

Form 2

To be completed by the local highway authority

**NOTICE THAT THE LOCAL HIGHWAY AUTHORITY HAS RECEIVED A REQUEST TO
SECURE THE REMOVAL OF AN OBSTRUCTION**

HIGHWAYS ACT 1980 SECTION 130A(6)(a)

[Name of Authority]

To:

Notice has been served on this Authority to secure the removal of an obstruction from a public right of way. We are satisfied that the obstruction is within the scope of section 130A(2) and (3) of the Highways Act 1980.

Status and location of the highway:

Location of the obstruction: [including path reference number, if known]

Description of the obstruction:

You have been named as a person who:

- may be responsible for the obstruction; *or*
- is the owner of part, or all, of the obstruction; *or*
- for the time being has possession or control of the obstruction; *or*
- may be required to remove the obstruction.

The Authority proposes to [describe what action, if any, the Authority proposes to take in relation to the alleged obstruction]

If you are responsible for the obstruction, you should write to the Authority to confirm that the obstruction has been, or will be, removed and the proposed date of removal. If you think you are not a person of a type specified above or if you think the obstruction is not one to which this legislation applies, you should write to the Authority stating your reasons.

Signed Date

NOTES TO FORM 2

What is the purpose of this form?

Section 130A(1) of the Highways Act 1980 enables any person to serve notice on a local highway authority ("the Authority") requesting removal of an obstruction on a right of way. If the obstruction is within the scope of section 130A(2) and (3) of the Highways Act 1980, the Authority is required take action to secure the removal of the obstruction.

An obstruction falls within the scope of section 130A(2) and (3) if it is on a footpath, bridleway or restricted byway or a highway shown in a definitive map and statement as a restricted byway or a byway open to all traffic, if it is without lawful authority and it consists of any machine, pump, post or other object of such a nature as to be capable of causing a nuisance or a hedge, tree or shrub or vegetation of any other description that overhangs a right of way so as to endanger or obstruct the passage of vehicles, pedestrians and horse-riders.

This form gives notice to those who have been identified as being responsible for an obstruction that notice has been given to the Authority to exercise its duty to remove the obstruction and the action that the Authority proposes to take to secure its removal.

Notice must be served within one month from the date of service of Form 1.