

POLICY 008

Adopted on 25th May 2018

DONATIONS TOWARDS FOOTPATH IMPROVEMENTS

- 1 The Society may offer a donation to a Highway Authority (HA), other relevant organisation with a public access remit or landowner, towards the cost of making improvements¹ to an open space or public access right including definitive rights of way. Improvements may include replacing stiles with gates, steps, board walks, drainage and ditch crossing (i.e. draining the path/digging a ditch alongside) pitching /levelling.²
- 2 The Society will not itself buy, own, install or maintain any structures that may form part of any agreed improvements including gates, steps and boardwalks.
- 3 The following criteria will be used for determining which paths might be suitable.
 - a. Is the path of importance for the enjoyment of walkers as determined by the Trustees?
 - b. Is it feasible to carry out the proposed improvements?
 - c. Does the benefit to the public justify the expenditure?
- 4 All cases where improvements are proposed will be considered by a subcommittee. The role of this subcommittee is to ensure that any donation of funds is considered in line with the requirements of the Charity Commission.³ Each case will be considered on its own merits. If determined as meeting the above criteria, it may be recommended to the Trustees for approval.
- 5 Final approval of the amount of the donation rests with the Trustees. The donation may come from the Society's funds, from a member of the Society, or from a legacy left to the Society. As a donation, no VAT will be payable.
- 6 The Highway Authority, landowner etc, must agree in writing, to take responsibility for the design, installation and maintenance of any agreed structures including gates, steps or boardwalks.
- 7 The HA, landowner etc may be asked to demonstrate that they have considered their obligations under the Equality Act 2010 in respect of the above structures. Where existing stiles are replaced with gates, compliance with the current BS 5709 or locally adopted standard must be demonstrated.
- 8 The Society will be able to attach small plaques to any installed structures (where practicable) which publicise the Society and its contribution towards the funding of the structure.
- 9 The Society must approve the cost and details of the improvement works before it is carried out. These details may include plans showing the construction, elevation and cross-section of any proposed structure and its location.

- 10 The offer of a donation is valid for a period of twelve months from the date of the letter formally offering the donation. If the improvement works to the open space or public right of way are not completed to the Society's reasonable satisfaction within this time, the Society reserves the right to withdraw its offer of a donation.
- 11 The Society's donation will be paid to the HA, landowner etc when the Society is reasonably satisfied that all the agreed improvement works have been carried out.
- 12 A "handing-over" event will normally be arranged by the HA and the Society to publicise the Society's involvement.

¹ The Society has agreed that 'improvement' may be defined as 'anything that makes the footpath/right of way/open space better/safer/ more accessible/more convenient/more enjoyable than when it was first dedicated'. It excludes clearing obstacles that prevent passage or cutting back overgrown vegetation etc

² This list is not exhaustive

³ Charities and public service delivery (CC37) Public benefit: the public benefit requirement (PB1)