

Definitive Map & Highway Searches Team

- **DM&HS team** – 1x Team Leader, 3x DM Officers (inc. 1 Snr), 2x Strategic Access Officers (inc. 1 Snr), 1x Team Assistant, 2x Highway Searches Officers (both PT));
- **1 of the DM Officer posts is vacant** – recruitment process started
- Approximately **3.6 FTs Officers allocated to Definitive Map activities** (not including TL management support); breakdown of time on subsequent slide.

Definitive Map & Highway Searches

- Heavy caseload with long backlogs – not unusual in this service area and on a par with other Authorities
- **Definitive Map Modification Orders*** – claims to make changes to the legal records based on historical/user evidence
- **Public Path Orders*** – applications to change the existing network in the interests of the landowner/public; development
- **Village Green applications*** – register new VGs
- **Commons applications*** – deregister Common Land under certain circumstances
- **Other workstreams*** - Landowner statements, TTROs, responding to day-to-day PROW queries.
- Planning - Major development site & planning responses, major infrastructure schemes (HS2/EWR)
- Highway searches - highway extents, property searches

NB: Activities shown in bold with * are duties carried out by DM Officers and supported by TL.

Definitive Map & Highway Searches

EWR Twyford FP2



Stoke Hammond VG app



BUCKINGHAMSHIRE COUNCIL
COMMONS ACT 2006 SECTION 15(1)
APPLICATION FOR THE REGISTRATION OF LAND AS TOWN OR VILLAGE GREEN IN PR



Challenges next 12 months & beyond

1. Workload – planning responses, case backlog, HS2/EWR (extremely challenging; close relations with Major Projects team – unified; hold to account; reduce risk)
2. Difficult cases – North Mill, Bledlow; Shootacre, P. Risborough VGs
3. Finances – balancing budget & workload
4. Future pressures – legislation changes (Deregulation Act, Lost Ways 2031)

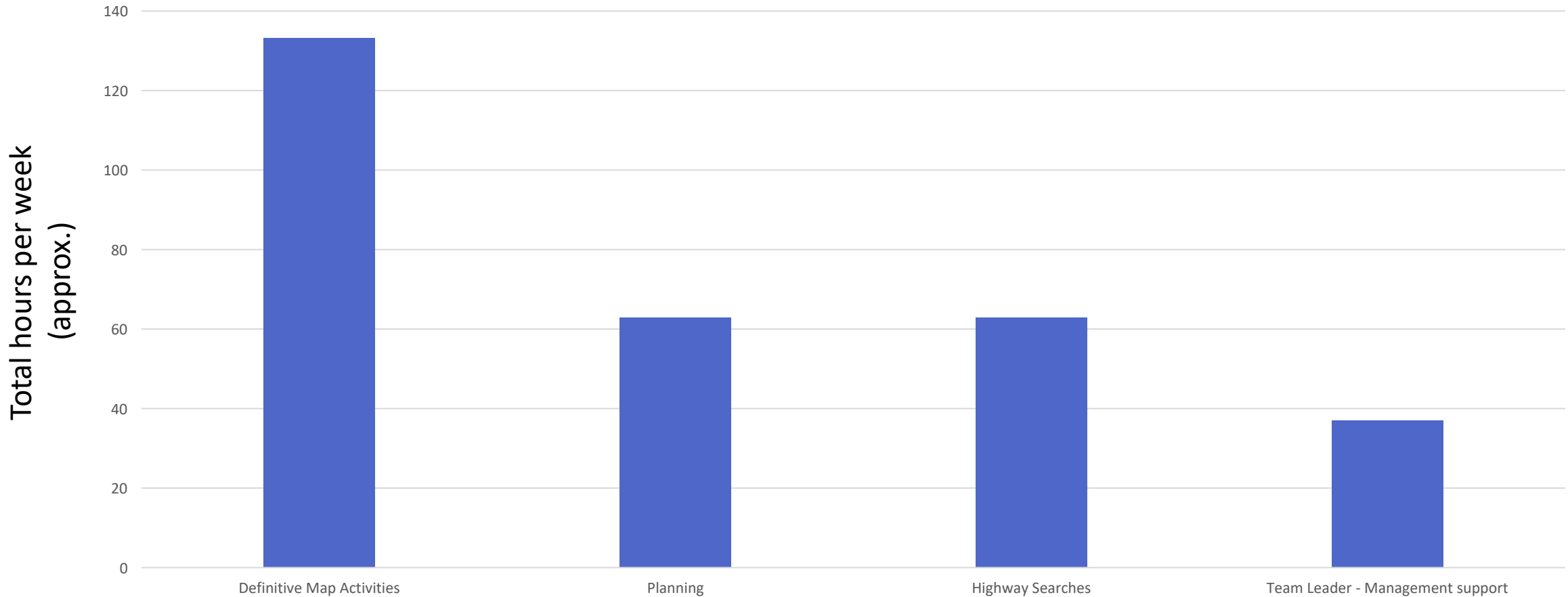
2023-24 plans

1. ROWIP Implementation & reviews
2. Local Access Forum
3. Improvement Project/s
4. Donate-A-Gate schemes
5. Village Green applications
6. DMMO Caseload
7. EWR Handbacks
8. HS2 mitigation

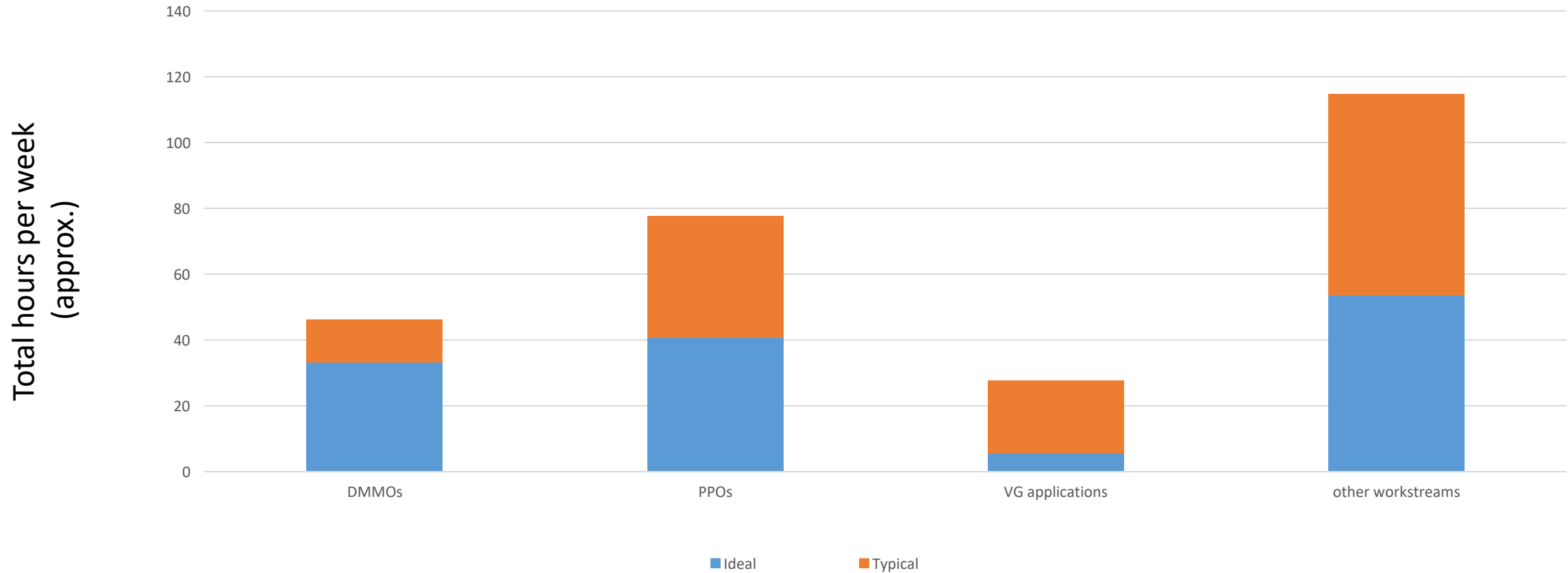
EWR Little Horwood FP20



Activities spread across the team



Definitive Map Activities



Timeline for dealing with applications for Definitive Map Modification Orders (DMMOs)

Stage 1 - Application received		Stage 2 - Investigation		Stage 3 - Investigation Report and sign off		Stage 4 - Decision	
a	Check application is duly made; list of documents, list of witnesses, certificates signed, notice served	a	Create plan and carry out informal consultation	a	Write investigation report	a	Delegated Officer Decision
b	Add to relevant database, register and website	b	Site visit	b	Report signed off by Legal Services	b	Determination Notice published
c	Consider whether notice needs to be served directly on the land, provide additional notice if required.	c	Interview landowner				
d	Acknowledge application	d	Interview witnesses				
		e	Check historical evidence				
Within 6 weeks of receipt		6 - 18 months from start of investigation		4 - 12 weeks		2 weeks	

NB: Approximate timescales

Timeline for dealing with applications cont.

If application accepted					
Stage 5 - Make an Order and advertise		Stage 6 - Objections received		Stage 7 - PINS determination	
a	Draft legal order, notice and advert	a	Acknowledge objections	a	Await timetable from PINS
b	Send instructions to legal	b	Try to get objections withdrawn	b	Instruct barriser, book suitable venue
c	Legal seek dispensation from PINS if required	c	If outstanding objections prepare papers and refer to the Planning Inspectorate (PINS)	c	Site visit with barrister
d	Order advertised and open to objections			d	Prepare Statement of Case
				e	Prepare Proof of evidence
				f	Appear as witness at inquiry
				g	If confirmed advertise confirmation and update records
3 - 4 months		2 - 4 months		1 - 2 years (dependant on PINS)	

Outstanding DMMO applications and approximate timescales

Active Applications	Prioritised and waiting to be investigated	User Evidence application and waiting to be investigated	Documentary Evidence and waiting to be investigated
10	2	27	19
	Once prioritised officer decision within 6 - 18 months	From date of application approximately 3 - 5 years before investigations start	From date of application approximately 5 - 10 years before investigations start

Currently dealing with just under 20% of outstanding applications, this is expected to rise to over 25% within 6 months

NB: Approximate timescales

Timeline for dealing with applications for Public Path Orders (PPOs)

Stage 1 - Initial enquiry		Stage 2 - Site Visit & Consultaion		Stage 3 - Decision / Making of Order	
a	Proposal received; DM Officer considers proposal and will pass to Area Officer if criteria met.	a	Site visit with applicant, Area Officer and DM Officer if required	a	Formal sign off regarding whether an Order is made or not
b	If feasabile, applicant advised to submit an application.	b	Area Officer to agree structures, widths and surface	b	If Order is to be made DM Officer will draft Order, site notice and advert. Checked by Senior DM Officer.
c	Application and deposit received.	c	Create plan and carry out informal consultation	c	Send to legal for sealing
				d	DM Officer to advertise in local newspaper, advertise on site, serve notice on prescribed organisations/people and invoice customer
		3 - 9 months of receipt of application		3 - 4 months	

NB: Approximate timescales

Timeline for dealing with applications cont.

Stage 4 - Objections/comments to Order		Stage 5 - Confirmation of unopposed Order	
a	Seek to overcome any objections received; site visit to discuss concerns.	a	Check route is open and available
b	If outstanding objections discuss with Senior DM Officer / Team Leader whether the Order and objections should be referred to PINS.	b	Instruct legal to confirm and seal Order
c	Refer to PINS if necessary - confirmation (Stage 5) is then dependant on Planning Inspectorate decision and can take 12 months +	c	DM Officer to advertise on site and local newspaper.
		d	Bring Order into effect if required separately to confirmation (mainly TCPA Orders)
		e	Invoice applicant for adverts
		f	Update relevant records, notify Ordnance Survey, achieve the Order
4 - 8 months / 12 months+ if referred to PINS		2 - 3 months	

Outstanding PPO applications

Total Applications	Waiting to be investigated	Active Applications		Awaiting works
		Under Investigation/Orders Made	To be sent to PINS / With PINS	
31	2	13	4	12

- 12 of the active applications are a result of development or improvements to network
- Applications can take 12 – 18 months+ to complete
- Time spent dealing with representations, errors made by developers
- If referred to PINS can take more than a year to be completed.

Other DM Activities

Applications for Village Green; 2 Public Inquiries in the last 9 months

In the past 6 months.....

- 38 Temporary Traffic Regulation Orders
- 21 Landowner Statements
- 558 Common and Village Green Searches
- Approximately 50 - 100 queries each week through mailbox

Statement of Priorities

DMMOs

Applications will be investigated in date of chronological Order of receipt subject to a suitably experienced Officer being available. The Council will however prioritise certain applications under the following circumstances:

1. The evidence in support (either fully or in part) of the application is that of User Evidence
2. There is a threat of development affecting the claimed route
3. If the evidence in support of the application is shared with another application within the chronological list and it would be efficient to investigate the applications concurrently

Statement of Priorities Continued

PPOs

Applications can be refused if they are not expedient or if they fail to meet the criteria outlined below. Applications will be investigated in date of chronological order of receipt subject to a suitably experienced Officer being available. The Council will however prioritise certain applications under the following circumstances:

1. Changes to the network are needed to facilitate development
2. Where the change to the network would save costs in the wider Rights of Way service provision i.e. by avoiding enforcement action
3. Where an application is made for a School's Special Order
4. Where an application seeks a betterment to the network
5. Where an application improves or enhances public safety