



ISLE OF WIGHT COUNCIL
HIGHWAYS ACT 1980 – SECTION 147
Application for the Authorisation of new Gate

1.	<p>(a) Name and Address of Applicant (in block letters please)</p> <p>(b) Telephone Number</p> <p>(c) Email</p> <p>(d) Applicant's interest in the land crossed by the right/s of way (e.g. owner, lessee, tenant etc.)</p>	<p>(a)</p> <p>(b)</p> <p>(c)</p> <p>(d)</p>
2.	<p>Name and Address of Agent (if any) (in block letters please)</p> <p>Telephone Number</p>	
3.	<p>(a) Situation of land crossed by public right/s of way (i.e. address or location and grid reference if possible)</p> <p>(b) Please attach a plan, or sketch, for identification purposes showing the location of proposed new gate.</p> <p>(c) Is the land agricultural land (or land which is being brought into use for agriculture)?</p>	<p>(a)</p> <p>(b)</p> <p>(c)</p>
4.	<p>(a) Type of public right of way (e.g. bridleway or footpath)</p> <p>(b) Name or number on Definitive Map (if known)</p>	<p>(a)</p> <p>(b)</p>
5.	<p>(a) Description of path furniture to be provided (e.g. metal field gate, bridle-gate, pedestrian gate, kissing gate)</p> <p>(b) The gate being applied for should conform to British Standards BS 5709:2018 (copy summary attached). If it does not please state why.</p>	<p>(a)</p> <p>(b)</p>
6.	<p>I/we agree to pay the application fee to the Isle of Wight Council (as advertised on its website) on or before any authorisation is granted.</p>	<p>Yes No</p>

7.	Please explain in the space below why a new gate is necessary on this public right of way. (If there is insufficient space, please attach a covering letter)
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In the event of the application for authorisation being granted the following conditions will apply: -

- 1. The authorisation will only be valid upon payment of the application fee or the Isle of Wight Council has confirmed in writing that the fee is waived.**
- 2. The gate is to be kept by you (and any successors in title to the land) in a safe condition and in good and convenient working order to prevent unreasonable interference with the rights of the persons using the public rights of way and must conform to British Standards BS 5709:2018.**
- 3. The gate must remain unlocked at all times.**
- 4. The gate handles must be in a state and condition to enable the gate to be opened and closed in a safe and convenient manner and in the case of a Public Bridleway such operation to be possible on horseback.**
- 5. No barbed wire be attached to any part of the gate or posts or upon any fences or structures in the immediate vicinity of the gate.**
- 6. No electric fencing within 3m of the gate (to enable safe manoeuvring space for equestrians)**
- 7. Should the gate fall into disrepair and is not repaired by you within 28 days of being requested to do so in writing by the Isle of Wight Council, the Council reserves the right to revoke the authorisation and to remove the gate forthwith.**
- 8. The authorisation will be deemed to be cancelled and the gate will require to be removed forthwith in the event of (i) use of your land changing such that the gate is no longer necessary to prevent the ingress or egress of animals on land which is used or to be used for agriculture or forestry, or for the breeding or keeping of horses; and/or (ii) your land no longer constituting agricultural land.**
- 9. The Isle of Wight Council retains the right to affix public rights of way waymarks to the gates and/or posts.**

PRIVACY NOTICE – Please read carefully

The Isle of Wight Council collects, uses and is responsible for certain personal information about you. When we do so we are regulated under data protection rules and we are responsible as ‘controller’ of that personal information for the purposes of those rules.

The personal information we collect and use

In the course of processing your application, we collect personal information including: your full name; your contact details; details of land ownership/interest.

How we use your personal information

We use your personal information to process an application under section 147 Highways Act 1980.

How long your personal data will be kept

We will hold your personal information indefinitely as per the above legislation.

Reasons we can collect and use your personal information

The lawful basis on which we collect and use your personal data is that ‘processing is necessary for compliance with a legal obligation’.

The provision of personal contact data is required from you to enable us to process the said application and if successful to retain it as a record of a lawful limitation on a public right of way.

Who we share your personal information with

It may become necessary for the Council to disclose information received from you in connection with the application to others including other government departments, public bodies, other organisations, landowners and members of the public as evidence of a lawful limitation on a public right of way pursuant to s147 Highways Act 1980. If a copy of the application form is made available to third parties your personal data will be redacted save for any information necessary to identify the detail and location of the lawful limitation on the public right of way. However, we will share **all** personal data with third parties if we are required by law to do so. This may include the Police and other law enforcement authorities/agencies.

Further Information

For further details on how your information is used; how we maintain the security of your information; and your rights, including how to access information we hold on you, and how to complain if you have any concerns about how your personal details are processed, please visit www.iwight.com or email dpo@iow.gov.uk.

Who to Contact

The Isle of Wight Council is the data controller for the personal information you provide with the application. The council’s Data Protection Officer is the Head of Legal Services and Monitoring Officer and can be contacted at dpo@iow.gov.uk. You can contact the council by phone on 01983 821000, or by writing to us at County Hall, High Street, Newport, Isle of Wight, PO30 1UD.

I/We hereby agree to the above conditions and have read the privacy notice and declare that to the best of my/our knowledge and belief all the particulars given in this application are true and accurate.

Signed:

Dated:

Please return the completed form to:
Rights of Way, County Hall, High Street, Newport, Isle of Wight, PO30 1UD