

To: Cambridgeshire County Council acting as agent for the Local Planning Authority

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR AN ORDER TO PERMANENTLY DIVERT
A PUBLIC RIGHT OF WAY**

Name of applicant HARRON ESTATES plc
Address BRIDGEMERE HOUSE, CHESTER ROAD
PRESTON BROOK, CHESHIRE, WA7 3BD
Tel. (work) (01283) 777900 Tel. (home)

I hereby apply for the diversion of the footpath/~~bridleway~~* known as Hauxton [parish] 1 [no.] under s.257 of the Town and Country Planning Act 1990 and undertake, if an order for the diversion of the path is made, to carry out such work on the diverted route of the path as may be required to bring the path into a fit condition for public use to the satisfaction of the County Council (the Highway Authority), prior to the confirmation of the order.

(*Delete the term that does not apply.)

Signed [Signature] Date 27/03/2012

Consent of other landowner/s and other requirements

Written consent of any other landowner/s affected by your proposed diversion (for both the existing line and proposed new line) must be obtained prior to submission.

A copy of the County Council's requirements for making diversion orders can be found at the end of this application form. The County Council will require all of these to be met. Please note in particular:

The requirement for pre-application consultations: The applicant must consult with the relevant Parish Council and local user groups, and must append copies of any correspondence to this application

The path to be diverted
Parish HAUXTON No. 1
From SEE ATTACHED PLAN LW1512-Haux OS grid ref. 54 3227, 252650.
To SEE ATTACHED PLAN LW1512-Haux OS grid ref. 54 3333, 252566.
General description of path RARELY USED SECTION OF CROSSED FOOTPATH ALONG THE RIMY BROOK, REDUNDANT FACTORY SIDE.

Landowner – please provide a map showing landownership/other interests
Name BRIDGEMERE LAMB plc
Address AS ABOVE

Lessee/tenant
Name N/A
Address

Occupier
Name N/A
Address

Reasons for the diversion

Local Planning Authority: SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
Planning application No's: S/2269/10 & S/2308/06/0
Date of Planning Permission: 18th MAY 2011 & 12th FEB 2010
Description of proposed development: DEMOLITION, REMEDIATION OF LAND AND FORMATION OF A DEVELOPMENT PLATFORM AT LAND TO THE EAST OF THE A10 KNOWN AS THE FORMER BAYER CROPSCIENCE Ltd. SITE.

The proposed new route of the path

Please enclose a signed and dated plan, preferably at scale of not less than 1:2,500 and based on an Ordnance Survey map.

From SEE ATTACHED PLAN IN 1512-111 OS grid ref. 543227, 252650
To SEE ATTACHED PLAN IN 1512-111 OS grid ref. 543333, 252566

General description of new path: EXISTING WIRTH PATH, CURRENTLY BEING HEAVILY USED & IS LOCATED BETWEEN THE RIBBY BROOK & MILL RACE & CAM RIVER.

Landowner

Name: BRIDGEMERE LAND PLC
Address: BRIDGEMERE HOUSE, CHESTER ROAD, PELETON BROOK, WAT 3BD

Lessee/tenant

Name: N/A
Address: N/A

Occupier

Name: N/A
Address: N/A

Other Legal Interests

Please give details of any other person(s) having a legal interest in the land over which the right of way is to be diverted, for example other landowners, mortgagees or other persons having an easement over the land:

N/A

Has the written consent of all such persons been obtained?

Yes/no (Delete as applicable.) NOT REQUIRED.

The consents must accompany this application, together with a map showing all ownership and legal interests.

Pre-application consultations

Please append copies of all correspondence with user groups and the relevant Parish/Town/City Councils. Have any objections been raised?

.....
..... *No*

Works

Following receipt of this application, if not already undertaken, the County Council's rights of way officer will contact you to arrange to meet you to inspect the proposed new route and to agree the works that will be needed to bring it into a fit condition for use as a public path. These works will be confirmed in writing following the site inspection. Please note that the Council will require a minimum width of 2m to be provided for the new route of a public footpath, and a minimum of 4m for the new route of a public bridleway. The new path will be signposted and/or waymarked to the extent deemed necessary by the Council.

Coming into operation of an alternative route

Please note that the existing route of the path to be stopped up will **not** be extinguished until an officer of the Rights of Way & Access Team acting on behalf of the highway authority (Cambridgeshire County Council) has certified that the new route of the alternative path has been provided on the ground to a suitable standard for use by the public. It is the applicant's responsibility to ensure that works to provide the new route of the path are completed.

Recovery of fees and costs

Under the 'Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 as amended by SI 1996 No 1978, the County Council may recover from the applicant the reasonable administrative costs of processing applications for, and making, public path orders. The County Council will invoice you for:

- the administrative costs of processing your application up to the making of a public path order, a charge of £971.60.
- staff travelling expenses @ 40p per mile.
- the cost of inserting one Public Notice in a local newspaper at the time of the making of the order, one Public Notice in a local newspaper at the time of the confirmation of the order and one Public Notice in a local newspaper at the time of the coming into operation of the order

The costs of taking an opposed order to a public inquiry will be met by the County Council or District Council, but the County Council will expect the applicant to provide their own legal representation at the inquiry. Please note that the Council reserves the right to decline to proceed to a public inquiry for an opposed order.

For further information see the County Council's *Public Rights of Way – A guide for planners and developers* available on our website at

<http://www.cambridgeshire.gov.uk/environment/countryside/definitive/>

and *A guide to definitive maps and public rights of way* published by Natural England:

<http://naturalengland.etraderstores.com/NaturalEnglandShop/Product.aspx?ProductID=8f4433c1-0c14-488e-96b6-b7d67bacbfd4>

Statement

I hereby agree to put the new route(s) into a fit condition, as approved by the Council, for use by the public within 28 days of a request by the Council to do so.

I hereby undertake to defray any compensation which becomes payable in consequence of the coming into operation of the order, and to pay in full the County Council's administrative costs of making the order and the costs of the public notices.

I also undertake with Cambridgeshire County Council to meet in full the requirements of any statutory undertaker in respect of any apparatus which may be over, in or under the right of way in respect of which I am making this application. I understand that the consent of the statutory undertakers (i.e. gas, water, electricity, telecommunications, the Post Office and the Civil Aviation Authority) is required before the order can be confirmed by the council and that their consent may be conditional on my carrying out works to protect the statutory undertakers' apparatus and/or rerouting it. (The Council will consult with statutory undertakers on your behalf.)

Data Protection

Applicants' names and addresses will be held by the County Council and will be published in its decision report, which will remain as part of the legal record in the public domain. They may also be published on the County Council's website if regulations so require, but if exemptions are possible applicants will be contacted at that point for their consent.

I have read and understand this application and make my application acknowledging the conditions specified in it.

Signed  Date 18th May 2012