

**HCC Rights of Way Good Practice Guide**  
**Enforcement procedure and checklist**

(For detailed procedure refer to Section 9 of Good Practice Guide for Rights of Way)

<i>1</i>	Report received from (name and address):	
<i>2</i>	Is the path shown on the Definitive Map?	Yes / No
<i>3</i>	If YES, Parish Name and Path number:	
<i>4</i>	If NO, Is the path permissive?	Yes / No

*5* Description of problem:

- 6* Hazard priority rating (Section 9.1.3)
- 7* Is problem HCC responsibility? Yes / No
- 8* Area covered by HCC? Yes / No
- 9* Reply to complainant
- 10* Update database
- 11* Complete report form
- 12* Add sufficient copies of DM

**FIRST INSPECTION**

*13* Nature of problem:

- 14* Photographs taken, kept in file
- 15* Inspection form completed
- 16* Any further problems identified by officer, details below Yes / No

- 17* DM consistent with path on the ground Yes / No

## Enforcement procedure and checklist

18 Additional sources used, copies on file:

- parish survey
- previous Definitive Map
- 1<sup>st</sup> 2<sup>nd</sup> edition OS maps
- enclosure map
- tithe map
- inland revenue map
- other (please detail)

19 Additional notification:

- local county councillor
- parish council/meeting
- user groups

20 Access, who is responsible?

- a) if landowner  
- ensure landowner is correctly identified.
- b) if not  
- land registry search or s16 notice.

21 Contact occupier, giving notice:

- by writing (using standard letter?)
- by phone (follow up with letter)
- in person (confirm in writing)

22 Retain copy of letter on case file

23 After notice period carry out second inspection

### SECOND INSPECTION

24 Nature of problem

25 Photographs taken, kept on file

26 Inspection report completed

27 Problem resolved Yes / No

28 If YES, write to complainant, close case file

29 If NO, review evidence with CSD, decide on further action

a) **DIRECT ACTION** go to 32 Yes / No

b) **COURT ACTION** go to 39 Yes / No

## Enforcement procedure and checklist

- 32 a) Which Act?
- b) Which section?
- 33 Solicitor to service Notice on occupier, cc to local county councillor
- THIRD INSPECTION**
- 34 a) problem resolved? go to 40
- b) problem unresolved?
- 35 Arrange for a contractor to do the work
- 36 Police presence arranged if necessary? Yes / No
- 37 Attend work, take photographs before and after
- 38 Recover costs from occupier
- COURT ACTION**
- 39 Court action, see prosecution procedure in good practice guide
- CLOSE CASE FILE**
- 40 Inform complainant of outcome
- 41 Inform county councillor of outcome
- 42 Inform other interested parties, detail who below
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- 43 Close case file