

2013 No. 1798

COUNTRYSIDE, ENGLAND

**The Access to the Countryside (Maps) (England) Regulations
2013**

<i>Made</i> - - - -	<i>17th July 2013</i>
<i>Laid before Parliament</i>	<i>19th July 2013</i>
<i>Coming into force</i> - -	<i>1st October 2013</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 5(b), 11(1), (2) and (3), 44(2) and 45(1) of the Countryside and Rights of Way Act 2000(a).

Citation, commencement and application

1.—(1) These Regulations may be cited as the Access to the Countryside (Maps) (England) Regulations 2013 and come into force on 1st October 2013.

(2) These Regulations apply in relation to England.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Countryside and Rights of Way Act 2000;

“conclusive map” means a map issued by the Countryside Agency in conclusive form under section 9 of the Act(b);

“reduced scale map” means a copy of a conclusive map in printed or electronic form which is on a smaller scale than the scale of the conclusive map (or any part of it) but which must be on a scale of not less than 1/25,000.

(2) In these Regulations, a reference to a period during which a conclusive map remains current is a reference to—

(a) the period ending with the date on which Natural England issues a conclusive map on a review under section 10 of the Act (“a review conclusive map”) covering the whole area of land to which the conclusive map relates; or

(b) where review conclusive maps are issued covering particular parts of that area, to the period ending with the date on which Natural England issues the last in a succession of such maps which together cover the whole of that area.

(a) 2000 c. 37.

(b) The duty to prepare conclusive maps in section 9 of the Countryside and Rights of Way Act 2000 is conferred on the “appropriate countryside body”, which (in relation to England) is defined in section 1(2)(a) of that Act. Section 1(2)(a) as originally drafted defined the Countryside Agency as the appropriate countryside body in relation to England, but this was amended to Natural England by the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 11, Part 1, paragraph 154.

(3) In these Regulations, a reference to a period during which a reduced scale map remains current is a reference to the period during which the conclusive map from which it is derived remains current.

Retention and inspection of conclusive maps

3.—(1) Natural England must retain every conclusive map in electronic form.

(2) In relation to each conclusive map, Natural England must publish the following information on a website maintained by it for the period during which the map remains current—

- (a) its date of issue;
- (b) a description of the land to which it relates;
- (c) a statement indicating—
 - (i) where (in accordance with paragraph (3)) it is available for inspection;
 - (ii) how (in accordance with regulation 4(2) and (3)) a reduced scale map may be obtained, including whether a fee is payable and, if so, what fee;
 - (iii) the website address at which a reduced scale map may be inspected in accordance with regulation 4(1);
 - (iv) in general terms where reduced scale maps are available for inspection in accordance with regulation 4(4); and
 - (v) the general effect of the right conferred on the public in relation to access land by section 2(1) of the Act.

(3) Natural England must make a conclusive map available for inspection by the public at all reasonable hours in such office as it considers appropriate, for the period during which the map remains current.

Reduced scale maps

4.—(1) Natural England must, in respect of every conclusive map, make a reduced scale map available for inspection on a website maintained by it for the period during which the reduced scale map remains current.

(2) Subject to paragraph (3), Natural England must supply a reduced scale map in printed form to any person who requests such a map, and who pays to it such reasonable fee as Natural England 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 (2) relating to only part of the area of land to which the conclusive map relates, they must provide Natural England with such information as it requires to enable that part to be identified, and Natural England must supply a reduced scale map relating, so far as practicable, to only that part.

(4) The proper officer of a county council, a council exercising the functions of a county council or a London borough, a district council or National Park authority must, in accordance with section 225(1) of the Local Government Act 1972^(a) (the “1972 Act”), retain the reduced scale map for the period during which the map remains current for the purpose of it being made available for inspection and making copies in accordance with section 228(5) of that Act.

(5) For the purposes of paragraph (4), “proper officer” is to be construed in accordance with section 270(3) of the 1972 Act.

Maps in electronic form

5. Any map required by these Regulations to be retained or made available for inspection in electronic form must be capable of being reproduced in printed form.

(a) 1972 c. 70. Sections 225(1) and 228 have effect as if a National Park authority were a local authority by virtue of the Environment Act 1995 (c. 25), Schedule 7, paragraph 17(2).

Revocations

6. The following Regulations are revoked—

- (a) the Access to the Countryside (Maps in Draft Form) (England) Regulations 2001**(a)**;
- (b) the Access to the Countryside (Provisional and Conclusive Maps) (England) Regulations 2002**(b)**;
- (c) the Access to the Countryside (Provisional and Conclusive Maps) (England) (Amendment) Regulations 2003**(c)**;
- (d) the Access to the Countryside (Correction of Provisional and Conclusive Maps) (England) Regulations 2003**(d)**;
- (e) the Access to the Countryside (Correction of Provisional and Conclusive Maps) (England) (Amendment) Regulations 2005**(e)**.

17th July 2013

Richard Benyon
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

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- (a) S.I. 2001/3301.
 - (b) S.I. 2002/1710, as amended by regulation 2 of the Access to the Countryside (Provisional and Conclusive Maps) (England) (Amendment) Regulations 2003 (S.I. 2003/32).
 - (c) S.I. 2003/32.
 - (d) S.I. 2003/1591, as amended by regulation 2 of the Access to the Countryside (Correction of Provisional and Conclusive Maps) (England) (Amendment) Regulations 2005 (S.I. 2005/2027).
 - (e) S.I. 2005/2027.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to England only, consolidate (with amendments) the Access to the Countryside (Provisional and Conclusive Maps) (England) Regulations 2002 (S.I. 2002/1710) and the Access to the Countryside (Provisional and Conclusive Maps) (England) (Amendment) Regulations 2003 (S.I. 2003/32).

Part 1 of the Countryside and Rights of Way Act 2000 (c. 37) (the “CROW Act”) provides for the mapping of registered common land and open country by the issue of draft maps, which are subsequently confirmed by the Countryside Agency (with or without modifications), are issued in provisional form under section 5(d) or (e) of the CROW Act, before being issued in conclusive form under section 9 of that Act. This mapping procedure was completed by the Countryside Agency in 2005. The Regulations listed in regulation 6 of this instrument make provision for the publication of maps issued in draft, provisional and conclusive form and for the correction of provisional and conclusive maps in certain circumstances.

Regulation 3 requires Natural England (as successor body to the Countryside Agency) to retain conclusive maps and makes provision for the inspection of such maps. Regulation 4 provides for the inspection and supply of reduced scale maps, which are copies of conclusive maps on a smaller scale. Regulation 6 contains revocations.

No impact assessment has been prepared for this instrument as no impact, or no significant impact, on the private, voluntary or public sectors is foreseen.

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