**ANNEX 2**

Public Path Working Practice. (Approved by Ceredigion County Council Cabinet January 2016)

**The general principle is that Ceredigion County Council will charge for all Public Path Diversion Orders; these charges are reviewed on an annual basis. There may however be occasions or scenario’s where the Council will consider defraying the costs (wholly or in part) if certain criteria are met.**

**Consideration will be given to defraying the cost of a Public Path Diversion Order if it is initiated by the Local Authority and that it meets the requirements below:**

1. There is a demonstrable benefit to the public AND the Local Authority.

* Benefit to the Authority = cost analysis of undertaking work on current route and ongoing liabilities measured against the cost of the diversion (advertising), accommodation works and ongoing liabilities.
* Benefit to the Public = to be identified either through reduced length, more attractive alternative route, fewer gates, shallower gradient, improved links with other routes, safer road crossings.

**OR:**

1. The route is impassable due to an historical obstruction/excavation and there is a limited chance of achieving successful enforcement action; for example the obstruction was put in place/caused by a previous owner.

**OR:**

1. There is a clear discrepancy on the Definitive Map and Statement, where it’s obvious that the public have historically been using an alternative route.

**The Council may also consider defraying some of the costs of a Diversion Order initiated by a private landowner:**

1. If the landowner is willing to enter into agreement to create higher rights along the route in question and as a result, that it would be of benefit to the public and also meet one of the Local Authorities strategic aims under the Rights of Way Improvement Plan.

**OR**

1. If the landowner is willing to enter into an agreement to create a multi user route in another location on their land, and as a result, that it would be of benefit to the public and also meet one of the Local Authorities strategic aims under the Rights of Way Improvement Plan.

**Basic Principles applying to all Diversion Orders:**

1. Must meet the legal tests for a diversion under s119 of the Highways Act 1980.
2. Must have consideration of environmental factors.
3. All applications will be assessed for their impact on equalities issues. No stiles will be permitted on diversions.
4. Gradients**.** New routes should not introduce any significantly increased gradients compared to the existing path and where possible should seek to lessen gradients. Preference must be given to graded ramps / slopes rather than steps; steps on a new route will only be considered in cases where there are steps on the current route; otherwise it will not meet the test of convenience under s119 Highways A 1980
5. Maintenance. The proposed new route should not result in any significantly higher maintenance liability for the Authority.
6. Safety. Any proposed route must take into account the safety of users. A new route should not introduce additional hazards.

**\*The Local Authority will not for defray any costs for diversions for development purposes**

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| \*Document to be reviewed annually by Public Rights of Way team. Amendments to be sent to Cabinet. |