

NOTICE OF MAKING AN ORDER

HAMPSHIRE COUNTY COUNCIL

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

**THE HAMPSHIRE (CITY OF WINCHESTER NO. 19)
(PARISH OF WARNFORD – PART OF FOOTPATH NO. 3 AND NO. 6)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**

The above named Order, made on 11 June 2019 under Section 119 of the Highways Act 1980, will divert part of Warnford Footpath 3, commencing south of the access track to Bere Farm, proceeding northward through a gate, along hardstanding access track, adjacent to the house to a kissing gate. Part of Warnford Footpath 6, commencing north of Footpath 6 at the edge of the field, proceeding north-westward to Footpath 3.

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 Winchester City 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 reference:- PPO 5122 no later than 12 July 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 14th day of June 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 (CITY OF WINCHESTER NO 19)
(PARISH OF WARNFORD – PART OF FOOTPATHS 3 AND 6)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**

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 Richard Lago 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.

Winchester City 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 Warnford and shown by bold continuous lines 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 footpaths, 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 Warnford described in Part 2 of the Schedule and shown by bold broken lines 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 these footpaths 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 11th day of June 2019

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

Authorised Signatory



37/0856

SCHEDULE

Part 1

DESCRIPTION OF SITE OF EXISTING RIGHTS OF WAY

Warnford Footpath No. 3

From SU 6259 2520 to SU 6254 2535 via SU 6259 2523

Footpath No. 3 in the Parish of Warnford, in the District of Winchester City, commencing at SU 6259 2520 (Point A on the order plan), proceeding northward through a gate via SU 6259 2523 (Point B), along hardstanding access track to Bere Farm, continuing north-westwards past house to a kissing gate at SU 6254 2535 (Point C on the order plan).

A total length of 158 metres.

Warnford Footpath No. 6

From SU 6261 2522 to SU 6259 2523

Footpath No. 6 in the Parish of Warnford, in the District of Winchester City, commencing at SU 6261 2522 (Point D on the order plan), proceeding north-westward along grass path to join Footpath 3 as SU 6259 2523 (Point B on the order plan).

A total length of 17 metres.

PART 2

DESCRIPTION OF SITE OF NEW RIGHT OF WAY

Warnford Footpath No. 3

From SU 6259 2520 to SU 6254 2535 (via SU 6261 2522)

A 2.5 metre wide scalping & gravel path, in the Parish of Warnford, in the District of Winchester City, commencing at SU 6259 2520 (Point A on the order plan), proceeding north-eastward along field edge with post and rail stock proof fencing to the west, via SU 6261 2522 (Point D), bearing northward then north-westwards to SU 6254 2535 (Point C on the Order plan).

A total length of 176 metres.

NOTE: ALL LENGTHS ARE APPROXIMATE

PART 3

LIMITATIONS AND CONDITIONS

None.

Part 4

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of path or way

Warnford Footpath No.3

Add:

"The path follows a diverted route between 6259 2520 and 6254 2535
2.5 metres wide between 6259 2520 and 6254 2535"

Warnford Footpath No.6

Delete:

"6259 2523"

Add:

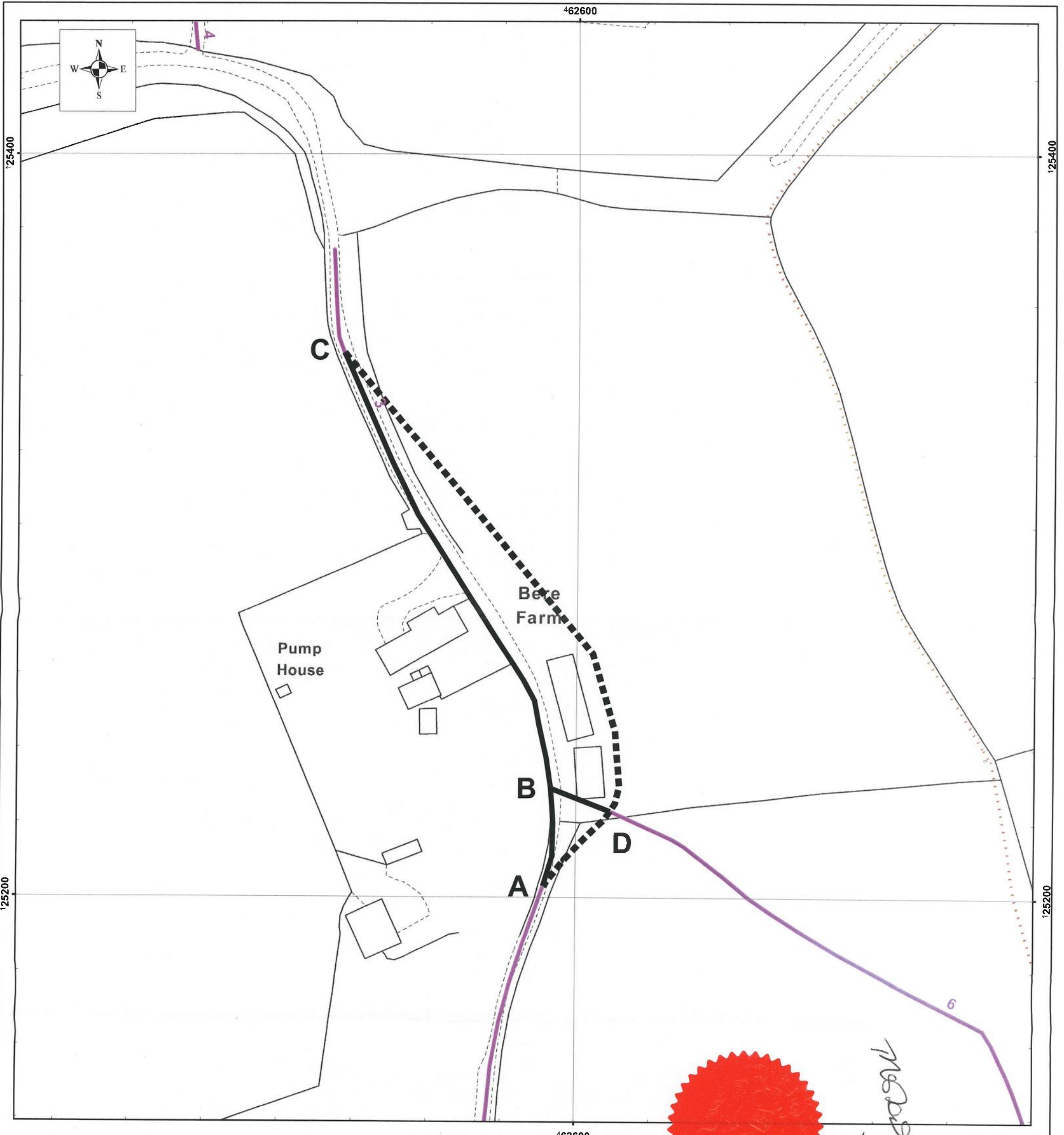
"6261 2522"

That part of the path which ran between 6259 2523 and 6261 2522 has been extinguished"

HAMPSHIRE COUNTY COUNCIL

MAP REFERRED TO IN

THE HAMPSHIRE (CITY OF WINCHESTER NO.19)
 (PARISH OF WARNFORD – PART OF FOOTPATHS 3 AND 6)
 PUBLIC PATH DIVERSION AND DEFINITIVE MAP
 AND STATEMENT MODIFICATION ORDER 2019



SCALE 1:1,000
 LEGEND

FOOTPATHS TO BE EXTINGUISHED:- 

FOOTPATH TO BE ADDED TO THE MAP:- 

EXISTING PUBLIC FOOTPATH:- 

MAP NO. 1666 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 11th June 2019

.....PRODUCED FROM THE O.S. MAPPING WITH THE PERMISSION OF THE CONTROLLER OF HMSO © CROWN. UNAUTHORISED REPRODUCTION INFRINGES © CROWN AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. HCC LICENCE No.100019180 DATE (1.5.2019)

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

37/0856
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