
Order Decision

Site visit made on 7 August 2018

by K R Seward Solicitor

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 17 January 2019

Order Ref: ROW/3191733M

- This Order is made under Section 119 of the Highways Act 1980 ("the 1980 Act") and Section 53A(2) of the Wildlife and Countryside Act 1981. It is known as the Hampshire (Basingstoke and Deane Borough No.4)(Parish of Overton – Part of Bridleway No.26) Public Path Diversion and Definitive Map and Statement Modification Order 2017.
- Hampshire County Council submitted the Order to the Secretary of State for Environment, Food and Rural Affairs for confirmation.
- The Order is dated 13 June 2017 and proposes to divert the public right of way shown on the Order plan and described in the Order Schedule.
- In accordance with Paragraph 2(3) of Schedule 6 to the Highways Act 1980 notice has been given of my proposal to confirm the Order.

Summary of Decision: I have confirmed the Order subject to the modifications that I formerly proposed.

Preliminary Matters

1. The effect of the Order, if confirmed with the modifications that I previously proposed, would be to divert part of Bridleway 26 in the Parish of Overton at an increased width along parts of the route. In particular, a splay would be provided at the juncture with Footpath 15 varying between 3 to 15 metres in width. In addition, a 1 metre grass verge would be provided alongside part of the diverted route.
2. Advertisement of the proposed modifications resulted in a representation in support by the applicants whose property is affected by Bridleway 26, as existing and proposed. Cadent Gas Network confirmed, as statutory undertakers, that it has no objection. There were no objections to the proposed modifications.

Conclusion

3. I conclude that the Order should be confirmed subject to the modifications identified in paragraphs 21 and 30 of my Interim Order Decision dated 30 August 2018 and as set out below.

Formal Decision

4. In exercise of the powers transferred to me, I confirm the Order subject to the modifications previously proposed:
 - Within Article 3 delete the word "*from*" before the text "*the date of confirmation...*" and replace with "*28 days after*".

- Within Part 2 of the Schedule delete the text in the first paragraph and replace with:
“A Bridleway in the Parish of Overton, District of Basingstoke and Deane, that commences at Point A on the map and proceeds generally north-westwards before curving north-eastwards to a junction with Footpath 15 at Point B, then north-eastwards for approximately 28 metres to re-join Bridleway 26 at Point C, varying between 3 and 15 metres wide with a maximum width of 15 metres as shown cross hatched red on the order map together with a 0.5 metre maintained verge on the eastern side of the bridleway between Points A and B.”
- Within Part 4 of the Schedule delete the text for ‘Overton Bridleway 26’ starting “3 metres wide.....” and insert “*Varying between 3 and 15 metres wide rough metalled surface between SU 5158 4729 and SU 5150 4743 together with a 0.5 metre wide maintained verge between SU 5158 4729 and SU 5148 4742.*”
- On the Order map add the area cross hatched red.

KR Seward

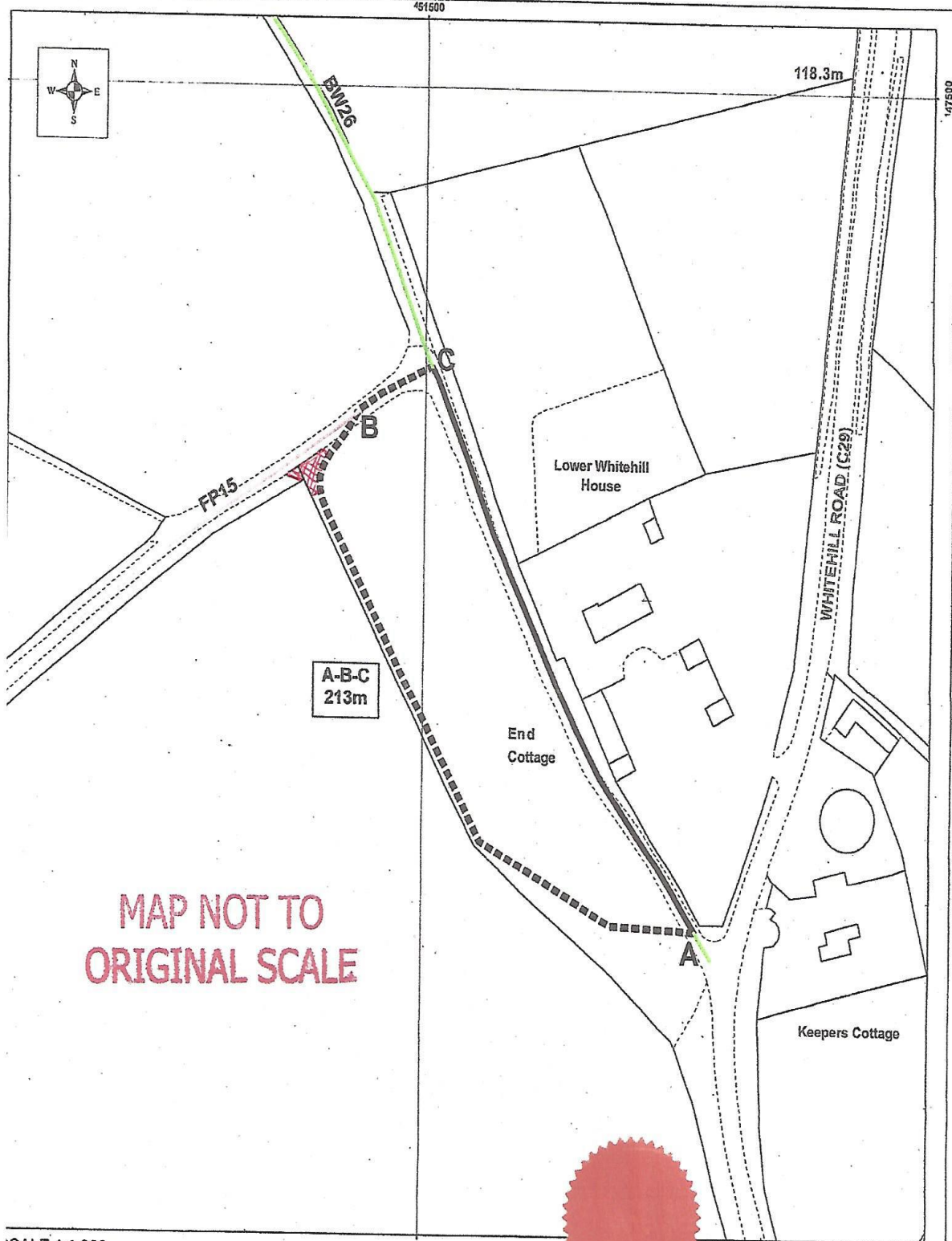
INSPECTOR

HAMPSHIRE COUNTY COUNCIL

MAP REFERRED TO IN

THE HAMPSHIRE (BASINGSTOKE AND DEANE BOROUGH NO. 4)
(PARISH OF OVERTON - PART OF BRIDLEWAY NO. 26)

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2017



MAP NOT TO ORIGINAL SCALE

SCALE 1:1,000
LEGEND

BRIDLEWAY TO BE DELETED:-

BRIDLEWAY TO BE
RETAINED TO THE MAP:-

EXISTING FOOTPATH
TO BE RETAINED:-



MAP No.1617 PRODUCED FROM DIGITAL DATA
SUPPLIED BY ORDNANCE SURVEY

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

AUTHORISED

REPRODUCED FROM THE O.S. MAPPING
WITH THE PERMISSION OF THE
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