

NOTICE OF MAKING AN ORDER

HIGHWAYS ACT 1980 WILDLIFE AND COUNTRYSIDE ACT 1981

HAMPSHIRE COUNTY COUNCIL

THE HAMPSHIRE (BASINGSTOKE AND DEAN BOROUGH NO.12) (PARISH OF CANDOVERS – PART OF RESTRICTED BYWAY 9) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2021

The above named Order, made on 25 January 2021 under Section 119 of the Highways Act 1980, will divert the northern end of Candovers Restricted Byway 9 from a junction with Breach Farm Lane onto a westerly alignment to join Candovers Restricted Byway 12.

The Order and Order map can be viewed online at www.hants.gov.uk/publicnotices. Printed copies can be obtained by contacting row.notices@hants.gov.uk.

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 5135 no later than 5 March 2021. 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If no such representations or objections are duly made, or if any so made are withdrawn, Hampshire County Council may confirm the Order as an unopposed order.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State for Environment, Food and Rural Affairs for confirmation any representations and objections which have not been withdrawn will be sent with the Order.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 5th day of February 2021

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

HAMPSHIRE COUNTY COUNCIL

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

**THE HAMPSHIRE (BASINGSTOKE AND DEAN BOROUGH NO.12)
(PARISH OF CANDOVERS – PART OF RESTRICTED BYWAY 9)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2021**

This Order is made by Hampshire County Council (“the authority”) under Section 119 of the Highways Act 1980 (“the 1980 Act”) because it appears to the authority that in the interests of the owner of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

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(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this order) of a highway shown or required to be shown in the map and statement.

Mr Neil Raymond has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new path into a fit condition for use by the public.

Basingstoke and Dean 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 Candovers 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 stopped up when Hampshire County Council has certified that the work necessary to bring the site of the new restricted byway, specified in paragraph 3 below, into a fit condition for use by the public has been carried out, and thereupon the Hampshire Definitive Map of Public Rights of Way (dated 15th December 2007) shall be modified by deleting from it that public right of way.
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.

3. There shall be from the date of confirmation of this Order a restricted byway over the land situate at Candovers described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this Order, and thereupon the Hampshire Definitive Map of Public Rights of Way (dated 15th December 2007) shall be modified by adding that footpath to it.
- 3A. The Hampshire Definitive Statement of Public Rights of Way (dated 15th December 2007) shall be modified as described in Part 4 of the Schedule to this Order.

GIVEN this 25th day of January 2021.

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



Authorised Signatory

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING RIGHTS OF WAY

Candovers Restricted Byway No. 9 From SU 5851 4366 to SU 5848 4322

Restricted Byway No. 9 in the Parish of Candovers, commencing at a junction with Breach Farm Lane, SU 5851 4366 (Point A on the order plan) proceeding southward, south-westward then southward along farm track to SU 5848 4322 (Point B on the order plan).
Approximately 488 metres in length.

PART 2

DESCRIPTION OF SITE OF NEW RIGHT OF WAY

Candovers Restricted Byway No. 9 From SU 5848 4322 to SU 5827 4326

A 5 metre wide grass path commencing at SU 5848 4322 (Point B on the order plan), proceeding westward to a junction with Candovers Restricted Byway No. 12 at SU 5827 4326 (Point C on the order plan).

Approximately 209 metres in length.

NOTE: ALL LENGTHS ARE APPROXIMATE

PART 3

LIMITATIONS AND CONDITIONS

None

PART 4

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of path or way

Candovers Restricted Byway No.9

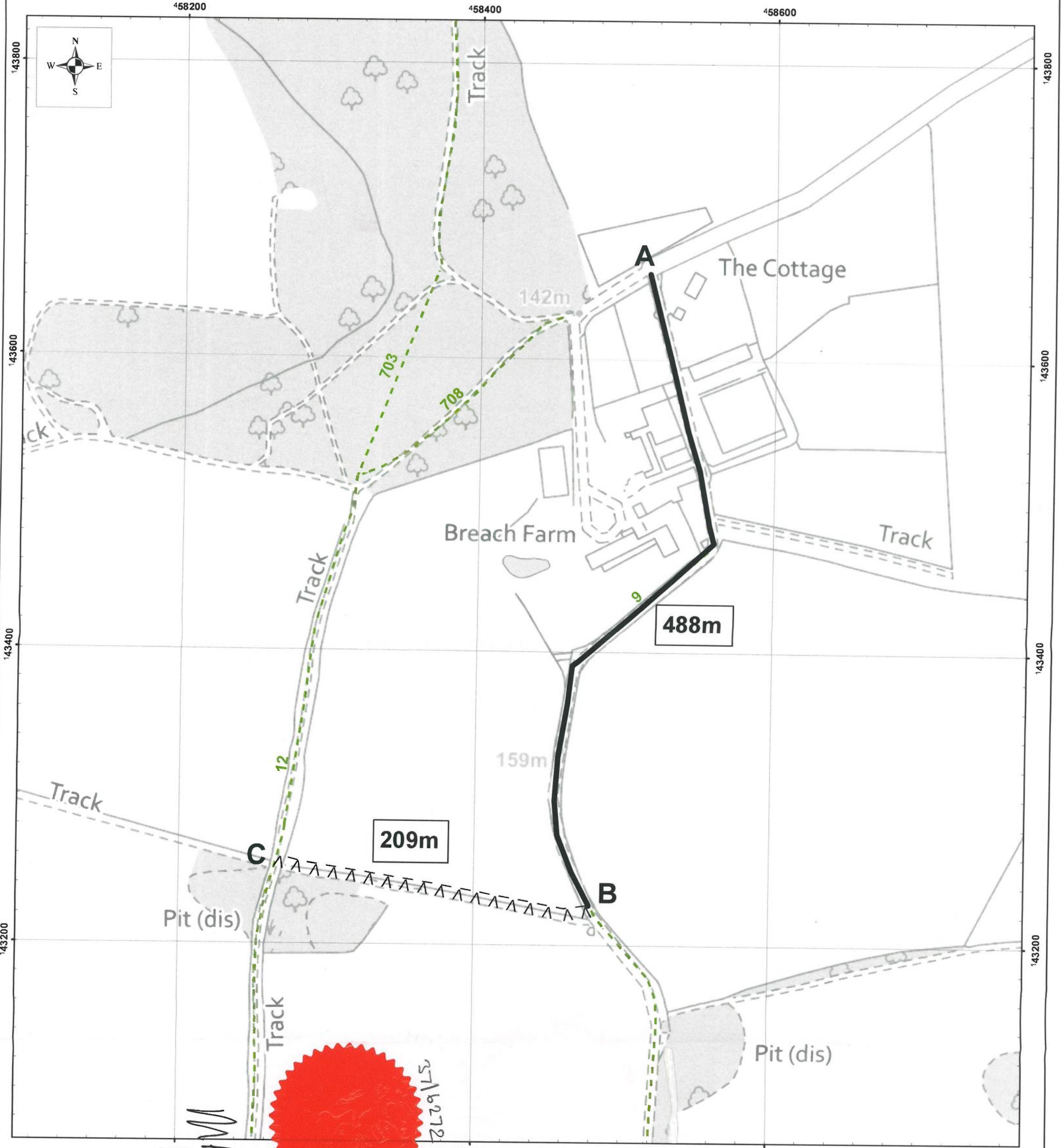
Add:

"The path follows a diverted route between 5848 4322 and 5827 4326




5 metres wide between 5848 4322 and 5827 4326"

HAMPSHIRE COUNTY COUNCIL

MAP REFERRED TO IN
 THE HAMPSHIRE (BASINGSTOKE AND DEAN BOROUGH NO.12)
 (PARISH OF CANDOVERS - PART OF RESTRICTED BYWAY 9)
 PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION ORDER 2021



LEGEND

- RESTRICTED BYWAY TO BE ADDED TO THE MAP:- 
- RESTRICTED BYWAY TO BE RETAINED:- 
- RESTRICTED BYWAY TO BE EXTINGUISHED:- 

MAP PRODUCED FROM DIGITAL DATA SUPPLIED BY ORDNANCE SURVEY

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

AUTHORISED SIGNATORY

DATE: 25th January 2021

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

SCALE 1:2,500

