

APPENDIX 3

**APPLICATION FORM FOR
DIVERSION OR EXTINGUISHMENT OF
PUBLIC FOOTPATH / BRIDLEWAY / RESTRICTED BYWAY**

**SECTIONS 118 AND 119 OF THE HIGHWAYS ACT 1980
SECTION 257 OF THE TOWN AND COUNTRY PLANNING ACT 1990**

IMPORTANT

No authority for the extinguishment or diversion of a highway is conferred unless and until a Public Path Extinguishment or Diversion Order has been made, confirmed and come into effect. Any preliminary obstruction of, or interference with, the highway concerned may not only be an offence, but may make it impossible to proceed with the making of an Order.

1. NAME AND ADDRESS OF APPLICANT

Name: [REDACTED]

Postal Address: CHALLCOMBE GROVE FARM
CHALLCOMBE BATH BA1 9BQ

Email address [REDACTED]

Telephone No: [REDACTED]

2. NAME AND ADDRESS OF AGENT(S)

Name: _____

Postal Address: _____

Email Address _____

Telephone No: _____

3. PARTICULARS OF RIGHT OF WAY TO BE EXTINGUISHED/DIVERTED*

a) Footpath / ~~Bridleway / Restricted Byway~~* No. BAS 114

b) Parish of CHALLCOMBE

c) Length in metres of section to be extinguished/diverted 248m

d) Width in metres of section to be extinguished/diverted 2m

e) Description of length to be extinguished/diverted by reference to terminal points on plan to accompany this application

POINT A-D: LEAVES POINT A, THROUGH
BRISOL CREEK @ B. DOWN STEPS @ C, STRAIGHT
DOWN ANGLED HEADLAND TO POINT D.

*Description
of new
proposed
use*

*Route to be diverted travels from point A down some
steps and straight down to point D in a generally
easterly direction down the hill.*

- (f) Is the existing route freely available to the public? If NOT, please give reasons:

YES

4. REASONS FOR THE EXTINGUISHMENT/DIVERSION* OF THE PATH

SAFETY OF CHILDREN IN
RESPONSE TO INCIDENTS

Please Note:

- i) A path can be extinguished under **Section 118 of the Highways Act 1980** only if it can be shown that it is no longer needed for public use; or
- ii) A path can be diverted under **Section 119 of the Highways Act 1980** in the interests of the landowner/occupier/lessee, or of the public, or
- iii) A path can be diverted or stopped up under **Section 257 of the Town and Country Planning Act 1990** in order to allow development to take place.

If an extinguishment application, please give details of an alternative route, or the reasons why an alternative route is not considered necessary.

5. PLANNING APPLICATION DETAILS

This section is only to be completed if a path is to be extinguished or diverted under 4 (iii) above, please give details of Planning Permission.

- a) Application number _____
- b) Date permission granted _____
- c) If permission not yet granted, date application submitted _____
- d) Nature of development _____
- e) Date development expected to begin _____

6. **PARTICULARS OF NEW PATH TO BE PROVIDED (if applicable)**

- a) Length in metres 244m
- b) Width in metres 2m
- c) Surface FIELD
- d) Description of length to be provided by reference to terminal points on plan to accompany this application

SEE OVER

- e) What works do you propose to undertake to bring the new path into a condition fit for use by the public?

STEPS @ POINT C . + GENERAL
CLEARANCE + MAINTENANCE

7. **RELEVANT CONSIDERATIONS**

In what way would the proposals affect the following factors, as set out in the PPO Policy:

- a) **Connectivity** NO CHANGE
- b) **Equalities Impact** NO CHANGE
- c) **Gaps & Gates** INSTALLED NEW BRISTOL GATE - B
+ NEW STAIRS B-C
- d) **Gradients** NO CHANGE
- e) **Maintenance** LAND OWNER TO MAINTAIN
CLEAR FOOTPATH
- f) **Safety** NO CHANGE
- g) **Status** REMAINS AS FOOTPATH
- h) **Width** 2m
- i) **Features of Interest** CREATION OF VIEW POINT
WITH DAUCH B+C

8. PARTICULARS OF OWNERSHIP

- a) Applicant's interest (*owner/occupier/lessee*) in the land over which the existing path referred to in this application passes.

OWNER

- b) Applicant's interest in the land over which the new path is to be provided

OWNER

- c) Do any other persons have an interest in the land over which existing or proposed paths pass? If so, give names and addresses of persons and nature of interest



- d) If other persons have an interest in the land affected, please tick to confirm that a copy of their written permission for the proposals to go ahead is enclosed.

9. THIS APPLICATION MUST BE ACCOMPANIED BY A PLAN TO A SCALE NOT LESS THAN 1:2500 (ON A CURRENT ORDNANCE SURVEY BASE) SHOWING-

- i) section of path to be ~~extinguished~~ DISCONTINUED
- ii) new path to be provided ✓ AND

Please tick box to confirm a plan is enclosed



DECLARATION

I/We understand that no authority for the extinguishment of a public right of way is conferred unless and until any order made has been confirmed and come into effect and notice of this has been published.

I/We declare that the public right of way to be stopped up is not obstructed and that it is fully available to the public. (Subject to Article 3(f) above).

I/We hereby agree that if a diversion/extinguishment order is made I/We will defray any compensation which becomes payable under section 121 of the Highways Act 1980 in consequence of the coming into operation of the Order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

I/We agree to pay the charges for processing the Order once it has been made and once it has been confirmed and agree to pay for the costs of advertising the Order when it is made, when it is confirmed and when it comes into effect if this is different from the date of confirmation. The Authority's Scale for Charges for Public Path Orders is published on the Authority's website.

I/We apply for the extinguishment/diversions of the highway described above.

I/We declare that to the best of my/our knowledge and belief all the particulars given are true and accurate.

Signature

Name

Signed Date

Name

On completion, this form, should be returned, together with the plan and copies of any consents if appropriate, to:

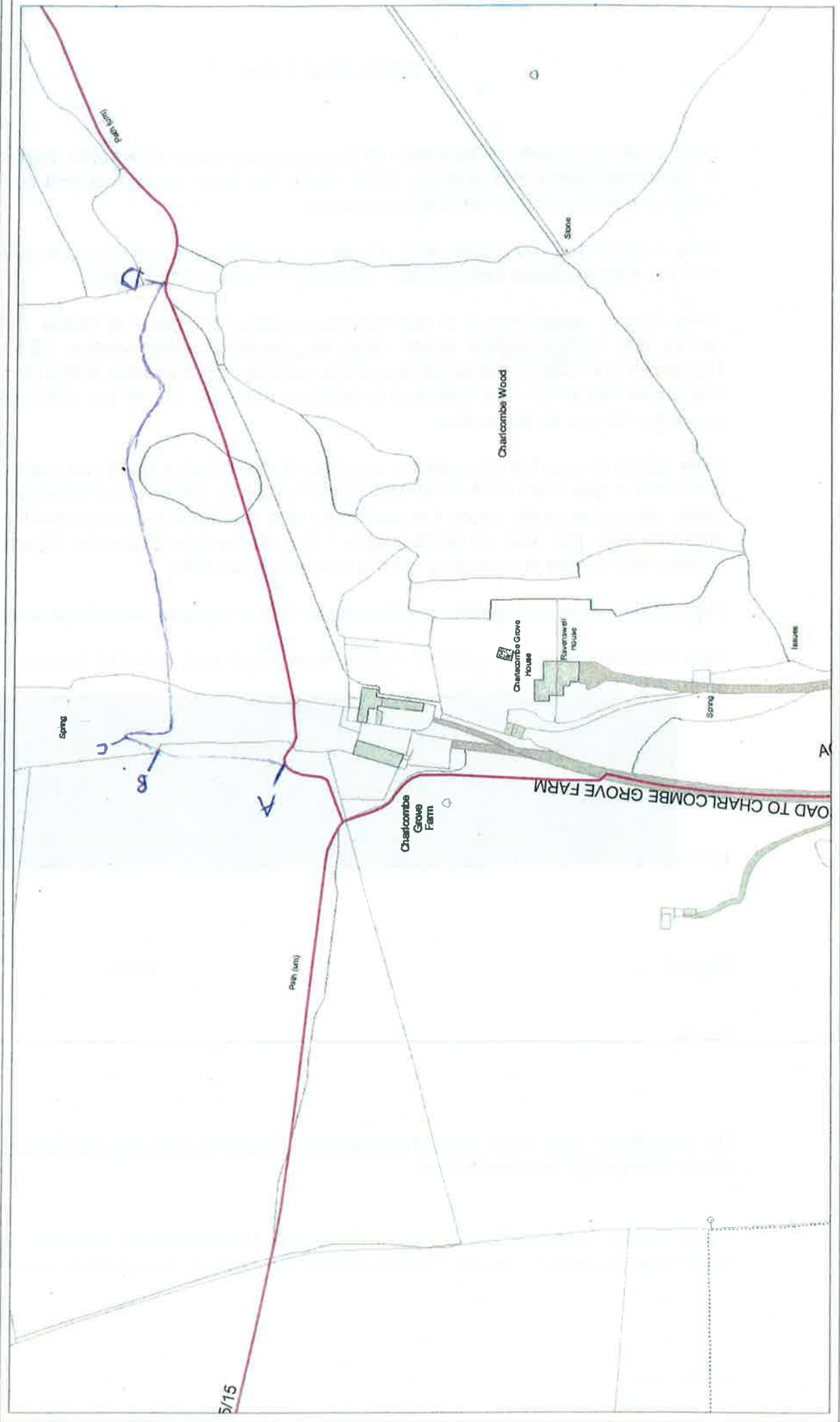
Public Rights of Way, Floor 2 South, Riverside, Environmental Services, Bath & North East Somerset Council, Temple Street, Keynsham, Bristol BS31 1LA.

Bath & North East Somerset Council
Riverside
Temple Street
Keynsham
Bristol BS31 1LA
Tel 01225 477000



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Scale 1:2500



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