

SECTION 5: GUIDELINES FOR INSPECTORS DEALING WITH PROPOSED DIVERSION, CLOSURES AND CREATIONS

1 INTRODUCTION

- 1.1 Highway Authorities have a statutory obligation to inform the Society of proposed diversions, closures and creations of public rights of way
- 1.2 You might be asked, by the Area Officer to look at a proposed diversion, closure or creation of a public right of way in your area and report back to the Area Officer giving an opinion of whether the proposed diversion, closure or creation will be of benefit to or be detrimental to walkers.

2 GOLDEN RULES WHEN DEALING WITH CONSULTATIONS AND ORDERS.

- Read the paperwork you receive and the relevant guidance in this handbook.
- Read the Society's policies relevant to the order or consultation.
- If in doubt consult either the Area Officer or the Courts and Inquiries Officer who cover the area . (See Appendices 1 and 2)
- Report back within the deadline.
- If there is a possibility that you cannot meet the deadline contact the AO or C&IO immediately.

3 RECOMMENDATIONS ON WAYMARKING –

- 3.1 In reporting back on a proposed diversion which is potentially acceptable it is useful to indicate where way marks are needed to ensure that the diversion is easy to follow. This should include guide posts where appropriate. If the local authority does not, as standard practice, erect a sign showing the path has been officially diverted this should be suggested, where it would be helpful, that they do so. Suitable wording would be: "This path has been officially diverted, please follow the waymarks."

3.2 Raising wider issues at the consultation stage.

- 3.2.1 Most local authorities consult the Society in two stages. First there is a consultation before the diversion order is made. Then, if the order is made there is a second statutory consultation when we can raise a formal objection. An objection will prevent the order being confirmed by the local authority and the matter will be referred to the Planning Inspectorate.

- 3.2.2 At the pre-order making consultation stage it is possible to raise wider issues which cannot form the basis of a legal objection, but which need attention for the diversion to fully benefit walkers. Examples are: where the diversion leads directly to an obstruction on another path; where there is an obstruction on a section of the path not affected by the diversion; or a stile could be replaced by a pedestrian gate. Another case would be where the adjoining path or a section not being diverted is badly out of repair. As a matter of sensible policy these matters should be dealt with at the same time as the diversion is being processed so that walkers will truly benefit from the diverted path.

3.3 Site meetings

Where these are offered by the local authority in an attempt to resolve objections to a diversion proposal then it is in the Society's interest for the inspector to attend and try to obtain a satisfactory outcome. If you attend a site meeting be careful not to commit the Society in any way before you have seen the made order

4 LIAISON WITH OTHER INTERESTED GROUPS.

- 4.1 Volunteers are encouraged to liaise with other interested groups who may also be consulted e.g. The Ramblers

Section 5 PEAK AND NORTHERN FOOTPATHS SOCIETY HANDBOOK

5 DIFFERENCE OF OPINION OR INTERPRETATION.

- 5.1 There will be occasions where there is a difference of opinion or interpretation of the relevant legislation between groups or even within the Society.
- 5.2 When such a difference arises it should be brought to the attention of the Chairman. The matter will be discussed at the next Legal and Policy Committee (LPC) meeting. The decision of the LPC will be final and binding.