

**NOTICE OF ORDER**  
**Highways Act 1980 Section 119**  
**& Wildlife and Countryside Act 1981 Section 53**

Hampshire County Council

(Basingstoke and Deane Borough No.8) (Parish of East Woodhay – Part of  
Footpath No. 26 and Part of Bridleway No. 27) (Test Valley Borough No.  
25) (Parish of Facombe – Part of Footpath No. 2) Public Path Diversion and  
Definitive Map and Statement Modification Order 2019

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **01 December 2020**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to DIVERT

**East Woodhay No. 26 - From SU 4070 6014 to SU 4016 5992**

Commencing adjacent to disused chalk pit (Point A) westward to junction with Bridleway 27 (Point B) to the Parish Boundary (Point C). A total length of 621 metres.

**East Woodhay No. 27 - From SU 4048 6002 to SU 3966 6033**

Commencing in woodland north of Home's Pond (Point G) proceeding north-westwards to Bridleway 27 in woodland north of Dean Hill (Point J). A total length of 879 metres

**Facombe No. 2 - From SU 4016 5992 to SU 4023 5988**

Commencing at the Parish Boundary (Point C) proceeding south-west then south-east to Charldown Top Copse (Point D). A total length of 85 metres.

TO NEW ROUTES

**East Woodhay No. 26a - From SU 4070 6014 to SU 4054 5999**

A 1.5 metres wide path commencing at Point A proceeding south-west to a junction with Bridleway 27 (Point H). A total length of 85 metres.

**East Woodhay No. 26b - From SU 4048 6002 to SU 4040 5988**

A 1.5 metres wide path commencing at a junction with Bridleway 27 (Point G) proceeding south-west then north-west to junction with Facombe Footpath 2 at the Parish Boundary (Point E). A total length of 334 metres.

**East Woodhay No. 27 - From SU 4048 6002 to SU 3966 6033**

A 2 metre wide path commencing in woodland north of Home's Pond (Point G) proceeding north-westwards south of existing bridleway to rejoin it in woodland north of Dean Hill (Point J). A total length of 900 metres

**Facombe No. 2**

**From SU 40234 59880 to SU 40229 59878**

Facombe Footpath 2 commencing at the junction with East Woodhay Footpath 26b at the Parish Boundary (Point E) proceeding south-westwards to Charldown Top Copse (Point D). A total length of 4 metres.

Any queries relating to this Order should be referred Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 4445502 Email: [clive.richards@planninginspectorate.gov.uk](mailto:clive.richards@planninginspectorate.gov.uk). Please quote reference number ROW/3254464 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the offices of Hampshire County Council, The Castle, Winchester, SO23 8UL between the hours of 9.00–4.00. Our contact at Hampshire County Council is Kim Dawkins (Countryside Services), Tel: 03707 798829, Email: [kim.dawkins@hants.gov.uk](mailto:kim.dawkins@hants.gov.uk) **During the Covid-19 crisis it is advised that you contact the Council to make arrangements to view documents.**

### **Timetable for sending in statements of case and comments**

#### **Within 2 weeks of the start date [by 15 December 2020]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

#### **Within 8 weeks of the start date [by 26 January 2021]**

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

#### **Within 14 weeks of the start date [by 09 March 2021]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r

**HAMPSHIRE COUNTY COUNCIL****HIGHWAYS ACT 1980  
WILDLIFE AND COUNTRYSIDE ACT 1981****THE HAMPSHIRE (BASINGSTOKE AND DEANE BOROUGH NO. 8)  
(PARISH OF EAST WOODHAY – PART OF FOOTPATH NO. 26 AND PART  
OF BRIDLEWAY NO. 27) (TEST VALLEY BOROUGH NO. 25) (PARISH OF  
FACCOMBE – PART OF FOOTPATH NO.2)  
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER 2019**

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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.

The landowner 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.

Basingstoke and Deane 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 East Woodhay and Faccombe 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 certified that the work necessary to bring the site of the new footpath, 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 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 East Woodhay and Facombe 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 20<sup>th</sup> day of November 2019

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

Authorised Signatory




37/1448

## SCHEDULE

### PART 1

#### DESCRIPTION OF SITE OF EXISTING RIGHTS OF WAY

##### **East Woodhay No. 26**

**From SU 4070 6014 to SU 4016 5992**

Footpath No. 26 in the Parish of East Woodhay, in the Borough of Basingstoke and Deane, commencing adjacent to disused chalk pit (Point A on the order map), proceeding westward uphill across open access land to a junction with Bridleway 27 (Point B), over a stile, cross field to the Parish Boundary SU 4016 5992 (Point C).

A total length of 621 metres.

##### **East Woodhay No. 27**

**From SU 4048 6002 to SU 3966 6033**

Bridleway No. 27 in the Parish of East Woodhay, in the Borough of Basingstoke and Deane, commencing in woodland north of Home's Pond (Point G), proceeding north-westward to rejoin Bridleway 27 in woodland north of Dean Hill (Point J).

A total length of 879 metres.

**Facombe No. 2****From SU 4016 5992 to SU 4023 5988**

Footpath No. 2 in the Parish of Faccombe, in the Borough of Test Valley, commencing at the Parish Boundary (Point C), proceeding south-westward, then south-eastward to Charldown Top Copse (Point D).

A total length of 85 metres.

**PART 2****DESCRIPTION OF SITE OF NEW RIGHT OF WAY****East Woodhay No. 26a****From SU 4070 6014 to SU 4054 5999**

A 1.5 metre wide path in the Parish of East Woodhay, in the Borough of Basingstoke and Deane, commencing adjacent to disused chalk pit (Point A), proceeding south-westward uphill to a junction with Bridleway No. 27 (Point H).

A total length of 217 metres.

**East Woodhay No. 26b****From SU 4048 6002 to SU 4023 5988 via SU 4040 5988**

A 1.5 metre wide path in the Parish of East Woodhay, in the Borough of Basingstoke and Deane, commencing at a junction with Bridleway 27 (Point G), proceeding south-westward around field edge, then north-westward to junction with Faccombe Footpath 2 at the Parish Boundary (Point E).

A total length of 334 metres.

**East Woodhay No. 27****From SU 4048 6002 to SU 3966 6033**

A 2 metre wide path in the Parish of East Woodhay, in the Borough of Basingstoke and Deane, commencing in woodland north of Home's Pond (Point G), proceeding north-westward to south of existing bridleway to rejoin it in woodland north of Dean Hill (Point J).

A total length of 900 metres.

**Facombe No. 2****From SU 40234 59880 to SU 40229 59878**

Footpath No. 2 in the Parish of Faccombe, in the Borough of Test Valley, commencing at a junction with the above-mentioned East Woodhay Footpath 26b at the Parish Boundary (Point E), proceeding south-westward to Point D..

A total length of 4 metres.



**PART 3****LIMITATIONS AND CONDITIONS**

Gate at SU 4066 6011  
Gate at SU 4054 5999

**PART 4****MODIFICATION OF DEFINITIVE STATEMENT**

Variation of particulars of path or way

**Facombe Footpath 2**

Delete:

"East Woodhay 26  
4016 5992

The footpath follows a diverted route between 4002 5945 and 4016 5992  
2.5 metres wide between 4002 5945 and 4023 5988  
2 metres wide between 4023 5988 and 4016 5992"

Add:

"East Woodhay 26a  
4023 5988

The footpath follows a diverted route between 4002 5945 and 4023 5988  
2.5 metres wide between 4002 5945 and 4023 5988"

**East Woodhay Footpath No.26**

Delete:

"East Woodhay 26  
4016 5992"

Add:

"East Woodhay 26a  
4054 5999

East Woodhay 26b  
4048 6002 to 4023 5988

The path follows a diverted route between 4070 6014 and 4023 5988  
1.5 metres wide between 4070 6014 and 4054 5999  
1.5 metres wide between 4048 6002 and 4023 5988"

Add:

"The path follows a diverted route between 4048 6002 and 3966 6033  
2 metre wide between 4048 6002 and 3966 6033"

MAP NOT TO  
ORIGINAL SCALE

06

# HAMPSHIRE COUNTY COUNCIL

MAP REFERRED TO IN

THE HAMPSHIRE (BASINGSTOKE AND DEANE BOROUGH NO.8) (PARISH OF EAST WOODHAY  
- PART OF FOOTPATH NO. 26 AND PART OF BRIDLEWAY NO. 27) (TEST VALLEY BOROUGH NO.25)  
(PARISH OF FACCOMBE - PART OF FOOTPATH NO. 2) PUBLIC PATH DIVERSION  
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2019

SCALE 1:4000  
LEGEND

