

**NOTICE OF CONFIRMED ORDER**

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

**HAMPSHIRE COUNTY COUNCIL**

**THE HAMPSHIRE (HART DISTRICT NO.12)  
(PARISH OF ROTHERWICK - PART OF FOOTPATH NO.23)  
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER 2024**

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On the 05 June 2024 Hampshire County Council confirmed the above Order made under section 119 of the Highways Act 1980.

The effect of the Order as confirmed is to divert the public footpath from its current alignment commencing at SU 7282 5584 and proceeding in an easterly direction following a 'zig-zag' alignment across a field to SU 7329 5590, to a new alignment running on a direct east-west alignment between the same grid references.

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 offices of Hart District Council Civic Offices, Harlington Way, Fleet GU51 4AE at all reasonable hours; and online at [www.hants.gov.uk/publicnotices](http://www.hants.gov.uk/publicnotices). Copies of the Order and the map can be provided on request.

The Order comes into force when Hampshire County Council has certified that the work necessary to bring the new path into a fit condition for use by the public has been carried out, but if any person aggrieved by the Order wants to question its validity, or any provision contained in it, on the grounds that it is not within the powers of the Highways Act 1980, as amended, or on the grounds that any requirement of the Act, as amended, or any regulation made under the Act has not been complied with in relation to the Order, he or she may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within six weeks from 28 June 2024 make an application to the High Court.

DATED this 28<sup>th</sup> day of June 2024

PATRICK BLOGG, Director of Universal Services, The Castle, Winchester, SO23 8UJ

**HAMPSHIRE COUNTY COUNCIL**

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

**THE HAMPSHIRE (HART DISTRICT NO.12)  
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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 15<sup>th</sup> 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.

JBM Solar Projects 18 Limited 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.

Hart District 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 Rotherwick 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 confirmed the order, and thereupon the Hampshire Definitive Map of Public Rights of Way (dated 15<sup>th</sup> 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 Rotherwick 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 15<sup>th</sup> December 2007) shall be modified by adding that footpath to it.

3A. The Hampshire Definitive Statement of Public Rights of Way (dated 15<sup>th</sup> December 2007) shall be modified as described in Part 4 of the Schedule to this Order.

GIVEN this 28<sup>th</sup> day of February 2024

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

##### **Rotherwick Footpath No. 23 (A-C via B) SU 7282 5584 and SU 7329 5590 via SU 7304 5593**

That part of Footpath No. 23 in the Parish of Rotherwick which commences at SU 7282 5584 (Point A on the order plan) and proceeds eastward and northwards along south and east sides of wire fence, then eastwards and northwards to SU 7304 5593 (Point B) then eastward to stile at a junction with Hook Footpath 10 at the parish boundary, SU 7329 5590 (Point C).

Approximately 540 metres in length.

### PART 2

#### DESCRIPTION OF SITE OF NEW RIGHT OF WAY

##### **Rotherwick Footpath No. 23 (A-C) SU 7282 5584 and SU 7329 5590**

A 2.5 metre wide path commencing at SU 7282 5584 (Point A) proceeding eastward between 2-metre high stock deer fencing to a junction with Hook Footpath 10 at the parish boundary, SU 7329 5590 (Point C).

Approximately 470 metres in length.

**PART 3**

LIMITATIONS AND CONDITIONS

None.

**PART 4**

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of path or way

The Definitive Statement for the Parish of Rotherwick shall be amended as follows:

**Add:** "The path follows a diverted route, 2.5 metres wide, between 7282 5584 and 7329 5590"

**NOTE: ALL LENGTHS ARE APPROXIMATE**

**THE HAMPSHIRE (HART DISTRICT NO.12)  
(PARISH OF ROTHERWICK - PART OF FOOTPATH NO.23)  
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER 2024**

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This Order is hereby confirmed as an unopposed Order.

GIVEN this *5<sup>th</sup>* day of *June* 2024

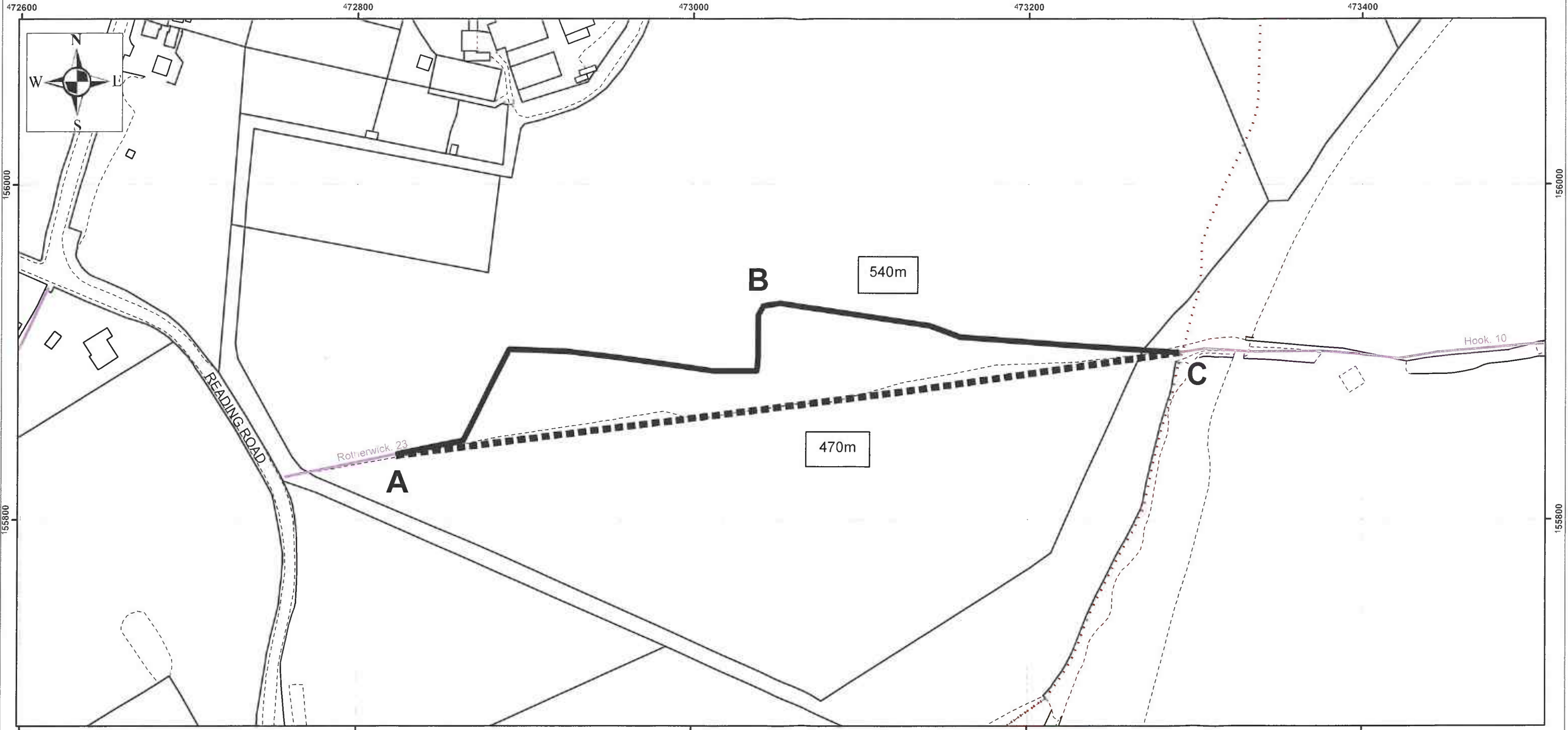
THE COMMON SEAL of )  
HAMPSHIRE COUNTY COUNCIL )  
was hereunto affixed )  
in the presence of:- )



*37/102116*

*A Harnes*  
Authorised Signatory

**HAMPSHIRE COUNTY COUNCIL**  
 MAP REFERRED TO IN  
 THE HAMPSHIRE (HART DISTRICT COUNCIL NO.12)  
 (PARISH OF ROTHERWICK - PART OF FOOTPATH 23)  
 PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION ORDER 2024



**LEGEND**      **SCALE 1:2,300**

**PUBLIC FOOTPATH TO BE ADDED:-**      - - - - -

**PUBLIC FOOTPATH TO BE EXTINGUISHED:-**      \_\_\_\_\_

**EXISTING PUBLIC FOOTPATH:-**      \_\_\_\_\_

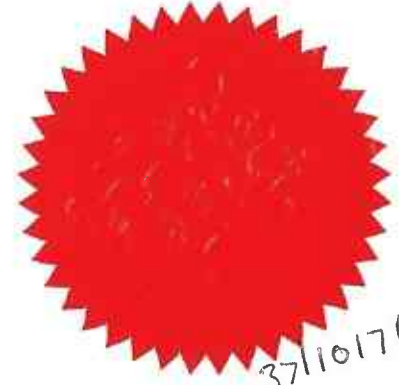
**PARISH BOUNDARY:-**      - . . . . .

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: 28.02.24



REPRODUCED FROM THE O.S. MAPPING  
 WITH THE PERMISSION OF THE  
 CONTROLLER OF HMSO © CROWN.  
 UNAUTHORISED REPRODUCTION  
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 PROSECUTION OR CIVIL PROCEEDINGS.  
 HCC LICENCE No.100019180 DATE (20.02.2024)

371101764 PATRICK BLOGG, DIRECTOR OF  
 UNIVERSAL SERVICES, WINCHESTER