



Scale of charges associated with Public Path Orders

1. Public Path Orders to which this scale of charges applies

- **Town & Country Planning Act 1990 - Section 257:**

Public Path Stopping Up Order
Public Path Diversion Order

- **Highways Act 1980:**

Public Path Diversion Order (Section 119)
Public Path Extinguishment Order (Section 118)
Rail Crossing Diversion Order (Section 119A)
Rail Crossing Extinguishment Order (Section 118A)

2. Agreement to pay charges

Any person applying for one of the Public Path Orders identified above to be made by the Council will be required to enter into an agreement with the Council providing for payment by the Applicant of:

- (i) the Council's administrative and legal costs of processing the Order (including VAT); and
- (ii) advertising costs associated with the publication of statutory notices required by the appropriate legislation.
- (iii) any compensation which becomes payable in consequence of the coming into force of an order

Administrative costs falling within (i) above will include notification to landowners, statutory undertakers, prescribed organisations, other local authorities and such other persons as may be required; posting notices on site and elsewhere; site inspections; research into the status and previous history of the path or way; negotiating with applicants and other interested parties prior to the making of the order; and preparation of reports to Committee and of the relevant orders and notices.

The Agreement will provide for payments to be made by the Applicant to the Council at each of the following stages of processing the Order, namely:

- (i) on the making of the Order
- (ii) on the confirmation of the Order
- (iii) on the certification of the Order

3. Scale of Charges

The basis of charge for the full recovery of administrative costs associated with processing the Order will be an hourly rate (plus VAT) of:

| | |
|----------|---------------|
| £134.50 | Team Leader |
| £ 127.20 | Legal Officer |

| | |
|----------|------------------------------|
| £ 107.60 | Senior Planning Officer |
| £ 98.70 | Planning Officer |
| £ 98.70 | Public Rights of Way Officer |
| £ 76.50 | Technical Assistant |

Advertising costs will be recharged on the basis of actual cost.

4. Refunds

An Applicant may request a refund of charges paid to the Council in any of the following circumstances:

- (i) Where the Council fails to confirm an unopposed order;
- (ii) Where, in the case of an opposed order, the Council has without the agreement of the Applicant failed to submit the order to the Secretary of State for confirmation, without the agreement of the applicant;
- (iii) Where proceedings preliminary to the confirmation of a public path creation order are not taken concurrently with proceedings for a public path extinguishment order; or
- (iv) Where the order cannot be confirmed because it has been invalidly made.
- (v) If it can be shown that the proposed order is likely to be of significant benefit to rights of way users, e.g., the creation of additional paths as part of a wider improvement of the rights of way network; or an agreement to undertake or assist with the maintenance of the right of way, the Council may consider waiving all or part of the charge.

5. Indication of charges

Whilst it is difficult to predict the administration and advertising costs likely to be incurred in the processing of a Public Path Order, the following table is provided, for illustrative purposes, setting out the average cost of processing an unopposed Order. The maximum charge is unlikely to exceed £5565.

| Type of Order | Average Cost |
|--|--------------|
| Town & Country Planning Act 1990 – Section 257 | £5565 |
| Highways Act 1980 | £5565 |

6. Declaration

Please sign below to confirm that you have read and understood the information set out in this document regarding the scale of charges associated with the Public Path Order for which you are applying.

Signed: _____

Dated: _____