

SCHEDULE 2

HIGHWAYS ACT 1980, SECTION 119E  
APPLICATION REQUESTING A LOCAL HIGHWAY AUTHORITY TO MAKE AN SSSI  
DIVERSION ORDER TO DIVERT CERTAIN HIGHWAYS FOR THE PROTECTION OF A SITE  
OF SPECIAL SCIENTIFIC INTEREST

<b>FOR AUTHORITY USE ONLY</b>
File ref: Date acknowledged:

Name and address of local highway authority: *[insert details]* .....

An application is made to divert the highway *[note 2]* described below on the grounds that: *[public use of the highway is causing] or [ continued public use of the highway is likely to cause][delete as appropriate]* significant damage to the flora, fauna, or geological or physiographical features by reason of which the site is of special interest; and

it is expedient that the line of the highway, or part of that line, should be diverted for the purpose of preventing such damage.

Name and location of SSSI: *[insert details]* .....

1. PUBLIC RIGHT OF WAY TO BE EXTINGUISHED

(a) Name(s) and number(s) of highway(s) to be extinguished (including type of highway, grid references and parish or district in which located): .....

(b) Length in metres of path or way to be extinguished:.....

(c) Description of length of path or way to be extinguished by reference to terminal points shown on the map supplied and attached by the applicant which is on a scale of not less than 1:2500 or, if no such map is available, on the largest scale readily available *[note 3]*: .....

(d) The name(s) and address(es) of the owners, lessees and occupiers of the land over which the proposed order would extinguish a public right of way: .....

Status: This is the original version (as it was originally made).

(e) Have you obtained the written consent of every person having an interest in the land over which the path or way to be extinguished passes, in so far as any consent is needed?

YES	NO	NOT NEEDED
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If YES, enclose copies of all written consents.

If NO, enclose copies of all written consents that you now possess, and give particulars of those where consent has been refused or has yet to be obtained.

(f) Is the path or way that is to be extinguished subject to any limitation or conditions (e.g. is there a traffic regulation order in place?).

YES	NO
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If YES, please give details.

2. NEW PATHS OR WAYS TO BE CREATED

(a) Type of highway to be created: *[enter type]* .....

(b) Description: width, length, and by reference to terminal points (indicating also any section which runs over existing paths or ways) shown on the accompanying map *[note 3]*, including grid references and parish or district in which it is located: .....

(c) The name(s) and address(es) of the owners, lessees and occupiers of the land over which the new path(s) or way(s) would pass: .....

(d) Have you obtained the written consent of every interested person to this land being dedicated for this purpose, in so far as consent is needed, that is to say, every person having an interest in the land over which the path or way to be created passes?

YES	NO	NOT NEEDED
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If YES, enclose copies of all written consents.

If NO, enclose copies of all written consents that you now possess, and give particulars of those where consent has been refused or has yet to be obtained.

(e) Will the new path or way connect with a trunk road?

YES	NO
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If YES, give details.

3. ASSESSMENT OF THE EFFECTS OF PUBLIC USE OF THE RIGHT OF WAY ON THE SPECIAL FEATURES OF THE SSSI *[note 4]*

(a) A summary of the reasons for seeking the proposed SSSI diversion order: .....

**Status:** This is the original version (as it was originally made).

Answer the following in detail, using separate sheets as necessary—

(b) Clearly identify and assess the effects of any significant damage to the flora, fauna or geological or physiographical features by reason of which the SSSI is of special interest, which has been caused by the public use of the highway.

.....  
.....

(c) Clearly identify and assess the effects of any significant damage that continued public use of the highway is likely to cause to the flora, fauna or geological or physiographical features by reason of which the SSSI is of special interest.

.....  
.....

(d) Specify what consideration has been given to alternative options available and to any steps that have been taken to prevent or ameliorate the damage being, or likely to be, caused by the public use of the highway.

.....  
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**4. NAMES AND ADDRESSES OF PUBLIC UTILITY UNDERTAKERS IN AREA (whether or not their apparatus is likely to be affected)**

(a) Public gas supplier: .....

(b) Public electricity supplier: .....

(c) Water undertaker: .....

(d) Sewage undertaker (if different): .....

(e) Public telecommunications operator: .....

(f) Others (please specify): .....

**5. OTHER INFORMATION**

The application must be accompanied by a copy of the notice of the intention to make this application.

Give any other information you consider relevant.

**Status:** This is the original version (as it was originally made).

**DECLARATION**

I/We

(a) understand that no authority for the extinguishment, obstruction or creation of any path or way in this request is conferred unless and until an SSSI diversion order has been confirmed and the relevant provisions have come into force;

(b) request that an SSSI diversion order is made and confirmed relating to the path or way described above; and

(c) declare that to the best of my/our knowledge and belief, the factual information in this form is true and accurate.

Signed: .....

Name in capitals: .....

On behalf of Natural England

Address: .....

Telephone Number: .....

Email address: .....

Position held: .....

Date: .....

Note: the council will need all relevant information to enable them to proceed.

*Notes*

1. This form is to be completed by Natural England when requesting a local highway authority to make an SSSI diversion order to divert certain highways for the protection of a site of special scientific interest under section 119E of the Highways Act 1980.

2. The highway must be in, form a part of, or be adjacent to or contiguous with, a site of special scientific interest, and must be a "relevant highway", defined in section 119D(2) as follows—

- (a) a footpath, bridleway or restricted byway;
- (b) a highway which is shown in a definitive map and statement as a footpath, a bridleway or a restricted byway but over which the public have a right of way for vehicular and all other kinds of traffic, or
- (c) any highway which is shown in a definitive map and statement as a byway open to all traffic, but does not include any highway that is a trunk road or special road.

3. The application must be accompanied by a map (section 119E(1)(a)) on a scale not less than 1:2500, or, if no such map is available, on the largest scale available). The map must—

- (a) show the existing site of so much of the line of the highway as would be diverted if the order were made and the new site to which it would be diverted;
- (b) indicate whether a new right of way would be created by the order over the whole of the new site or whether some of it is already comprised in a highway; and
- (c) where some part of the new way is already so comprised, define that part.

4. The application must be accompanied by an assessment of the effects of public use of the right of way on the site of special scientific interest (section 119E(1)(b)).