

HIGHWAYS ACT 1980

APPLICATION FOR AN ORDER TO CHANGE THE PUBLIC RIGHTS OF WAY NETWORK.

SECTION ONE – THE APPLICANT (About you)	
1. Your name: (Mr/Mrs/Miss/Ms/Dr)	
2. Correspondence Address Postcode:	How would you prefer to be contacted (tick only the relevant box(es) and add contact details: <input type="checkbox"/> Landline telephone: <input type="checkbox"/> Mobile 'phone voice: <input type="checkbox"/> Mobile 'phone text: <input type="checkbox"/> E-mail:
3. Name and address of agent (if applicable) Postcode:	Contact telephone number Email address: Shall we deal with your agent or with yourself direct? Agent <input type="checkbox"/> Myself <input type="checkbox"/> [tick ✓ one box only]

SECTION TWO – THE APPLICATION (What it is you want)

4. Do you want to: √

(a) create a new footpath, bridleway or restricted byway (creation)

(b) remove an existing path* (extinguishment)

(c) move a path* from one route to another (diversion)

(d) replace footpath or bridleway with path of higher status (upgrade)

(e) replace restricted byway or bridleway with path of lower status (downgrade)

*applies only to footpaths, bridleways, and restricted byways [please tick √ if applicable]

5. Please describe below what it is you want and attach a plan of suitably large scale to help you illustrate your proposal:

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6. What parish(es) is/are the path(s) in?

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7. Is/are the to be created, moved or removed path(s):

Footpath

Bridleway

Restricted Byway

Definitions

- Footpath - (FP) A public right of way on foot only.
- Bridleway - (BW) A public right of way on foot, or riding or leading a horse or bicycle.
- Restricted Byway - A public right of way on foot, or riding or leading a horse or bicycle, or in a non-mechanically-propelled vehicle (e.g. horse and cart).

8. For existing paths, what is/are its/their number(s) as shown on the Definitive Map if known (*Example Footpath UK15 Rushden*)? If unknown, please leave blank.

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SECTION THREE – LAND OWNERSHIP DETAILS

9. Do you own all the land over which the existing path(s) and the new path(s) run(s)?

YES NO

If YES – please go to Question 10

NB. You may be required to provide proof at your own expense of your ownership of the land in question.

10. Please list below the names and addresses of all the owners of land potentially affected by your application:

Does any part of the land crossed by the existing or proposed path(s) cross land belonging to the Church or to the Crown?

YES NO

Please indicate on a separate plan (to the plan showing the proposal) the extent of your ownership and any other owners affected by your application.

(a)

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Do they consent to your application?

YES NO

(b)

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Do they consent to your application?

YES NO

(c)

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Do they consent to your application?

YES NO

(d)

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Do they consent to your application?

YES NO

You must provide written consent from any other landowner affected by your application. Without such consent your application cannot be processed.

11. Please give the names and addresses of any tenants, occupiers or others with an interest in any of the land potentially affected by your application (including any individual or organisation with sporting or fishing rights or private rights of access).*

<p>(a)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Do they consent to your application?</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>	<p>(b)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Do they consent to your application?</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>(c)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Do they consent to your application?</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>	<p>(d)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Do they consent to your application?</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>

***You must provide written consent from any other tenant, occupier or party with a legal interest (e.g. private easement) affected by your application**

SECTION FOUR - THE NEW ROUTE(S) (For creations and diversions)

12. Please list all structures (if any) you wish to erect and/or existing structures you wish to retain on the new route of the path, and indicate where by reference to letters on an attached plan along with an explanation of why you want them.

Structures include: kissing gates, bridle gates, other gates, bridges, etc.

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Please note – that we will only ‘authorise’ structures if they are to control the ingress or egress of animals and we will not accept stiles on new routes.

13. What works (if any), such as scrub clearance, surfacing, drainage or similar do you propose for the new path(s)? How long will you need to arrange for these works to be carried out once an order is ready to come into force?

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Please note – that all works felt necessary by the applicant and/or the highway authority must be carried out at the expense of the applicant and to a standard acceptable to the highway authority before any proposed changes come into force.

14. What widths do you envisage allowing for the new path? (please state in metres).

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Please refer to the separate widths policy document.

15. Do you intend to erect fencing adjacent to the new route?

YES NO

If YES, please describe type, height and intended position of fencing.

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16. We can make orders to extinguish (permanently close) paths if they are no longer needed for public use.

We can make diversion orders (to move paths) in the interests of the owners/occupiers or in the interests of the public (please state which below).

We can make creation orders if there is a need for the path in the area.

NB. Proposed downgradings count as extinguishment of the class of path to be lost, so a proposed downgrading from bridleway to footpath will be treated as the extinguishment of a bridleway. Similarly upgradings will count as the creation of the highest right sought; so footpath to restricted byway should be treated as the creation of a restricted byway.

Please tell us why you want this order and in particular why it is in your interest for diversions and why you believe the path to be no longer needed, for proposed extinguishments:

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SECTION FIVE – FEES AND CHARGES

- 17. If we make an order as a result of this application you will be required to pay a fee to cover the cost of the Council's administration, legal fees and to reimburse us for the cost of advertising the making of, and later, the confirmation of the order.**

If we do not make an order or choose not to confirm an unopposed order (without the applicant's permission), no fee will be payable, or any fee paid already will be refunded upon request

If we confirm an order as a result of this application you will be required to cover the cost of any works needed and you may have to pay any resultant compensation to an affected third party if applicable.

- 18. An up-to-date schedule of fees and charges is available on the Northamptonshire County Council web-site or by emailing defmap@northamptonshire.gov.uk**

SECTION SIX – DATA PROTECTION

- 19. All personal data is supplied voluntarily at the applicant's discretion and will be held and used by Northamptonshire County Council (NCC), KierWSP and LGSS Law their agents and successor authorities or organisations only in so far as is necessary in order to facilitate the determination of an application for a Public Path Order under the Highways Act 1980. More specifically, the data may be:**

- a). Stored electronically on a computer system operated by or on behalf of NCC.
- b). Shared in whole or part with interested parties such as parish or district councils, user groups such as the Ramblers' Association and any formal objectors to any order which may be made by NCC as a consequence of this application.
- c). Shared with NCC's formal decision maker in a report which will be available for public viewing on request.
- d). In the event that an order is made and attracts objections this form will be shared with the Planning Inspectorate as forming part of NCC's submission.
- e). At a Public Hearing or Public Inquiry into an opposed order this form will be in NCC's bundle of documents which will be available for inspection by any member of the public attending the Hearing or Inquiry.
- f). The form will be retained in accordance with NCC's formal data retention schedule as applicable at the time.

SECTION SEVEN – DECLARATION

20. I declare the following:

- a) All details above are true to the best of my knowledge.
- b) I understand and accept that if an order is made as a result of this application, and not subsequently abandoned without my agreement, I will be charged an administration fee and asked to reimburse the cost of advertising the making of, and confirming of the order in accordance with NCC’s schedule of fees and charges in force at the time the application was first made.
- c) I understand and accept as part of the process of dealing with this application I shall be required to comply with the Council’s policy on widths for new paths and the least restrictive option for all path furniture.
- d) I understand and accept that I may become responsible for future maintenance of bridges, culverts, structures, etc, when the order has been made in the interests of the applicant.
- e) I understand that no authority for the diversion or extinguishment of a public path is conferred until and unless an order has been both made and subsequently confirmed and, if required by the articles of the order concerned, any new route formally certified as acceptable by this Authority.
- f) I understand that until such time as an order diverting or extinguishing an existing public right of way is made, confirmed and, where applicable, certified the existing path(s) remain public highways and must be kept open and available for public use.
- g) I undertake to defray any compensation which may become payable by the establishment of the new route and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Signed:

Dated

Print Name:

21. When complete please return this form along with the relevant illustrative plan to:

The Definitive Map Team
 Northamptonshire Highways
 Mezzanine Floor
 One Angel Square
 Angel Street
 NORTHAMPTON
 NN1 5ED

FOR NORTHAMPTONSHIRE HIGHWAYS USE ONLY

Parish(es):.....	Date received:.....
Path(s):.....	Fees at date of receipt £.....
Path/plan ref:.....	Date Formally Acknowledged:.....
File Ref:.....	Date Council Decision:
Type of order sought:.....	Date sent to LGSS to make order.....
.....	Date Order Made:.....
Certification required? [Y] / [N]	Date Order Confirmed:.....
	Date Order Certified.....