

HAMPSHIRE COUNTY COUNCIL
Officer Decision Record

Decision Maker:	Jonathan Woods
Title:	Application for a Temporary Public Path Diversion Order for part of Footpath 3 in the Parish of Romsey Extra

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1. The decision:

1.1 That an Order is made under Section 257 of the Town and Country Planning Act 1990, to temporarily divert part of Romsey Extra Footpath No.3.

2. Reason(s) for the decision:

2.1 Hampshire County Council has received an application from Raymond Brown Quarry Products Limited to temporarily divert Romsey Extra Footpath 3 for a period not exceeding 4 years.

2.2 The application is made under sections 257 and 261 of the Town and Country Planning Act 1990 to enable mineral extraction from the site.

3. Legal Framework:

3.1 Temporary diversions of footpaths and bridleways may be made under Sections 257 and 261 of the Town and Country Planning Act 1990 (TCPA) where a planning authority are satisfied that an order made by them for the stopping up or diversion of a footpath is required for the purpose of enabling minerals to be worked by surface working and that the footpath can be restored, after the minerals have been worked to a condition not substantially less convenient to the public.

4. Background

4.1 The applicants were granted planning permission in 2010 (planning permission no:07/02771/CMAS), and subsequently applied for the temporary diversion of Footpath 3 at that time. Since then the route has been temporarily re-routed around the edge of the field through which it ran. This original temporary diversion has expired, and as the definitive line of the footpath runs through the 2 phases of the quarry that have not been fully restored (still operated under Quarry Regulations)

it is therefore not safe to have the footpath reopened on the definitive route at this time.

4.2 The quarry was granted temporary planning consent until 31st January 2024 and this fresh application for a temporary diversion would result in the route being resituated on the former diversion route for a further period of 4 years, in line with the extant permission.

4.3 After 31st January 2024 the route will be fully restored and reopened on the definitive line unless a further application is made to divert the route (either on a permanent or temporary basis).

4. **Other options considered and rejected:** Not applicable.
5. **Conflicts of interest:** Not applicable.
6. **Dispensation granted by the Head of Paid Service:** Not applicable.
7. **Supporting information:** None

Approved by: Jonathan Woods Strategic Manager Date:
Countryside

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

Appendix A

Consultations with Other Bodies:

Test Valley Borough Council

Test Valley Borough Council were consulted on this proposal and made no comment.

Local Member – Councillor Perry

Councillor Perry was consulted on this proposal and has no objection.

Romsey Extra Parish Council

Romsey Extra Parish Council considered this application for the temporary diversion of footpath 3 at its meeting on 11 February and “resolved” to have No Objection.

The Ramblers

The Ramblers were consulted on this proposal and made no comment.

The Open Spaces Society

The Open Spaces Society have been consulted and have raised no objection to the 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 must be considered in conjunction with the overarching duty of s149 Equalities Act. The proposed route is not considered to be substantially 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?**

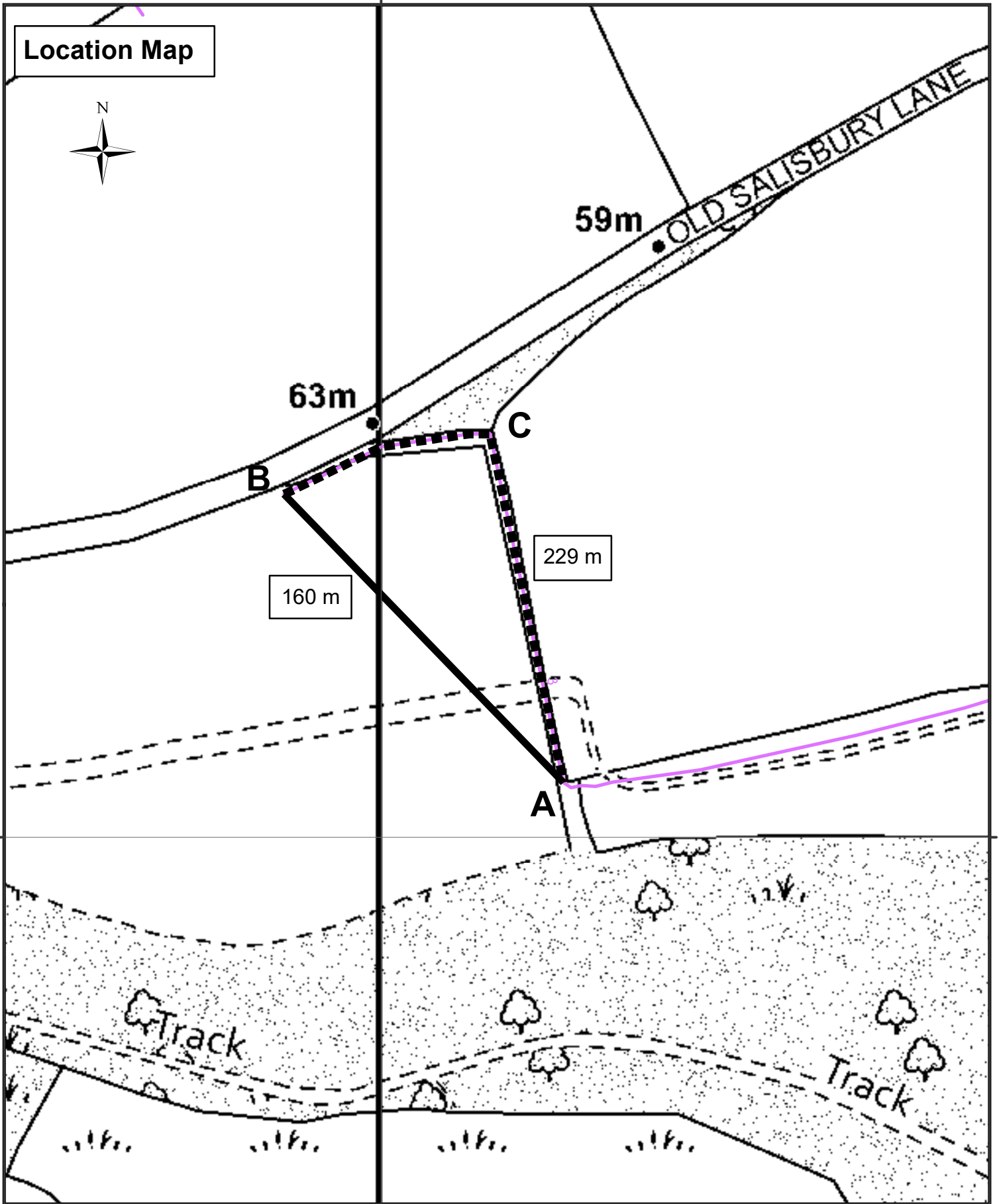
No impact identified.

b) Environmental:

No impact identified.

433000

Location Map






433000



Hampshire County Council

**Application for a Temporary Public Path Diversion
Order for part of Romsey Extra Footpath 3**

LEGEND

-  Public Footpath
-  Footpath to be Extinguished
-  Footpath to be Added

Countryside Access Team
Culture, Communities &
Business Services
Castle Avenue
Winchester, SO23 8UL

1:2,000

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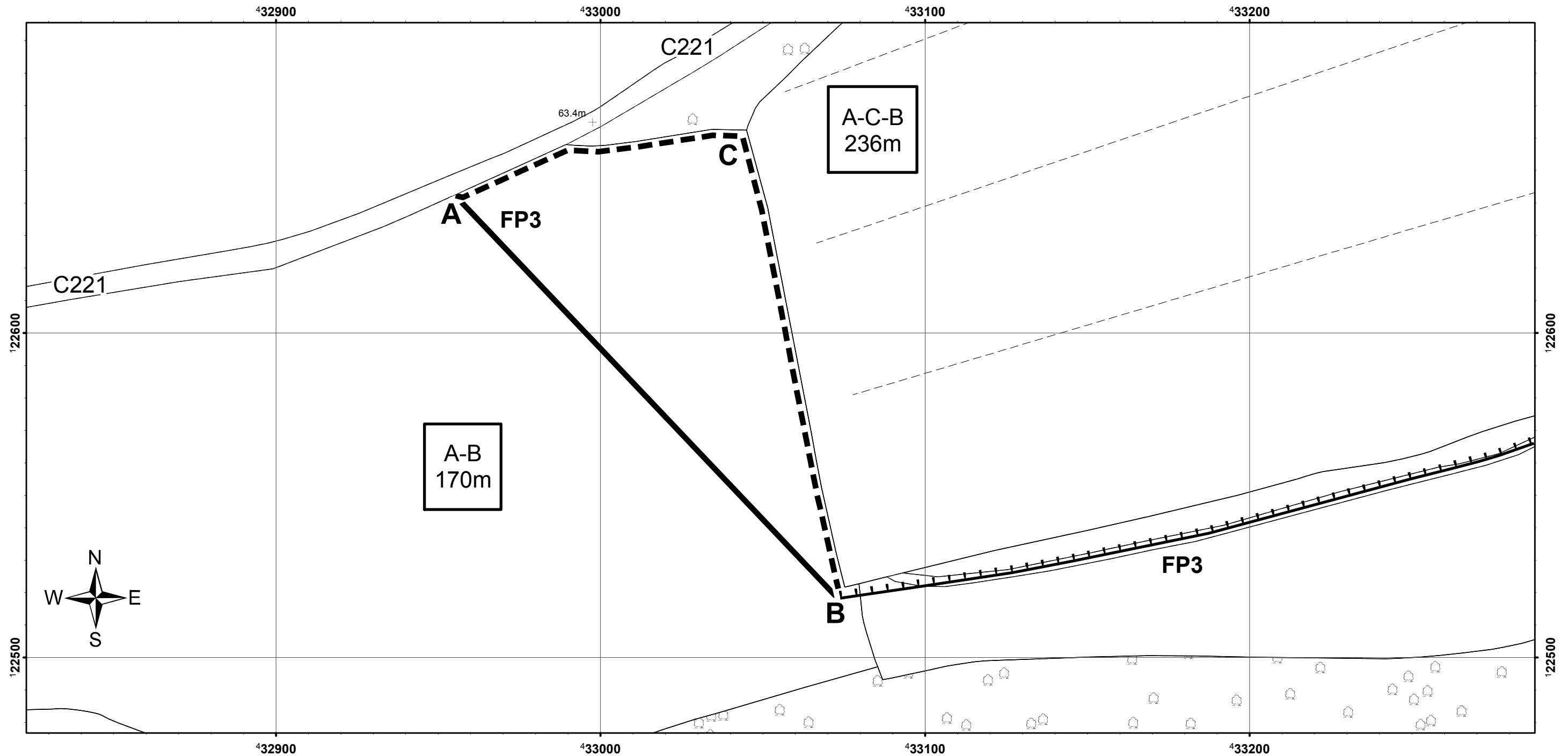
HAMPSHIRE COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990, SECTIONS 257 & 261

WILDLIFE AND COUNTRYSIDE ACT 1981

MAP REFERRED TO IN THE HAMPSHIRE

(TEST VALLEY BOROUGH No.3) (PARISH OF ROMSEY EXTRA, PART OF FOOTPATH 3) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2010



LEGEND

SCALE 1:1250

FOOTPATH TO BE DELETED SHOWN:-

NEW ROUTE OF FOOTPATH SHOWN:-

EXISTING FOOTPATH TO BE RETAINED SHOWN:-

MAP No.1538 PRODUCED FROM DIGITAL DATA
SUPPLIED BY ORDNANCE SURVEY 2010

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

..... AUTHORIZED
SIGNATORY

DATE.....

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YINNON EZRA MBE, MA, FRSA
DIRECTOR OF CULTURE, COMMUNITIES
AND RURAL AFFAIRS