



South Somerset District Council

The Council Offices, Brympton Way, Yeovil, Somerset, BA20 2HT
Telephone: (01935) 462462
Website: www.southsomerset.gov.uk

Alex Parmley *Chief Executive*

South Somerset District Council

Public Path Orders

Claims for compensation – Explanatory notes

The indemnity is intended to protect the council from all claims made against it as a result of the making and confirmation of the order (s) referred to. The council would expect the person making the indemnity to refund all its costs and any order for compensation claimed as a result of the council making and confirming the orders (s) referred too. If claimed within six months from the coming into force of the order the following compensation may be payable:-

1. Depreciation of a person's interest in land where damage is suffered to enjoyment of land in consequence of the coming into operation of an order:
2. The land the value of which is depreciated or the enjoyment of which is disturbed must be land over which the path order was created or land held with it;
3. Any person (Such as a mortgagee) who holds an interest in the land concerned could claim compensation

The six month rule referred to above does not affect the right of any person who has suffered damage as a result of the making and confirming of an order to claim recompense. The person making such claim must show that the creation of the path or way would have been actionable if it had been carried out otherwise than in the exercise of statutory powers to make and confirm the order.

The above notes are for guidance only and are not intended to be a full summary of all the possible liability which could arise upon the making and confirming of the order (s). If there is any doubt about such liabilities then your solicitor should be consulted to give specific advice.