

RIGHTS OF WAY DEFINITIVE MAP MODIFICATIONS

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The Backlog

We currently have around 330 applications to modify the Definitive Map. Having a backlog of applications is not a new situation for SCC and it is one that has worsened as staff resource has been reduced in previous years to assist with delivery of revenue savings. When faced with a mismatch of workload to resource it is logical to look at the process as to how it can be made more efficient.

The Process

In general terms, when it comes to determining modification applications, the legislation and case law does constrain what is achievable in dramatically increasing productivity. Work was done a number of years ago to streamline the investigative process for modification applications and this work was shared across the region. In summary it involved only looking at the most relevant documents (a primary list), providing summary reports for the Regulation Committee and setting rigid timescales for each application.

Current procedures are still very much in line with the streamlined approach, however Committee reports have returned to the full investigation report. This has occurred largely due to the scrutiny of summary reports and the need to provide the Committee members with greater level of detail in order that there was greater confidence when making a decision.

As you may be aware, the increasing backlog has begun to generate a number of appeals against non-determination as well as other contact. It was suggested by one of the applicants that we could benefit from looking at how Northumberland County Council have managed to address their backlog. The context of the 2 authorities is summarised below for your information.

Aspect	SCC	NCC
<i>Resource</i>	<i>2 case officers</i>	<i>2 case officers</i>
<i>Backlog</i>	<i>c.330</i>	<i>Minimal, but c.140 in year 2000</i>
<i>Application receipt rate p/a</i>	<i>c.30</i>	<i>8-15</i>
<i>Determination rate of modifications p/a</i>	<i>c.10 . Extremely variable due to high staff turnover and high profile challenges/ cases.</i>	<i>c. 20-30 The 2 officers are long-established in post.</i>
<i>Approx. turnaround from pick-up to determination</i>	<i>c. 6-12 months</i>	<i>c.12 months</i>
<i>Approx. objection/ appeal rate</i>	<i>In excess of 90%</i>	<i>60-70%</i>
<i>Committee</i>	<i>Regulation Committee (9 members)</i>	<i>Rights of Way Committee (8 members)</i>

As you will note there are a couple of distinct differences which belie the current position of the two authorities. In Somerset the application determination to receipt relationship is a negative one, whereas in Northumberland it is positive. The percentage of determinations/ orders challenged is also far higher in Somerset. The latter will naturally have an adverse impact on the determination rate.

Having a stable long-established workforce cannot be underestimated in terms of the impact on NCC's productivity, which is an area where SCC have struggled. Another reason for the difference in determination rate is that at NCC their workload includes as many anomaly cases as modification applications, and more often than not anomalies will be far quicker to process and don't require as detailed an investigation or report.

It is fair to say that SCC considers evidence in more detail than at NCC, albeit this level of analysis is often warranted to address the degree of comment that is regularly received in relation to SCC reports.

Current context

It has been useful to look at NCC's context but it needs to be acknowledged that there are differences between the authorities and there is no quick-fix to the backlog. Where possible we will consider where the length of reports can be reduced, while not compromising their robustness for officer or Committee decision-making. Also, due to a number of the applications having a similar evidence base, there is increasingly a degree of standard analysis which can be usefully transferred from case to case, where deemed appropriate.

Committee reports

It is an option to provide summary reports for the Committee, as per the streamlined approach that was attempted some years ago, however this would actually create additional work for officers and may create a perception of withholding wider information relating to each case.

Officers are keen to achieve efficiencies in process where possible, however we also need to ensure that all available evidence is considered when coming to a recommendation / decision. For these reasons the current reporting format will continue, however **officers would welcome any feedback that Committee members wish to make on the style, length and format of reports.**

Statement of Priorities

The Statement of Priorities is due a refresh and it is intended that the Committee will be consulted on this in due course. Any revision will consider in greater detail how the investigation of the backlog is prioritised.