

Definitive Map maintenance

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Service summary:

We have a duty to maintain the Definitive Map which is the most complete up-to-date record of Public Rights of Way.

We will:

- let people see the original Definitive Map
- list all modifications made to the original Definitive Map and give this information to the Ordnance Survey
- deal with applications for Definitive Map Modification Orders to alter the Definitive Map where the evidence supports this
- deal with applications for Public Path Orders where a public right of way needs to be changed
- respond promptly to all enquiries.

You can help by:

- letting us know if you think there's anything wrong with the map
- if you have a query, telling us exactly where it is by drawing a map, describing the location or giving us a grid reference
- letting us help you with advice on how to apply for a Public Path Order or a Definitive Map Modification Order
- making sure you include all the relevant documents and maps with your application
- observing the new Countryside Code when you use any public right of way.

The service does not include:

- making our own decisions about public rights of way without reference to the laws which govern the ways we can make any changes to the Definitive Map.

Revised April 2009

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Contact us:

Streets and Open Spaces **01934 888 802**
www.n-somerset.gov.uk

Frequently asked questions

1. How do I know that a particular route is a public right of way?

The Definitive Map is a legal document that records public rights of way. We are responsible for keeping it up-to-date and available for inspection by the public. The Ordnance Survey bases their published maps on our Definitive Map although publication dates can lead to some discrepancies. Public rights of way are signposted where they leave the road and waymarked as necessary.

2. Can I alter the Definitive Map?

If you have supporting evidence, you can apply for a Definitive Map Modification Order. This might add, delete or change the status of a route. It is a complex procedure governed by Section 53 and Schedules 14 and 15 of the Wildlife and Countryside Act 1981. Please contact us for help if you want to apply.

3. How do I divert a public right of way?

You can apply for a Diversion Order under Section 119 of the Highways Act 1980. The new route must be as suitable as the existing route when it is in good condition. If the diversion is in the landowner's interest, there will be a charge.

4. How do I remove a public right of way?

In theory, it is possible to remove a public right of way under the Highways Act if you can show that the route is no longer needed. In practice this is very rare.

5. I wish to develop a plot of land, but need to alter a public right of way. What do I do?

The Town and Country Planning Act provides powers to divert or remove a public right of way where this is necessary to let you develop land for which you have planning permission. The effect on the public right of way should be advertised along with the planning application. There will be a charge for making the order.

6. Do public rights stop when a route is not used?

No.

7. Will the right to roam make public rights of way irrelevant?

The new rights of access will only apply to the areas shown on the access maps. You will still rely on public rights of way to access and enjoy the countryside.