

North Yorkshire County Council

North Yorkshire Local Access Forum

1 June 2022

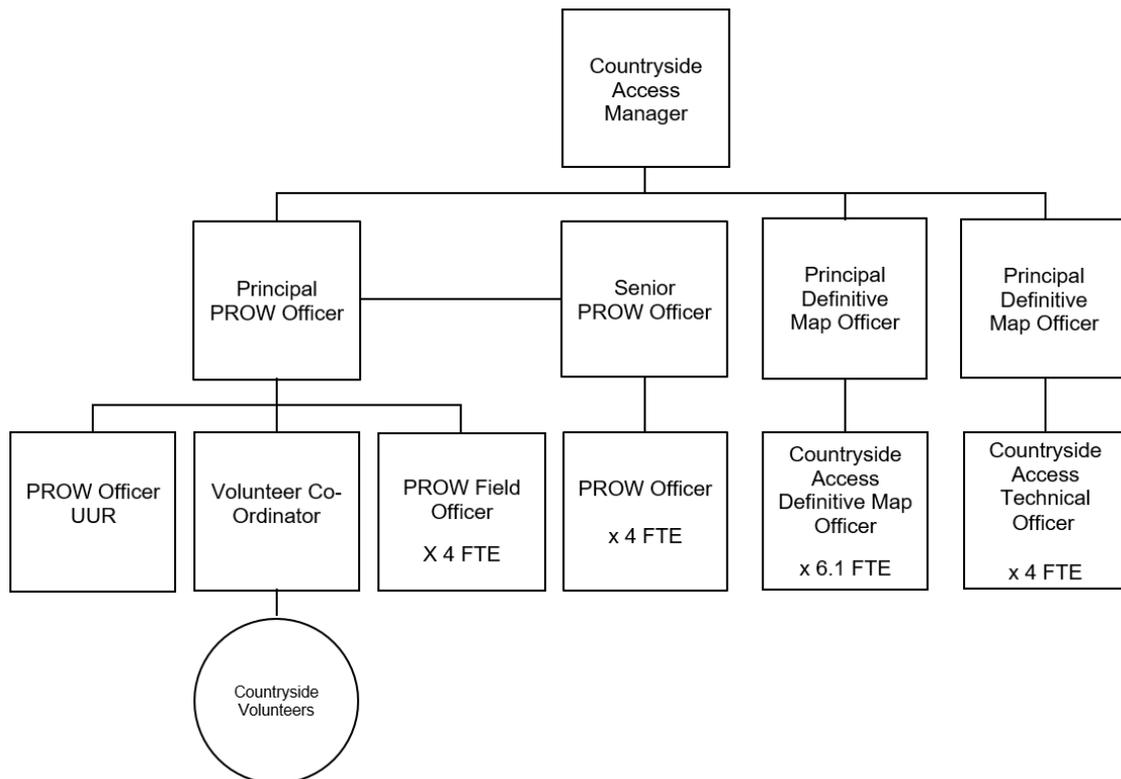
Countryside Access Service - Definitive Map Team Update

1.0 Purpose of Report

1.1 To provide NYLAF with an update on the progress the Definitive Map Team are making towards their main function of keeping the Definitive Map and Statement up to date.

2.0 Staffing

2.1 The Countryside Access Service is comprised of two teams – The Access Maintenance Team and the Definitive Map Team (DMT), both of which are supported by a small team of Technical Officers. See structure chart below.



2.2 The structure of the Definitive Map team has been reviewed in recent years and has seen the inclusion of an additional Principal Definitive Map Officer focussing on performance and service improvement. The FTE of Definitive Map Officers has increased to 6.1 FTE, building capacity and improving the output of the team.

- 2.3 The Definitive Map Officers are split into two sub-teams, three officers cover the Western area of the county (Craven, Harrogate and Richmondshire) and four cover the eastern area (Scarborough, Ryedale, Hambleton and Selby) which reflects the workloads in the two areas. That distribution will change if the workload balance changes.
- 2.4 Further to this, capacity at technical officer level has been increased and a total of 4 no. Countryside Access Technical Officers offer support to both the Definitive Map and Access Maintenance Teams.

3.0 Update on work undertaken by the Definitive Map Team

- 3.1 A significant amount of work has been done over the last 12 months to make the processing of orders more efficient and we now have in place a system that significantly reduces the time required to write orders, consultations and associated reports. This system also builds in greater accuracy and allows us to include some service improvements regarding updating interested parties.
- 3.2 In the last two years, there has been an upsurge in Definitive Map Modification Order (DMMO) applications and we have seen the caseload double from 98 to 202, though the rate at which applications are submitted has slackened off slightly in recent months. This surge and slackening off may be attributable to the approach of the 2026 deadline and COVID allowing applicants more time to make applications; followed by the abolition of the deadline and the end of COVID restrictions.
- 3.3 In addition, at any one time the DMT has in the region of 45 Public Path Order (Diversion) applications either in progress or otherwise requiring attention.
- 3.4 There has been an emphasis on dealing with order work, in particular ensuring that once an application is started it is taken to a conclusion in the shortest possible time. However, it should be noted that objections to an order extend the time for completion from about 6 -9 months to 2 years.
- 3.5 There have been a significantly higher number of orders attracting objections than has previously been the case; currently approximately 80% of DMMOs are attracting objections. To that end, a number of objected orders have been submitted to the Planning Inspectorate (PINS) and NYCC currently has 16 files at PINS (highest in the country) and another 9 currently being worked on pending submission.
- 3.6 This means that the work, and time, required to deal with those orders increases significantly. An objected application requires a report to be written for consideration by the Assistant Director to determine whether or not an order should be made. Before a report is submitted to the Planning Inspector the case officer must submit a report for consideration by the BES Executive Committee to decide what stance the Authority should adopt and then the officer must also prepare a submission followed by a Statement of Case and a Proof of Evidence.
- 3.7 During Covid, PINS stopped holding public inquiries and all matters were dealt with by written representations which require Statement of Cases to be prepared at shorter notice than for a public inquiry and at times concurrently. The result of this is that there

are periods where it is necessary for individual officers to pause starting new order work in order to deal with PINS work. Currently, there are significant delays at PINS and from submission to resolution is taking about 18 months.

- 3.8 On an annual basis Technical Officers deal with consultations on approximately 1700 planning applications, all of which are reviewed by a Definitive Map officer, and 10,000 searches either for property purchases, utility companies or other similar matters. In addition, the service has processed 155 temporary closures of the PROW network (emergencies / planned works) and 25 Section 31 submissions and renewals (also known as Highways Statements and Declarations).
- 3.9 A significant amount of work has been required to liaise with District councils regarding s257 Town and Country Planning Act diversions and we are now engaged with the district councils, providing advice and guidance on diversions associated with development to ensure that public rights of way are protected and catered for in any development.
- 3.10 In the last year, for all types of order, DMT has dealt with:
- 71 Applications received
 - 19 Informal consultations sent out
 - 25 Decision reports written
 - 30 Orders made
 - 29 First formal consultations sent out
 - 18 BES Executive PINS stance reports written
 - 11 referred to PINS
 - 21 Orders Confirmed
 - 6 Orders confirmed by PINS
 - 1 Order not confirmed by PINS
- 3.11 In addition to the above, the DMT have now completed a major project to digitise the Definitive Map. This process involved examining every path individually and comparing the line recorded on our digital mapping alongside copies of the Definitive Map and other sources to ensure that the digital map accurately reflects the Definitive Map. The digital version is published as an interactive map on the NYCC website for public use and is used when we respond to planning applications and search enquiries. An accurate digital version of the Definitive Map is essential in order to allow the DMT to carry out its functions efficiently and with a high degree of accuracy as well as providing a basis for future developments of the Definitive Map.

4.0 Future work programme

- 4.1 The successes achieved in making submissions of projected files to PINS will lead to significant challenges over the next two years in managing workload for both individual officers and the team as a whole. There will be a considerable amount of work to be done to take submissions through either written representations or Inquiries to confirmation or otherwise.
- 4.2 Processing applications of all types will continue to be a core activity for the team; as will an ongoing review of processes and systems to support more efficient and streamlined methods to process orders. This will include, for example, investigating

and implementing systems to scan User Evidence forms directly in to data analysis software to eliminate the time consuming need to create reports manually.

- 4.3 The challenges and opportunities resulting from engagement with the District Council Planning Teams will feed into LGR and officers will be involved in developing systems to ensure that not only are systems safe and legal on 1/4/2023 when the new Unitary Authority is formed but also that there are positive and measurable outcomes going forward.
- 4.4 Although no date has been set for implementation, the Deregulation Act will lead to significant change in the way applications are processed and the DMT will carry out a scoping exercise to determine where the challenges and opportunities lie, identifying changes to processes and procedures which will be required.
- 4.5 Although there is a high level of experience and expertise in the team, a number of professional development activities have been organised during 2022-2023 to build on those skills and to ensure that officers feel confident that they have the skills required to carry out their role.
- 4.6 Implementation of volunteer – led activity to carry out conformity checks for structures included in diversion orders as required by British Standard 5709-2018.

5.0 Legal Implications

- 5.1 There are no legal implications as this is an advisory report only.

6.0 Financial Implications

- 6.1 There are no financial implications as this is an advisory report only.

7.0 Equalities Implications

- 7.1 There are no equality implications as this is an advisory report only.

8.0 Recommendation

- 8.1 It is recommended that North Yorkshire Local Access Forum members take note of the content of the report.

Ian Kelly – Countryside Access Manager

Author of Report: Ron Allan / Penny Noake, Principal Definitive Map Officers.

Background Documents:

None