

# Stopping up and Diversion of Highways

## The Town and Country Planning Act 1990

### **Important:**

- You have no authority to stop up or divert a highway until the notice announcing that the Highways Authority has made an order is published. Not only is it an offence to obstruct or interfere with a highway before this is done, but it may also make it impossible for the Highways Authority to make an order.
- Please read the guidance notes at the end of this form before answering any questions.
- Please ensure all the necessary enclosures accompany this form (*see guidance note*).

### **A - Names and Addresses**

**Please give:**

the addresses of the place where the highway(s) is/are situated.

Postcode:

the developer's full name, address and telephone number

Postcode:

the agent's full name, address and telephone number (if none, put 'none')

Postcode:

**Please give the names and addresses of the local offices of:** British Gas

Postcode:

Electricity Company

Postcode:

National Grid Company

Postcode:

Powergen, National Power

Postcode:

Water Company or Undertaker

Postcode:

Telecommunications Code Systems Operators (eg British Telecom)

Postcode:

Any other Undertaker

Postcode:

(If necessary, please continue on a separate sheet)

## B - The Development

Describe briefly the development which necessitates the proposed stopping up or diversion. Would you also attach a statement justifying this stopping up or diversion, either as an appendix or as a covering letter.


- Who granted planning permission for this development?
- What is the date of this permission and the planning reference number?
- On what date is work on the development expected to start?
- Is there a related compulsory purchase order, or other statutory action?

If "Yes", please give details.


## C - Highway to be stopped up or diverted

- What is its name?  
and classification number (if any)?
- Description of each section:

	Length (metres)	Width (metres)	Terminal points	
			From	To
1				
2				
3				
4				

- Who owns the land on either side of each section?

1	
2	
3	
4	

## D - Consents

**Warning** - if there is no evidence to the contrary, then it is presumed that the owners of the adjoining land own the sub-soil of the highway, up to the centre line. The making of an order may be delayed or frustrated if you fail to obtain consent from the owner of the sub-soil. Even if an order is made, a development may be frustrated if consent has been withheld.

- Have you obtained written consent from everyone who has an interest in the land to be developed insofar as consent is needed before the development can be carried out? Yes  No

If "Yes", please attach these consents.

If "No", please attach any consents received and give particulars below of those that you have yet to obtain.

•	
•	
•	

(If necessary, please continue on a separate sheet)

## E - New Highway to be provided (if any)

- Is it: all purpose highway  bridleway  footpath  cycle track
- Has the highway authority been asked to accept responsibility for maintaining the new highway? Yes  No

If "Yes", please attach copies of any correspondence.

- Who owns the land to be dedicated as new highway?
- If the applicant will not own or control the land to be dedicated, has the landowner's consent been given to the proposed dedication? Yes  No

## F - Highway to be provided (if any)

- Is it all purpose highway  bridleway  footpath  cycle track
- What is its name   
and classification number
- Describe the improvement briefly


**G - Section 253 Applications**

(Normally only applicable to Local Authority or statutory undertakers unless [D] or [E] applies)

If you are applying in anticipation of planning permission, then please state:

- A. the name of the local authority or statutory undertaker which is applying
- B. the date on which it applied
- or C. the date on which the local authority or statutory undertaker applied to a government department for deemed planning permission under Section 90 of the Act or Section 2 of the Opencast Coal Act 1958.
- or D. the date on which an appeal was referred to the Secretary of State for the Environment, Transport and the Regions under Section 77 of the Act.
- or E. the date on which an appeal was referred to the Secretary of State for the Environment, Transport and the Regions under Section 78 of the Act.

**H - Undertaking and Declaration**

- I declare that:

I understand that authority to stop up or divert a highway is conferred solely by the publication of a notice announcing that an order has been made;

Except to the extent authorised by or under some other statutory provision, the highway(s) to be stopped up or diverted is/are in no way obstructed and is/are fully available for use.

- I undertake that:

Except to the extent authorised as above, such highway(s) shall in no way be obstructed before the order comes into operation.

- All the information given in this form is, to the best of my knowledge and belief, true and accurate.
- I apply for an order to authorise the stopping up or diversion of the highway(s) described above.

Signature

Name

Position

Date

**Please check that you have enclosed everything specified in the guide then send your application to the Highways Authority as detailed overleaf. Failure to submit all necessary documentation will result in your application being delayed.**

**Your attention is drawn to the guidance notes within this application form.**

## **HOW YOUR INFORMATION WILL BE USED**

*Barnet Council will collect and use the information you give us to undertake our functions as a local authority and deliver services to you. It is our responsibility to ensure that your information is kept safe. Where necessary and legally allowed, we will share your information with trusted external organisations, commissioned partners and contracted service providers in order to deliver services and support to you.*

*The information we collect may be used to better understand your use of our services and assist us in improving our services. This is to ensure we are using public funds in the best possible way. Under our duty to protect public money we may use the information you have provided for the prevention and detection of crime.*

*For further details of how we use your information and to understand your rights please visit [www.barnet.gov.uk/privacy](http://www.barnet.gov.uk/privacy) or email [data.protection@barnet.gov.uk](mailto:data.protection@barnet.gov.uk) to request a full copy of our privacy notice.*

## Check List - Items to be submitted with the application

Please ✓ to check enclosures:

- Approved planning permission (the majority of orders cannot be made without it).
- Set of the plans approved by the above planning permission, including the approved site layout plan.
- Approved ground floor plan indicating the approved site boundary edged red and the existing highway boundary within the approved site edged blue.
- Existing highway layout taken from an up to date Ordnance Survey map scale 1:1250 or 1:500 as appropriate.
- Proposed order plan, showing the highway to be stopped up or diverted to scale as above (*see guidance notes*).
- Section 106 agreement (if applicable).
- Compulsory Purchase Order details (if applicable).
- S253 relevant documents to be submitted (if applicable).
- Copies of correspondence with statutory undertakers.
- Copies of correspondence with highway authority including their approval to the proposal together with a plan.
- Interim Fees – For financial year 2024-25 the initial application fees are £6,524.21  
*Additional charges may be levied as the Council will recover all expenses incurred in checking of submissions, site inspections, processing and administration. Provision will also be made to recover all costs incurred by the Council as a result of the increased scope, delays in developers programme for completion of highway works, concluding the relevant agreements and statutory orders under the Town and Country Planning Act 1990 and dealing with any objections and publications.*