

# Application for a Public Path Diversion Order

HIGHWAYS ACT 1980 – SECTION 119



**IMPORTANT:** Applicants should read the guidance notes before completing this form. The completed form must be accompanied by an extract from the current Ordnance Survey map at a scale of not less than 1:2500 accurately showing the definitive route of the footpath/bridleway/restricted byway to which this application relates and the proposed route. Any other adjoining public rights of way should also be accurately shown.

A plan showing existing routes can be purchased from Suffolk County Council, tel: 01473 264774, email: [definitivemap.enquiries@suffolk.gov.uk](mailto:definitivemap.enquiries@suffolk.gov.uk), or write to Rights of Way and Access Team, Growth, Highways and Infrastructure, Phoenix House, 3 Goddard Road, Ipswich, IP1 5NP

The completed form and accompanying documents should be sent to the following address and emailed to: [public.realm@baberghmidsuffolk.gov.uk](mailto:public.realm@baberghmidsuffolk.gov.uk)

Public Rights of Way Officer

Babergh and Mid Suffolk District Councils, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

Application to divert the public footpath(s)/bridleway(s)/restricted byway(s) described in Section 4 Part A of this application and situated in the parish(es) of:

## SECTION 1 - DETAILS OF APPLICANT(S)

Full name(s) of applicant(s):

Address of applicant(s):

Tel no:

Email:

Name and address of agent (if applicable):

Tel no:

Email:

Shall we deal direct with your agent?  Yes  No

**SECTION 2 - OWNERSHIP OF LAND**

2.1 Are you the freehold owner and occupier of all the land affected by the diversion proposal?

Yes  No

Please supply current/up to date proof of ownership in the form of an Epitome of Title or official copies of the Register.

If yes, go to question 2.3

2.2 If no:-

- list below the names and addresses of all the other owners, occupiers and lessees of land affected by the diversion
- indicate accurately on the application plan the different ownerships and occupations
- enclose a letter of consent from all the owners, occupiers and lessees and written confirmation that they have seen a copy of our privacy notice.

Name: ..... (owner/lessee/occupier\*)

Address: .....  
.....  
.....

Tel: .....

Email: .....

Name: ..... (owner/lessee/occupier\*)

Address: .....  
.....  
.....

Tel: .....

Email: .....

Name: ..... (owner/lessee/occupier\*)

Address: .....  
.....  
.....

Tel: .....

Email: .....

\* Delete as appropriate

2.3 Does any statutory undertaker (e.g. gas, water, electricity) have any rights on, over or under the land over which the existing right of way runs?

Yes  No

If yes, give details in Section 4 Part A.

2.4 Is the apparatus of any statutory undertaker affected by the proposed diversion?

Yes  No

If yes, give details in Section 4 Part B.

## SECTION 3 - REASONS FOR APPLICATION

3.1 The grounds on which this application is made are:

- In the interests of the owner, occupier or lessee of the land
- In the interests of the public
- In the interests of the owner/occupier /lessee of the land **AND** of the public

(Please select one of the above options).

3.2 Please state fully your reasons for making this application (using a separate sheet if necessary):

**SECTION 4 - PART A - DESCRIPTION OF SITE OF EXISTING FOOTPATH/BRIDLEWAY/RESTRICTED BYWAY TO BE DIVERTED**

Section of footpath/ bridleway/ restricted byway to be diverted to be indicated by a bold continuous line on the map (1)	Description (include details of any existing limitations or conditions e.g. kissing gate, bridge and indicate if authorised by the Highway Authority) (2)	Definitive Width (if known)	Name each owner, lessee or occupier of land over which the existing route runs. Rights of statutory undertakers, if any, to be clearly indicated for each section of the route (3)

- (1) Each section should be distinctively lettered, e.g. A-B, B-C, etc. When there are no sections insert “whole path” in this column. Add the letters to the plan.
- (2) Describe each section of the route by reference to the commencing and ending points and indicate whether the path proceeds in a straight line between those points or whether it follows an irregular course e.g. the course of a stream.
- (3) Where names differ for various sections of the route the owner, lessee and occupier of each section must be clearly indicated.

**SECTION 4 - PART B - DESCRIPTION OF SITE OF PROPOSED NEW FOOTPATH/BRIDLEWAY/RESTRICTED BYWAY**

Section of footpath/ bridleway/ restricted byway to be indicated by a bold dashed line on the map (1)	Description (include details of any proposed limitations or conditions e.g. kissing gate, bridge) (2)	Width (metres)	Name each owner, lessee or occupier of land over which the proposed route will run. Rights of statutory undertakers, if any, to be clearly indicated for each section of the route (3)

- (1) Each section should be distinctively lettered, e.g. A-B, B-C, etc. When there are no sections insert “whole path” in this column. Add the letters to the plan.
- (2) Describe each section of the route by reference to the commencing and ending points and indicate whether the path proceeds in a straight line between those points or whether it follows an irregular course, e.g. the course of a stream.
- (3) Where names differ for various sections of the route the owner, lessee and occupier of each section must be clearly indicated.

## SECTION 5 - PERMISSION TO INSPECT ROUTE(S)

The Council will carry out consultations before determining your application. Whilst consultees have the right to walk/ride the existing routes, they will need permission to walk/ride the proposed routes.

I give permission for consultees to inspect the proposed route(s) unaccompanied\*

The consultees should contact....., tel:.....  
for an appointment to inspect the proposed route(s)\*

\*Delete as appropriate

## SECTION 6 - AGREEMENT TO REIMBURSE COSTS AND DATA PROTECTION

- 6.1 To pay the costs of all the works which may be required by the Highway Authority to bring the site(s) of the new route(s) into a fit condition for use by the public. I/ We understand that if any works to be completed by me/us are not completed within the given timescale or to the required standard a contractor will be instructed to carry out the work and I/we will be liable for all costs incurred including an administration charge.
- 6.2 To reimburse to the District Council all expenses incurred by it in connection with the application whether or not an order is made or confirmed. Refunds will only be given in the circumstances set down in paragraph 9 of the 'Guidance on Charges for Public Path Orders and Agreements'
- 6.3 To reimburse to the District Council any compensation which may become payable by the District Council under Section 28 of the Highways Act 1980, as applied by Section 121(2) of the same Act, as a consequence of the coming into operation of the order.
- 6.4 In completing this document and by signing it you are allowing Babergh and Mid Suffolk District Council, to process your data in accordance with the UK General Data Protection Regulation as part of the Data Protection Act 2018 for the specific purpose outlined within this application form. Your data used for this purpose will be retained indefinitely by Babergh and Mid Suffolk District Councils. The reason for this retention period is because the Council is the only organisation to hold this data about public path orders and therefore it is considered to be of historical importance for use in the future if discrepancies arise or for research purposes.

Babergh & Mid Suffolk District Councils are registered as Data Controllers can be contacted at: Endeavour House, 8 Russell Road, IPSWICH IP1 2BX Tel: 0300 123 4000. The Data Protection Officer can be contacted at the same address. For more information regarding our Data Protection policy and how we use and look after your data please visit our website [www.babergh.gov.uk](http://www.babergh.gov.uk) | [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk) and click on Your Right to Information.

In order to progress this application we will share your information with other agencies and organisations as necessary.

Dated: .....

Signed: .....

Signed: .....

Print name: .....

Print name: .....