



NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

APPLICATION FOR PUBLIC FOOTPATH DIVERSION ORDER IF CONNECTED TO A PLANNING DECISION

HOW TO APPLY

1. Fill in all parts of this form. Please read section 5 re providing a map.
2. Send it to:
Cultural Services
North West Leicestershire District Council
Council Offices
Coalville
Leics LE67 3FJ. email: footpaths@nwleicestershire.gov.uk
3. You should not do anything which will obstruct or in any way make impassable an existing public right of way until the necessary Order has been both made and Confirmed. Anticipating an Order could prejudice its chances of confirmation and could render you liable to a fine on summary conviction for offences under the Highways Act 1980.
4. The statutory procedure to make an Order usually takes many weeks or months. However, if any objections are submitted which cannot be resolved, the Order has to be referred to the Secretary of State for the Environment for a decision and this can prolong the process considerably.

Please complete this section in BLOCK LETTERS

1. **PERSON OR ORGANISATION APPLYING FOR THE ORDER**

Name: **FORT ESTATES LIMITED**

Address: **17A Maybrook Road, Minworth, Sutton Coldfield, West Midlands**

Telephone No: **0121 351 1934**

Email: **martin@jm-h.co.uk**

2. Do you wish an agent to deal with correspondence about this application on your behalf?
NO If YES, please give details:

Name

Address

.....

Telephone No.

Email:

3. Who is the North West Leicestershire Planning Officer dealing with your Planning Permission?

EBBONY MATTLEY Planning Application No: **14/00244/OUTM**

4. Why do you want the Council to make the Order? Please outline your reasons.

So that the Planning Permission can be implemented

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5. Location of existing path(s) and proposed diversion/newly created route.

The public footpath numbered P71 and P73 are located in land previously part of Home Farm, off Main Street, Oakthorpe. Footpath P73 was stopped (at The Square junction) under the above Planning Permission and the attached Site Plan shows our proposals to re-align P71 and P73 onto our new development footpaths.

Main grid reference: **432168:313069**

Nearest postcode: **DE12 7QNS**

Please attach a plan clearly illustrating your proposals on a scale not less than 1:2500. Mark the existing route with a solid black line and the diversion route by a black dashed line with start, finish and changes in directions marked with a letter ie. A, B, C. Any nearby unaffected footpaths should be marked with a solid black line with side bars. Include a location map, North marker and grid lines. An example can be provided by email on request. If you need assistance with the detail of the map, please contact the Rights of Way office at Leicestershire County Council who has access to the definitive map. samantha.ireson@leics.gov.uk and can produce a map on request (recommended) (at a cost).

6. Are you the owner of all the land affected? **NO**

Please provide proof of ownership, eg Epitome of Title, Office Copy Entries, Certificate of Title signed by your legal representative.

If NO, please give details of all other owners.

Peter Redfern, Warner Redfern, Carl Redfern and Robert Redfern c/o Fishers Solicitors, 4-8 Kilwardy Street, Ashby-de-la-Zouch, LE65 2FU

Are there any lessees or occupiers on any of the land affected?

NO

If YES, please give details:

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UNDERTAKING

1. I/We undertake to pay the Council's expenses in making and advertising the Order comprising a maximum basic administration charge of £1500 for one footpath plus an additional £100 for each additional footpath included in the application, (+VAT). Plus actual advertising costs. (1 x Order has been made, 1 x Order is Confirmed). You will be invoiced for the administration charge once consultation is underway and each advert separately as they occur.
2. I/We undertake to bear any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.
3. I/We undertake to defray any compensation which becomes payable in consequence of the coming into operation of the Order.

Signed: *Martin Ware*

Dated **27/11/2018**

Procedure (in brief)

- Application made, map prepared.
- Preliminary consultation commences.
- Invoice applicant for admin fee.
- Any issues addressed and resolved.
- Order made, second consultation commences, Public Notice published. Signs out on site.
- Invoice applicant for cost of Public Notice.
- Work on new route commences.
- Once new route complete, LCC check route and if satisfactory issue a Certificate of Works.
- Order Confirmed, details circulated, Public Notice published. Signs out on site.
- Invoice applicant for cost of Public Notice.

Note – Timescale. The process can take many weeks, months and even years depending on what type of diversion. For example, a diversion required to accommodate a new housing development may take a few years to complete as the estate takes a long time to be built. As an interim measure temporary closures or diversions maybe necessary (dealt with by Leicestershire County Council).

