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STATUTORY INSTRUMENTS

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**2002 No. 1710**

**The Access to the Countryside (Provisional and  
Conclusive Maps) (England) Regulations 2002**

**PART II**

**PROVISIONAL OR CONCLUSIVE MAPS**

**Scale of provisional or conclusive maps**

**3.—(1)** Any provisional or conclusive map issued by the Agency shall be in electronic form and on a scale of not less than 1/10,000.

(2) The scale of any part of any such map may vary, provided each part is on a scale of not less than 1/10,000.

**Informing the public of the issue of provisional maps**

**4.—(1)** Where the Agency have issued a provisional map, they shall, as soon as reasonably practicable on or after the date of issue, publish a notice which—

- (a) states the date of issue;
- (b) describes the area of land to which the map relates;
- (c) states where (in accordance with regulation 6) the map is to be made available for inspection;
- (d) states how (in accordance with regulation 8) reduced scale maps may be obtained, including whether a fee is payable and, if so, what fee;
- (e) states where (in accordance with regulation 9) a reduced scale map may be inspected on the internet;
- (f) states, in general terms, where (by virtue of regulations 10, 11 and 12) reduced scale maps are to be made available for inspection;
- (g) describes the opportunity afforded to a person under section 6 to appeal against the showing of that land on the map as registered common land or open country within the period specified in regulation 16(1), the ground on which such an appeal may be brought and how such an appeal must be brought; and
- (h) states the general effect of the right conferred on the public in relation to access land by section 2(1).

(2) The notice referred to in paragraph (1) shall be published—

- (a) in such local or regional newspapers circulating in the area of land to which the map relates as the Agency consider necessary for informing the public of the issue of the map; and
- (b) by being made available for inspection on a website maintained by the Agency for the period during which the map remains current.

### **Informing the public of the issue of conclusive maps**

5.—(1) Where the Agency have issued a conclusive map, they shall, as soon as reasonably practicable on or after the date of issue, publish a notice which—

- (a) states the date of issue;
  - (b) describes the area of land to which the map relates;
  - (c) states where (in accordance with regulation 7) the map is to be made available for inspection;
  - (d) states how (in accordance with regulation 8) reduced scale maps may be obtained, including whether a fee is payable and, if so, what fee;
  - (e) states where (in accordance with regulation 9) a reduced scale map may be inspected on the internet;
  - (f) states in general terms where (by virtue of regulation 10) reduced scale maps are to be made available for inspection; and
  - (g) states the general effect of the right conferred on the public in relation to access land by section 2(1).
- (2) The notice referred to in paragraph (1) shall be published—
- (a) in such local or regional newspapers circulating in the area of land to which the map relates as the Agency consider necessary for informing the public of the issue of the map; and
  - (b) by being made available for inspection on a website maintained by the Agency for the period during which the map remains current.

### **Where provisional maps are to be available for inspection**

6.—(1) Subject to paragraph (2), where the Agency have issued a provisional map, they shall, as soon as reasonably practicable on or after the date of issue, make the map available for inspection by members of the public at all reasonable hours in such regional office of the Agency as they consider appropriate.

- (2) The map shall be available for inspection for the period during which it remains current.

### **Where conclusive maps are to be available for inspection**

7.—(1) Subject to paragraph (2), where the Agency have issued a conclusive map, they shall, as soon as reasonably practicable on or after the date of issue, make the map available for inspection by members of the public at all reasonable hours in such regional office of the Agency as they consider appropriate.

- (2) The map shall be available for inspection for the period during which it remains current.

### **Supply of reduced scale maps to certain bodies and to members of the public**

8.—(1) Where the Agency have issued a provisional map, they shall, as soon as reasonably practicable on or after the date of issue—

- (a) send a reduced scale map in printed form to those persons specified in Part I of the Schedule to these Regulations; and
- (b) subject to paragraph (3), supply a reduced scale map in printed form to any person who requests such a map, and who pays to the Agency such reasonable fee as the Agency may determine, at any time in the period during which the map remains current.

(2) Where the Agency have issued a conclusive map, they shall, as soon as reasonably practicable on or after the date of issue—

- (a) send a reduced scale map in printed form to those persons specified in Part II of the Schedule to these Regulations; and
- (b) subject to paragraph (3), supply a reduced scale map in printed form to any person who requests such a map, and who pays to the Agency such reasonable fee as the Agency may determine, at any time in the period during which the map remains current.

(3) Where a person requests a reduced scale map under paragraph (1)(b) or (2)(b) above relating to only part of the area of land to which the provisional or conclusive map relates, he shall provide the Agency with such information as the Agency reasonably require to enable that part to be identified, and the Agency shall supply a reduced scale map relating, so far as practicable, to only that part.

### **Reduced scale maps on the internet**

9. Where the Agency have issued a provisional or conclusive map, they shall, as soon as reasonably practicable on or after the date of issue, make a reduced scale map available for inspection on a website maintained by the Agency on the internet for the period during which the reduced scale map remains current.

### **Deposit of reduced scale maps with local authorities and National Park authorities**

10.—(1) Subject to paragraph (2), where the Agency have issued a provisional or conclusive map they shall, as soon as reasonably practicable on or after the date of issue, deposit a reduced scale map with the proper officer of any local authority or National Park authority<sup>(1)</sup> exercising functions for any area of land to which the provisional or conclusive map (as the case may be) relates.

(2) Where the functions of a local authority or National Park authority relate to only part of the area of land covered by the provisional or conclusive map, a reduced scale map relating to only that part may be deposited.

(3) In the case of a provisional map, the proper officer shall, in accordance with section 225(1) of the Local Government Act 1972<sup>(2)</sup>, retain the reduced scale map for the period during which the map remains current for the purpose of its being available for inspection and making copies in accordance with section 228(5) of that Act<sup>(3)</sup>.

(4) In the case of a conclusive map—

- (a) the proper officer of a county council, a council exercising the functions of a county council or a London borough shall, in accordance with section 225(1) of the Local Government Act 1972, retain the reduced scale map permanently for the purpose referred to in paragraph (3) above; and
- (b) the proper officer of a district council (other than a district council exercising the functions of a county council) or National Park authority shall, in accordance with section 225(1) of that Act, retain the reduced scale map for the period during which the map remains current for that purpose.

(5) In this regulation, “local authority” means a county council, district council or London borough council.

### **Deposit of reduced scale maps derived from provisional maps with library authorities**

11.—(1) Subject to paragraphs (2) and (3), where the Agency have issued a provisional map, they shall, as soon as reasonably practicable on or after the date of issue, deposit reduced scale maps

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(1) By virtue of section 45(3) of the Countryside and Rights of Way Act 2000, the Broads (as defined in section 45(4) of that Act), are to be treated as a National Park and the Broads Authority as a National Park authority.

(2) Section 225(1) and section 228 have effect as if a National Park authority were a local authority, by virtue of the Environment Act 1995 (c. 25), section 63(5) and Schedule 7, paragraph 17(2).

(3) Section 228 has amendments which are not relevant to these Regulations.

with the proper officer of any library authority exercising functions for any area of land to which that map relates.

(2) Where the functions of an authority relate to only part of the area of land covered by the provisional map, reduced scale maps relating to only that part may be deposited.

(3) The number of reduced scale maps deposited shall be such number as the Agency consider appropriate, after consultation with the proper officer of the library authority.

(4) The proper officer shall, in accordance with section 225(1) of the Local Government Act 1972, retain the reduced scale maps for the purpose of their being available for inspection and making copies in accordance with section 228(5) of that Act—

- (a) for the period during which the maps remain current; and
- (b) in such public libraries in the area of the library authority as the proper officer considers appropriate.

(5) In this regulation, “library authority” means a library authority under the Public Libraries and Museums Act 1964(4).

#### **Deposit of reduced scale maps derived from provisional maps with commons registration authorities**

12.—(1) Subject to paragraph (2), where the Agency have issued a provisional map, they shall, as soon as reasonably practicable on or after the date of issue, deposit relevant extracts of a reduced scale map with the proper officer of any registration authority exercising functions for any area of land to which that map relates.

(2) Where the functions of an authority relate to only part of the area of land covered by the provisional map, relevant extracts of a reduced scale map relating to only that part may be deposited.

(3) The proper officer shall, in accordance with section 225(1) of the Local Government Act 1972, retain the relevant extracts of the reduced scale map for the purpose of their being available for inspection and making copies in accordance with section 228(5) of that Act—

- (a) for the period during which the map remains current; and
- (b) in such place as will enable the public to compare the relevant extracts with the register of common land which the registration authority is required to maintain under section 3 of the Commons Registration Act 1965(5).

(4) In this regulation—

- (a) “registration authority” has the same meaning as in the Commons Registration Act 1965(6); and
- (b) “relevant extracts” means extracts of the reduced scale map which show registered common land.

#### **Certification of copies of provisional maps**

13. A document purporting to be certified on behalf of the Agency to be a copy of, or of any part, of a provisional map issued by the Agency shall be receivable in evidence and shall be deemed, unless the contrary is shown, to be such a copy.

(4) 1964 c. 75; see section 206 of the Local Government Act 1972 (as amended by the Local Government Act 1985 (c. 51), section 102(2) and Schedule 17) as to local authorities and library authorities in relation to England for the purposes of the Public Libraries and Museums Act 1964.

(5) 1965 c. 64.

(6) see section 2 of the Commons Registration Act 1965 (as amended by the Local Government Act 1972, section 272(1) and Schedule 30 and the Local Government Act 1985, section 16 and Schedule 8, paragraph 10).

### **Maps in electronic form**

**14.** Any map authorised or required by this Part of these Regulations to be prepared, issued or made available for inspection in electronic form must be capable of being reproduced in printed form.