Guidance on charges for Public Path Orders and Agreements

1. **Administrative Charges**

The Council charges a fee for the administrative costs incurred in dealing with a public path order application in accordance with the Local Authorities (Charges for Overseas Assistance and Public Path Orders) Regulations 1996.

The current administrative charge for a public path order or agreement containing one path which crosses land owned or occupied by one party is £1785. Additional charges are payable as follows:

- For each additional path contained within the order or agreement, up to a maximum of 5 paths: £220
- For each additional order or agreement required to effect the change for legislative reasons: £295
- For each additional order necessary because the application contains more than five paths: £1785
- For each additional landowner/occupier/lessee affected by the order or agreement: £295

The charges above are correct at the time of publication but are subject to review and may be changed without notice.

You will be required to pay the administration charge at the time that the order is made.

Unless agreed otherwise in writing you will be invoiced for the full cost of the application and will be responsible for recovering costs from other parties where the costs are to be shared.

An application containing more than five paths will only be accepted if all the paths are on land in the same ownership or the paths are interconnected in such a way that it is impossible to separate them.

2. **Advertising Costs**

You will have to pay the costs for placing two press notices in a local newspaper. An estimate of the likely advertising costs for an application will be provided after a site visit has been carried out. The cost of placing two advertisements in a local newspaper is likely to be in the region of £1200 for an order including one path. In the case of orders made under the Town and Country Planning Act 1990 you may also be required to pay for a third press notice. The exact amount of advertising expenses will depend on the length of the description of the path. You will be required to pay the advertising costs incurred by the Council even if they are more than the initial figure quoted. You will receive the invoice for the first press notice when we serve notice on you that the order has been made and for the second press notice if, and when, we serve notice that the order has been confirmed.
3. **Compensation Payments (Highways Act 1980 orders only)**

Under section 28 (as applied by section 121(2)) of the Highways Act 1980 any person who can show that the value of their interest in the land has been depreciated or that they have been disturbed in enjoyment of land as a result of an order is entitled to compensation. You are required to reimburse the Council any compensation which is payable.

4. **Site Works**

You will be required to carry out any works specified by the Highway Authority (Suffolk County Council) to bring the routes of any new paths into a fit condition for use by the public. This may include waymarking, signposts, bridges, groundworks etc.

It is important to note that where the works are not completed within the specified timescale the County Council will instruct a contractor to carry out the works and will then recharge this Council. We, in turn, will recharge you, adding an administration charge.

5. **Specialist Professional Advice**

It may occasionally be necessary to seek specialist professional advice in order to determine an application. This could incur an additional fee up to a maximum of £600.

6. **Waivers**

The Council is prepared to consider waiving part of the charge for a public path order or agreement in certain circumstances, for instance where an application would significantly benefit the local community or improved access provision could be made for people with disabilities. You will be expected to show evidence of support from the Parish or Town Council, the Ramblers’ Association and the Open Spaces Society in making the case for waiver. Each case will be judged on its merits and the Council’s decision will be final.

7. **Refunds**

You should note that the fact that an order is not confirmed does not mean that no charges will be incurred. An opposed order which is not confirmed will be subject to the full cost of the application. Charges will only be refunded where:

(i) the Council fails to confirm an unopposed order; or

(ii) in the case of an opposed order, the Council fails to submit the order to the Secretary of State for confirmation, without the agreement of the applicant; or

(iii) the order cannot be confirmed because it has been invalidly made.

For further information contact Sharon Berry, Communities Officer (Public Rights of Way), Mid Suffolk District Council, 131 High Street, Needham Market, Ipswich IP6 8DL. Telephone 01449 724634, fax 01449 724655 or email sharon.berry@midsuffolk.gov.uk

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