

## COMMONS AND RIGHTS OF WAY COMMITTEE

29 March 2022

### MEMBER QUESTIONS ON MATTERS WHICH ARE WITHIN THE POWERS AND DUTIES OF THE COMMITTEE

<b>A. Questioner's Name: Cllr David Willingham</b>	<b>Respondent's Name: Cllr Vernon Smith Director: Colin Chick</b>
<p>1. I understand from media reporting that the 2026 deadline for registering pre-1949 paths that was in the Countryside and Rights of Way Act has been changed by government. Could officers please be asked to provide a brief update to members on these legislative changes, and also how this will impact the workload of this committee and of officers determining matters under delegated powers?</p>	<p>DEFRA have sent out an update to the legislative stakeholder working group (who were looking at the nuances/guidance surrounding the legislation) to say they intend to repeal the 2026 cut -off. There has been some comment that they still intend to enact some other parts of the legislation if they can work out how to 'de-couple' them from the main legislation. But we don't know much more than that at the moment. As yet, the Council has not received a formal statement from DEFRA or Central Government as to the intended repeal or timescales; so until that is forthcoming, hindsight tells us to be relatively cautious over the news. Nevertheless, it is known that it is the general intention of most User Groups to still submit claims for additional rights to be recorded; it just means there will be no '2026' deadline by which they will need to do so. So the workload is still expected to increase for both Officers and CROWC (depending on the 'mix' of evidence submitted with the claims [i.e. 'user' or 'documentary']).</p>
<p>2. Could officers please be asked to provide a brief outline of the work plan for this committee for the municipal year 2022-2023?</p>	<p>It is expected to bring at least 4 claims to Committee for determination in the 2022-23 year. NB: The DMMO team have been given an additional £55k for 2 years in the 22-23 budget to employ further staff (to be 1x Officer and 0.5x Technician). Therefore, the Officer's work plan for the 2022-23 year is still being assessed against this budget/staff increase, but the increase should - in addition to the CROWC work - allow the team to progress some of the older outstanding DMMO requests, determine 'documentary' claims under delegated powers, and process others via Dedication or Creation Agreements. Officers will also continue to prioritise their overall workload in association with the ROWIP and statutory requirements.</p>