To: Cambridgeshire County Council

HIGHWAYS ACT 1980, s.119
APPLICATION FOR AN ORDER PERMANENTLY TO DIVERT
A PUBLIC RIGHT OF WAY

Name of applicant ..............................
Address ..............................................
........................................................
Tel. (work) ..................... Tel. (home) ...............

I hereby apply for the diversion of the footpath/bridleway/restricted byway (delete the term that does not apply) known as ........................ [parish] ........................ [no.] under s.119 of the Highways Act 1980 and undertake, if the County Council agrees to make an Order for the diversion of the path, to carry out such work on the diverted route of the path as may be required to bring the path into a fit condition for public use to the satisfaction of the County Council, prior to the confirmation of the Order.

Signed ............................................. Date ..................

Consent of other landowner/s & other legal and requirements
Please see Guidance and Check-list for Applicants document

The path to be diverted

Parish .............................. No. ..............................
From ........................................ OS grid ref. ...............
To ........................................ OS grid ref. ...............
Status: footpath/bridleway/restricted byway (delete the terms that do not apply)

Is the right of way open and available for use at all times by members of the public? If not, give details of any obstructions or impediments .................................................................

Landowner
Name..................................................
Address..................................................

Lessee/tenant
Name ..................................................
Address ..................................................

Occupier
Name ..................................................
Address ..................................................
Consent of Other Landowner/s affected by proposed diversion

- Please show section/s of path affected by the proposed diversion on map
- Written consent of any affected landowner/s must be obtained and attached

Name ...........................................................................................................................................
Address ........................................................................................................................................
...................................................................................................................................................

The proposed new route of the path

Please enclose a signed and dated plan, preferably at scale of not less than 1:2,500 and based on an Ordnance Survey map.

From .................................................. OS grid ref. ......................
To .................................................. OS grid ref. ......................

Landowner
Name ...........................................................................................................................................
Address ........................................................................................................................................

Lessee/tenant
Name ...........................................................................................................................................
Address ........................................................................................................................................

Occupier
Name ...........................................................................................................................................
Address ........................................................................................................................................

Other Legal Interests
Please give details of any other person(s) having a legal interest in the land over which the right of way is to be diverted, for example other landowners, mortgagees or other persons having an easement over the land:
...................................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................

Has the written consent of all such persons been obtained?
Yes/no (Delete as applicable.)

The consents must accompany this application.

New route
Please give a general description of the new route of the path.
...................................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................

Reasons for the diversion
Please indicate whether the diversion applied for is in the interests of the owner/s, lessee/s or occupier/s of the land and/or the public, and give specific reasons why:
...................................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................
What effect will the diversion have on the convenience and enjoyment of the path by the public? Please consider the following criteria:

- The proposed new route/s should not unreasonably lengthen the path/s other than where it is in the interests of an overall improvement to the local network. The proposed new route/s should not introduce ‘dog-legs’ into the path or be overly circuitous and avoid extra road walking where possible.
- The proposed new route/s should not result in lower quality or diversity of views for the path user.
- Other than in exceptional circumstances, the proposed new route/s should not remove paths from significant features of interest, natural or manmade.
- Equality Act 2010 requirements: consider the reasonable needs of disabled people e.g. in relation to path furniture. Give your reason for choice of furniture (if any).

Pre-application consultations

Please append copies of all correspondence with user groups and the relevant Parish Councils. Have any objections been raised?

Works

Before you submit your application, you should meet with the County Council’s Definitive Map Officer and Rights of Way Officer to inspect the proposed new route and to agree the works that will be needed to bring it into a fit condition for use as a public path. These works will be confirmed in writing following the site inspection. Please note that the Council will require a width of at least 2m to be provided for the new route of a public footpath, and a width of at least 4m for the new route of a public bridleway. The width of the new route of a restricted byway to be diverted will be agreed on an individual application basis.

The new path will be signposted and/or way-marked to the extent deemed necessary by the Council.

Coming into operation of the diversion

Please note that the existing route of the path to be diverted will not be extinguished until an officer of the Rights of Way and Access Team acting on behalf of the highway authority has certified that the new route of the path to be diverted has been provided on the ground to a suitable standard for use by the public. It is the applicant’s responsibility to ensure that works to provide the new route of the path are completed.

Recovery of fees and costs

Under the ‘Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 as amended by SI 1996 No. 1978, the County Council may recover from the applicant the reasonable administrative costs of processing applications for, and making, public path orders. The County Council will invoice you for:
the administrative costs of processing your application up to the making of a public path order, as set out in the Cambridgeshire Highway Records Guide which contains a Schedule of Charges that are available at www.cambridgeshire.gov.uk/highwaysearches;

- staff travelling expenses @ 45p per mile plus VAT;
- the cost of inserting Public Notice(s) in the relevant local newspaper(s) at the time of the making of the Order and Public Notice(s) in the relevant local newspaper(s) at the time of the confirmation of the Order.

The County Council will meet the costs of taking an opposed Order to a public inquiry. Please note that the Council reserves the right to decline to proceed to a public inquiry for an opposed Order.

**Highways Service – Asset Information Definitive Map Team: Data Protection Privacy Notice**

We collect and use information about you - such as your name, address, email address, telephone number, and payment details - so that we can provide you with our services acting in our capacity as the Highway Authority and Commons Registration Authority under the Commons Registration Act 1965, Highways Act 1980, Wildlife & Countryside Act 1981, Town & Country Planning Act 1990, Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Commons Act 2006.

Full details about how we use this data and the rights you have around this can be found in our privacy notice at www.cambridgeshire.gov.uk/privacy. If you have any queries, please contact the Data Protection Officer at data.protection@cambridgeshire.gov.uk. The national regulator for Data Protection is the Information Commissioner’s Office: https://ico.org.uk/
Statement
I hereby agree to put the new route(s) into a fit condition, as approved by the Council, for use by the public within 28 days of a request by the Council to do so. (I acknowledge that under the provisions of s.119(5) of the Highways Act 1980 the County Council will put the path(s) into a fit condition if I have not already done so and recover the costs of doing so from me.)

I hereby undertake to defray any compensation which becomes payable in consequence of the coming into operation of the Order, and to pay in full the County Council’s administrative costs of making the Order and the costs of the Public Notices.

I also undertake with Cambridgeshire County Council to meet in full the requirements of any statutory undertaker in respect of any apparatus which may be over, in or under the right of way in respect of which I am making this application. I understand that the consent of the statutory undertakers (i.e. gas, water, electricity, telecommunications, the Post Office and the Civil Aviation Authority) is required before the Order can be confirmed by the Council, and that their consent may be conditional on my carrying out works to protect the statutory undertakers’ apparatus and/or re-routing it. (The Council will consult with statutory undertakers on your behalf, but you may wish to contact them in advance to discuss future access arrangements.)

I have read and understand this application and make my application acknowledging the conditions specified in it.

Signed .................................................. Date ......................................................
Public Path Diversion Orders – Cambridgeshire County Council requirements for making an order

Diversions

i. Pre-application consultations have been carried out with the prescribed bodies.
ii. The existing route is available for use and any ‘temporary’ obstructions have been removed, in order to allow a comparison to be made. Any request for exemption will be decided by the Director Highways & Access as to whether or not that is appropriate.
iii. A suitable alternative path is provided for every path that is to be diverted.
iv. The proposed new route is substantially as convenient to the public as the original
v. The proposed new route is not less convenient for maintenance than the original
vi. No objections are received to the proposals during the statutory consultation period prior to making an order. However, the County Council will review this criterion in individual cases in light of objections and potential public benefit of the proposal.

vii. The maintenance burden on the County Council is no greater than that of the original. If the maintenance burden is greater, the landowner may be required to enter into a maintenance agreement with the County Council.

viii. A minimum width of 2m is provided for a diverted footpath, and a minimum width of 4m for a diverted bridleway. In exceptional cases, e.g. cross-field paths, it may, taking into account all the available facts, require such a width as it considers reasonable and appropriate.
ix. That all the works required to bring the new route into operation are carried out at the expense of the landowner and to the County Council’s specifications unless otherwise agreed.

Please note that the County Council reserves the right to refuse to make an Order where it feels the criteria of the legislation are not met, even where consultation responses suggest there are no public objections.

Pre-application consultations

Applicants are advised that prior to formally submitting their diversion or extinguishment application to the Rights of Way & Access Team, they must complete informal consultations with the prescribed bodies (list attached). This will identify at an early stage whether the proposal is likely to be accepted by the public, and all responses received should be attached to the application form.
List of Statutory Consultees

NB Please select the relevant Ramblers Association Group for your area. Be aware that it may be appropriate to consult more than one group if your location is near one or more RA-represented areas.

<table>
<thead>
<tr>
<th>The relevant Parish Council</th>
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<tbody>
<tr>
<td>Ramblers Association</td>
<td>Mrs Alysoun Hodges</td>
</tr>
<tr>
<td>2nd Floor</td>
<td><strong>East Cambridgeshire Ramblers Group</strong></td>
</tr>
<tr>
<td>Camelford House</td>
<td>88 West Fen Road, Ely</td>
</tr>
<tr>
<td>87-97 Albert Bank</td>
<td>CB6 3AA</td>
</tr>
<tr>
<td>LONDON SE1 7TW</td>
<td>e-mail: <a href="mailto:paul@paulhodges.wanadoo.co.uk">paul@paulhodges.wanadoo.co.uk</a></td>
</tr>
<tr>
<td>Auto-Cycle-Union</td>
<td>Steve Rossin</td>
</tr>
<tr>
<td>Auto-Cycle-Union House</td>
<td>Huntingdonshire Ramblers Association</td>
</tr>
<tr>
<td>Wood Street</td>
<td>6 De Beche Close</td>
</tr>
<tr>
<td>RUGBY CV21 2YX</td>
<td>Papworth Everard</td>
</tr>
<tr>
<td>Open Spaces Society – Cambridgeshire</td>
<td>Dr R &amp; Mrs J Moreton</td>
</tr>
<tr>
<td>Mrs Alysoun Hodges</td>
<td>Joint Footpath Secretaries</td>
</tr>
<tr>
<td>88 West Fen Road</td>
<td>South Cambridgeshire Ramblers Association Group</td>
</tr>
<tr>
<td>Ely</td>
<td>23 Emery Street</td>
</tr>
<tr>
<td>CB6 3AA</td>
<td>CAMBRIDGE CB1 2AX</td>
</tr>
<tr>
<td>Open Spaces Society</td>
<td>Mr G Thomas</td>
</tr>
<tr>
<td>25A Bell Street</td>
<td><strong>Fenland Ramblers Association</strong></td>
</tr>
<tr>
<td>HENLEY-ON-THAMES</td>
<td>Coach House</td>
</tr>
<tr>
<td>RG9 2BA</td>
<td>6 Chapel Road</td>
</tr>
<tr>
<td>Byways and Bridleways Trust</td>
<td>Paul Cutmore</td>
</tr>
<tr>
<td>57 Bowers Mill, Branch Road</td>
<td><strong>Cambridge City Ramblers Group</strong></td>
</tr>
<tr>
<td>Barkisland, HALIFAX</td>
<td>12 Topcliffe Way</td>
</tr>
<tr>
<td>HX4 0AD</td>
<td>CAMBRIDGE CB1 8SH</td>
</tr>
<tr>
<td>e-mail: <a href="mailto:notices@bywayandbridleway.net">notices@bywayandbridleway.net</a></td>
<td>e-mail: <a href="mailto:ptcutmore@cix.co.uk">ptcutmore@cix.co.uk</a></td>
</tr>
<tr>
<td>British Horse Society</td>
<td>Phil Prigg</td>
</tr>
<tr>
<td>Stonleigh Deer Park</td>
<td><strong>Newmarket Ramblers Group</strong></td>
</tr>
<tr>
<td>KENILWORTH CV8 2XZ</td>
<td>1 Edgeborough Close</td>
</tr>
<tr>
<td></td>
<td>Kentford</td>
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<tr>
<td></td>
<td>NEWMARKET CB8 8QY</td>
</tr>
<tr>
<td>Lynda Warth</td>
<td>Newmarket RG covers the following parishes in Cambs: Ashley, Brinkley, Burrough Green, Cheveley, Chippenham, Dullingham, Kennett, Kirtling, Snailwell, Stetchworth, Westley Waterless and Woodditton</td>
</tr>
<tr>
<td>British Horse Society Access and Bridleways Officer for Cambs</td>
<td>53 Bar Lane Stapleford Cambridge CB22 5BJ e-mail: <a href="mailto:lyndawarth@hotmail.co.uk">lyndawarth@hotmail.co.uk</a></td>
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