

NOTICE OF MAKING AN ORDER

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

HAMPSHIRE COUNTY COUNCIL

**THE HAMPSHIRE (HAVANT BOROUGH NO.2)
(PARISH OF HAVANT- FOOTPATH NO.9)
PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**

The above named Order, made on 9 September 2019 under Section 118 of the Highways Act 1980 will extinguish the public footpath commencing at a junction with Milton Road (SU 6875 1166) proceeding south-westward, south then south-eastward to a junction with Durley Avenue (SU 6867 1129).

A copy of the Order and the Order map have been placed and may be seen free of charge at the offices of Hampshire County Council, The Castle, Winchester, SO23 8UJ and at the office of Havant Borough Council, Public Service Plaza, Civic Centre Rd, Havant, PO9 2AX at all reasonable hours, or online at <http://www.hants.gov.uk/publicnotices>. Copies of the Order and the map may be bought from me at a price of £4.40.

Any representations about or objections to the Order may be sent in writing to the Head of Countryside Access, Hampshire County Council, Castle Avenue, Winchester, SO23 8UL, or via e-mail to row.notices@hants.gov.uk quoting reference:- PPO 5130 no later than 11 October 2019. Please state the grounds on which they are made.

The personal data you provide in any representation will be treated in accordance with Data Protection Legislation, and may be published in a decision report, be disclosed to other interested parties, including the landowner (or their representatives). It may also be made public if the matter is referred to the Planning Inspectorate. Your data will be retained for a maximum period of two years from the date that the application is resolved. The legal basis for our use of this information is the compliance with a legal obligation – Highways Act 1980.

You have some legal rights in respect of the personal information we collect from you. Please see our website Data Protection page for further details: www.hants.gov.uk/dataprotection. You can contact the County Council's Data Protection Officer at data.protection@hants.gov.uk. If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

If no such representations or objections are duly made, or if any so made are withdrawn, Hampshire County Council may confirm the Order as an unopposed order. If the Order is sent to the Secretary of State for Environment, Food and Rural

Affairs for confirmation any representations and objections which have not been withdrawn will be sent with the Order.

DATED this 13th day of September 2019

FELICITY ROE, Director of Culture, Communities and Business Services, The Castle, Winchester, SO23 8UJ

**HIGHWAYS ACT 1980
WILDLIFE & COUNTRYSIDE ACT 1981**

HAMPSHIRE COUNTY COUNCIL

**THE HAMPSHIRE (HAVANT BOROUGH NO. 2)
(PARISH OF HAVANT – FOOTPATH NO. 9)
PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**

This Order is made by Hampshire County Council (“the authority”) under Section 118 of the Highways Act 1980 (“the 1980 Act”) because it appears to the authority that the footpath described in paragraph 1 below is not needed for public use.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 (“the 1981 Act”) because it appears to the authority that the Hampshire Definitive Map and Statement of Public Rights of Way (dated 15th December 2007) require modification in consequence of the occurrence of an event specified in section 53(a)(i) of the 1981 Act, namely, the stopping up (as authorised by this order) of a highway hitherto shown or required to be shown in the map and statement.

Havant Borough Council has been consulted as required by Section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situated at Havant and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be extinguished after 28 days from the date of confirmation of this Order, and thereupon the Hampshire Definitive Map and Statement of Public Rights of Way (dated 15th December 2007) shall be modified by deleting from it that public right of way, and the definitive statement shall be modified as described in the Schedule to this order.
2. Notwithstanding this Order all Statutory Undertakers shall have the same rights over the land referred to in paragraph 1 as they have hitherto enjoyed.

SCHEDULE

Part 1

DESCRIPTION OF SITE OF EXISTING RIGHTS OF WAY

**Havant Footpath No. 9
From SU 6875 1166 to SU 6867 1129**

Footpath No. 9 in the Borough of Havant, commencing at a junction with Milton Road and proceeding south-westward, south then south-eastward to a junction with Durley Avenue.

A total length of 352 metres.

Part 2

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of path or way

Havant Footpath No.9

Delete:

"Havant 9
Footpath
6875 1166 Milton Road
6867 1129 Durley Avenue

From Lovedean Lane, C.421, to Durley Avenue

From Lovedean Lane southwards along west boundary of Admiralty Housing Estate to West Gate at field boundary, across field, along cart track 6' – 8' wide through wicket gate near Latchmore and along Ash Road to Durley Avenue.

That part of the path which runs between 6889 1120 and 6875 1166 has been removed from the Definitive Map as it is a highway at the side of a public road".

GIVEN this *9th* day of *September* 2019

THE COMMON SEAL of HAMPSHIRE)
COUNTY COUNCIL was hereunto)
affixed in the presence of:-)

Authorised Signatory



37/1194