



## **Schedule 14 Appeal Guidance**

The information in this leaflet was correct when it was published, but it has no legal status.

### **When you can appeal**

Your local authority makes decisions about right of way applications.

You can appeal their decision if you applied to change the area's 'definitive map and statement' and either:

- you disagree with the decision - this is known as a 'schedule 14 appeal'
- your local authority did not make a decision within 12 months - this is known as a 'direction request'

You cannot appeal if:

- the authority approves a different use for the land, for example they make an order for a footpath when you applied for a bridleway
- you did not submit your original application correctly, for example you did not notify landowners who might be affected by the change

There's no fee for appealing.

Only the person who made the application can appeal. If you did not apply, you can comment on an appeal instead.

### **Deadline for appealing**

You must appeal within 28 days of the date on the decision letter, or 12 months after you submitted the application if your local authority has not made a decision.

### **How to appeal**

Make your appeal by writing to Planning and Environment Decisions Wales (PEDW) or by filling in the appeal. If you want to appeal more than one decision you must make a separate appeal for each.

### **Documents you must provide**

#### **If you're appealing a decision**

You must submit a copy of:

- your original application
- the reason for your appeal

- the authority's decision notice
- any notices you issued while applying, for example to let other landowners know you were applying for a change
- a map showing the proposed right of way
- any other documents that directly support your appeal, for example your grounds for appeal
- confirmation that you've notified the local authority about your appeal

### **If the local authority has not made a decision**

You must submit a copy of:

- your original application
- confirmation that you notified the landowners of your original application

You can email these documents to [PEDW.Casework@gov.wales](mailto:PEDW.Casework@gov.wales) when you appeal.

You can also post them to PEDW.

PEDW  
Specialist Casework Team  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

### **Comment on an appeal**

Anyone can comment on a right of way appeal.

Your local authority must tell anyone who has commented on the original application ('interested parties') that there's an appeal. The council has to do this within 14 days of the appeal being validated by PEDW.

### **After you appeal**

PEDW will check your appeal to make sure it's valid. They'll tell you what happens next and how long your appeal may take.

Stages of an appeal:

- Notice of appeal served on both the Welsh Ministers and the local authority within 28 days of authority issuing a decision. Appellant submits grounds of appeal and relevant documentation to PEDW;
- Appeal documents are copied to the authority and its statement requested in return (The authority is asked to notify interested parties of the appeal);
- The authority's statement sent to the Appellant with request for comments;

- The Appellant's comments, and any correspondence from a third party, copied to the authority for comments;
- Any correspondence from a third party also copied to the Appellant for comments;
- Any comments from the authority copied to the Appellant and third party (if there is one) for final comments;
- Any comments from the Appellant copied to the authority and third party (if there is one) for final comments;
- All final comments cross-copied between the authority, Appellant and any third party for information only;
- Event takes place, either a site visit, hearing or inquiry; and
- An Inspector, appointed by the Welsh Ministers, determines the appeal.

### **If you're successful**

For appeals, PEDW will tell the authority to make the order. There's no time limit for your local authority to do this.

### **If you disagree with the decision**

You can challenge the decision in the High Court if you think PEDW made a legal mistake.

Get advice from a lawyer if you're unsure about this.

### **How we use your personal information**

If you participate in a Schedule 14 appeal, then the type of personal information contained in your representations will normally include your name, contact details and any other personal information you choose to provide.

We use the information provided to process the appeal, and this includes making your written representations available to the authority and other relevant parties.