

**HAMPSHIRE COUNTY COUNCIL**

**SECTION 53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE HAMPSHIRE DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY AND  
THE HAMPSHIRE DEFINITIVE STATEMENT OF PUBLIC RIGHTS OF WAY  
(DATED 15<sup>TH</sup> DECEMBER 2007)**

**THE HAMPSHIRE (HART DISTRICT NO.31)  
(PARISH OF HARTLEY WINTNEY)  
DEFINITIVE MAP MODIFICATION ORDER 2021**

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The above named Order made on 13 January 2021, if confirmed as made, will modify the definitive map and statement for the area by recording a restricted byway between Springwell Lane and Hulfords Lane, and by deleting that part of Hartley Wintney Footpath 53 which falls within the extent of the new restricted byway.

The Order and Order map can be viewed online at [www.hants.gov.uk/publicnotices](http://www.hants.gov.uk/publicnotices). Physical copies can be obtained by contacting [row.notices@hants.gov.uk](mailto: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 the internet to [row.notices@hants.gov.uk](mailto:row.notices@hants.gov.uk) quoting reference:- CR 1211 no later than 02 April 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. It may be published in a decision report and 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. It will become part of the permanent records kept on rights of way in Hampshire. The legal basis for our use of this information is the compliance with a legal obligation – Wildlife and Countryside Act 1981.

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](http://www.hants.gov.uk/dataprotection) You can contact the County Council's Data Protection Officer at [data.protection@hants.gov.uk](mailto: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 to the Order, or any part of it, or if any so made are withdrawn, Hampshire County Council may, instead of submitting the Order or part of it to the Secretary of State, if the authority has by Notice to the Secretary of State so elected under paragraph 5 of Schedule 15 to the Wildlife and Countryside Act 1981, itself confirm the Order or part of the Order. If the Order is submitted to the Secretary of State for Environment, Food and Rural Affairs

in whole or in part, any representations or objections which have been duly made and not withdrawn will be sent with it.

DATED this 19<sup>th</sup> day of February 2021.

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

**HAMPSHIRE COUNTY COUNCIL**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE HAMPSHIRE DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY AND  
THE HAMPSHIRE DEFINITIVE STATEMENT OF PUBLIC RIGHTS OF WAY  
(DATED 15<sup>TH</sup> DECEMBER 2007)**

**THE HAMPSHIRE (HART DISTRICT NO. 31)  
(PARISH OF HARTLEY WINTNEY)  
DEFINITIVE MAP MODIFICATION ORDER 2021**

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This Order is made by Hampshire County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that The Definitive Map Of Public Rights of Way and The Definitive Statement of Public Rights of Way (Dated 15<sup>th</sup> December 2007) requires modification in consequence of the occurrence of an event specified in Sections 53(3) (i) and (ii) of the Act namely:-

c) the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows

- (i) that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a restricted byway
- (ii) a highway shown or required to be shown in the map and statement as a highway of a particular description has ceased to be a highway of that description

The authority has consulted with every local authority whose area includes the land to which the Order relates.

**Hampshire County Council hereby orders that:**

1. For the purposes of the Order the relevant date is 5 November 2020.
2. The Hampshire Definitive Map of Public Rights of Way and The Hampshire Definitive Statement of Public Rights of Way (Dated 15<sup>th</sup> December 2007) shall be modified as described in Part I [and Part II] of the Schedule as shown on the map/s attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Hampshire (Hart District No. 31) (Parish of Hartley Wintney) Definitive Map Modification Order 2021.

GIVEN this 13<sup>th</sup> day of January 2021

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

Authorised Signatory



37/6219

## SCHEDULE

### PART I

#### Modification of Definitive Map Description of path or way to be added

##### **Hartley Wintney Restricted Byway 508**

From SU 7697 5817 to SU 7697 5802

A new restricted byway with a width of 40 feet (as set out in the Elvetham Enclosure Award of 1815). Commencing at a junction with Springwell Lane and proceeding northwards along a track and through a ford, then northwards along an earth path to a junction with Hulfords Lane (Road U242), as shown between points A and B on the Order Plan.

A total length of 160 metres.

#### Description of part of path or way to be deleted (to be incorporated into the above route)

##### **Hartley Wintney Footpath No. 53**

From SU 7696 5803 to 7696 5805

From Road U.242, northwards along a gravel track towards the ford, as shown between points C and D on the Order Plan.

A total length of 30 metres.

### PART II

#### Modification of Definitive Statement Variation of particulars of path or way

The following description shall be deleted from the Definitive Statement for the Parish of Hartley Wintney:

##### **Hartley Wintney Footpath No. 53**

From SU 7696 5803 to 7697 5818

From Road U.242 at entrance to sewage works northwards across footbridge, over stile and along unenclosed path on verge of pasture and over stile at junction with Nos.1 and 3.

The following descriptions shall be added to the Definitive Statement for the Parish of Hartley Wintney:

**Hartley Wintney Restricted Byway 508**

SU 7696 5802 to SU 7698 5818

Commencing at a junction with Springwell Lane and proceeding northwards along a track and through a ford, then northwards along an earth path to a junction with Hulfords Lane (Road U242).

A width of 40 feet (as set out in the Elvetham Enclosure Award of 1815)

**Hartley Wintney Footpath No. 53**

SU 7696 5805 to 7697 5818

Commencing at a junction with Restricted Byway 508 and proceeding northwards across a footbridge, over a stile and along an unenclosed path on verge of pasture and over stile to a junction with Footpaths 1 and 3

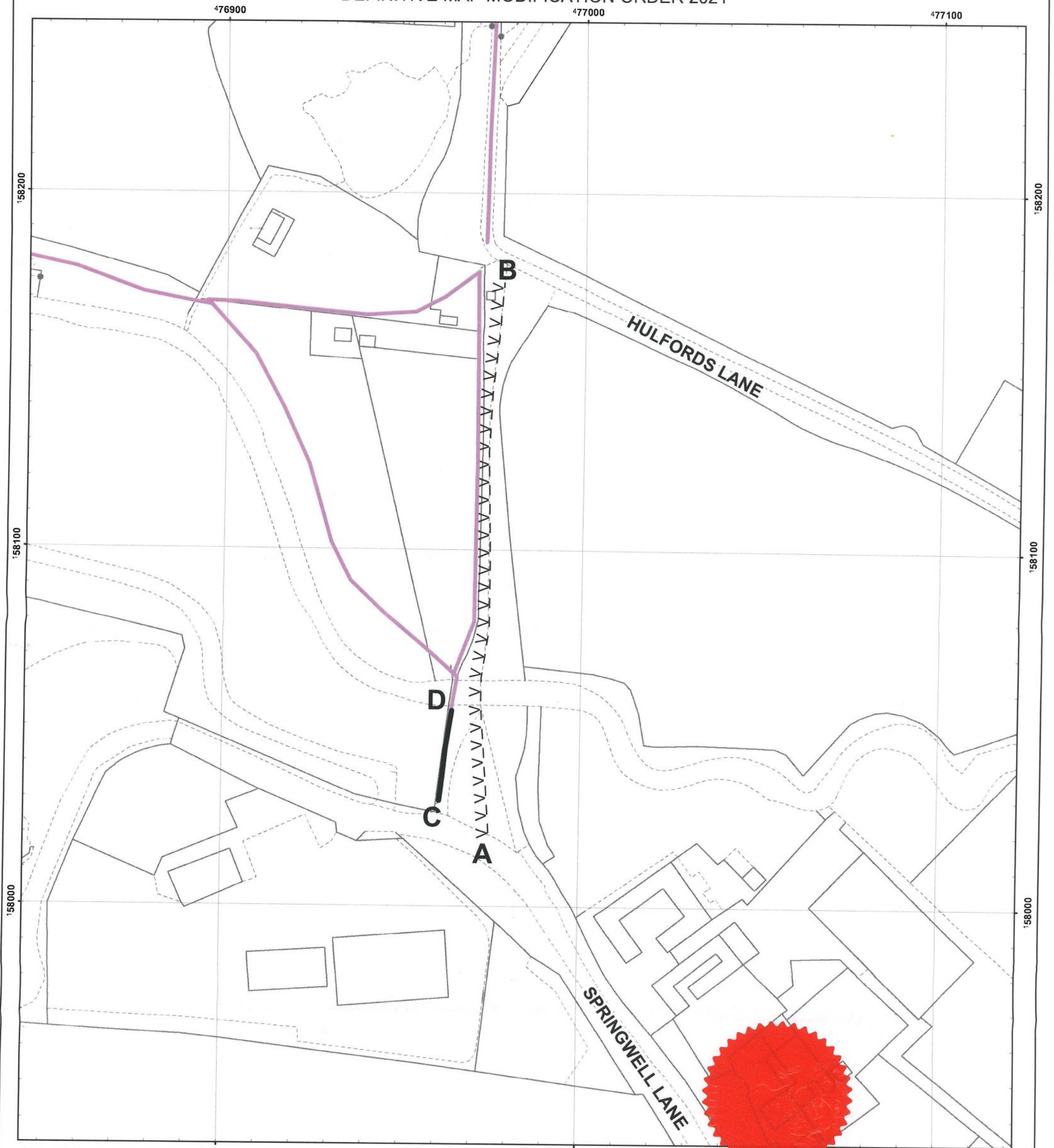
**NOTE: ALL LENGTHS ARE APPROXIMATE**



# HAMPSHIRE COUNTY COUNCIL

MAP REFERRED TO IN

THE HAMPSHIRE (HART DISTRICT NO.31)  
(PARISH OF HARTLEY WINTNEY)  
DEFINITIVE MAP MODIFICATION ORDER 2021



SCALE 1:1,000

## LEGEND

RESTRICTED BYWAY  
TO BE ADDED TO  
THE MAP:-



EXISTING PUBLIC FOOTPATH  
TO BE RETAINED :-



EXISTING PUBLIC FOOTPATH  
TO BE DELETED:-



MAP PRODUCED FROM DIGITAL DATA  
SUPPLIED BY ORDNANCE SURVEY

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

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.....  
.....  
DATE 13/1/21

AUTHORISED  
SIGNATORY

REPRODUCED FROM THE O.S. MAPPING  
WITH THE PERMISSION OF THE  
CONTROLLER OF HMSO © CROWN.  
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PROSECUTION OR CIVIL PROCEEDINGS.  
HCC LICENCE No.100019180 DATE (08.01.21)

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