

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: MR R F + J WÖRLER
Postal Address: WEAVERS FARM
WELLOW BA2 8QG
Email address: - Telephone No: 

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. BA25/16
- b) Parish of WELLOW
- c) Length in metres of section to be extinguished/diverted 364 METRES
- d) Width in metres of section to be extinguished/diverted FULL WIDTH
- e) Description of length to be extinguished/diverted by reference to terminal points on plan to accompany this application

A-B
A = GRID REFERENCE ST 7285 5819
B = " " ST 7248 5823

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

USED AS FOOTPATH

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

DIVERT TO ROUTE REGULARLY USED
BY HORSE RIDERS

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 183 m
- b) Width in metres 3m
- c) Surface GRASS.
- d) Description of length to be provided by reference to terminal points on plan to accompany this application

A-C
A = ST 7285 5819
C = ST 7274 5834

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

INSTALL BRIDLE GATE AT C.
IMPROVE SURFACE OF FIELD AROUND C.

7. RELEVANT CONSIDERATIONS

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

- a) **Connectivity** EXITS CLOSER TO FOOTPATH BARS 13

- b) **Equalities Impact** _____

- c) **Gaps & Gates** BRIDLE GATE TO BE INSTALLED AT C

- d) **Gradients** _____

- e) **Maintenance** _____

- f) **Safety** BETTER FOR HORSE RIDERS TO FOLLOW THE HEDGE

- g) **Status** _____

- h) **Width** _____

- i) **Features of Interest** _____

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.

OWNERS

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

OWNERS

- 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. ACCOMPANYING DOCUMENTS AND CONSENT

Please tick boxes as appropriate

- a) A plan based on a current Ordnance Survey base map showing section of path to be extinguished and new path to be provided is attached.
- b) CAD/GIS file sent (development related applications only)
- c) A cheque for £715 is enclosed.
- d) It is understood that if the Authority decides to make an order then the remaining £2,755 will be payable at that time
- e) Consent is granted for the applicant's name and postal address to be made publically available.

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 a further £2,755 if the Authority decides to make an order.

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 18/12/18.....

Name

Signed  Date 18/12/18.....

Name

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

Public Rights of Way, Bath & North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG.

PROW

Wellow

- Public footpath 
- Public Bridleway 
- Restricted byway 
- Byway Open to All Traffic 

Scale : 1:5,000



**Bath & North East
Somerset Council**

This is a draft map and has not been fully checked for accuracy of public rights of way information.
If you have any queries please contact Bath and North East Somerset Council's Public Rights of Way Team.

