

## HAMPSHIRE COUNTY COUNCIL

### Officer Decision Record

<b>Decision Maker</b>	Jonathan Woods – Countryside Access Group Manager
<b>Title</b>	Creation of public footpath rights between Medstead Footpath 21 and Ropley BOAT 40, Parish of Bighton

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#### **1. The decision:**

- 1.1. Following discussions with the owner of Old Soldridge Farm in Medstead, Hampshire County Council proposes to make a creation order under Section 26 of the Highways Act 1980 to record public footpath rights between Medstead Footpath 21 and Ropley Byway Open to All Traffic 40 (as shown on the attached map). Historical Ordnance Survey maps indicate that until at least the early part of the 20th century, there was no continuous through route linking these two rights of way, and although the line of Footpath 21 was claimed by Medstead parish prior to the publication of the first definitive map, no continuation was claimed in Bighton. However, a well-established route has been in use for a number of years.
- 1.2 It was originally intended that this anomaly should be addressed via a voluntary dedication by the landowner (under Section 25 HA 1980), but although they are amenable to the proposal, the land within their ownership is not registered, thus making it difficult for the owner to prove title. As a result, it is considered that it will be easier for the County Council to create the rights via a legal order. The landowner has confirmed that they are agreeable to this approach. An alternative option of recording the route via a Definitive Map Modification Order (based on evidence of long use) is considered to be a less efficient mechanism than an Order under Section 26.
- 1.3 East Hampshire District Council, Ropley, Medstead and Bighton parish councils, and user groups have been consulted on the proposal. No objections have been received.

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

- 2.1. The creation of footpath rights through Section 26 will address a long-standing anomaly on the Definitive Map, and in light of the issues mentioned above, is considered to be the most efficient means of recording the route.

**3. Other options considered and rejected:**

3.1. As discussed at 1.2.

**4. Conflicts of interest:**

4.1. N/A

**5. Dispensation granted by the Head of Paid Service:**

5.1. None

**6. Supporting information:**

6.1. Consultation plan

**Approved by:**

**Date:**

\_\_\_\_\_ (signature)

**21 May 2018**

**Jonathan Woods – Countryside Access Group Leader**

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**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>	No
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	No
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	No
Corporate Improvement plan link number (if appropriate):	

**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

Reference: Case File – Creation of footpath, Old Soldridge Farm, Bighton

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**