

**DERBYSHIRE COUNTY COUNCIL**  
**APPLICATION FOR THE TEMPORARY CLOSURE**  
**OF A PUBLIC RIGHT OF WAY**

**PLEASE READ THE GUIDANCE NOTES & CONDITIONS APPENDED**

PARISH/TOWN ..... FP / BW / RB / BOAT\* ..... PATH NUMBER .....  
(\*Delete as appropriate)

LOCATION .....

SECTION REQUIRING CLOSURE .....

APPLICANT .....

ADDRESS ..... PHONE NUMBER .....

..... MOBILE NUMBER .....

..... EMAIL ADDRESS .....

..... YOUR ORDER No .....

POST CODE ..... PLANNING REF .....

REASON FOR CLOSURE .....

DURATION OF CLOSURE FROM ..... TO .....

WILL THERE BE AN ALTERNATIVE ROUTE AVAILABLE? YES / NO\* If YES please describe

NAME OF CONTRACTOR (if appointed) .....

DESIGNATED CONTACT ..... PHONE NUMBER .....

PLEASE ADD ANY ADDITIONAL INFORMATION HERE .....

**PLEASE ENCLOSE A PLAN SHOWING THE LOCATION OF THE PROPOSED WORKS (AND THE ALTERNATIVE ROUTE IF APPLICABLE).**

**I have read and do hereby agree to the appended conditions and agree to pay for the costs associated with the closure.**

SIGNED ..... PRINT NAME .....

DESIGNATION ..... DATE .....

RETAIN A COPY OF THE APPLICATION FOR YOUR RECORDS

Email completed form & map to [etc.prow@derbyshire.gov.uk](mailto:etc.prow@derbyshire.gov.uk) ,  
or send to:  
Public Rights of Way  
Derbyshire County Council  
Shand House  
Dale Road South  
Matlock  
DE4 3RY Tel: 01629 533262



# GUIDANCE NOTES AND CONDITIONS

## APPLICATIONS

**PLEASE NOTE:** In accordance with Section 14 of the Road Traffic Regulation Act 1984, no closure will be granted with respect to any Public Right of Way which would have the effect of preventing at any time access for pedestrians to any premises accessible from, and only from, the PROW.

**All applications must be submitted on this form.** Applications will be considered at the Council's reasonable discretion, in line with the relevant legislation. Applications must be accompanied by a scaled plan showing alternative routes where appropriate. Incomplete applications will be returned.

To reduce your costs applicants are normally expected to erect and maintain site notices provided by the Council to indicate the closure, and to remove them on completion of the works or event. The Council reserves the right to erect and maintain at the applicant's expense such barriers, fencing, etc. that are necessary to safeguard the public from any potential dangers that could arise from works being carried out by you or your contractor. Closures will not be granted where the right of way will be permanently obstructed by the works unless a Public Path Order has been promoted and has been Confirmed<sup>1</sup>.

### 1. CLOSURE BY ORDER

Closures by Order are subject to mandatory advertising and therefore we will require a minimum of 5 weeks' notice to process your application.

#### a. For planned works of over 5 days

i. The maximum duration for an order of this type is 6 months'.

#### b. For the purposes of holding a sporting or social event on the route:

i. The maximum duration is 3 days - unless an extension is first agreed with the Secretary of State, in which case at least 6 weeks' notice is required.

### 2. CLOSURE BY NOTICE

#### a. Planned Works

i. Two weeks' notice is required.

ii. Maximum duration 5 days.

iii. The Council reserves the right to impose an Emergency Notice if the works are not completed on time (fees apply).

#### b. Emergency

i. There must be an immediate likelihood of danger to the public.

ii. Each notice is for up to 3 weeks' duration.

iii. The Council may make only two consecutive notices of this type.

### 3. CHARGES

Rates will vary according to the duration and type of Order. The Authority will charge the following rates **per closure**:

- By Notice £150
- By Emergency Notice £190
- By Order £340 + variable advertising costs. Please note we are not able to provide you with an estimate of the advertising rates as this is variable and not controlled by the council.

1. Public Path Orders may be Confirmed but not necessarily brought into effect until required works have been complete. Please seek advice from the authority promoting your Order.
2. There are a few Rights of Way in the county which are privately maintained. You will be advised on application for a closure if that is the case.

- A small administrative charge will be applied to all applications.

#### **4. EXTENSIONS TO CLOSURES BY ORDER**

- a. Requests must be made by using this form.
- b. Additional charges will apply, as provided above.
- c. 5 weeks' notice is required in order to process the application, and to allow time to gain the approval of the Secretary of State (delegated to the Department for Transport).
- d. Any extensions to the closure requested by the applicant's contractor will be deemed to have been requested by the applicant.

#### **5. CESSATION OF WORKS**

- a. Please advise the Council when works are complete and the path is available for use.

The Council reserves the right to continue a closure at the applicant's expense if the site is considered to be unsafe for public use.

### **NEW ROADS AND STREET WORKS ACT, AND ASSOCIATED LEGISLATION**

Excavations in a Public Right of Way.

Public Rights of Way are publicly maintainable highways<sup>2</sup>. The applicant is advised to seek the appropriate permissions for opening the right of way and to serve appropriate notices on the County Council as the Highway Authority. Please note that a charge may apply. Advice may be sought from the Street Works Team, Derbyshire Highways Hub, Economy, Transport and Communities, Derbyshire County Council, County Hall, Matlock DE4 3AG. For enquiries in High Peak or Derbyshire Dales, please email Davina Harrison ([davina.harrison@derbyshire.gov.uk](mailto:davina.harrison@derbyshire.gov.uk)), for enquiries in Amber Valley, Erewash or South Derbyshire, please email Rebecca Ward ([rebecca.ward@derbyshire.gov.uk](mailto:rebecca.ward@derbyshire.gov.uk)) and for enquiries in Bolsover, Chesterfield or North East Derbyshire, please email Tracey Severn ([tracey.severn@derbyshire.gov.uk](mailto:tracey.severn@derbyshire.gov.uk)).

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