

APPENDIX 3

**APPLICATION FORM FOR
DIVERSION OR EXTINGUISHMENT OF
PUBLIC FOOTPATH / BRIDLEWAY / RESTRICTED BYWAY**

SECTIONS 26, 118 AND 119 OF THE HIGHWAYS ACT 1980

IMPORTANT

No authority for the extinguishment or diversion of a highway is conferred unless and until a Public Path Extinguishment or Diversion Order has been made, confirmed and come into effect. Any preliminary obstruction of, or interference with, the highway concerned may not only be an offence, but may make it impossible to proceed with the making of an Order.

1. NAME AND ADDRESS OF APPLICANT

Name: JANE LINDSEY

Postal Address: ZYPPON LTD, 104 CORNWALLIS CIRCLE
WHITSTABLE CT5 1DT

Email address: [REDACTED] Telephone No: [REDACTED]

2. NAME AND ADDRESS OF AGENT(S)

Name: BRIAN CONDON

Postal Address: CONDON TRANSPORT LTD,
5 FOSSEDALE AVENUE, BRISTOL BS14 9LR

Email Address: [REDACTED] Telephone No: [REDACTED]

3. PARTICULARS OF RIGHT OF WAY TO BE EXTINGUISHED/DIVERTED*

a) Footpath / Bridleway /Restricted Byway* No. BA27 / 31

b) Parish of KEYNSHAM

c) Length in metres of section to be extinguished/diverted 110m

d) Width in metres of section to be extinguished/diverted 1.0m to 1.5m

e) Description of length to be extinguished/diverted by reference to terminal points on plan to accompany this application

POINTS B TO C TO F TO BE DIVERTED

AS SHOWN ON ENCLOSED PLAN

- (f) Is the existing route freely available to the public? If NOT, please give reasons:

NOT: THE EXISTING ROUTE PASSES THROUGH A
SECURE YARD AND EXISTING BUILDING ERRECTED
IN THE 1960'S

4. REASONS FOR THE CREATION/DIVERSION/EXTINGUISHMENT * OF THE PATH

TO FORMALISE AN EXISTING INFORMAL
DIVERSION, AND TO EXTEND IT BEYOND
AN EXISTING SERVICE YARD

Please Note:

- i) A path can be created under **Section 26 of the Highways Act 1980** only if it can be shown that it is needed for public use;
- ii) A path can be diverted under **Section 119 of the Highways Act 1980** in the interests of the landowner/occupier/lessee, or of the public, or
- iii) A path can be extinguished under **Section 118 of the Highways Act 1980** only if it can be shown that it is no longer needed for public use.

If an **extinguishment application**, please give details of an alternative route, or the reasons why an alternative route is not considered necessary.

5. PARTICULARS OF NEW PATH TO BE PROVIDED (if applicable)

- a) Length in metres 155m
- b) Width in metres 1.5m to 2.0m
- c) Surface COMPACTED STONE TO MATCH EXISTING
- d) Description of length to be provided by reference to terminal points on plan to accompany this application
ALONG THE NORTHERN SITE BOUNDARY ~~FOR~~ FROM
POINT B TO D TO E, AND ALONG SOUTH
WESTERN BOUNDARY FROM E TO F AS SHOWN ON
THE ENCLOSED PLAN

- e) What works do you propose to undertake to bring the new path into a condition fit for use by the public?

CLEAR VEGETATION AND PROVIDE A COMPACTED
STONE SURFACE BETWEEN POINTS B, D, E AND F

6. RELEVANT CONSIDERATIONS

In what way would the proposals affect the following factors, as set out in the PPO Policy:

- a) **Connectivity** OVERCOMES THE EXISTING ISSUE OF
THE PATH PASSING THROUGH AN EXISTING BUILDING

- b) **Equalities Impact** NIL

- c) **Gaps & Gates** NIL

- d) **Gradients** NIL

- e) **Maintenance** NIL

- f) **Safety** MEMBERS OF THE PUBLIC WILL NOT BE ABLE TO
WALK THROUGH A LIVE SERVICE YARD

- g) **Status** NIL

- h) **Width** NIL

- i) **Features of Interest** NIL

7. PARTICULARS OF OWNERSHIP

- a) Applicant's interest (owner/occupier/lessee) in the land over which the existing path referred to in this application passes.

~~OWNER~~ OWNER

- b) Applicant's interest in the land over which the new path is to be provided

OWNER

- c) Do any other persons have an interest in the land over which existing or proposed paths pass? If so, give names and addresses of persons and nature of interest

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TENANT

- d) If other persons have an interest in the land affected, please tick to confirm that a copy of their written permission for the proposals to go ahead and written confirmation that they waive their right to compensation is enclosed.

8. ACCOMPANYING DOCUMENTS AND CONSENT

Please tick boxes as appropriate

- a) A plan based on a current Ordnance Survey base map showing section of path to be extinguished and new path to be provided is attached.
- b) A cheque for £1018 is enclosed.
- c) Payment has been made by credit/debit card for £1018.
- d) It is understood that if the Authority decides to make an order then the remaining £3,046 will be payable at that time.

DECLARATION

I/We understand that no authority for the extinguishment of a public right of way is conferred unless and until any order made has been confirmed and come into effect and notice of this has been published.

I/We declare that the public right of way to be stopped up is not obstructed and that it is fully available to the public. (Subject to Article 3(f) above).

I/We hereby agree that if a creation/diversion/extinguishment order is made I/We will defray any compensation which becomes payable under section 18 or 121 of the Highways Act 1980 in consequence of the coming into operation of the Order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

I/We agree to pay a further £3,046 if the Authority decides to make an order.

I/We apply for the creation/diversion/extinguishment of the highway described above.

I/We declare that to the best of my/our knowledge and belief all the particulars given are true and accurate.

Signed



Date

26/3/2024

Name

BRIAN CONDON

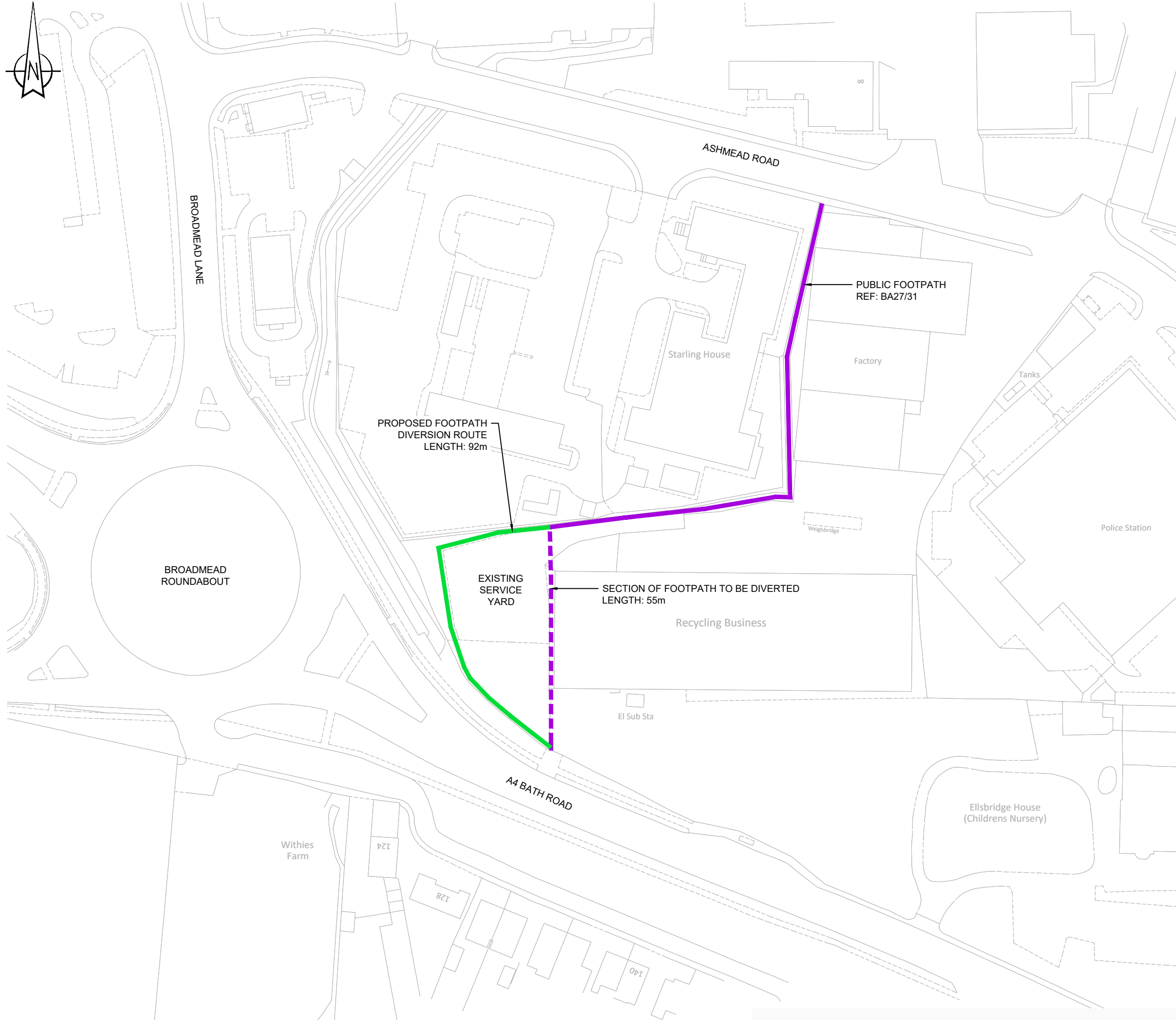
Signed

Date

Name

On completion, this form, should be returned, together with the plan, cheque/confirmation of electronic payment and copies of any consents if appropriate, to:

Public Rights of Way, Bath & North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG.



- NOTES**
1. Do not scale from this drawing.
 2. This drawing is for illustrative purposes only and not for construction.
 3. This drawing is to be read and printed in colour.
 4. All dimensions are shown in metres, unless specified otherwise.

KEY

- Existing Public Footpath
- - - - - Extent of Existing Public Footpath to be Diverted
- Proposed Route of Diverted Public Footpath

REV	DETAILS	DRAWN	CHECKED	DATE
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CLIENT:
Zyppon Ltd

PROJECT:
Ashmead Road Public Path Order

DRAWING TITLE:
Existing and Proposed Public Footpath Ref: BA27/31

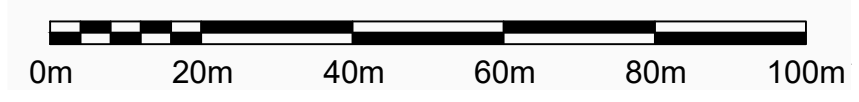
SCALES: **1:1,000** SHEET SIZE: **A3**

DRAWN: **BJC** CHECKED: **PD** DATE: **06.02.2024**



DRAWING NUMBER: **24001-001** REVISION: **-**

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**Public Footpath BA27/31
Broadmead Roundabout, Bath Road,
Keynsham**

Application Plan



Public footpath to be created

B D E F

Unaffected public footpath

A B

Public footpath to be stopped up

B C F

Scale: 1:1,250

