

NOTICE OF MAKING AN ORDER

HAMPSHIRE COUNTY COUNCIL

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

**THE HAMPSHIRE (TEST VALLEY BOROUGH NO. 17)
(PARISH OF SMANNELL – PART OF FOOTPATH NO'S 710 & 711)
THE HAMPSHIRE (TEST VALLEY BOROUGH NO. 16)
(SMANNELL FOOTPATH 714) (ENHAM ALAMEIN FOOTPATH NO.715)
PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDERS 2019**

The above named Orders, made on 21 May 2019 under Section 118 of the Highways Act 1980, will extinguish part of the above named paths as follows:-

Smannell Footpath 710 commencing at SU 3807 4746 at a junction with Restricted Byway 753, proceeding south-westward to SU 3799 4718 and extinguish part of Smannell Footpath 711 commencing at SU 3786 4732 proceeding south-eastward to SU 3822 4713 (Ref: PPO 5121).

Smannell Footpath 714, commencing at SU 3735 4820 proceeding south-westward to SU 3720 4800 and Enham Alamein Footpath 715 commencing at SU 3701 4816 proceeding south-eastward to SU 3705 4808 (Ref: PPO 5127).

**THE HAMPSHIRE (TEST VALLEY BOROUGH NO. 19)
(PARISH OF SMANNELL – PART OF FOOTPATH NO. 716)
THE HAMPSHIRE (TEST VALLEY BOROUGH NO.20)
(SMANNELL FOOTPATH NO. 712)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDERS 2019**

The above named Orders, made on 21 May 2019 under Section 119 of the Highways Act 1980, will divert part of the above named paths as follows:-

Smannell Footpath 716, commencing at SU 3714 4789 at a junction with Smannell Footpath 714 proceeding in a westerly direction to SU 3696 4787 and part of Smannell Footpath 716 commencing at SU 3682 4788 proceeding westward to SU 3681 4788 (Ref: PPO 5126).

Part of Smannell Footpath 712, commencing at SU 3714 4792 at a junction with Smannell Footpath 714 proceeding eastward then north-eastward to SU 3746 4803 (Ref: PPO 5128).

A copy of the Orders and the Order maps 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 Test Valley Borough Council; 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 the relevant PPO reference no later than 28 June 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 31st day of May 2019

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 (TEST VALLEY BOROUGH NO. 17)
(PARISH OF SMANNELL – PART OF FOOTPATHS NO'S 710 & 711)
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 part of the footpaths 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(3)(a)(i) of the 1981 Act, namely, the stopping up (as authorised by this order) of a highway shown or required to be shown in the map and statement.

Test Valley 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 Smannell 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.

GIVEN this 22nd day of May 2019

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

Authorised Signatory



3710782

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING RIGHTS OF WAY

Smannell Footpath No. 710
From SU 3807 4746 to SU 3799 4718

Footpath No. 710 in the Parish of Smannell, in the District of Test Valley, commencing at SU 3807 4746 at a junction with Restricted Byway 753, Point A on the order plan, proceeding south-westward to Point B on the order plan. A total length of 246 metres.

Smannell Footpath No. 711
From SU 3786 4732 to SU 3822 4713

Footpath No. 711 in the Parish of Smannell, in the District of Test Valley, commencing at SU 3786 4732 Point C on the order plan, proceeding south-eastward to Point D on the order plan. A total length of 403 metres.

NOTE: ALL LENGTHS ARE APPROXIMATE

PART 2

MODIFICATION OF DEFINITIVE STATEMENT

variation of particulars of path or way

Smannell Footpath No.710

Add:

"That part of the path which ran between 3807 4746 and 3799 4718 has been extinguished."

Smannell Footpath No.711

Add:

"That part of the path which ran between 3786 4732 and 3822 4713 has been extinguished."