

**BARKING PARISH COUNCIL
EASEMENT POLICY**

1. Any owner who can establish that they have a statutory right to claim a vehicular right of way over the common land owned by the Parish Council will be granted a vehicular right of way in perpetuity free of charge but the right of way will be limited to the use of the claiming property as one single private dwelling house and curtilage and will be conditional on the claiming property owner paying the Parish Council's fees and disbursements in connection with the Deed of Grant and will otherwise be on such terms and conditions and in such form as the Parish Council may reasonably require.
2. Any owner who can establish that they or their predecessors in title were granted a long Lease or Licence of a vehicular right of way over the common land will be granted a vehicular right of way in perpetuity on the same terms and conditions as are referred to at 1 above.
3. Any application for a new right of way or which involves the intensification of the user of an existing right of way (for example division of property into two dwellings or erection of granny annexe) will:-
 - a. be at the absolute discretion of the Parish Council
 - b. if granted will be granted on such terms and conditions as the Parish Council may from time to time see fit and
 - c. if granted will be granted at a full market value as determined by a professional valuer appointed by the Parish Council for that purpose. By way of general guidance only the Parish Council anticipates that the valuation figure will be a sum equivalent to approximately 30% of the uplift in value of the claiming/dominant property as a result of the Grant of the Easement/Consent.
4. Any application for a secondary right of way will be treated on the same basis as at 3 above unless a primary right of way is surrendered at the same time in which event any easement if granted will be granted free of charge but conditional on the claiming property owner paying the Parish Council's fees and disbursements.
5. No further Leases of Easement or Licences will be granted, but the Parish Council may at its' absolute discretion grant temporary Licences in circumstances it considers appropriate.

This policy was approved and adopted by Barking Parish Council at its' meeting held on the 17th April 2008.