

## Public Guidance Note 9



### Public Path Orders - Cost Schedule

Below are details of the costs associated with applications to modify public rights of way under sections 118 and 119 of the Highways Act or under section 257 and 258 of the Town and Country Planning Act.

**STAGE 1: Pre-publication** (*non refundable, even if order does not get approved and no order is made*)

<u>ITEM</u>	<u>DETAILS</u>	<u>WHAT IS INCLUDED?</u>	<u>COST</u>
1. INITIAL INVESTIGATIVE WORK	Desktop study of feasibility of proposal, Guidance, Application form, cost schedule, phone calls and map work. Officers will consider any implications arising from relevant planning guidance, statutory designations and Shropshire's Access Strategy	Officer time which includes: Photocopying, typing, stationary requirements, computer work	£207.55
2. SITE VISIT	Look at feasibility of route on the ground Discuss proposal with applicant Draw up detailed site plan Photographs	Officer time and travel costs	£276.62
3. INFORMAL CONSULTATION LETTERS/E-MAILS	Letters/emails to statutory user groups, local Councils, local Member and any other interested party	Officer time including: Typing, Stationary, Drawing up of plans	£318.20
4. OFFICER TIME CONSIDERING AND RESPONDING TO INFORMAL CONSULTATION RESPONSES	Including up to two site visits to discuss issues with potential objectors. If further visits are required these will be charged for	Officer time and travel costs.	£488.96
5. ASSESSMENT OF LEGAL IMPLICATIONS	Seek legal advice where require		£103.66
6 RESEARCH INTO HISTORY AND STATUS OF THE RIGHT OF WAY	Looking at the Definitive Map, Parish Claims, historic maps etc.	Officer time	£96.79

7. PREPERATION OF DELEGATED POWERS OR COMMITTEE REPORTS	Detailing background to application, proposal and legal tests Detailed plan to be included showing proposal	Investigating and Senior Officers time and resources	£345.74 (Additional time may be charged for)
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## APPLICANT INVOICED AT THIS STAGE

### STAGE 2: Publication

8. DRAWING UP OF ORDER MAP DRAWING UP OF LEGAL NOTICE DRAWING UP OF ORDER	Making of the legal order and notice	Officer time	£255.88
9. LETTERS/EMAILS TO CONSULTEES DISTRIBUTION OF LEGAL ORDER AND NOTICE	Letters/emails sent to user groups, Local Councils and Local Member along with a copy of the legal order and notice	Officer Time Photocopying costs Stationary costs	£297.29
10. CONSIDERATION AND RESPONSE TO STATUTORY CONSULTATION	Including up to one site visit to discuss concerns or objections. If further visits are required these will be charged for	Officer time and travel	£345.74
11. DRAWING UP STATEMENT OF REASONS FOR ORDER	Explaining why the order is being made	Officer time	£103.66
12. SITE VISIT	Notices to be placed out on site	Officer time	£207.55
13. ADMIN COSTS FOR ADVERTISEMENT	Press notice written Processing of advert invoice	Officer time	£55.32
14. ADVERTISEMENT COSTS	Will depend on the publication used and size of advert	Actual cost charged for. But usually not more than £350	£100-£350

## APPLICANT INVOICED AT THIS STAGE

### **STAGE 3: Confirmation of order**

15. NEGOTIATIONS OF OBJECTIONS	<b>May not be required if no objections.</b> If there are numerous objections extra time may be charged for	Officer time.	£214.41
16. FORWARD ORDER TO DEFRA (IF REQUIRED)	<b>May not be required</b> Covering letter to DEFRA, Councils comments, assemble necessary paperwork	Officer time Stationary requirements	£172.81
17. FINAL SITE VISIT TO CERTIFY ROUTE IS OPERATIONAL	Check new route is satisfactory prior to confirmation. If the new route is not operational and further visits are required these will be charged for	Officer time and travel	£207.55
18. CONFIRMATION OF ORDER	All relevant paperwork notice and Order to be sent to relevant Consultees and Statutory undertakers	Officer time Photocopying Stationary requirements	£297.29
19. ADMIN COSTS FOR ADVERTISEMENT	Alteration of notice Processing of order	Officer time	£55.32
20. SITE VISIT	Place notices on site	Officer time	£207.55
21. ADVERTISEMENT COSTS	Will depend on the publication used and size of advert	Actual cost charged for. But usually not more than £350	£100-£350
22. LEGAL EVENT ORDER, AMEND MAPS AND INFORM ORDNANCE SURVEY	Definitive Map and working copies amended and OS informed so changes can be reflected on future editions	Officer Time	£58.65

### **APPLICANT INVOICED AT THIS STAGE**

#### **Additional Charges**

OFFICER TIME	Additional time including extra time at site visits	Officer time	variable
LETTERS/ PHONECALLS	Additional letters to applicant or objectors which are not covered by above	Officer time	£96.79 per letter
SITE VISITS	Additional visits for first hour. Extra time on site charged at standard rate.	Officer time and travel	£207.55

## **Further Guidance**

These costs will cover the administrative and other costs of processing the application; they do not guarantee that an application will be successful.

Applicants are usually invoiced in three stages but where appropriate invoices for pre-publication stage and publication stage may be combined.

The fees actually incurred for stage 1 of the process are **non-refundable** even where the Council decides not to make an order.

Applicants should expect to pay fees in the region of £4000 plus actual advertising costs for straight forward applications. In some cases, costs will be less and where an application is contentious or complex costs may be greater. The maximum fee Shropshire Council will charge is £7000 plus actual advertising costs.

Additional costs may be charged for at the stated rates. Where substantial additional costs are likely to be incurred applicants will be notified in advance.

In the event that an opposed order needs to be determined by the Planning Inspectorate at a Hearing, Inquiry or by written representations Shropshire Council will not seek to recover costs arising from this process from the applicant, however the applicant will be expected to meet their own costs arising from the process. Usually the applicant will defend an opposed order made in the interests of the landowner. Officers will be present to assist all parties where necessary.

### **Officer Travel Costs**

In order to avoid discriminating against applicants based in parts of the county remote from Shrewsbury travel costs are based on an average distance rather than actual distance travelled.

### **Applications involving multiple orders**

Where amendments to several rights of way are required there may be opportunities to combine some of the costs. The officer dealing with your application should be able to advise you if this is the case.