

**APPLICATION FOR TEMPORARY DIVERSION ORDER
HIGHWAYS ACT 1980 s. 135**



**TO: Public Rights of Way Service
Environment Department
County Hall
Exeter EX2 4QW**

Tel: 01392 382981

Parish:- Footpath/Bridleway No.

Location:

I, Mr / Mrs/ Miss Initials Surname

Of:

.....

Tel No:

occupy the land edged red on the attached plan, and apply to divert the above public right of way as shown on that plan (which I have dated and signed) for a period of [not to exceed 3 months], commencing on

The reason for making this application is to enable me to carry out the following works on that land:
[see overleaf for nature of works that justify an order]

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

I CONFIRM that all other landowners affected by the diversion are listed below, and have consented to this temporary diversion of the path:

Name	Address
.....
.....

AND I HEREBY UNDERTAKE TO:

- [1] provide an alternative route of not less than 2 metres width in the case of a footpath or 3 metres width in the case of a bridleway and to maintain the route in a good state of repair;
- [2] place and maintain at the ends of the closed section(s) of path a site notice and plan;
- [3] make good the surface of the existing route before expiration of the diversion period;
- [4] pay Devon County Council, within twenty-eight days of receiving an account, the sum of £160 to cover the cost of making the order.

Signed:

Date:

TEMPORARY DIVERSION ORDER

Section 135 of the Highways Act 1980 provides that where the occupier of agricultural land, or land which is being brought into use for agriculture, desires to carry out an excavation or engineering operation that is reasonably necessary for the purposes of agriculture, but will so disturb the surface of a footpath or bridleway which passes over that land as to render it inconvenient for the exercise of the public right of way, he may apply to the highway authority for diversion of the path or way for a period not exceeding three months. The application must not affect the line of a path or way on land not occupied by the applicant, but may divert the line onto such land with the written consent of the occupier thereof.

The highway authority shall make an order if satisfied that it is practicable temporarily to divert the path or way in a manner reasonably convenient to users. The order may include such conditions as the authority reasonably thinks fit for the provision, either by the applicant or by the authority at the expense of the applicant, of facilities for the convenient use of any such diversion, including signposts and other notices, stiles, bridges and gates. Compliance with the Act also involves legal and administrative costs, and the authority requires from the applicant an undertaking to meet these costs.

June 2008