

Single Member Cabinet Decision

**Executive
Forward Plan
Reference**

E2240

Public Path Order Charges (2011-2012)

Decision maker/s	Cllr Charles Gerrish, Cabinet Member for Service Delivery
The Issue	The appropriate fees to be charged to Applicants for the processing of Public Path Order ("PPO") applications.
Decision Date	21 st March 2011
The decision	The Cabinet Member agrees that that during the 2011/12 financial year an hourly rate of £42 should be charged to Applicants for officer time incurred while processing PPO applications, up to a maximum total cost of £5,000.
Rationale for decision	The proposed new charges will ensure that the Council fully recovers the cost of processing PPO applications.
Financial and budget implications	Increasing the costs to the appropriate level will allow Bath and North East Somerset Council ("the Authority") to fully recover the costs incurred in processing PPO applications. Fees for PPO applications are currently the Public Rights of Way Team largest source of revenue income but the current level of charging means the Authority is effectively subsidising Applicants.
Issues considered	Customer Focus; Human Rights; Other Legal Considerations
Consultation undertaken	Staff; Other B&NES Services; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Monitoring Officer
How consultation was carried out	Consultation has been carried out by way of informal discussions and the opportunity to input into this report.
Other options considered	The Authority could charge a flat fee for processing PPO applications, however paragraph 5.35 within Circular 1/09 makes it clear that; "Authorities must not charge more than the costs they have incurred". Consequently, if the Authority was to charge a flat fee it would have to be at a level no higher than the costs incurred in the least expensive, most straightforward case. The Authority would therefore be subsidising Applicants whose cases required protracted negotiations or in depth archival research.

**Signatures of
Decision Makers**

Date of Signature

Subject to Call-in until 5 Working days have elapsed following publication of the decision