

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	Jonathan Woods
Title:	Selborne Bridleway No 24 – Diversion Order and Dedication (revised route)

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1. The decision:

- 1.1. That an Order to divert part of Selborne Bridleway No. 24, made under Section 119 Highways Act is agreed by Countryside Access Group Manager.
- 1.2. In addition to the diversion, Hampshire County Council has received an offer for the dedication of public footpath rights by Mr Michael Boyson, which will record public rights on a route that has been used by the public as a result of the definitive line of Selborne Footpath 13 current terminus being unavailable and unsafe. (see plan). As such, the proposed dedication will simply formalise current public use, and ensure that the newly recorded route is maintained by the County Council. It is intended that this matter is progressed via the Scheme of Authorisation, following which the dedication will be formalised by an agreement between the landowner and the County Council, under Section 25 Highways Act 1980.

2. Reason(s) for the decision:

- 2.1. Officers consider that it is expedient to divert this bridleway in the interests of the landowner. Diverting the route will remove the rights off what is also the access to their property, improving security, privacy and safety.
- 2.2. It is not considered to be substantially less convenient to the public than the existing route. It benefits the users as it is traffic free and a safer option.

3. Other options considered and rejected:

- 3.1. Not applicable.

4. Conflicts of interest:

4.1. Conflict of interest declared by an Executive Member who is consulted by the officer which relates to the decision:

Not applicable.

5. Dispensation granted by the Head of Paid Service:

5.1 Not applicable.

6. Supporting information:

6.1. Appendix A – Consulting Bodies

6.2. Appendix B – Impact Assessment

6.3. Appendix C - Plan

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

Date:

21 May 2018

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

Consultations with Other Bodies:

East Hants District Council

EHDC have made no comment on this proposal.

Local Member – Councillor Kemp-Gee

Councillor Kemp-Gee supports this proposal.

Selborne Parish Council

Selborne Parish Council decided they have no need to comment on this proposal.

Area Countryside Access Manager

The Area Countryside Access Manager has been consulted on this proposal and has visited the site. He is in support of this diversion.

The Ramblers

The Ramblers do not object to the proposal.

The Open Spaces Society

The OSS has accepted this proposal.

The British Horse Society

The BHS require a width of 3.5 metres with a surface that is non slip, well drained, free from sharp edged stones and with adequate bearing capacity the BHS can see no objection to the diversion.

CTC Hampshire Cycling

The CTC do not object 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: The proposed change means that users will no longer be sharing the route with vehicles which is a safer option.