

Application Form for the Temporary Stopping Up or Diversion of Public Right(s) of Way(s) for Mineral Workings

Section 261, Town and Country Planning Act 1990

Please read the attached notes carefully before completing this form.

Return completed form and all supporting documents to:
The Access and Rights of Way Section, Regeneration, Economy & Growth,
Durham County Council, County Hall, Durham, DH1 5UQ.

1 Applicant

a) Full name and address of the Developer(s):

Name(s) <input type="text"/>	Address (Business or Private) <input type="text"/>
Tel No(s) <input type="text"/>	Post Code: <input type="text"/>
Email <input type="text"/>	

b) If a Limited Company, please give the address of the Registered Office

<input type="text"/>
Post Code: <input type="text"/>

c) If a Private Firm, please give the full names of all of the partners

<input type="text"/>

d) If form completed by an Agent:

Name of Agent: <input type="text"/>	Address: <input type="text"/>
Profession: <input type="text"/>	
	Post Code: <input type="text"/>

2 Highways to be Temporarily Diverted or Stopped Up

a) **Status of the Highway:**

Footpath

Bridleway

b) Right of Way Name(s) or Number(s)

c) Parish(es)

d) Length(s) in metres of section(s) to be Diverted or Stopped Up:

e) Period of time Temporary Diversion or Stopping Up required for:

f) **Application to:**

Divert

Stop Up

3 Planning Permission

a) **Has Planning Permission been granted for the development which necessitates the Temporary Diversion or Stopping Up of the Highway(s)?**

YES

Complete sections 3b to 3f before moving to section 4

NO

Complete sections 3g and 3h (if applicable) before moving to section 4

b) Which DCC office dealt with your planning application?

Office:

Name of Officer:

c) Date granted:

d) Reference of Planning Certificate:

e) Reference of Planning Certificate:

f) Expected start date for the development:

g) Date on which the Application for Planning Permission was made and to which DCC office:

Date:	Application submitted to:
	Reference No:

h) If an appeal was made to the Secretary of State under Section 78 of The Town and Country Planning Act 1990, please give the date of appeal:

Date:

4 Applicant's case for the proposal

a) Describe the development and why it necessitates the Temporary Stopping Up or Diversion of the Highway(s). Please include a plan drawn at an appropriate scale to show the detail of the proposal.

Description:

5 Land crossed by existing path(s)

- a) Full name(s) and address(es) of all landowners, occupiers and other persons with any legal interest in the land which is crossed by the length(s) of existing path(s) subject to this application

Name(s) and interest in land		Address(es)	
<input type="text"/>		<input type="text"/>	
Tel No(s)	<input type="text"/>	Post Code:	
Email	<input type="text"/>		

- b) Is any of the land registered?

YES	<input type="checkbox"/>	Where registered, please give Title No(s) and Name(s) on title
NO	<input type="checkbox"/>	<input type="text"/>

- c) Does anyone else use any of the existing path(s) to gain access to land or property?

YES	<input type="checkbox"/>	If YES, please give details of name, contact details etc
NO	<input type="checkbox"/>	<input type="text"/>

- d) Have you obtained the consent of every person having an interest in land crossed by the existing path(s) (including persons named at 5a & 5c)?

YES	<input type="checkbox"/>	If YES, please enclose all written consents, If NO, please explain why
NO	<input type="checkbox"/>	<input type="text"/>

- e) Will a related compulsory purchase order, or other statutory action, be involved?

YES	<input type="checkbox"/>	If YES, please give details
NO	<input type="checkbox"/>	<input type="text"/>

6 Temporary path(s) to be provided

(For Diversion applications only)

a) Will any Temporary highways be provided?

YES

Please complete Section 6 before moving to Section 7

NO

Please move to Section 7

b) Status of the Temporary Highway(s):

Footpath

Bridleway

c) Full name(s) and address(es) of all landowners, occupiers and other persons with any legal interest in the land which is crossed by the length(s) of Temporary path(s) subject to this application

Name(s) and interest in land

Address(es)

Tel No(s)

Email

Post Code:

d) Is any of the land registered?

YES

Where registered, please give Title No(s) and Name(s) on title

NO

e) Does anyone else use any of the Temporary path(s) to gain access to land or property?

YES

If YES, please give details of name, contact details etc

NO

f) Have you obtained the consent of every person having an interest in land crossed by the Temporary path(s) (including persons named at 6c & 6e)?

YES

If YES, please enclose all written consents, If NO, please explain why

NO

g) Please give details of any proposed new structures on the Temporary Highways e.g. type of gate(s) and stile(s) and also mark locations on plan

Point on plan	Structure & boundary type (e.g. 1.5m metal hand gate & dry stone wall)	Purpose of structure (e.g. stock control)

7 Public Utilities

a) If you have carried out consultations with the Public Utilities please indicate those with apparatus or interests affected by the Diversion or Stopping Up:

<input type="checkbox"/>	TRANSCO	<input type="checkbox"/>	Northumbrian Water
<input type="checkbox"/>	NEDL	<input type="checkbox"/>	Environment Agency
<input type="checkbox"/>	BT	<input type="checkbox"/>	Parish Council
<input type="checkbox"/>	Other (please state)	<input type="text"/>	

Note: Please enclose a copy of any correspondence received

8 Declaration

I / We

- (a) understand that no authority for the Diversion or Stopping Up of a highway is conferred unless or until an Order has been made and confirmed;
- (b) declare that, except to the extent authorised by or under some other statutory provision, the highway(s) to be Diverted or Stopped Up are in no way obstructed and are fully available for use;
- (c) undertake, to put new path(s) in place to the standards agreed by Durham County Council, should the proposals succeed;
- (d) apply for the Diversion or Stopping Up of the highway(s) described above;
- (e) declare that, to the best of my/our knowledge and belief, all particulars inserted on this form are true and accurate.

NOTE:

You will need to sign a separate agreement to pay the costs associated with this application and to carry out specific works to create the new path(s). We will send you this once you have submitted this application. This additional agreement will then need to be signed and returned for the Order to progress

Signed

Date

Position held
(if employed by company or public body)