

**APPLICATION FOR THE DIVERSION OF  
A PUBLIC RIGHT OF WAY UNDER  
SECTION 119 OF THE HIGHWAYS ACT 1980**

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

**IMPORTANT: No authority for the diversion of a footpath, bridleway or restricted byway is granted unless and until a Diversion Order has been confirmed, certified and brought into effect. Any obstruction of the existing route is an offence and may make it impossible to proceed with an application.**

**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**

a) Footpath/Bridleway/Restricted Byway 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 proposed 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 Section 119 Highways Act 1980**

State how the proposed diversion satisfies s119 Highways Act 1980 (it is the applicant's responsibility to satisfy the Council that the application meets the requirements of the legislation (continue on a separate sheet if necessary)).

- a) Explain why it is in the interests of the owner/lessee or occupier of the land to divert the path.
- b) Explain why the diverted path will (or will not) be substantially less convenient to the public (if the diversion alters the termination points of the path please explain why this is not less convenient).
- c) Explain what effect the diversion would have on the public enjoyment of the path as a whole.

- d) Explain the effect (if any) which the coming into operation of the Order would have as respects other land served by the existing public rights of way.
- e) Explain the effect (if any) which the new public right of way would have as respects the land over which the right is created and any land held with it.

## **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/restricted byway\* is conferred unless and until an Order made under s119 Highways Act 1980 is confirmed and, if appropriate certified;
- b) I/We\* declare that the footpath(s)/bridleway(s)/restricted byway(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 effect;
- c) I/We\* have read and understand the guidance notes which accompany this application form;
- d) I/We\* declare 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/restricted byway\* 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 Order coming into effect;
- e) To pay the cost of any works (including installation, removal or re-positioning of any roadside signposts, waymarks or statutory undertakers' apparatus in, or under the highways to be diverted) necessary in consequence of the Order coming into effect;
- 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 2018 and the Freedom of Information Act 2000.

Signed .....

Full Name(s) .....

Position (if applicable) .....

Date .....

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