



DERBYSHIRE COUNTY COUNCIL

**APPLICATION FOR THE DIVERSION/EXTINGUISHMENT OF A PUBLIC RIGHT OF WAY
UNDER S257 TOWN AND COUNTRY PLANNING ACT**

**PLEASE READ THE ACCOMPANYING GUIDANCE NOTES CAREFULLY BEFORE
COMPLETING THIS APPLICATION FORM**

IMPORTANT: No authority for the stopping up of a footpath or bridleway is conferred unless and until a Diversion/Extinguishment Order has been confirmed and certified. Any preliminary obstruction is an offence and may make it impossible to proceed with an Order.

1 Applicant details

Name and address of applicant

Daytime telephone number

E-mail address

2 Agent details (if applicable)

Name and address of Agent to whom correspondence should be addressed

Daytime telephone number

E-mail address

3 Particulars of public right of way to be diverted/extinguished:

- a) Footpath/Bridleway Number
- b) Parish/Town :
- c) Length in metres of section to be diverted
- d) Description of length to be diverted. Describe the existing position, width, surfacing, any gradients, and any stiles, gates, bridges or steps

4 Particulars of alternative route to be provided:

- a) Length in metres
- b) Description of path to be provided. Describe the existing position, width, surfacing, any gradients, and any, gates, bridges or steps

5 Interested parties

- a) Applicant's interest in the land over which the existing path runs
(eg owner/tenant/occupier)

- b) Applicant's interest in the land over which the alternative path runs
(eg owner/tenant/occupier)

- c) If any other person has an interest in either the land over which the existing path runs, or the land over which the alternative path runs please give details
NB Written consent or a joint application will be required as detailed in the guidance notes

6 s257 Town and Country Planning Act 1990

State how the proposed diversion/extinguishment satisfies s257 Town and Country Planning Act 1980 (it is the Applicant's responsibility to satisfy the Council that the application satisfies the requirements (continue on a separate sheet if necessary))

- a) Date and reference of planning permission

- b) Name and address of developer :

- c) Date works due to commence

- d) Explain why the diversion is necessary to facilitate the works for which planning permission has been granted

- e) Date the development is expected to cease:

- f) Will the public rights of way be re-instated on the original line following completion of the works?

7 Applicant's declaration and agreement

* delete as appropriate

Declaration

- a) I/We* understand that no authority for the diversion of a public footpath/bridleway* is conferred unless and until an order made under s257 Town and Country Planning Act 1990 is confirmed and, if appropriate certified,
- b) I/We* declare that the footpath(s)/bridleway(s) to be diverted is /are* in no way obstructed and that it/they* is/are* fully available to the public. I/We* undertake that it/they* shall in no way be obstructed before the order comes into operation
- c) I/We* have read and understand the guidance notes which accompany this application form
- d) I/We* that to the best of my/our* knowledge all the particulars given are true and accurate.

Agreement

I/We hereby agree:

- a) To make up the new lengths of footpath/bridleway* to such standard as is required by Derbyshire County Council or to meet the costs of the works
- b) Derbyshire County Council will carry out consultations before determining your application. Whilst consultees are able to walk the existing route, they need permission to inspect the proposed route(s)

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

I give permission for consultees to inspect the proposed route(s) but they should contact on telephone number
- c) To reimburse to Derbyshire County Council all expenses incurred by it in connection with the making of the Order, whether or not the order is confirmed
- d) To pay any compensation which may become payable in consequence of the coming

into operation of the Order

- e) To pay the cost of any works (including removal or re-positioning of any sign posts or statutory undertakers' apparatus in, or under the highways to be diverted) necessary in consequence of the coming into operation of the Order
- f) To the information supplied within and in support of this application being supplied to other parties as necessary in the context of the application and in accordance with the provisions of the Data Protection Act 1988 and the Freedom of Information Act 2000

Signed

Full Name(s)

Position (if applicable).....

Date.....