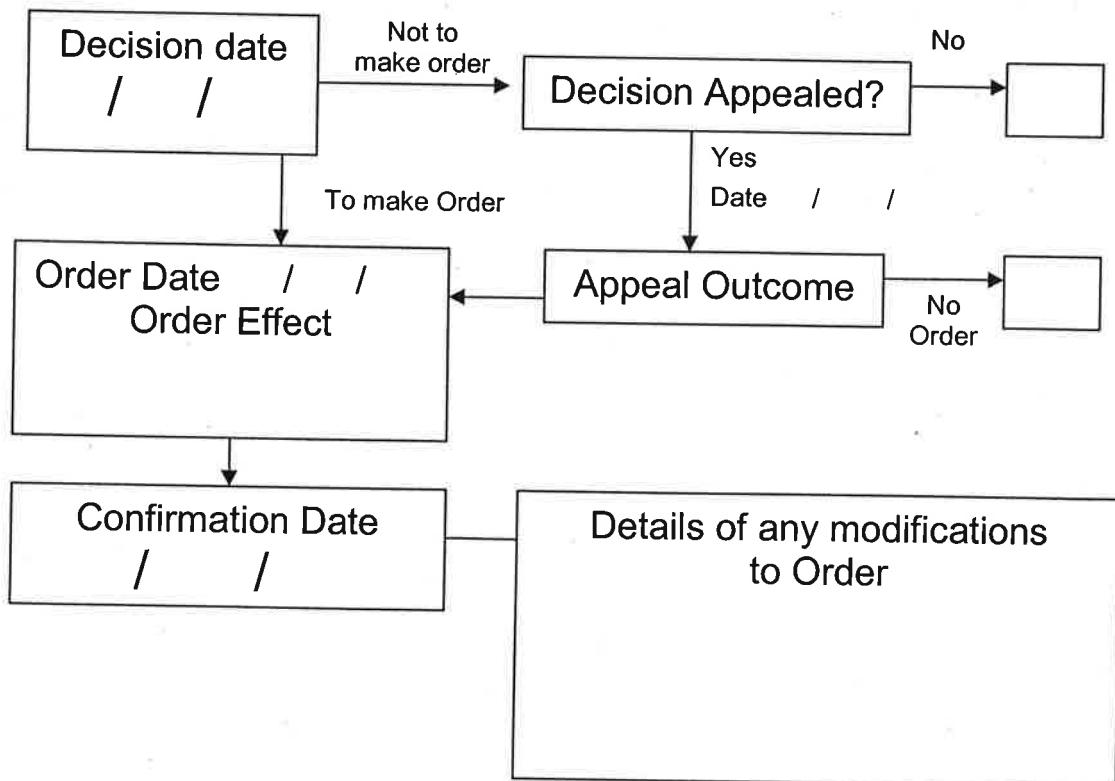


REGISTER OF APPLICATIONS - PUBLIC PATH ORDERS

DETAILS OF APPLICATION

District St Albans File Name Verlam End
 Parish Harpenden & Redboam Application Date 28/11/01
 Application to Divert footpaths Point A TL 094, 146 C: TL 103, 143
 Applicant Ruth Allistone & Adrian Irving Point B TL 103, 149
 Nearest City St Albans Town Harpenden Village Redboam
 Addresses of properties affected House Name/Street Verlam End, Watery Lane Postcode AL3 8EX

DETERMINATION (DECISION) OF APPLICATION



APPLICATION FOR A PUBLIC PATH DIVERSION ORDER
Highways Act 1980 Section 119

Please read the Advice to Applicants carefully before filling in the application form.

- The completed form,
 - a plan based on an Ordnance Survey map of a scale not less than 1:2500,
 - proof of title, and
 - a cheque for £70, payable to Hertfordshire County Council
- should be sent to the Definitive Map Officer

Application to divert public footpath*/~~bridleway~~*

Number 18+16

+ REDBOURN 6

Parish ~~REDBOURN~~ HARPENDEN RURAL

Full name(s) of applicant RUTH ALLSTONE + ADRIAN IRVING

Address VERLAM END FRIARS WASH

FAMSTEAD

HERTS

AL3 8EX

Phone no. 01582 794634 daytime phone no. 01903 957345

Fax no. 01582 792089 e-mail address ruth@ruthallstone.com

Address for correspondence (if different from above e.g. solicitor)

(*Delete as appropriate)

1. **Ownership of land affected by the application**

1.1 Are you the freehold owner and occupier of all of the land affected by the proposed diversion?

Yes No

If yes, go to 1.4

1.2 If no,

- list below the names and addresses of all the owners, occupiers or lessees of land affected by the diversion including yourself,
- indicate accurately on the application plan the different ownerships and occupations.
- enclose a letter of consent, and supporting documentation proving title, such as Land Registry documents, from all of the owners, occupiers and lessees.

TO FOLLOW FROM FARMER.

Name	Address	Status (i.e. landowner, occupier or lessee)
RUTH ALLISTONE +	VERHAM END	LANDOWNER
ADRIAN IRVING	FRIARS WASH	
MR J PIGOTT	THRALES END FARM THRALES END WANE HARPENDEN HERDS. A5 JMS	LANDOWNER

COPY (TITLE DEED ATTACHED)

1.3 Will any owners, occupiers or lessees of the land affected by the proposed diversion to your knowledge claim compensation under Section 28 of the Highways Act 1980?

Yes No

1.4 Does, to your knowledge, any statutory undertaker (e.g. gas, water, electricity, telephone) have any rights on, over or under the land over which the right of way runs?

Yes No

If yes, describe the rights (e.g. wayleave)

ENVIRONMENT AGENCY HAS STATUTORY RIGHT TO INSPECT VER VALLEY WHICH CROSSES OUR LAND - POWERS OF ENTRY FOR EMERGENCY WORK eg CLEARING RIVER.

1.5 Is to your knowledge the apparatus of any statutory undertaker affected by the proposed diversion?

Yes No

If yes, state what apparatus may be affected _____

2. Reasons for application

2.1 Please state fully your reasons for applying to divert the public right(s) of way. Remember that the County Council may not make an order unless it is satisfied that it is expedient in your interests to do so.

SORRY - A BIT SQUASHED

- ① THE DIVERSION WILL ADD TO THE ENJOYMENT OF THE FOOTPATH USERS BECAUSE THE LOWER PATH WILL ALLOW WALKERS TO CROSS THE RIVER AT A GOOD VANTAGE POINT.
- ② INFLUENCE OF TRESPASS SHOULD BE REDUCED AS WALKERS CURRENTLY FREQUENTLY STRAY FROM THE FOOTPATH TO WALK UP THE DRIVE. ③ IN THE FUTURE I PLAN TO KEEP HORSES. THE FOOTPATH CROSSES THE PADDOCK AND STABLE YARD.
- ④ THE CURRENT FOOTPATH ROUTE COMPROMISES OUR RIGHT TO PRIVACY. IF I GET HORSES WE WILL ~~BE~~ AN UNREASONABLE BURDEN ~~FOR~~ IN RESPECT OF SAFETY LIABILITY TO FOOTPATH USERS!!

CLEARLY PRINTED LIST OF REASONS ATTACHED

3.

The routes should be shown on an accurate up-to-date plan at a scale of not less than 1:2500. ALREADY PROVIDED

3.1 Existing Route (i.e. the path recorded on the Definitive Map)

from _____ OS grid ref _____ SEE MAPS PROVIDED

to _____ OS grid ref _____

distance _____ metres width _____

existing stiles/gates/bridges (list and show position on plan)

(I UNDERSTAND THAT JULIAN THORNTON IS FAMILIAR WITH THESE)

3.2 Proposed Route

from _____ OS grid ref _____ SEE MAPS PROVIDED.

to _____ OS grid ref _____ (if known)

distance _____ metres width _____

proposed stiles/gates/bridges (list with grid refs and show position on plan). The Council will not normally agree to stiles or gates in the Order setting out the new route. If necessary they may be authorized separately under s147 of the Highways Act 1980 to prevent the ingress or egress of stock.

Reasons for application
(answer to question 2.1)

1. The diversion will add to the enjoyment of the footpath users because the lower path will allow them to cross the river at a good vantage point.
2. The proposed upper path takes a convenient, open and well trodden route which is passable in any weather conditions.
3. The proposed diversions are already frequently used by walkers.
4. The incidence of trespass should be reduced as walkers currently frequently stray from the footpath eg to walk up our drive, along the proposed upper footpath.
5. In the future, I plan to keep horses. The footpath currently crosses the paddock and stable yard where these horses will be kept.
6. The current footpath route compromises our Right to Privacy (HRA '98)
7. When I start to keep horses, we will have an unreasonable burden placed upon us in respect of safety/liability to footpath users.

3.3 Is the existing (definitive) route unobstructed and fully available to the public?

Yes No

3.4 If the answer is NO, state fully the reasons why the route is obstructed and describe and show clearly on the application plan the obstruction and the route walked/ridden by the public.

THE PREVIOUS OWNER PLACED A STYLE AND 3 GATES OVER THE ROUTE. AS A HORSE KEEPER, HE PRESUMABLY HAD TO ENSURE THE HORSES STAYED ON THE PROPERTY. I KEEP 2 GATES OPEN (CURRENTLY) BUT ONE, ON THE PERIMETER OF THE PROPERTY, IS KEPT SHUT.

4. COSTS

4.1 *I/We agree to pay the cost of processing the application as detailed in the Advice to Applicants. *I/We enclose a cheque for £70.

(*delete as appropriate)

Signed _____

28/1/01

on behalf _____

DRAWING
ATTACHED

5. AGREEMENT REGARDING WORKS AND COMPENSATION COSTS

5.1 Works

*I/We understand that the applicant must pay the cost of all works which may be required by the County Council including signposting and waymarking to bring the new site of the path diversion into fit condition for use by the public. *I/We understand that *I/We will be required to enter into an agreement to carry out works specified in a schedule to be drawn up by the Countryside Access Officer. *I/We understand that if the works are not completed within the time specified, or to the required standard, the Countryside Access Officer will, after notice in writing, carry out or complete the works and that *I/We will be liable for all costs so incurred.

(*delete as appropriate)

5.2 Compensation

~~*I/We confirm that *I/We are the sole owner(s) and occupier(s) of the land affected by the proposed diversion.~~

TO FOLLOW *I/We enclose letters of consent from all landowners, occupiers or lessees of the land affected by the diversion and agree to pay any compensation which may become payable in consequence of the order becoming operative.

*I/We declare that the existing public right of way is not obstructed as described in 3.1 and is fully available to the public. *SEE NOTE 3.1 AND ATTACHED MAP*

*I/We undertake not to obstruct the existing public path(s) in any way before the confirmed diversion order comes into operation. *AS ABOVE*

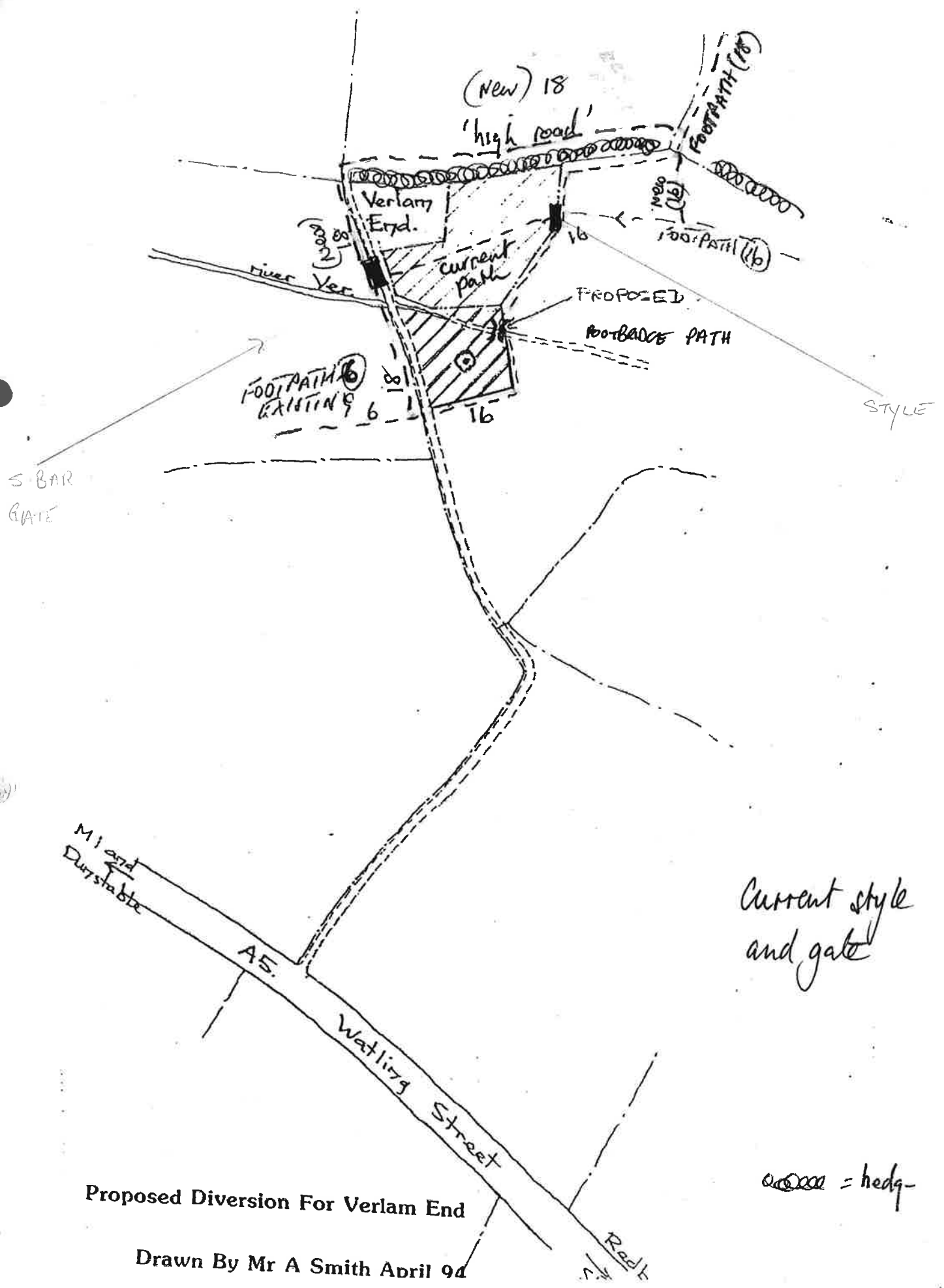
*I/We understand that the diversion is not operational until the works, as specified, have been completed.

(*delete as appropriate)

Signed _____ 28/11/01

on behalf of

Verlam End 100' 10' 16' 16'

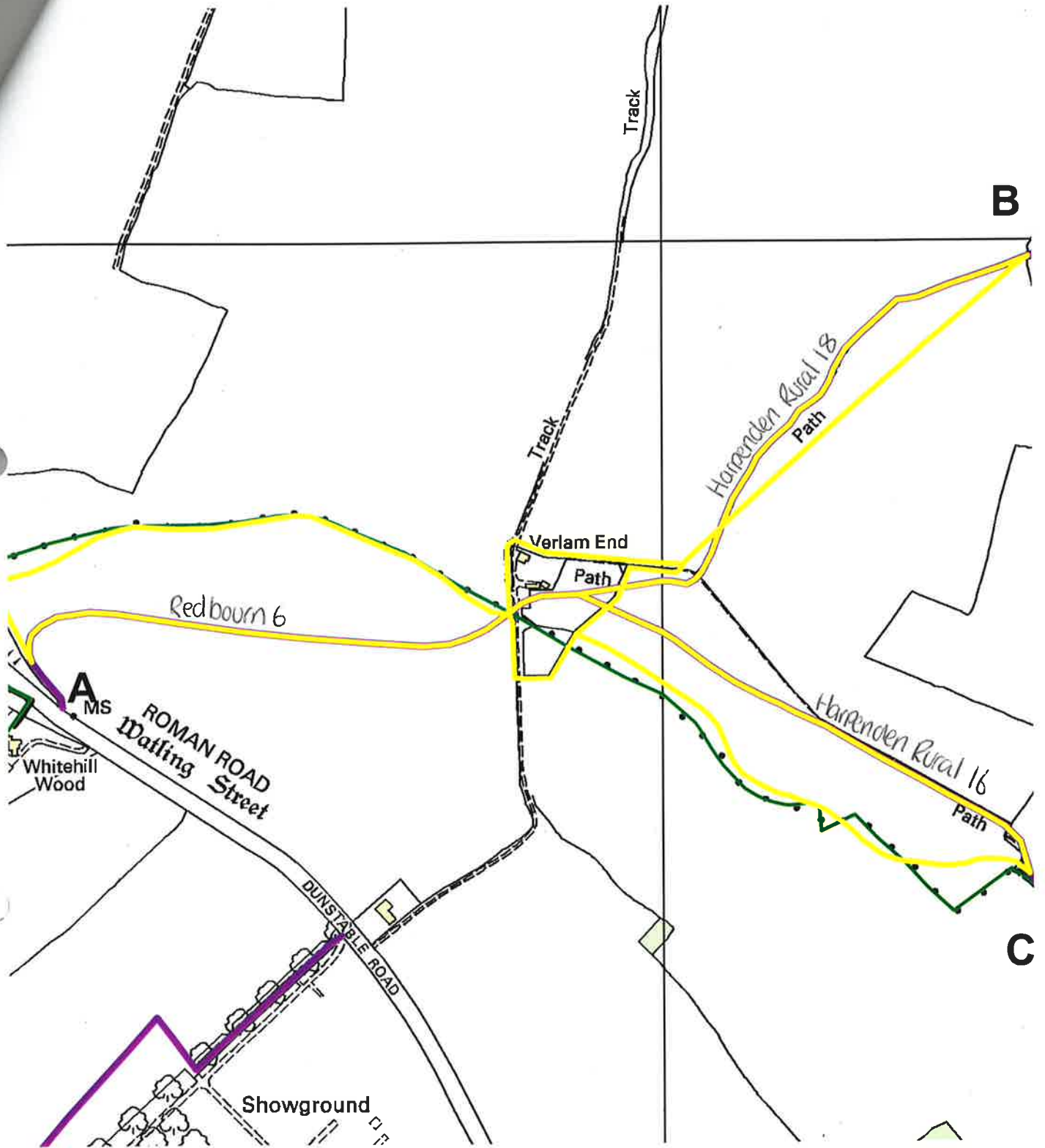


Proposed Diversion For Verlam End

Drawn By Mr A Smith April 94

Current style and gate

o@o@o = hedge



A: TL 094, 146
 B: TL 103, 149
 C: TL 103, 143
 D: TL _____



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