



APPLICATION FOR EXTINGUISHMENT OR DIVERSION OF PUBLIC FOOTPATH / BRIDLEWAY

HIGHWAYS ACT 1980 - SECTIONS 118 AND 119 TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 257

IMPORTANT: No authority for the extinguishment of a highway is conferred unless and until a Public Path Extinguishment or Diversion Order has been made and notice of its confirmation has been published. 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

Telephone No: _____

2. NAME AND ADDRESS OF AGENT(S) (if any)

Telephone No: _____

3. PARTICULARS OF RIGHT OF WAY TO BE EXTINGUISHED OR DIVERTED

- a) Footpath / Bridleway No _____
- b) Parish of _____
- c) Length in metres of section to be extinguished _____
- d) Width in metres of section to be extinguished _____
- e) Description of length to be extinguished by reference to terminal points on plans to accompany this application (see 8 below)

f) Is an alternative right of way to be provided? If NOT, please give reason why an alternative is not considered necessary.

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

4. REASONS FOR THE EXTINGUISHMENT OR DIVERSION OF THE PATH

Please Note:

a) A path can be extinguished under the Highways Act 1980 Section 118 only if it can be shown that it is no longer needed for public use.

OR

b) A path can be diverted under the Highways Act 1980 Section 119 in the interests of the landowner / occupier, or of the public, or both,

OR

c) A path can be diverted or stopped up under the Town and Country Planning Act 1990 Section 257 in order to allow development to take place.

If path is to be extinguished or diverted under 4 (c). above, please give details of Planning Permission.

(i) Application number _____

(ii) Date permission granted _____

(iii) By whom granted _____

(iv) If permission not yet granted, date application submitted _____

(v) Nature of development _____

(vi) When is development expected to begin _____

(vii) Name of Developer _____

(viii) Address of Developer _____

(ix) Confirmation that path extinguishment/diversion is included in the planning consultation _____

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

Please Note:

The new path should not be substantially less convenient to the public.

a) Length in metres _____

b) Width in metres _____

(PLEASE NOTE, for a footpath the minimum width required for the new route is 1.8 metres; for a bridleway 3.5 metres. In some circumstances greater widths may be necessary).

c) Surface _____

d) Description of length of path to be provided by reference to terminal points on plans (see 3(e)).

e) What works do you propose to undertake to bring the new path into use for the public. (eg: stiles, gates, bridges, steps, etc).

6. PARTICULARS OF OWNERSHIP

a) Applicant's interest in the land over which the existing path referred to in this application passes.

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

c) Have any other persons 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) Please confirm that consent has been obtained from every person having an interest in the land over which the section of footpath to be provided crosses, or give particulars of any consents still required to be obtained.

7. NAMES AND ADDRESSES OF STATUTORY UNDERTAKERS IN THE AREA (whether or not their apparatus is likely to be affected).

a) (Gas)

b) (Electricity)

c) (Water)

d) (Telecommunications)

8. THIS APPLICATION SHOULD BE ACCOMPANIED BY A PLAN TO SCALE 1:2500 COLOURED AS FOLLOWS:-
- a) Bold black line- unaffected line of path
 - b) Bold red line - section of path to be extinguished
 - c) Bold dashed black line - new path to be provided
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DECLARATION

I/We understand that no authority for the stopping up of a highway 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 highway to be stopped up is not obstructed and that it is fully available to the public. (Subject to 3(g)).

I/We hereby agree that if a diversion/stopping up Order is made I/We will contribute towards/defray any compensation which becomes payable 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 declare that to the best of my/our knowledge and belief all the particulars given are true and accurate.

I/We will be responsible for waymarking the diversion as required by the Council before the original highway is closed.

I/We agree to pay the charges for processing the Order once it has been made 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.

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

Signed Date

By signing this document you are also giving permission for interested parties to inspect the routes for consultation purposes only.

On completion, this form should be returned, together with the plans to:

Rights of Way Section, Landscape Services, Synergy Park, Chesney Wold, Bleak Hall, Milton Keynes, MK6 1LY, or emailed to rightsofway@milton-keynes.gov.uk

Rights of Way Data Protection Privacy Statement

We collect and use information about you so that we can provide you with Rights of Way services under Highways Act 1980 and Town and Country Planning Act 1990 Legislation. Full details about how we use this data and the rights you have around this can be found at www.milton-keynes.gov.uk/waste-recycling/environment-and-waste-gdpr-information If you have any data protection queries, please contact the Data Protection Officer at data.protection@milton-keynes.gov.uk