

REGISTER OF APPLICATIONS - PUBLIC PATH ORDERS

DETAILS OF APPLICATION

File Name:	Rushden & Wallington 25 - Bygrave Lodge Farm
Date application received:	4 th October 2017
Name of Applicant:	Mr N Collingridge
Intended effect of application:	Divert two parts of Footpath 25

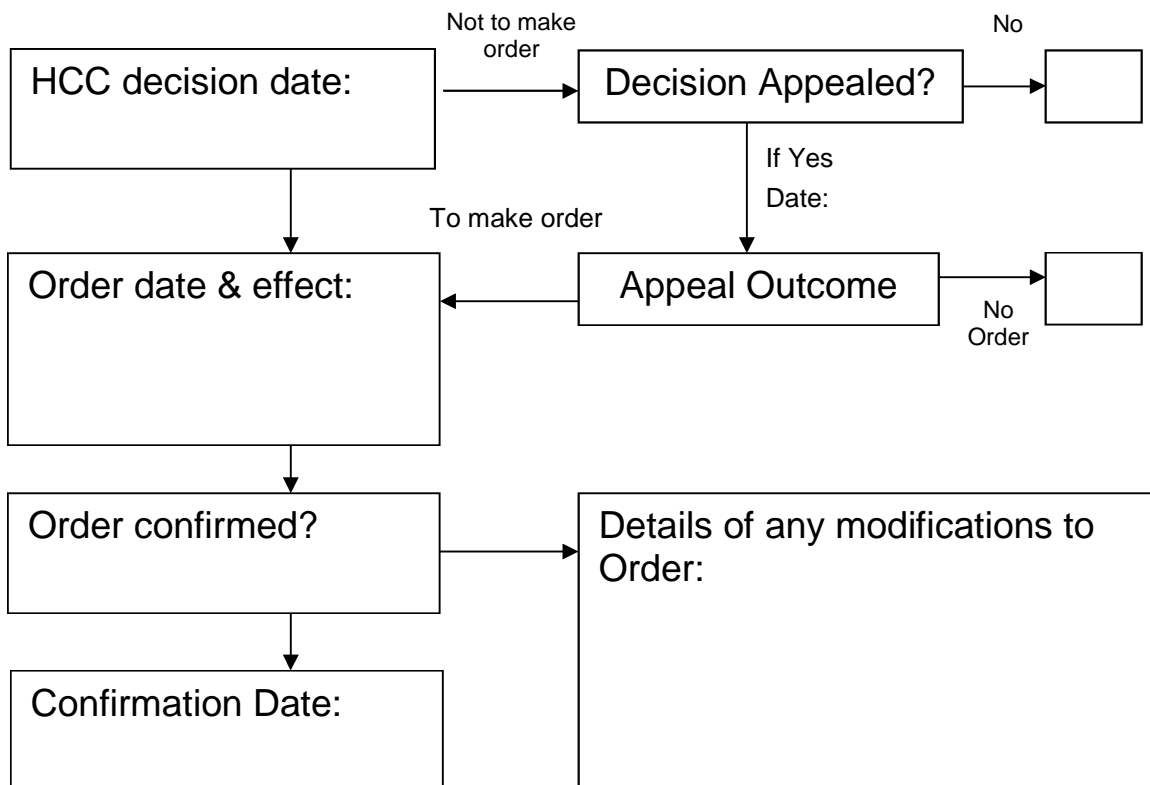
LOCATION OF APPLICATION

District:	North Herts	Parish:	Rushden & Wallington	
Nearest	City:	Cambridge		
	Town:	Baldock		
	Village:	Wallington		
		Grid References	or	Definitive Map path reference
Start Point (A)		Rushden & Wallington 25		
End Point (B)				

ADDRESS OF PROPERTIES ON THE APPLICATION ROUTE

Bygrave Lodge Farm Baldock SG7 6QX			
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DETERMINATION (DECISION) OF APPLICATION



**Application for an Extinguishment or Diversion Order
Under sections 118 or 119 of the Highways Act 1980**

Please confirm you have read the Advice to Applicants before filling in this application form.

Once you have filled in the application form please ensure that you send to us the following:

- the completed form
- a plan of your proposal based on an Ordnance Survey map of a scale not less than 1:2500
- proof of ownership of the land and
- a cheque for the application fee, payable to Hertfordshire County Council.

1. Initial matters

(Tick relevant boxes below)

- 1.1 I am applying to extinguish a path under section 118 of the Highways Act 1980
- 1.2 I am applying to divert a path under section 119 of the Highways Act 1980
- 1.3 My application relates to a footpath
 bridleway
 restricted byway

1.4 Path number (if relevant) 25

1.5 Parish BUSHOCKS & WALLINGTON

1.6 Full name(s) of applicant WALLINGTON FARMS

1.7 Address FARM OFFICE

BROOKHALL FARM

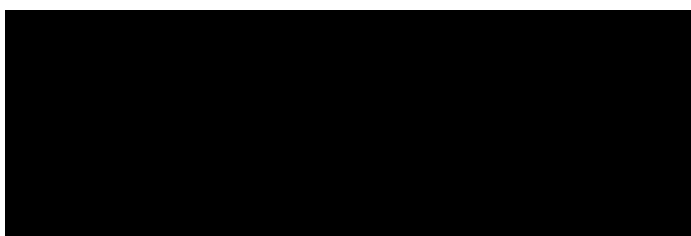
WATTON AT STONES

HERTFORD SG14 2RN.

1.8 Phone number (daytime)

1.9 Mobile number

1.10 E-mail address



1.1 Would you like to use an external agent to assist processing your application? If "YES" please tick this box

(Note. Please ensure you provide your Agent with a copy of our 'Directions for Agents consulting on diversion applications etc.' pack which explains in detail what your agent is required to do.)

Name and contact details of external agent Robin Carr Associates
2 Pirbright Avenue, Northallerton
North Yorkshire DL6 1DZ.



(Note. You will be solely responsible for your agent's costs. Seeking an agent capable of dealing with the intricacies of rights of way law is recommended)

2. Ownership of land affected by the application

2.1 Are you the freehold owner and occupier of all of the land affected by the application? Yes No

If Yes, please supply evidence of your ownership of the land and then go to 2.4

2.2 If No: please

- list below the names and addresses of all the owners, occupiers or lessees of land affected including yourself;
- indicate accurately on the application plan the different ownerships and occupiers of the land affected;
- supply copies of proof of title to land affected (clearly labelled);
- Diversion applications only; enclose a letter of consent to the diversion, from all of the owners, occupiers and lessees affected.

Name	Address	Status (landowner, occupier or lessee)
N/A.		

2.3 In the case of a diversion application, will any owners, occupiers or lessees of the land affected claim compensation under Section 28 of the Highways Act 1980?

~~Yes~~ No

Does 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

TO BEST OF KNOWLEDGE

If yes, name the statutory undertaker and describe their rights.

N/A

2.5 Is the apparatus of any statutory undertaker affected by the application?

~~Yes~~

No

TO BEST OF KNOWLEDGE

If yes, state what apparatus may be affected.

N/A

3. Reasons for application

3.1 Please state your reasons for applying to extinguish or divert the public right(s) of way. (Note. You will need to refer to the legal tests. See Section 2 of the Application Pack, and the relevant highways legislation.)

PLEASE SEE ATTACHED EMAIL FROM WICK COLLEGE
TO PETER GILL DATED 9th AUGUST 2017.

4. Description of route(s)

The plan accompanying this application must show the paths on an accurate up-to-date plan at a scale of not less than 1:2500.

4.1 Describe the path using grid references and any important landmarks. If the route is already recorded by the Definitive Map and Statement of Public Right of Way in Hertfordshire, please refer to its parish and path number.

PLEASE SEE SEPARATE SHEET WITH
ROUTE DESCRIPTION.

(path description continued)
SEE SEPARATE SHEET

distance / (metres) width / (metres)

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

4.2 Proposed route (describe the path using grid references and any important landmarks) (leave blank if applying for an extinguishment)

PLEASE SEE SEPARATE SHEET

distance / (metres) width / (metres)

(Note. County Council policy will not normally allow new gates or stiles to be erected on the new route (excluding gates for stock control) except in exceptional circumstances)

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

Yes ~~NO~~

4.4.1 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 used by the public.

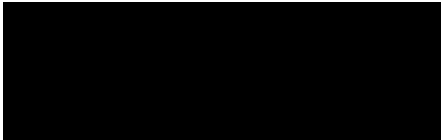
N/A.

5. Costs

5.1 In signing this form ~~I/we~~ ^{WALLINGTON FARMS} agree to pay the cost of processing the application.

5.2 I/We enclose a cheque for the application fee.

Signed



Date 01/10/2017

AGBT on behalf of WALLINGTON FARMS

6. Agreement regarding works (applications to divert paths only)

~~I/We~~ ^{WALLINGTON FARMS} understand that the applicant must pay the cost of all works which may be required by Hertfordshire County Council including signposting and waymarking to bring the new site of the path into fit condition for use by the public.

~~I/We~~ ^{WALLINGTON FARMS} 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 Hertfordshire County Council.

~~I/We~~ ^{WALLINGTON FARMS} understand that if the works are not completed within the time specified, or to the required standard, the county council will, after notice in writing, carry out or complete the works and that I/we will be liable for all costs so incurred.

7. Compensation (all applications)

~~I/We~~ ^{WALLINGTON FARMS} confirm that ~~we~~ ^{they} are the sole owner(s) and occupier(s) of the land affected by this application.

~~I/We~~ ^{WALLINGTON FARMS} agree to pay any compensation which may become payable in consequence of the order made as a result of this application becoming operative.

8. Undertaking not to obstruct the public right of way (all applications)

~~I/We~~ ^{WALLINGTON FARMS} declare that the existing public right of way is open and available for use by the public.

~~I/We~~ ^{WALLINGTON FARMS} undertake not to obstruct the existing public path(s) in any way until any orders made are confirmed AND have come into operation.

Signed



Date 01/10/2017

AGBT on behalf of WALLINGTON FARMS

Robin,

Following my previous mentions of the issues with this footpath (Wallington 25), I have now produced documents showing both issues which I attach to this email.

Bygrave Lodge Farm is located just outside the village of Wallington to its North-West, and is reached from the farm drive that leaves the A505 at the slip road which also serves the Anaerobic Digestion plant.

A quick summary of each proposed diversion, both of which are on the same footpath:

Proposed diversion 1

The existing route for the footpath ran around the edge of the farmyard in its original form. We have however built a number of additional grain stores (all with planning consent) since that time as part of an effective relocation of most of the farming operations from the centre of the village of Wallington to Bygrave Lodge Farm.

As a result the footpath now runs through the centre of the farmyard, and although it is still fully passable (with the introduction of some steps where the ground had to be excavated for the last (furthest east) of the sheds), the route is no longer suitable from a health & safety perspective.

We would therefore like to divert it to the alternative route shown which is almost exactly the same distance but is safely outside the farmyard. It is also now easier than the existing route as there would be no steps involved. Once the diversion has been achieved we will fence the farmyard for safety and security reasons; as you will fully appreciate farmyards are not good places for walkers because of manoeuvring vehicles.

Proposed diversion 2

As you can see from the second document, the definitive map route of the path goes across a field rather than following the existing very long-established path which is where everyone who uses this path has always walked. It would be very interesting to see the notes from the early 50s when this route was presumably entered onto the Definitive Map to try and understand why this incorrect route was chosen. I cannot imagine that anyone actually walked the path at the time as it is very clear on the ground where it runs. As you can see from the aerial photo that is also attached there is absolutely no evidence that anyone has ever walked on the route shown on the Definitive Map.

Public Footpath Rushden and Wallington No 25 (Bygrave Lodge Farm) Diversion

Route Descriptions

Diversion No 1

Description of Existing Footpath

The whole width of that part of Public Footpath Rushden and Wallington No 25 commencing at Grid Reference TL 2811 3501 (Point X) and running in a generally north easterly direction between farm buildings for a distance of approximately 73 metres to Grid Reference TL 2817 3506 (Point Y) then turning and running in a generally south south-easterly direction for a distance of approximately 67 metres to Grid Reference TL 2821 3501 (Point Z)

Total Distance: 140 metres

Description of Proposed New Footpath

Public Footpath commencing at Grid Reference TL 2811 3501 (Point X) and running along a track in a generally south south-easterly direction for a distance of approximately 64 metres to Grid Reference TL 2816 3496 (Point W) then turning and following the track in a north easterly direction for a distance of approximately 73 metres to Grid Reference TL 2821 3501 (Point Z).

Total Distance: 137 metres

Width: Proposed 2 metres

Diversion No 2

Description of Existing Footpath

The whole width of that part of Public Footpath Rushden and Wallington No 25 commencing at Grid Reference TL 2833 3490 (Point A) and running in a south easterly direction across the field for a distance of approximately 523 metres to Grid Reference TL 2873 3456 (Point B)

Total Distance: 523 metres

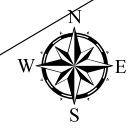
Description of Proposed New Footpath

Public Footpath commencing at Grid Reference TL 2833 3490 (Point A) and running in a south easterly direction along the field edge for a distance of approximately 541 metres to Grid Reference TL 2873 3456 (Point B)

Total Distance: 541 metres

Width: Proposed 2 metres

NH/303/DIV Application Plan
Rushden & Wallington footpath 25 - Bygrave Lodge Farm



41
25
25
25

Bygrave Lodge Farm
Bygrave Lodge Farm Cottages
Silos

Radio Station

Masts

Y

X

W

Z

A

B

- Footpath
- Bridleway
- Footpath to be extinguished
- Footpath to be created

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Scale 1:2,500
0 50 100 200 Metres

Path (un)