NOTTINGHAM CITY COUNCIL
Development Department

Application for a Public Path Diversion Order
Highways Act 1980 Section 119

Important

- You have no authority to Divert a highway until the notice announcing that the City Council or the Secretary of State has confirmed the Order, has been published. Not only is it an offence to obstruct or interfere with a highway before this is done, but it may also make it impossible for an Order to be made or confirmed
- Please read the Guidance Notes before answering the questions
- Please ensure all the necessary enclosures accompany this form (see Guidance Notes)

A – Names and Addresses

Please give:

The address of the place where the highway(s) is/are situated	Postcode
The applicants full name, address and telephone number (private or business)	Postcode Telephone
If a limited company, address of Registered Office	Postcode Telephone
The agents full name, address and telephone number. (if no agent, put 'none')	Postcode Telephone

B - Ownership of land affected by the application

- Are you the freehold owner and occupier of all the land affected by the proposed diversion? Yes ☐ No ☐
- If no, list below the names and addresses of all the owners, occupiers, or lessees of land affected by the diversion including yourself,
- Indicate accurately on the application plan the different ownerships and occupants,
- Enclose a letter of consent, and supporting documentation proving title, such as Land Registry documents, from all of the owners, occupiers and lessees.

Name	Address	Status

- Will any owners, occupiers, or lessees of the land affected by the proposed diversion to your knowledge claim compensation under Section 28 of the Highways Act 1980? Yes ☐ No ☐

- Does to your knowledge, any statutory undertaker (e.g. gas, water, electricity, telephone) have any rights on, over or under the land over which the newly created right of way runs? Yes ☐ No ☐

- If yes, describe the rights (e.g. way leave)

- Is, to your knowledge, the apparatus of any statutory undertaker affected by the proposed diversion? Yes ☐ No ☐

- If yes, state what apparatus may be affected.

C - Reasons for Application

- Please state fully your reasons for applying to divert the public right(s) of way. Remember that the City Council may not make an Order unless it is satisfied that it is expedient to do so in the interests of the owner of the land (if more than one owner then you must be able to demonstrate that its in the interest of all owners) and/or of the public (continue on separate sheet if necessary)

D - Description of route(s)

- The existing route to be diverted and the new route to be created should be shown on an accurate up-to-date O.S plan at a scale of not less than 1:2500 and submitted with this application.

E – Highway to be diverted

Is it:- Footpath ☐ Bridleway ☐ Byway ☐ Other (please describe) ☐

- What is its name?

  and number (if known)

- Description of each section below

	Length (metres)	Width (metres)	Terminal Points (use OS grid reference points) From	To
1			SK	SK
2			SK	SK
3			SK	SK
4			SK	SK

G - Proposed new route (to be created)

	Length (metres)	Width (metres)	Terminal Points (use OS grid reference points) From	To
1			SK	SK
2			SK	SK
3			SK	SK
4			SK	SK

- Is the existing route unobstructed and fully available to the public? Yes ☐ No ☐
- If the answer is NO, state fully the reasons why the route is obstructed and describe and show clearly on a plan the obstruction and the route now used by the public.

H - Agreement Regarding Works/Costs

- *I/We agree to pay the cost of £3000.00 if the Councils decision is to proceed with the proposal as detailed in the Guidance Notes and enclose a cheque for £3000.00
- *I/We understand that the applicant must pay the cost of all works which may be required by the City Council including signposting and waymarking to bring the newly created path into a fit condition for use by the public.
- *I/We understand that *I/We will be required to enter into an agreement to carry out works specified in a schedule to be drawn up by the City Council.
- *I/We understand that if the works are not completed within the time specified, or to the required standard, the City Council will, after notice in writing, carry out or complete the works and that *I/We will be liable for all costs so incurred.

(*delete as appropriate)

Signed:	Position:	Dated:
.....	.....	.....
.....	.....	.....

I - Agreement Regarding Compensation Costs

- *I/We confirm that *I/We are the sole owner(s) and occupier(s) of the land affected by the proposed extinguishment and diversion.
- *I/We enclose letters of consent from all landowners, occupiers or lessees of the land affected by the extinguishment and diversion and agree to pay any compensation which may become payable in consequence of the Order becoming operative.
- *I/We declare that the existing public right of way is not obstructed as described in **G** above and is fully available to the public.
- *I/We undertake not to obstruct the existing public rights of way in any way before the confirmed Diversion Order comes into operation.

(*delete as appropriate)

Signed:	Position:	Dated:
……	……	……
……	……	……

Please read the Guidance Notes carefully before filling in the application form(s).

☐ the completed forms,
☐ a plan based on an ordnance survey map of a scale not less than 1:2500,
☐ proof of title for the land crossed by the new highway, and
☐ a cheque made payable to Nottingham City Council for £3000.00 should be sent to;

Rights of Way Officer
Nottingham City Council
Development and Growth
Traffic Management
Loxley House
Station Street
Nottingham
NG2 3NG