

Ref No _____

APPLICATION FORM

TO ERECT A LIMITATION ON A PUBLIC RIGHT OF WAY s147 HIGHWAYS ACT 1980

PLEASE READ THE GUIDANCE NOTES BEFORE COMPLETING THIS FORM

TO: Public Rights of Way
Norfolk County Council
Martineau Lane
NORWICH
NR1 2SG

Section A – Applicant Details

Mr/Mrs/Miss/Ms*

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.....
.....
.....

Telephone Number:

Section B – Path Details

Parish(es):

Path No:

Nature of limitation(s), e.g. structure, including grid reference(s):

- (1)
- (2)
- (3)
- (4)
- (5)

Section C – Supporting Information

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Section D – Terms and Conditions

I, being the owner/occupier/lessee* of land over which part of the public right of way identified is routed, hereby make application for the consent of Norfolk County Council under:-

- (a) Section 147 of the Highways Act 1980 that for securing that the use of the land for agriculture, forestry or for the breeding or keeping of horses shall be efficiently carried on, it is expedient that** structures for preventing the ingress or egress of animals should be erected on the public footpath/bridleway* at the location(s) shown on the attached plan.

I confirm,

- (1) That each gate will be a minimum clear width of 1.0 metre on a footpath (1.5 metres on a bridleway) as measured between posts and will be fitted with a suitable latch, enabling it to be opened and closed by pedestrians and/or equestrians from both sides without difficulty at all times.
- (2) Gate posts shall not be used as straining posts for a fence.
- (3) Barbed wire shall not be attached to or be placed within 1 metre of the structures.
- (4) That each structure erected will be on land owned/occupied* by me and be considered my property thus maintained by me.
- (5) That there are no private rights over the land which would be affected by the proposal.
- (6) I understand that any consent granted as a result of this application applies only while a legal need exists as described under Section D (a) above.
- (7) I understand that I must not erect any structure until I have received in principle consent from the County Council and that I must not erect any other type of structure other than that for which I have permission.
- (8) I understand that if any of these conditions are not met Norfolk County Council will require the structure(s) to be removed at my own expense.
- (9) That all works will be completed to the satisfaction of County Council staff and that I will notify the County Council when the structure(s) is/are* ready for inspection and authorisation.
- (10) I acknowledge that the Council has discretion to withdraw or revise authorisation at any time notwithstanding anything that may be contained in the conditions.

FULL NAME.....

SIGNED..... **DATE**.....

* - Delete as appropriate

** - Insert number

Guidance Notes for Completing Application Form

This form is for use by applicants seeking authorisation for the erection of a structure on a public right of way under the Highways Act 1980 Section 147 for the purposes of securing agricultural efficiency on the land by preventing the ingress or egress of animals. Guidance for the completion of the application form is given below:-

Section A – Applicant Details:

Applicants should insert their contact details.

Section B – Path Details:

Parish(es) – applicants should insert the name of the Parish effected by this application, this information can be given by the relevant County Council Officer upon request.

Path No – applicants should insert the path number as recorded on the Definitive Map. This information can be given by the relevant County Council Officer upon request.

Location – applicants should give a description of the location of the path in question i.e. *footpath at Churchtown between Church Road and Church Street.*

Nature of limitation(s), e.g. structure, including grid reference(s) – applicants should make reference to the accompanying plan identifying the limitation requested and the 8 figure OS grid reference i.e. Point 1 on plan = 1 x kissing gate at grid reference TG1234 5678.

NB: Structures are defined as: defined gaps (narrower than path width), pedestrian gates (wicket gates), kissing gates, limited mobility (disabled) access gates, radar gates, bridle gates or other similar structures (see also HA80 s146 and BS5709:20046) [stiles are no longer considered appropriate in Norfolk due to the requirement for ease of access- Equalities Act 2010].

Section C – Supporting Information – applicants should include any further information supporting their application.

Further Information

Costs: There is no cost to the applicant for the processing of an application. If successful the applicant will be required to supply and install the limitation or arrange for a contractor to do so at his or her own expense. A landowner is entitled to recover 25 per cent of reasonable costs incurred in replacing or repairing an existing authorised limitation, but the work must be agreed with NCC beforehand.

Terms and Conditions: An applicant should read the guidance notes and the terms and conditions highlighted in Section D of the application form before making an application to ensure they are able and willing to meet the requirements stated. There is no right of appeal against any condition imposed on an applicant and the County Council reserve the right to add and remove such conditions as they see fit in exercise of their duties to assert and protect the public's rights and interests.

Application Checklist:

Applicants should complete all applicable parts of the form. Incomplete forms will be returned.

Completed forms should be returned to the address below together with a copy of a suitable scale plan showing the length of highway subject to the application clearly identifying the locations of any requested limitations as detailed by the application form. Norfolk County Council is able to supply maps for this purpose and may charge for this provision.

Completed applications should be returned to:-

Public Rights of Way
Norfolk County Council
Martineau Lane
Norwich
NR1 2SG
prow@norfolk.gov.uk