

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: FACCENDA FOODS LIMITED

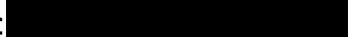

Postal Address: WILLOW ROAD  
BRACKLEY NN13 7EX

Email address \_\_\_\_\_ Telephone No: 

**2. NAME AND ADDRESS OF AGENT(S)**

Name: RICHARD CLARKE

Postal Address: WILLOW ROAD  
BRACKLEY NN13 7EX

Email Address \_\_\_\_\_ Telephone No:   


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

a) Footpath / Bridleway / Restricted Byway\* No. BA 19/22

b) Parish of PEASEDOWN ST JOHN

c) Length in metres of section to be extinguished/diverted 146 METRES

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

e) Description of length to be extinguished/diverted by reference to terminal points on plan to accompany this application  
FROM POINTS A TO B

- (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**

IN 1992 THE POULTRY HOUSES WERE BUILT BY MR DAVID DGEHAM FACENDA FOODS. ACQUIRED THE FARM IN 1999 NOT KNOWING THE FP ROUTE BEING USED WAS NOT THE CORRECT ROUTE,

**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.

NOT APPLICABLE

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 NOT KNOWN
- b) Date permission granted 1991
- 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 NOT APPLICABLE
- b) Width in metres \_\_\_\_\_
- c) Surface \_\_\_\_\_
- d) Description of length to be provided by reference to terminal points on plan to accompany this application

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

NONE  
\_\_\_\_\_  
\_\_\_\_\_

7. **RELEVANT CONSIDERATIONS**

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

- a) **Connectivity** AS EXISTING
- b) **Equalities Impact** AS EXISTING
- c) **Gaps & Gates** AS EXISTING
- d) **Gradients** AS EXISTING
- e) **Maintenance** AS EXISTING
- f) **Safety** AS EXISTING
- g) **Status** AS EXISTING
- h) **Width** 2 METRES
- i) **Features of Interest** AS EXISTING

**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

NONE

- 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
- ii) new path to be provided

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.

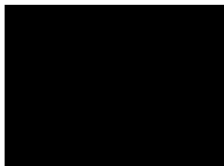
I/We declare that the public right of way to be stopped up is not obstructed and that it is fully available to the public. (Subject to Article 3(f) above).

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.

Signed  ..... Date 15/9/2014  
Name RICHARD CHAPPE .....

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.*



# Skylark Farm, Peasedown St John

Scale 1:2500

Legal Definitive Line of Footpath

Alternative Route

