

Application for a Public Path Creation Order

HIGHWAYS ACT 1980 – SECTION 26



How to complete the application form

SECTION 1 - DETAILS OF APPLICANT(S)

Insert the name(s) and address(es) of the individual(s) making the application. This would normally be the owner and or occupier of the land crossed by the proposed route. If the land is owned by a business the form should be completed in the name of the business by an authorised person.

SECTION 2 - OWNERSHIP OF LAND

Please supply current/up to date proof of ownership for all the affected land. If any parts of the existing or proposed route cross land not wholly within the applicant's control details of any other owners, occupiers, lessees or mortgagees should be given in Sections 2 and 4. Please supply written consent to the proposal and a signed map from all owners, occupiers, lessees and mortgagees.

SECTION 3 - REASONS FOR APPLICATION

The Council may create a footpath, bridleway or restricted byway where it appears that there is a need for the path or way and it is satisfied that it is expedient to create the path or way having regard to:

- the extent to which the path or way would add to the convenience or enjoyment of a substantial section of the public, or to the convenience of persons resident in the area
- the effect the creation of the path or way would have on the rights of persons interested in the land (taking into account the provisions as to compensation contained in section 28 (as applied by section 121(2)) of the Highways Act 1980

Please state clearly your reasons for making the application.

SECTION 4 - DESCRIPTION OF ROUTE

Please complete this Section referring to the notes at the bottom of the relevant parts.

Minimum widths for proposed routes are 1.5 metres for a footpath and 3 metres for a bridleway or restricted byway.

These widths apply when the existing route is not already recorded at a greater width. If a greater width is recorded then you should propose a width at least the same as the existing, unless there is good justification for less, such as a short section passing between two buildings. If you are proposing a route along an existing track it is usually appropriate for the public's right of way to exist over the entire width of the track. Where a route passes or will pass between two boundaries or is within and adjacent to a garden boundary a minimum width of 2 metres will be required.

SECTION 5 - PERMISSION TO INSPECT ROUTE(S)

Please indicate whether you wish to accompany consultees who may wish to inspect the proposed route(s). If so please provide a contact name and telephone number to enable them to make an appointment. The name and number will be included in our consultation letter.

If any of the proposed route(s) is/are on land which is not in your ownership please supply written consent from the other affected owner(s) to the proposed route being inspected without prior notice, or if they wish to accompany consultees or to be notified in advance of a site visit please supply a name and contact number.

SECTION 6 - AGREEMENT TO REIMBURSE COSTS

For details of the charges payable please refer to the 'Guidance on Charges for Public Path Orders and Agreements'.

The form should be signed and dated by the person(s) named in Section 1.

For further information contact Sharon Berry, Public Rights of Way Officer.
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