

REGISTER OF APPLICATIONS - PUBLIC PATH ORDERS

DETAILS OF APPLICATION

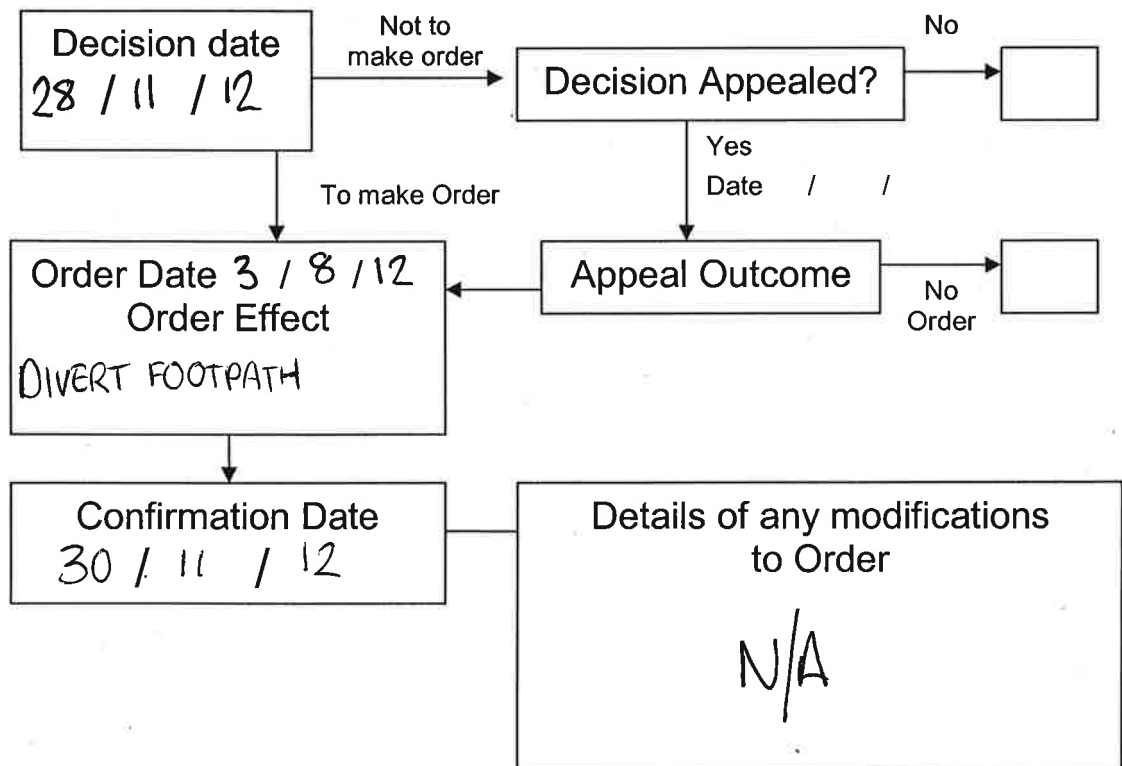
District East Herts File Name Elbow Lane Farm
 Parish Hertford Heath Application Date 7/10/04

Grid References
 Application to Point A TL 345, 098
Divert footpath Point B TL 348, 098
 Applicant Mr J Bourke

Nearest City Town Village
St Albans Hertford Hertford Heath

Addresses of properties affected House Name/Street Postcode
Elbow Lane Farm, Elbow Lane SG13 7QA

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*~~and highway~~*

Number 7.....

Parish HERTFORD HEATH.....

Full name(s) of applicant MR J.C. BOURKE

Address ELBOW LANE FARM

ELBOW LANE HERTFORD HEATH

HELTS SG13 7QA

Phone no. 01992 552000 daytime phone no. 01992 552000.

Fax no. 01992 550603 e-mail address -----

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

n/a

(*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.

Name	Address	Status (i.e. landowner, occupier or lessee)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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)

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.

CURRENTLY 2 FOOTPATHS CROSS ELBOW LANE FARM
ONE OF WHICH WAS ERECTED BY THE PREVIOUS
LANDOWNER THAT IS FENCED IN.

3. Description of routes

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

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

from RUPPS north of Pylon OS grid ref TL 3481 0993

to Balls Wood OS grid ref TL 3449 0985

distance _____ metres width _____

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

3.2 Proposed Route

from RUPPS opposite Pylon OS grid ref TL 3481 0984

to Balls Wood OS grid ref TL 3449 0985
(if known)

distance _____ metres width 2 metres

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 authorised separately under s147 of the Highways Act 1980 to prevent the ingress or egress of stock.

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.

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

Signed

te 27/09/04

on behalf of Mr J.C. Kaville

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.

N/A.

~~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.

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

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

(*delete as

Signed  Date 7/10/04

on behalf of J.C. Bourke

EH 314 01V

210000

209800

Radio Pylon

Tel

Co Const & CP Bdy
Boro Const Bdy

534800

534800

96m

Elbow Lane Farm

Footpath 7

Alternative Route

Path

A

B

534600

534600

534400

534400

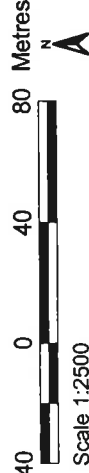
Track

Point A: T345, 098

Point B: T348, 098

Existing Footpath

Alternative Footpath



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