

Application Form Guidance Notes

Section 1 – Proposal

1. Insert the name(s) and address(es) of the individual(s) making the application. This would normally be the owner and/or the occupier of the land crossed by the affected route. Details of all the landowners/occupiers/lessees should be given in Section 4 of the form. If the land is owned by a business the form should be completed in the name of the business by the Company Secretary or one of the partners. If the form is completed by an agent, written authority to act on behalf of the applicant should accompany the application. If you are not the owner/occupier/lessee of the land crossed by the affected route, state in what capacity you are applying and why in Section 5 of the form.
2. The application must be accompanied by an A4 or A3 extract from the current Ordnance Survey map at a scale of 1:2,500, accurately showing the definitive route of the footpath/bridleway to which the application relates (by a bold continuous line) and any proposed route (by a bold broken line). The scale and orientation should be clearly shown as well as the grid reference to enable the public to identify rights of way concerned. The maps should also contain sufficient detail to show the effect, not just on the path or way to be stopped up or diverted, but on those highways connected to it. Any other adjoining public rights of way should also be accurately shown on the plan.

Section 2 – Development Information

3. Give details of the proposed development, including the planning application reference number if known.
4. Please note that the footpath/bridleway should not be obstructed unless and until a Stopping Up or Diversion Order has been confirmed and, if appropriate, certified.
5. Please attach a copy of any relevant correspondence with the Highway Authority.

Section 3 – Permission to Inspect Route

6. Please indicate whether you wish to meet representatives of the user groups (such as the Ramblers' Association) who may wish to view the proposed route. If so, please provide a contact name and telephone number.

Section 4 (Part A) – Description of Existing Footpath or Bridleway

7. Refer to each section by letter (A-B, C-D etc). Add the letters to the plan accompanying the application. Where there are no sections insert 'Whole Path' in this column.
8. Describe each section of the route (eg along field edge, following river bank).
9. If you do not know the recorded definitive width of the route put 'Unknown'.

10. Give details of any limitations on the public's right of way along the route, such as gates and stiles, and of any structures, such as bridges which exist on it. Indicate if any limitations have been authorised by the County Council.
11. Give details of the owner, occupier and lessee of the land crossed by each section of the route. You should supply written confirmation from all owners, occupiers and lessees that they are in agreement with the proposal. The Council reserves the right to request proof of ownership in cases of dispute.
12. Give details of the rights of any Statutory Undertakers (such as electricity, gas and communication suppliers) along each section of the route.

Section 4 (Part B) – Description of Proposed Highway

13. Refer to each section by letter (W-X, Y-Z etc) and add the letters to the 1:2,500 Ordnance Survey map extract accompanying the application.
14. Indicate if footpath, bridleway, road, or estate road. The use of roads and estate roads for alternative routes should be avoided wherever possible. There is preference for alternative footpaths or bridleways to be provided which pass through landscaped or open space areas away from vehicular traffic.
15. Describe each section of the route with reference to geographical features which will exist if the development is completed as proposed (eg within eastern boundary of proposed public open space).
16. Subject to checking with the County Council Rights of Way Office (Amey, Shire Hall, Westgate Street, Gloucester, GL1 2TH), minimum widths for proposed routes are 1.5 metres for a footpath and 3 metres for a bridleway. These widths apply when the existing route is not already recorded at a greater width. If a greater width is recorded then you should propose a width at least the same as the existing, unless there is good justification (such as a short section passing between two buildings) for less. Greater widths may also be appropriate if increased use of a route is likely as a result of the development or if the route is fenced on both sides.
17. Give details of any limitations and structures you are proposing along the route, such as gates and bridges.
18. Give details of the owner, occupier and lessee of the land crossed by each section of the proposed route and indicate if ownership is likely to change when the development is complete. You should supply written confirmation from all owners, occupiers and lessees that they are in agreement with the proposal. The Council reserves the right to request proof of ownership in cases of dispute.
19. Give details of the rights of any Statutory Undertakers (such as electricity, gas and communication suppliers) along each section of the proposed route.

Section 5 – Statement of Reasons

20. You should be aware that under S257 of the Town and Country Planning Act 1990 (“the Act”), the Council may make an order to stop up or divert a footpath/bridleway only if it is satisfied:
- a) that it is necessary to do so to enable development to be carried out in accordance with planning permission granted by the Council under Part III of the Act
 - b) with regard to the disadvantage of loss likely to arise as a result of the stopping up or diversion to members of the public generally, or to persons whose properties adjoin or are near the existing highway, weighed against the advantages of the proposed stopping up or diversion
 - c) with regard to the need for an alternative highway to be provided
 - d) that the development affecting the route has not already been carried out.

State clearly the reasons for making the application, explaining how the reasons meet the above criteria.

You should give details of the effect of the development on the footpath/bridleway (eg refer to the number and location of the properties that would otherwise obstruct it).