:	yes/∅
People in Hampshire enjoy being part of strong, inclusive communities:	yes/∅

Other Significant Links

Links to previous Member decisions:	
<u>Title</u> Executive Member for Policy and Resources – Strategic Land Update.	<u>Date</u> 8 March 2019

Section 100 D - Local Government Act 1972 - background documents

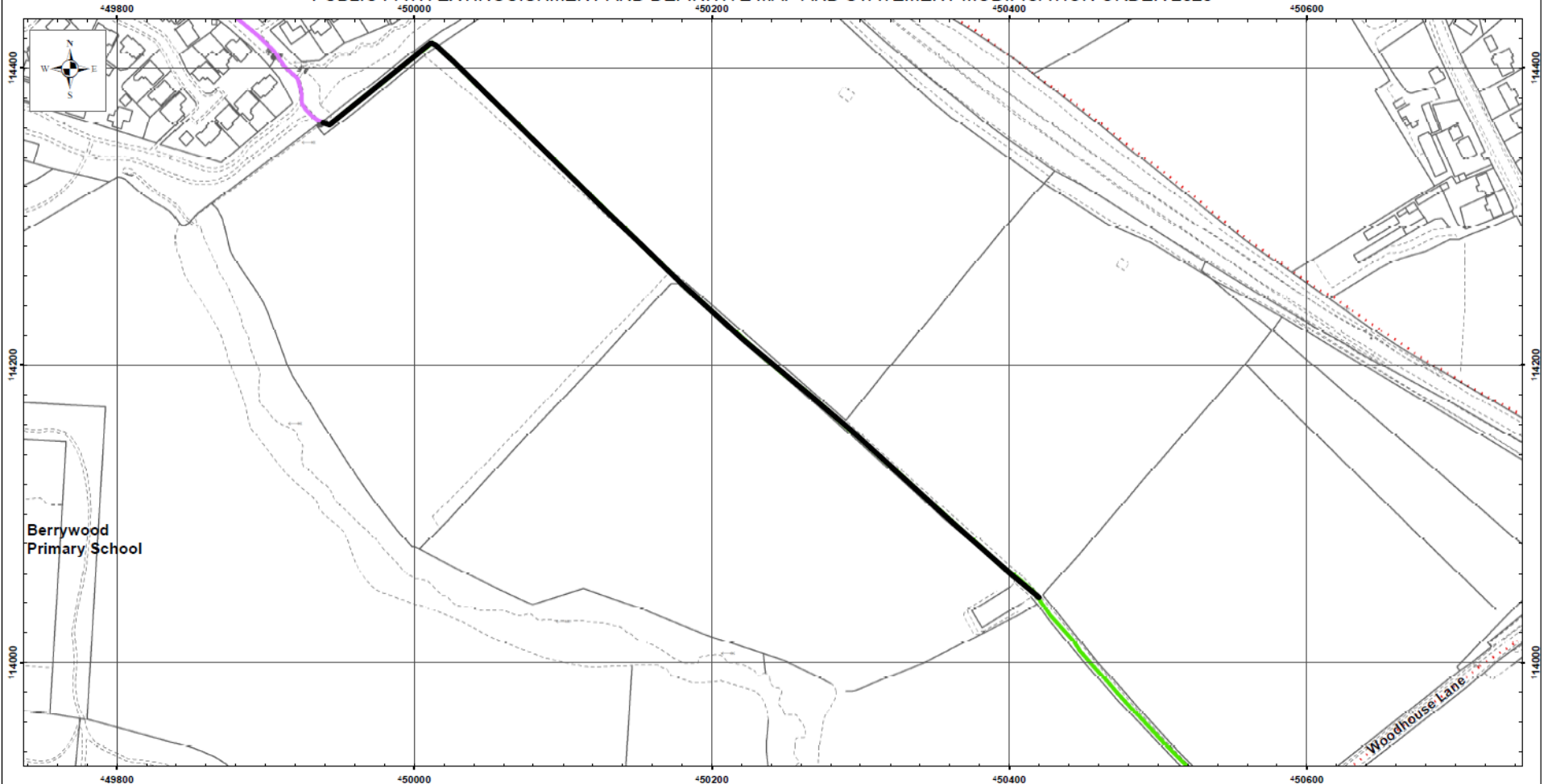
The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

HAMPSHIRE COUNTY COUNCIL

MAP REFERRED TO IN
THE HAMPSHIRE (EASTLEIGH BOROUGH NO. 5)
(PARISH OF HEDGE END - PART OF BRIDLEWAY 6C)

PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2020





SCALE 1:2,500

LEGEND

BRIDLEWAY TO BE STOPPED UP:- 

EXISTING BRIDLEWAY
TO BE RETAINED:- 

PUBLIC FOOTPATH :- 

PARISH BOUNDARY:- 

MAP No.474 PRODUCED FROM DIGITAL DATA
SUPPLIED BY ORDNANCE SURVEY

THE COMMON SEAL OF HAMPSHIRE COUNTY
COUNCIL WAS HEREUNTO AFFIXED IN THE
PRESENCE OF:-

..... AUTHORIZED
..... SIGNATORY

DATE.....

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HCC LICENCE No.100019180 DATE (03.09.20)

FELICITY ROE,
DIRECTOR OF CULTURE, COMMUNITIES
AND BUSINESS SERVICES, WINCHESTER