

NOTICE OF MAKING AN ORDER

HIGHWAYS ACT 1980 WILDLIFE AND COUNTRYSIDE ACT 1981

HAMPSHIRE COUNTY COUNCIL

THE HAMPSHIRE (EASTLEIGH BOROUGH NO.6) (PARISH OF WEST END- PART OF FOOTPATH 4) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2021

The above named Order, made on 13th January 2021 under Section 119 of the Highways Act 1980, will divert part of West End Footpath 4 that currently runs from a point on the access track east of Moorgreen Farm continuing in a westerly direction for approximately 115m, and proceeding in a north easterly direction to a junction with West End Footpaths 4 and 5. The diverted route will continue in a northerly direction from that point on the access track to a junction with West End Footpaths 4 and 5 .

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 5140 no later than 2 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, 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If no such representations or objections are duly made, or if any so made are withdrawn, Hampshire County Council may confirm the Order as an unopposed order.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 March 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 (EASTLEIGH BOROUGH NO. 6)
(PARISH OF WEST END – PART OF FOOTPATH 4)
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.

Ms Gloria Brown 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.

Eastleigh 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 West End 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 footpath, 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 public footpath over the land situate at West End 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 13th day of January 2021

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

Authorised Signatory



37/6212

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING RIGHTS OF WAY

West End No. 4
From SU 4805 1569 to SU 4804 1580 (via SU 4794 1570)

Footpath No. 4 in the Parish of West End, commencing at a point on a farm track east of Moorgreen Farm, SU 4805 1569 (Point A on the order plan), proceeding westward along this track to SU 4794 1570 (Point B), continuing north-eastward through a gate, across arable paddock to SU 4804 1580 (Point C).

A total length of 267 metres.

PART 2

DESCRIPTION OF SITE OF NEW RIGHT OF WAY

West End No. 4

From SU 4805 1569 to SU 4804 1580

A 2.5 metre wide path in the Parish of West End, commencing on the access track east of Moorgreen Farm, SU 4805 1569 (Point A on the order plan), proceeding north across paddock to SU 4804 1580 (Point C).

Approximately 115 metres in length.

NOTE: ALL LENGTHS ARE APPROXIMATE

PART 3

LIMITATIONS AND CONDITIONS

Pedestrian Gate at 4805 1570

PART 4

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of path or way

West End Footpath No.4

Add:

“The path follows a diverted route between 4805 1569 and 4804 1580

2.5 metres wide between 4805 1569 and 4804 1580”

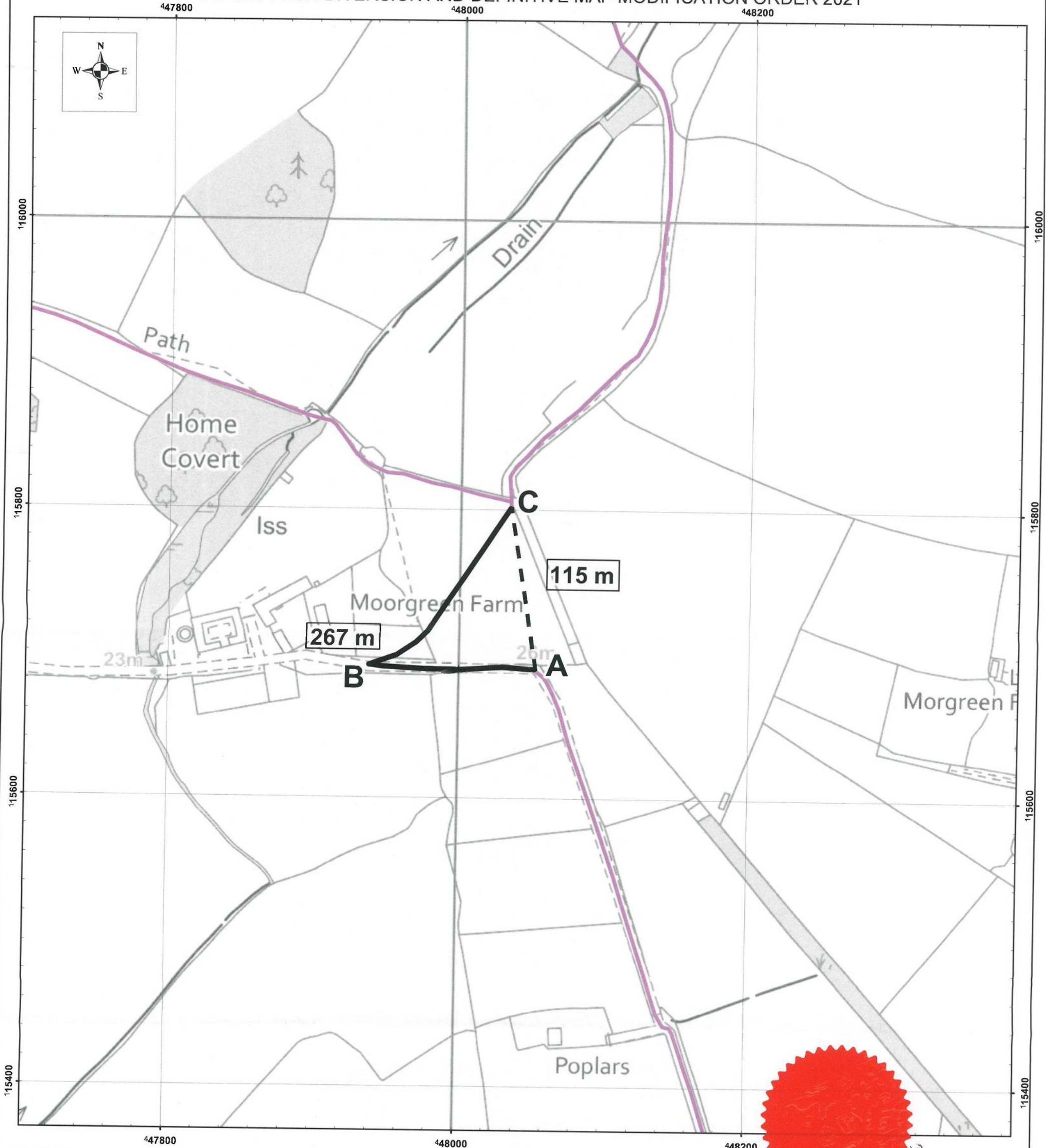
HAMPSHIRE COUNTY COUNCIL

MAP REFERRED TO IN

THE HAMPSHIRE (EASTLEIGH BOROUGH NO. 6)

(PARISH OF WEST END - PART OF FOOTPATH 4)

PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION ORDER 2021



SCALE 1:2,500

LEGEND

PUBLIC FOOTPATH TO BE ADDED TO THE MAP:-



PUBLIC FOOTPATH TO BE EXTINGUISHED:-




EXISTING PUBLIC FOOTPATH:-



MAP PRODUCED FROM DIGITAL DATA SUPPLIED BY ORDNANCE SURVEY

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

 AUTHORIZED SIGNATORY

DATE 13/1/21

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



57/6212