

**APPLICATION FOR THE DIVERSION/EXTINGUISHMENT  
OF PUBLIC RIGHTS OF WAY**

This guidance should be used to apply to Leicestershire County Council for the Diversion or Extinguishment of Public Rights of Way in Leicestershire.

Leicestershire County Council is the competent authority to make Orders under:

- a) The Town and Country Planning Act 1990: Where the County Council has issued the relevant planning permission.
- b) The Highways Act 1980: Where landowners wish to alter rights of way on their land, or any other person or organisation would like the County Council to create a new path. (An application under this Act may also be submitted to the appropriate District Council).
- c) Wildlife and Countryside Act 1981. If you consider that a right of way should be added to the Definitive Map or should not have been shown at all or has a different status, and you have documentary evidence to support this, then do not use this form. Please contact a member of the Rights of Way Service in the Environment and Transport Department by telephone on 0116 305 0001 or email them at [Footpaths@leics.gov.uk](mailto:Footpaths@leics.gov.uk) so that the appropriate forms may be sent to you.

**TO ENABLE THE COUNTY COUNCIL TO BEGIN PROCESSING YOUR APPLICATION,  
THE FOLLOWING INFORMATION WILL NEED TO BE SUPPLIED**

A plan (scale 1:1250 or 1:2,500) showing the existing and alternative route(s) clearly marked. An Ordnance Survey extract can be supplied by the County Council for this purpose by contacting the Rights of Way Service within the Environment & Transport Department on telephone number 0116 305 0001 or emailing [Footpaths@leics.gov.uk](mailto:Footpaths@leics.gov.uk)

**YOU ARE ALSO REQUIRED TO CONFIRM:**

- 1. That you/your client own(s) all of the land affected by the proposal. If you do not own any or all of the land concerned, or if you have tenants or licensees in occupation then you must supply the County Council with the written agreement of any owner(s)/occupier(s)/tenant(s) of the land.
- 2. That you/your client agrees to meet the fees and costs of the County Council involved in the processing of the full application from preliminary consultation to confirmation of the Order. **The administration charge is £3,435 (one path) plus a further £220 for each additional path included in the Order.** The County Council has a statutory duty to advertise the making of an order and later, the confirmation of an order, in a local newspaper. For some orders, a third advert may also be required to certify that the diversion can go ahead. Depending on the timing of the works, it may be possible that the Order can be confirmed and certified at the same time, thereby saving costs. The costs associated with these publications are the responsibility of the Applicant.

- The first payment of £630 (plus any charges for additional rights of way) is due on completion of preliminary consultations.
  - A further payment of £2,805 (plus the costs of advertising) will be due after a formal order is made and advertised. If no Order is made no further fees will be charged.
  - Before confirming an order, a final charge will be made for the costs of advertising the confirmation notice.
  - If the application is not finally approved or is withdrawn by you/your client at any stage, you/your client will be required to pay the costs incurred to date.
3. That you/your client will indemnify the County Council against any claim which may be made for compensation pursuant to an order being made following your application, as provided by Section 28 of the Highways Act 1980. Claims may be made if it can be shown that the value of a person's interest in land has depreciated, or that a person has been disturbed in his enjoyment of land, as a consequence of the coming into operation of a Public Path Diversion Order. However, it is unlikely that a claim would be forthcoming if the written agreement of all the owner(s) and occupier(s) of the land has been sought.
  4. That you/your client agrees not to make any claim for compensation from the County Council in connection with this application or any order made following its determination.
  5. That you/your client agrees to carry out any works required to bring the diverted route into a satisfactory condition for use by the public, in accordance with the requirements of the County Council. This is wholly the responsibility of the Applicant including the costs thereof. These works must be completed prior to the Order coming into force.
  6. That you/your client agrees to meet the requirements of any statutory undertaker in respect of any apparatus situated in, on or over the public right of way, including, but not limited to, works to protect the statutory undertaker's apparatus or the costs of moving or re-routing such apparatus.

**How we use your information:** Any information you provide will be used in accordance with current data protection regulations and other relevant legislation.

Please complete your application online, with the above additional information.