

APPLICATION FORM

AUTHORISATION TO ERECT A LIMITATION ON A PUBLIC RIGHT OF WAY

PLEASE READ THE GUIDANCE NOTES BEFORE COMPLETING THIS FORM



TO: Public Rights of Way
Development
Road safety Team
Civic Centre
Plymouth
PL1 2EW

Section A – Applicant Details

Mr/Mrs/Miss/Ms*

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.....
.....

Telephone Number:

Section B – Path Details

Ward(s):.....

Path No.:.....

Location:.....

Nature of limitation(s) including Grid Reference(s):

- 1
- 2
- 3
- 4
- 5

Section C – Supporting Information

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Section D – Terms and Conditions

I, being the owner/occupier/lessee* of land over which part of the public right of way identified above is routed, hereby make application for the consent of Plymouth City Council under: -

***(a)** Section 147 of the Highways Act 1980 that for securing that the use of the land for agriculture, forestry or for the breeding or keeping of horses shall be efficiently carried on, it is expedient that** stiles/gates/other barriers for preventing the ingress of egress of animals should be erected on the public footpath/bridleway* at the location(s) shown on the attached plan

Or (delete as appropriate)

***(b)** Section 66 of the Highways Act, 1980 to the erection of ** gates/stiles/barriers* on the route of the public footpath at the location(s) shown on the attached plan, on the grounds of safety.

I confirm,

- 1) That each gate will be a minimum clear width of 1.0 metre on a footpath (1.5 metres on a bridleway) as measured between posts and will be fitted with a suitable latch, enabling it to be opened and closed by pedestrians and/or equestrians from both sides without difficulty at all times.
- 2) Gate posts shall not be used as straining posts for a fence. Neither shall the hand posts or any other posts of the main structure of a stile.
- 3) Barbed wire shall not be attached to either a gate or stile or be placed within 1 metre of the structures.
- 4) That all works will be completed to the satisfaction of the Council's rights of way Officer and that I will notify the City Council when the structure(s) is/are* ready for his/her inspection.
- 5) That each gate/stile* erected will be on land owned/occupied* by me and be considered my property thus maintained by me.
- 6) That there are no private rights over the land which would be affected by the proposal
- 7) I understand that any consent granted as a result of this application applies only while a legal need exists as described under paragraph A or B above.
- 8) I understand that I must not erect any other type of structure other than that for which I have permission
- 9) I confirm that where application is made under the provisions of Section 66 of the Highways Act 1980, I have no objection to the Council, should they so wish, erecting the gates/stiles/barriers* themselves and thereafter recovering from me the reasonable costs of so doing which I undertake to pay; otherwise I understand that I shall be acting as agent for the County Council in erecting the gates/stiles/barriers* at my own expense subject to the conditions above.
- 10) I understand that if any of these conditions are not met Plymouth City Council will require the structure(s) to be removed at my own expense

FULL NAME.....

SIGNED..... **DATE**.....

* - Delete as appropriate

** - Insert number

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Guidance Notes For Applicants

This form is for use by applicants seeking authorisation for the erection of a gate or stile on a public right of way under the Highways Act 1980 Section 147 for the purposes of securing agricultural efficiency on the land by preventing the ingress or egress of animals or seeking authorisation for the erection of a gate, stile or other barrier in the interest of the health and safety of the public under the Highways Act 1980 section 66. Guidance for the completion of the application form is given below: -

Section A – Applicant Details:

Applicants should insert their contact details.

Section B – Path Details:

Ward(s) – applicants should insert the name of the Wards effected by this application, this information can be given by the Council's rights of way Officer upon request.

Path No. – Applicants should insert the path number as recorded on the Definitive Map. This information can be given by the Council's rights of way Officer upon request.

Location: Applicants should give a description of the location of the path in question i.e. *footpath at Churchtown between Church road and Church street.*

Nature of limitation(s) including Grid Reference(s): - Applicants should make reference to the accompanying plan identifying the limitation requested and the 8 figure OS grid reference i.e. *Point 1 on plan = 1 x kissing gate at grid reference SW 7192 7746*

Section C – Supporting Information – Applicants should include any further information supporting their application. For example, you may wish to provide justification for a stile over a gate or reasons for requesting a limitation under health and safety grounds.

Section D – Terms and Conditions: - Applicants should read through Section D deleting as appropriate as identified by the *.

Further Information

Costs: There is no cost to the applicant for the processing of an application. If successful the applicant will be required to supply and install the limitation or arrange for the City Council or other contractor to do so at his or her own expense. The City Council will contribute 25% of the cost of repairing or replacing an existing authorised limitation and this contribution may be given in the form of labour of supply or materials.

Terms and Conditions: An applicant should read the terms and conditions highlighted in Section D of the application form before making an application to ensure they are able and willing to meet the requirements stated. There is no right of appeal against any condition imposed on an applicant and the City Council reserve the right to add and remove such conditions as they see fit in exercise of their duties to assert and protect the public's rights and interests.

Application Checklist:

Applicants should complete all applicable parts of the form. Incomplete forms will be returned. Complete forms should be returned to the address below together with 3 copies of a suitable scale plan showing the length of highway subject to the application clearly identifying the locations of any requested limitations as detailed by the application form. Plymouth City Council are able to supply maps for this purpose and may charge for this provision.

Completed applications should be returned to: -

Public Rights of Way
Department of Development
Transport, Infrastructure and Engineering
Plymouth City Council
Floor 10
Civic Centre
Plymouth PL1 2EW