

HIGHWAYS ACT 1980 SECTION 147

AUTHORISATION TO ERECT A STILE, GATE OR OTHER STRUCTURE ON A FOOTPATH OR BRIDLEWAY FOR PREVENTING THE INGRESS OR EGRESS OF ANIMALS ON AGRICULTURAL LAND

Parish		Status		Path	
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WHEREAS: Hertfordshire County Council ("the Council") is the Highway Authority for footpaths and bridleways shown on the Definitive Map of Public Rights of Way in Hertfordshire.

1. The Council hereby authorises the Applicant described in Part I of the attached Schedule to erect the structure described in Part II of the Schedule to the standards specified in Part III of the Schedule and at the position on the ground described in Part IV of the Schedule.

2. The Applicant(s) hereby agree with the Council to the conditions set out in Part V of the Schedule and acknowledges that the Council has discretion to withdraw or revise this Authorisation at any time notwithstanding anything that may be contained in the conditions. (N.B. The structure is not authorised until it has been inspected and approved by the County Council).

Signed Date
 Applicant

3. The structure described in the Schedule was inspected on.....
 by and authorisation is hereby granted.

Signed Date
 Rights of Way Officer

4. The Council may undertake the construction themselves in which case the applicant(s) should sign below. The applicant(s) is(are) satisfied that the authorised structure conforms to the standards in the authorisation and accept the responsibility for the maintenance of the structure to those standards and the liability therein.

Signed Date
 Applicant

SCHEDULE

I Full Names of Applicant.....

 Address of Applicant

 being the *landowner/lessee/tenant/licensee/occupier of the
 land at the location described in IV of this Schedule which is crossed by the
 public highway (*delete those descriptions which are inapplicable)
Where the applicant is not the landowner,
 Full Names of Landowner.....

 Address of Landowner.....

II Type of Structure (Stile/gate/bridlegate/kissinggate/other)*

 (*please state)

III Specification of the Structure in II will be as set out in the current Rights of
 Way Good Practice Guide with modifications (if any) approved below.
 Approved Modifications

IV Parish Path No Status
 The structure to be located at the point marked A on the attached plan at grid
 reference (8 figures)

- V The Conditions
1. That the Applicant(s) accepts the responsibility for maintenance of the structure to the standards specified in the current Rights of Way Good Practice Guide and the liability therein, until such time as the structure is removed.
 2. This authorisation covers only the structure as specified in III of the Schedule. Any additions such as fencing wire, sheep netting etc. which are not specifically authorised may constitute an unlawful obstruction.
 3. Gates on bridleways must be capable of being opened with reasonable ease by someone on horseback and on foot.
 4. Should the conditions under the Highways Act 1980 Section 147 which allows structures to be erected cease to exist, then the authorisation is withdrawn and the structure becomes an unlawful obstruction and must be removed.
 5. Should it be decided at some later date that the route is of a higher status this permission will lapse and should be reapplied for.
 6. Any failure of the Applicant (or his successors in title) to abide by these conditions may lead to the County Council requiring the removal of the structure as an unlawful obstruction under Section 143 [Highways Act 1980] and/or legal proceedings being commenced for the wilful and unlawful obstruction of the public highway under Section 137 [Highways Act 1980]. Alternatively the County Council may require that the structure be upgraded at the applicant's expense to one that is more convenient to the public.