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# Report

**Subject** : Highways Act 1980 Section 119 Proposed Diversion of Bridleway 29  
Amesbury (part) at Solstice Business Park Amesbury

**Report to** : Northern Area Committee

**Date** : 15/11/2007

**Authors** : Judy Howles & Eric Teagle

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## 1. Report Summary:

An application has been made under the above act to divert Bridleway 29. Full information can be found in the letter from WCC highways attached.

Members' views on the diversion are sought.

## 2. Background

The Solstice Park development was approved in outline under ref s/1999/721. This application (and subsequent s 73 applications which amend this outline permission) have all contained a condition that:

***No development shall take place that affects bridleway 29 until it has been formally diverted.***

The northern section of this bridleway has been formally diverted and the area concerned is now developed. However, no development has taken place – nor currently has any application been received, though one is anticipated – for the land on which the undiverted section of bridleway 29 runs. Agreement to the diversion will better facilitate future development of this area.

The bridleway as proposed to be diverted also facilitates a link to byway 1 on the eastern boundary of Solstice Park via an area of designated open space

A previous request for the diversion of the bridleway was considered by Northern Area Committee at its meeting on 28 June 2007 where it resolved as follows:

**Extract minute: “12. Highways Act 1980 – Section 116 Application – Proposed Diversion of Byway 1 and Bridleway 29, Amesbury:**

*The Committee considered the previously circulated report from the Head of Forward Planning and Transportation.*

**Resolved:** *that the application to divert Byway 1 and Bridleway 29 be supported.”*

However, that application under Section 116 of the Highways Act did not proceed.

**3. Options for consideration:**

- (a) That members agree to the diversion
- (b) That members object to the diversion.

**4. Consultation Undertaken:**

Northern Area Committee is a consultee, the decision will be taken by WCC; however a letter of representation has been received

4.1 Representations

A letter has been received stating that planning permission should not be granted for any construction across the definitive route of this bridleway until it has been formally diverted by due legal process, and enquiring if SDC are aware of its definitive route.

**5. Recommendation:**

- (1) That members agree to the proposed diversion

**6. Background Papers:**

Letter and plan from WCC attached.

**7. Implications:**

**Financial:** None

**Legal:** None.

**Human Rights:** None

**Personnel:** None

**Community Safety:** None

**Environmental:** None

**Council's Core Values:** An open learning council

**Equalities:** None

**ICT:** None

**Wards Affected:** Amesbury East