



## Order Decision

Inquiry opened on 6 November 2018

**by Mark Yates BA(Hons) MIPROW**

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

**Decision date: 02 August 2019**

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### **Order Ref: ROW/3181878M**

- This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the 1981 Act") and is known as The Hampshire (Test Valley Borough No. 63) (Parish of East Dean) Definitive Map Modification Order 2017.
- The Order was made by Hampshire County Council ("the Council") on 3 May 2017 and proposed to modify the definitive map and statement by the addition of six footpaths and one restricted byway in the parish of East Dean, as detailed in the Order Map and Schedule.
- The Council submitted the Order for confirmation to the Secretary of State for Environment, Food and Rural Affairs.
- In accordance with Paragraph 8(2) of Schedule 15 to the 1981 Act I have given notice of my proposal to confirm the Order with modifications.

**Summary of Decision: The Order is confirmed (in connection with East Dean Restricted Byway 501) subject to modifications set out below in the Formal Decision.**

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### **Procedural Matters**

1. This decision should be read in conjunction with my interim decision of 4 February 2019, in respect of the Order, which outlined the main issues to be addressed, an assessment of the evidence and my conclusions.
2. I concluded from the documentary evidence that the Order should be confirmed only in relation to the restricted byway. The Order was therefore proposed to be confirmed with modifications to remove the other claimed routes. No objections were received in response to the advertisement of the proposed modifications and there is nothing to suggest that the Order should not now be confirmed in relation to the restricted byway.

### **Conclusion**

3. For the reasons set out in my interim decision I conclude that the Order should be confirmed with the modifications originally proposed.

### **Formal Decision**

4. I confirm the Order subject to the following modifications:
  - Delete from Parts I and II of the Order Schedule the descriptions for CRs 2, 3, 4, 5, 6 and 7.
  - Remove CRs 2, 3, 4, 5, 6 and 7 from the Order Map and amend the map key accordingly.

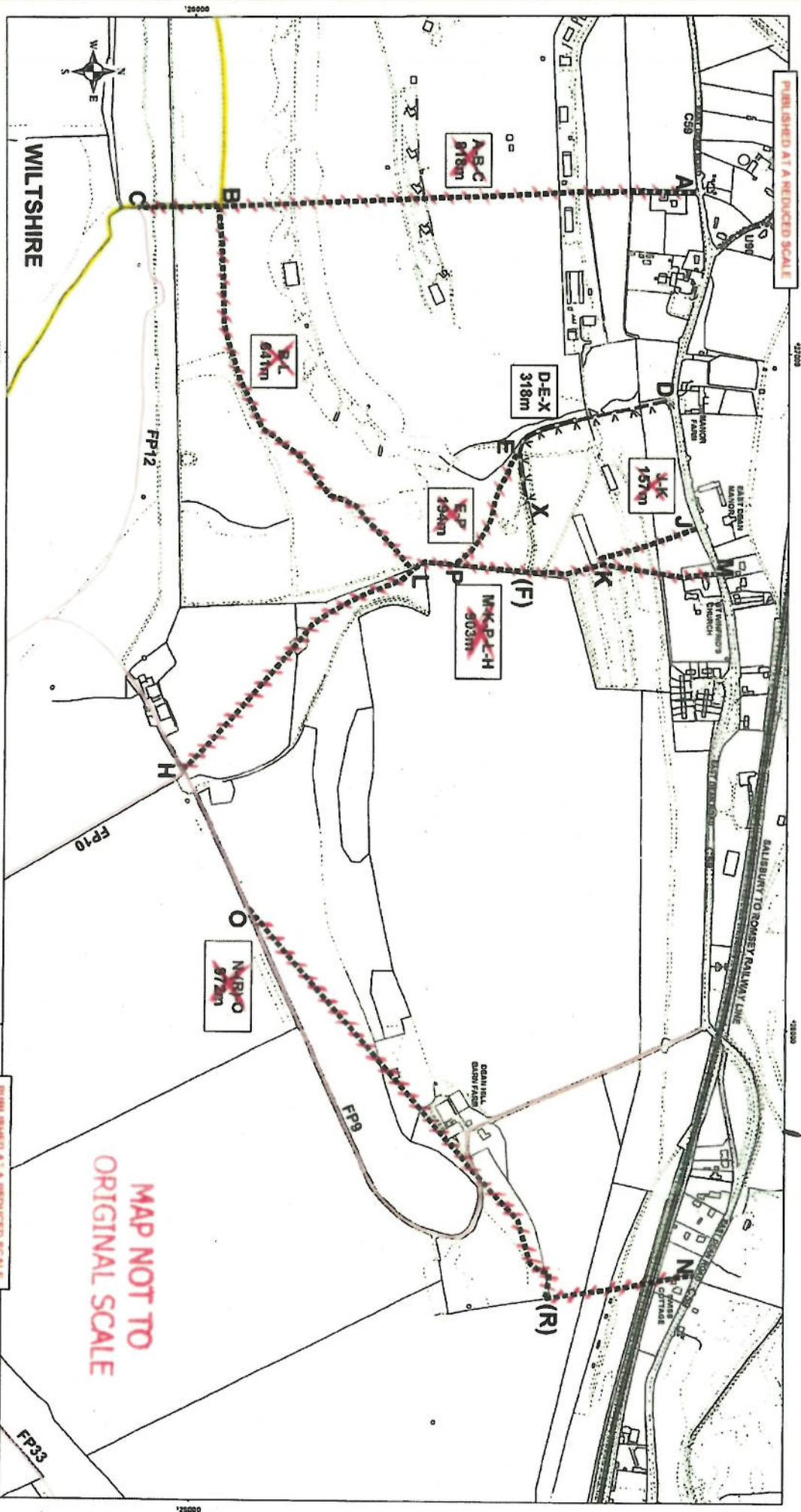
*Mark Yates*

**Inspector**

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# HAMPSHIRE COUNTY COUNCIL WILDLIFE AND COUNTRYSIDE ACT 1981

MAP REFERRED TO IN THE HAMPSHIRE  
(TEST VALLEY BOROUGH No. 63)(PARISH OF EAST DEAN)  
DEFINITIVE MAP MODIFICATION ORDER 2017



SCALE 1:4000

- LEGEND
- FOOTPATH TO BE ADDED TO THE MAP SHOWN: - - - - -
  - RESTRICTED BYWAY TO BE ADDED TO THE MAP SHOWN: - - - - -
  - EXISTING FOOTPATH TO BE RETAINED SHOWN: - - - - -
  - COUNTY BOUNDARY: - - - - -

MAP No. 485 PRODUCED FROM DIGITAL DATA  
SUPPLIED BY ORDNANCE SURVEY

DATE: .....

AUTHORISED SIGNATORY: .....

PUBLISHED AT A REDUCED SCALE

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