


**HIGHWAYS ACT 1980, s.119**  
**APPLICATION FOR AN ORDER PERMANENTLY TO DIVERT A PUBLIC**  
**FOOTPATH OR BRIDLEWAY**

*When completing this form please read the attached notes, then fill in the form carefully*

Name of applicant .....**Arden Academy Trust**.....  
Address ....**Station Road, Knowle, Solihull, West Midlands, B93 0PT**.....  
Tel. (work) ...**01564 773348**..... Tel. (home) .....

I hereby apply for the diversion of the footpath/bridleway\* known as ..**School Footpath**  
.... in the parish of ..**Knowle, Solihull** ... under s.119 of the Highways Act 1980 and  
undertake, if the Borough Council agrees to make the order for the diversion of the path,  
to carry out such work on the diverted route of the path as may be required to bring the  
path into a fit condition for public use at such time as the diversion order can be  
confirmed. (\*Delete if not applicable.)

Signed  (Agent) Date .6<sup>th</sup> May 2015.....

**The path to be diverted**

Parish ..**Knowle**..... No.....**SL20A**.....  
From ...**Station Road**..... OS grid ref. ...**417836 276414**.....  
To ..**Milverton Road**..... OS grid ref. ...**417973 276360**.....

General description of path .....

**Footpath Through School Site** .....

Status: This path is a footpath

Stated widths .....**1.8m** ..... (For office use)

Is the right of way open and available for use at all times by members of the public? If not, give details of any obstructions or impediments .....  
**Controlled access during school day. Open to Public after 6.00pm weekdays, weekends and during school closure (holiday) periods.....**

**Landowner**

Name.....**Solihull Metropolitan Borough Council** .....  
Address....**Station Road, Knowle, Solihull, B93 0PT**.....

**Lessee/tenant**

Name ...**Arden Academy Trust**.....  
Address ...**Station Road, Knowle, Solihull, B93 0PT**.....

**Occupier**

Name ....**Arden Academy Trust**.....  
Address ...**Station Road, Knowle, Solihull, B93 0PT**.....

**Reasons for the diversion**

*Section 119 of the Highways Act 1980, as amended by Schedule 16 para. 5 of the Wildlife and Countryside Act 1981, permits diversions of public footpaths and bridleways on the grounds that it is expedient in the interests of (i) the owner, lessee or occupier and/or (ii) the public. Please indicate whether this application serves the interests of (i) and/or (ii) and give specific reasons why. Please provide as much detail as possible as this will help to inform the Councils decision making process (Please continue on a separate sheet as necessary):*

.....  
**Overriding Safeguarding Responsibilities for 1500 Children on School Site..and provision of more convenient and direct route between Station Road and Milverton Road for local residents (see attached statement)**  
.....  
.....  
.....  
.....

.....  
What effect will the diversion have on the convenience and enjoyment of the path by the public?

- **More direct route**
- **Remove necessity for Controlled Access**
- **Similar outlook**
- **Safer Route**

**The proposed new route of the path**

Please enclose a signed and dated plan, preferably at scale of not less than 1:2,500 and based on an Ordnance Survey map.

From ...**Station Road**..... OS grid ref. ...**417846 276430**.....

To ...**Milverton Road**..... OS grid ref. ...**417973 276360**.....

General description of new path .....**The new route will be constructed using tarmac, concrete edging and high quality fencing to both sides of footpath**.....

**Landowner**

Name ..**Solihull Metropolitan Borough Council**.....

Address ...**The Council House, Solihull, B91 3QT**.....

**Lessee/tenant**

Name ....**Arden Academy Trust**.....

Address ..**Station Road, Knowle, Solihull, B93 0PT**.....

**Occupier**

Name ...**Arden Academy Trust**.....

Address ...**Station Road, Knowle, Solihull, B93 0PT**.....

Please give details of any other person(s) having a legal interest in the land over which the right of way is to be diverted including a mortgagee or a person having an easement over the land:

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

Has the written consent of all such persons been obtained?

Yes/\* (\*Delete if not applicable.) **SMBC is Landowner**

The consents must accompany this application.

**Not required further to discussions with SMBC**

**General**

State what work (including the construction of stiles, gates and fences) will be necessary to put the proposed route into a fit condition for use by the public and how long this should take (a maximum of three months is usually allowed):

.....

**Clear proposed route of shrubs/foilage** .....

**Install tarmac footpath and concrete edging**

**Erect Fencing**.....

**No longer than three months to complete work** .....

.....

.....

.....

You may be required to enter into an agreement with the Borough Council for you and your successors to maintain such bridges to the satisfaction of the Council.

The new path will be signposted and/or waymarked to the extent deemed necessary by the Council.

**Statement**

The applicant (named above) agrees the following:

**Costs** to reimburse the Council's proper and reasonable costs for making and processing this application. These costs include the cost of carrying out consultations, advertising the application and the Council's legal fees and Officer time. The fee for an uncontested order is £2100. Please note that additional costs may become payable if the application is contested.


**New Works Cost** to put the new route(s) into a fit condition, as approved by the Council, for use by the public within 28 days of a request by the Council to do so. (I acknowledge that under the provisions of *s.119(5) of the Highways Act 1980* the Borough Council will put the path(s) into a fit condition if I have not already done so and recover the costs of doing so from me).

**Compensation Costs** to reimburse the costs in full of any compensation which becomes payable under Section 28 of the Highways Act 1980 as applied by Section 121 (2) of the Highway Act 1980.

**Statutory Undertakers** undertake with Solihull Metropolitan Borough Council to meet in full the requirements of any statutory undertaker in respect of any apparatus which may be over, in or under the right of way in respect of which I am making this application. I understand that the consent of the statutory undertakers (i.e. gas, water, electricity, telecommunications, the Post Office and the Civil Aviation Authority) is required before the order can be confirmed by the Council and that their consent may be conditional on my carrying out works to protect the statutory undertakers' apparatus and/or rerouting it. (The Council will consult with statutory undertakers on your behalf).

**Plan**                      enclose a signed and dated plan, at a scale of not less than  
1:2,500 and based on an Ordnance Survey map.

I have read and understand this application form and the notes for applicants and make  
my application acknowledging the conditions specified therein.

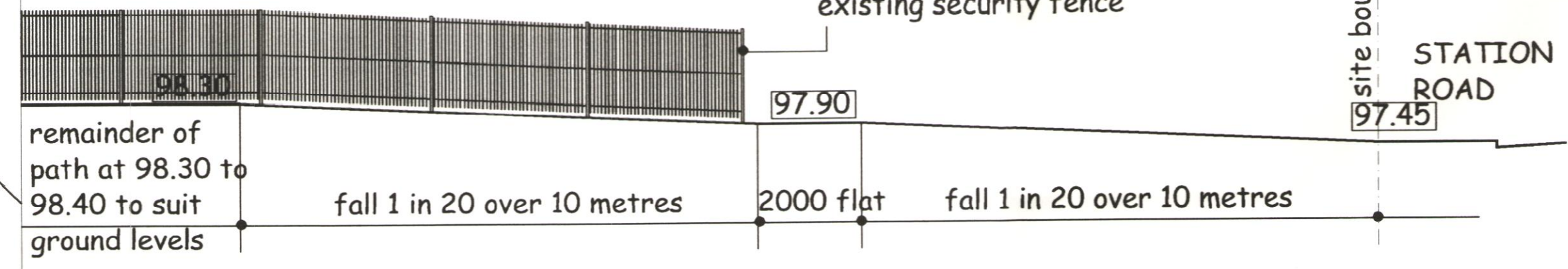
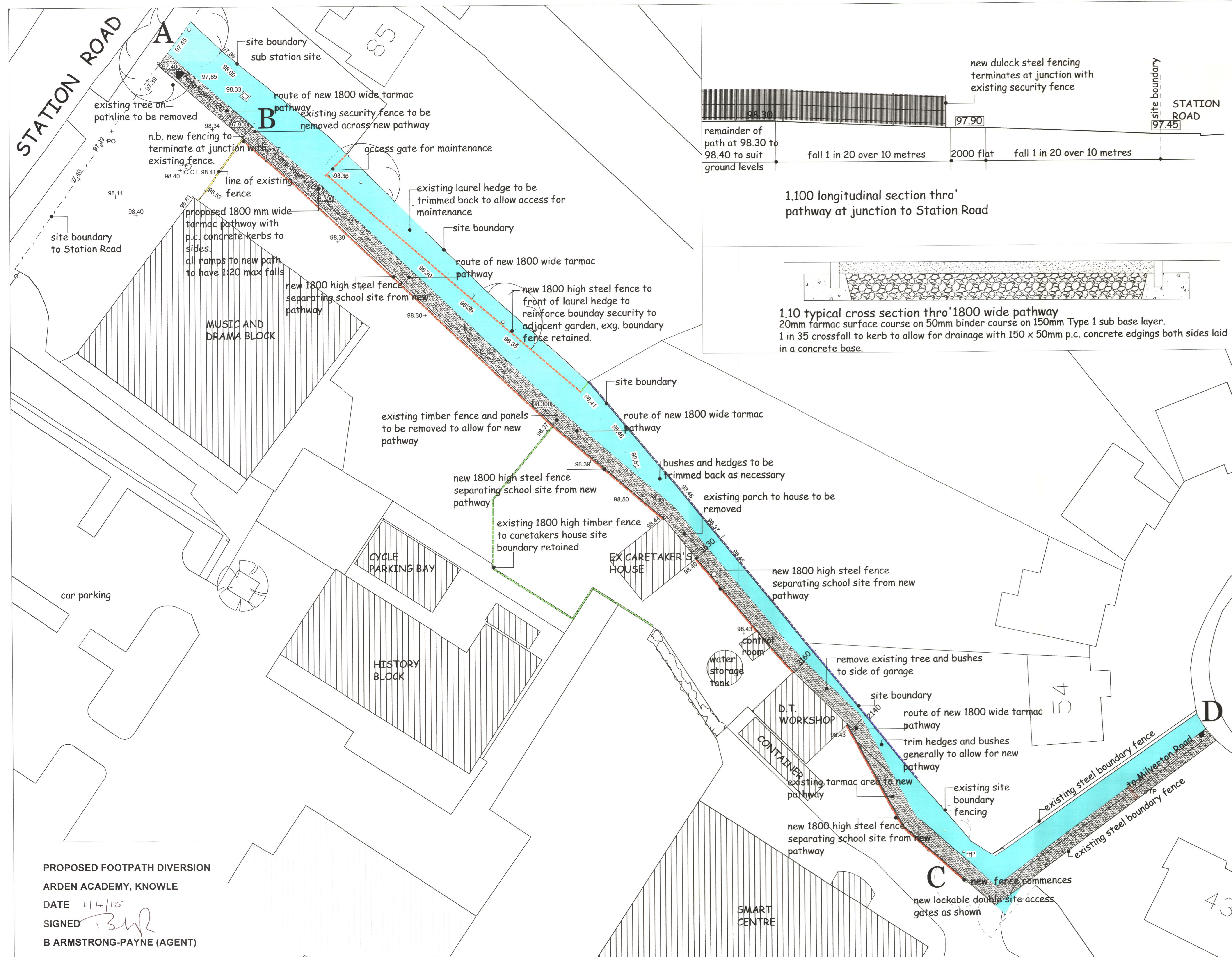
Signed  (Agent)..... Date ..6<sup>th</sup> May 2015.....

B Armstrong-Payne Dip TP. MRTPI

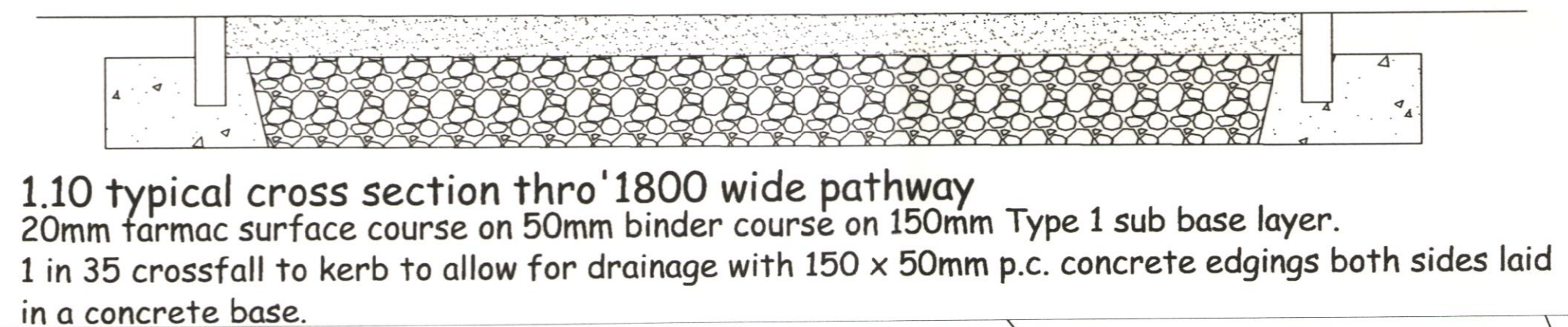


**Please return to:**

Traffic Management  
Highway Services  
Places Directorate  
Solihull Metropolitan Borough Council  
The Council House  
Solihull  
B91 3QT



1.100 longitudinal section thro' pathway at junction to Station Road



1.10 typical cross section thro' 1800 wide pathway  
20mm tarmac surface course on 50mm binder course on 150mm Type 1 sub base layer.  
1 in 35 crossfall to kerb to allow for drainage with 150 x 50mm p.c. concrete edgings both sides laid in a concrete base.

NOTES:  
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Do not scale this drawing - In all cases figured dimensions to be followed. All dimensions to be checked on site before work commences

KEY:  
97.300 - new pathway finished level

- proposed new 1800 wide tarmac pathway
- denotes additional area of site made available to assist proposed new pathway
- new 1800 high steel Dulock or similar steel fence to maintain school security
- existing timber panelled fence to be retained
- proposed new 1800 high timber panelled fencing to adjacent boundaries
- existing p.c. metal fence to be retained

E	route finalised	13.02.15
Index	Revision	Date

Adams Wright Limited

- Architectural Design
- Building Surveying
- Project Management

Client:  
**Arden Academy, Knowle Solihull**

Project:  
**PROPOSED NEW PATHWAY**

Title:  
**PATHWAY ROUTE**

Scale: <b>1.200 @A1</b>	Date: <b>Jan 2015</b>
Drawn: <b>rww</b>	Drwg N°: <b>1160.17E</b>

**PROPOSED FOOTPATH DIVERSION**  
**ARDEN ACADEMY, KNOWLE**  
DATE 11/4/15  
SIGNED *BAP*  
**B ARMSTRONG-PAYNE (AGENT)**