

## **Position Statement:**

### **List of Streets, Local Street Gazetteer and Definitive Map**

#### **List of Streets:**

NYCC as the Local Highway Authority (LHA) is required to keep a List of Highways Maintainable at Public Expense, this is a requirement of the Highways Act 1980 s36(6). There is no stipulation as to the form this List of Streets (LoS) takes and each LHA has its own way of displaying this list. Usually the list takes the form of a list of locations (usually road names in urban areas or descriptions in rural areas) and may include start and end positions and an approximate length. NYCC as a LHA keeps a LoS which was originally generated from predecessor LHAs which included amongst them those LoS of the urban areas of Harrogate and Scarborough and the former North Riding with extracts from the East and West Ridings where applicable.

Legislation: Highways Act 1980.

#### **Local Street Gazetteer:**

NYCC as the Street Authority (SA) is required to keep a Local Street Gazetteer (LSG) which is a list of streets as defined by the New Roads and Street Works Act 1991. This is used by the SA and utility companies for management of street activities. Whereas the definition of the LoS is vague and there can be multiple instances of street names within an area, the LSG is a much more formal database and provides a Unique Street Reference Number (USRN) for every street in the country. Each SA uploads its LSG to the National Hub which is managed by GeoPlace. The individual LSGs are combined by GeoPlace into a National Street Gazetteer which is downloaded by utility companies. Unlike the LoS the management of LSG has strict parameters which SAs are measured against and scored on. What is included in the LSG is governed by a Data Entry Convention, currently version 8.1. This identifies what can and cannot be included. LSG streets are defined as either one of:

- Publically Maintainable.
- Prospectively Publically Maintainable.
- Neither of the above.

Street Naming and Numbering Authorities (SNNA) are required to keep a Local Land and Property Gazetteer (LLPG). The seven District Councils in NYCC are the SNNAs not the County Council. Both SAs and SNNAs are measured and scored against how their LSG and LLPG are aligned to each other. This involves much negotiation as the SNNAs wish to move streets start and end points within parishes in response to customer address requests. SNNAs are not really interested where roads have no properties and they have therefore never formally named many roads in rural areas. Despite the LSG being the responsibility of NYCC (as SA) the County Council cannot name any roads on the LSG, they may only provide a description of them. Only the District Councils in NY can name any road.

Legislation: New Roads and Street Works Act 1991.

## Street Works Register

The Street Works Register (SWR) is an electronic database of all works (planned and completed) on all streets whether public or otherwise, the SWR records works (including scaffolds, skips and also events on streets). The SWR is within the public domain (although the LSG is not within the public domain and requires registration with GeoPlace for permission to access the National Street Gazetteer).

Relevant Legislation: New Roads and Street Works Act 1991.

## Definitive Map and Statement:

Surveying Authorities are required to maintain a legal record of Public Rights of Way (PRoW), this record is known as the Definitive Map and Statement (DMS) and records PRoW in one of four categories (footpath, bridleway, Restricted Byway (RB) or Byway Open to All Traffic (BOAT)). It should be noted that unlike UURs which have no user rights confirmed, the four categories do confirm actual user rights for up to pedestrians, horse riders, horse and carts and all traffic respectively.

Legislation: Wildlife and Countryside Act 1981 (as amended)

## Ordnance Survey:

OS is a government owned organisation which surveys the country and produces mapping. OS terms like ORPA, White Road, Private Road, Main Road, Other Road etc have no defined meaning to the LHA. OS is not responsible for the LoS, the LSG or the DMS. LHAs, NNAs and SAs are not under any obligation to rely upon OS mapping for the recording of highways, streets or PRoWs.

NYCC will never attempt to hide the true status of any route of which it is aware; however, in general terms we can only be sure of the status of those Highways which are Maintainable At Public Expense (HMAPE). Private Highways, Routes within MoD land and Ratione Tenurae are not the responsibility of NYCC although some private highways are recorded within the LSG.

There is a belief that a LHA may record a highway as a 'private street carrying public rights'. Officers are unaware as to where this information would be recorded as the LoS does not record this, there is nowhere in the LSG nor the DMS to record this.

In the case of an unclassified road; to record any user rights higher than pedestrian this would require a DMMO to record bridleway, RB or BOAT.

NYCC Webpage [www.northyorks.gov.uk/article/26004/Maps](http://www.northyorks.gov.uk/article/26004/Maps)

Shows various map layers including those HMAPE which are PRoW and A, B, C & U roads.

Note the often referred principle 'Once a highway always a highway' and closure requires a legal event; is correct. However, removal of the ...Maintainable at Public Expense aspect of a highway does not necessarily require a legal event as the LHA may review its LoS periodically and removal of a route from the LoS retains highway rights (unless a 'stopping-up' is implemented) but does remove its status as Maintainable At Public Expense. Section 47 of the Highways Act 1980 also enables a highway authority to apply to a magistrates' court for an Order to declare an unnecessary highway to be not maintainable at public expense, although this does not apply to footpaths, bridleways or restricted byways and is also subject to a potential veto by the relevant Parish Council.