

Appendix 3

Legal Orders Team

SECTION 2: NATIONAL TARGET 1: “LEGALLY DEFINED”

Component Task		Source	Achievements 2010/11	Targets 2011/12
No	Measure of Success			
2.1	Definitive Map and Statement to be completed for any previously unmapped area	WCA 81 S53(1) (c)	<ul style="list-style-type: none"> Complete 	<ul style="list-style-type: none"> Complete
2.2	No RUPPs remaining on Definitive Map	WCA 81 S54	<ul style="list-style-type: none"> No further reclassification required 	<ul style="list-style-type: none"> Complete
2.3	No backlog of legal events requiring orders to be made	WCA 81 S53(2) (a) & 53(3) (a)	<ul style="list-style-type: none"> Legal Event Modification Order made for all legal events in 2010/11 	<ul style="list-style-type: none"> Legal Event Modification Order to be made for all legal events in 2011/12 Schedule 5 Para 2 of CROW Act 2000, commenced April 2008, obviates need for separate legal event order where Definitive Map change cited. However, national debate about the technical aspects of this provision and advice to LAs is to continue making separate LEMOs for time being.
2.4	No backlog of applications to modify the Definitive Map	WCA 81 Sch 14	<ul style="list-style-type: none"> 2 Schedule 14 applications determined and a further 9 applications under active investigation during the year (see below). 22 applications remain in backlog (see below). The oldest of these dates to 2004. 	<ul style="list-style-type: none"> Following the recruitment of an income generation post to deal with PPOs this has freed-up officer time to deal with Schedule 14 applications. Target is to determine 6 cases.

Component Task		Source	Achievements 2010/11	Targets 2011/12
No	Measure of Success			
2.5	No backlog of other cases that may result in the need to change the Map	WCA 81 S53	<ul style="list-style-type: none"> Completion of last remaining 'Discovering Lost Ways' case following abandonment of project by Natural England. 	<ul style="list-style-type: none"> Complete.
2.6	No backlog of decided applications/other cases awaiting definitive map modification orders	CoAg	2 orders determined <ul style="list-style-type: none"> 1 DMMO order confirmed 1 DMMO order confirmed with modifications 0 appeals against refusal, awaiting decision 2 appeals against non-determination within 12mths 	<ul style="list-style-type: none"> Continue to make orders as soon as reasonably practicable. Contested DMMOs to be submitted to PINs. Directed applications/orders to be processed as required.
2.7	The authority has considered the need to consolidate the Map and take any necessary action	WCA 81 S56	<ul style="list-style-type: none"> Preparation of digital map for consolidation complete. Work to consolidate statements begun. 	<ul style="list-style-type: none"> On hold due to lack of staff.
2.8	Statement of Priorities published	CoAg	<ul style="list-style-type: none"> Statement of Priorities approved by ROW Committee on 1st June 2009. 	<ul style="list-style-type: none"> Continue to prioritise Definitive Map Work in accordance with the Statement of Priorities Review priorities in light of new ROWIP objectives
2.9	No other matter affecting the Definitive Map outstanding	CoAg	<ul style="list-style-type: none"> Electronic list of map anomalies was completed in 2008. 6 anomalies corrected during 2010/11. 	<ul style="list-style-type: none"> No progress can be made with rectifying anomalies without additional staff resources (in addition to PPO income generation post).

Summary of work from April 2011 to March 2012, backlog of work outstanding and forecasts for 2010/11

Area of work	Work completed/in progress April 2010 – March 2011	Backlog	Projected work 2011/2012
Planning application consultations	102	n/a	110
Rights of Way searches	60	n/a	50
Highways Act s31 deposits	6	n/a	6
Temporary & Emergency Closures	33	n/a	40
Gating Orders	0	n/a	0
Public Path Orders HA80	14 Orders confirmed, 28 cases in progress	14 applications on waiting list	30 Orders to confirmation stage.
Public Path Orders TCPA90	2 Orders confirmed, 3 cases in progress	n/a	5 cases likely to be dealt with.
Contested Orders referred to PINs	HA80 = 2 WCA81 = 5 TCPA90 = 0	1 contested WCA81 case to be referred to PINs	
Definitive Map Modification Order Applications – schedule 14 applications	2 Orders confirmed, 9 in progress	22	6 Cases to be targeted.
Definitive Map “List B” issues	3	8	2 cases targeted
Definitive Map Anomalies (investigation/legal orders required)	6 completed	260+	6 without additional staff resources or additional budget to commission consultants