



BEDFORD
BOROUGH COUNCIL

HIGHWAYS ACT 1980
TOWN AND COUNTRY PLANNING ACT 1990
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:	Contact telephone number: Mobile number: E-mail address:
3. Name and address of agent (if applicable) Postcode:	Contact telephone number Shall we deal with your agent or with yourself direct? Agent <input type="checkbox"/> Yourself <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)	<input type="checkbox"/>
(b) remove an existing path* (extinguishment)	<input type="checkbox"/>
(c) move a path* from one route to another (diversion)	<input type="checkbox"/>
*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 scale 1:2500 to 1:10,000) to help you illustrate your proposal:

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

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

.....
.....
.....

7. Is/are the path(s) a:

- Footpath
- Bridleway
- Restricted Byway
- Byway Open to All Traffic (BOAT)#

[please tick ✓ those boxes applicable]

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).
- Byway Open to All Traffic (BOAT) - A public right of way on foot, or riding or leading a horse or bicycle, or in any road-legal vehicle driven by a legally entitled driver.

Applications affecting BOATs can only be dealt with at a Magistrates' Court; or where an order affecting a BOAT is needed for planning reasons the Secretary of State must make an order under TCPA 1990 S247

8. For existing paths, what is/are its/their number(s) as shown on the Definitive Map if known (*Example Swineshead FP No. 12*)? If unknown, please leave blank.

.....
.....
.....
.....

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 11

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:

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)

Do they consent to your application?

YES NO

(b)

Do they consent to your application?

YES NO

(c)

Do they consent to your application?

YES NO

(d)

Do they consent to your application?

YES NO

You must provide written consent from any other landowner affected by your application

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

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

12. Please list all structures (if any) you wish to erect on the new route of the path, and indicate where by reference to letters on an attached plan.

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

.....
.....
.....
.....

Please note – That we will only authorise structures if they are to keep in horses or livestock and we will not accept stiles on new routes.

Please note – Any culverts erected over a watercourse will require a separate application for an inspection and consent to be provided by the Council. This includes additional costs.

Please note – Any structures over watercourses not installed by the Authority will require an inspection of the structure by the Authority to ensure it is safe for public use. This may include additional costs.

Please note – Any structures over watercourses installed by the Authority will include additional costs.

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

.....
.....

Please note that the width of your new path should be in accordance with the Guidance Note On Widths

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

YES NO

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

.....
.....
.....
.....

15. We can make HA 1980 orders to extinguish paths if they are no longer needed for public use.

We can make HA 1980 diversion orders in the interests of the owners/occupiers or in the interests of the public (please state which below).

We can make HA 1980 creation orders if there is a need for the path in the area.

We can make TCPA 1990 orders that are necessary to allow permitted development to take place

Please tell us why you want this order and in particular why it is in yours and/or the public interest or is needed for planning reasons:

.....
.....
.....
.....
.....
.....

SECTION FIVE – FEES AND CHARGES

16. 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 and to reimburse us for the cost of advertising the making of, and later, the confirmation of the order and the coming into force of the order if necessary.

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.

17. An up-to-date schedule of fees and charges is shown in the Guidance Note on Costs and summarised below:

ADMINISTRATION TO INCLUDE COSTS OF ADVERTISING:

The total cost will be £4614.80

WORKS:

The below are likely costs from our contractor. You are able to carry out this work yourself, providing the work is carried out to our specification.

Waymarker Post: £100 each

Kissing Gates: £950

Moving of finger posts: £150

Culverts: £1500

Technical inspections are required for all structures over watercourses and these associated costs are in the region of £3,500 depending on the structure. We would strongly recommend that no works are carried out prior to the confirmation of an order.

You are required to provide a suitable surface to the line of the new route. The cost for this is dependent on each individual case

SECTION SIX – DECLARATION

18. 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 I will be charged an administration fee and asked to reimburse the cost of advertising the making of, and confirming of the order.
- 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 guidelines on widths for new paths.
- 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 made and subsequently confirmed and any new route certified as acceptable by this Authority. (NB. Planning Consent alone does not grant any authority to interfere with a right of way.)
- f) 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 (see section 17 above).

Signed: **Dated**

Print Name:

NB. The contents of your application will be in the public domain once we begin to process it and may be made available for public scrutiny.

FOR BEDFORD BOROUGH COUNCIL USE ONLY

Parish(es):.....	Date Sent:.....
Path(s):.....	Sent out by (officer):.....
Path/plan ref:.....	Date Received:.....
File Ref:.....	Date Formally Acknowledged:.....
Type of order sought:.....	Administration rate at date of receipt £.....
.....	Date Council Decision:
Certification required? [Y] / [N]	Date Order Made:.....
	Date Order Confirmed:.....