



How to make a claim for a Public Right of Way

Guidance notes on applications for definitive map modification orders

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If there are any objections received regarding the claim then a public inquiry may be required to resolve the objections. The Highway Authority will lead on this on your behalf.

In the event of a public inquiry taking place, a Planning Inspector will decide whether to confirm the order or not.

What happens if the order is confirmed?

If the order is confirmed the route will be added to the Definitive Map.

What happens if the order is not confirmed?

The route will not be added to the definitive map and will no longer be available to use.

This leaflet has been developed as a result of the Merseyside Rights of Way Improvement Plan – a 10-year strategy for improving the Public Rights of Way network for all types of users. For further information, please contact the relevant Public Rights of Way Officer for the area in question:

Merseyside District	Contact	Contact Tel.	Email Address
Knowsley Metropolitan Borough Council	Mr Bernard Maloney	0151 443 2289	Bernie.Maloney@knowsley.gov.uk
Liverpool City Council	Mr Mike Cassidy	0151 233 5230	Michael.Cassidy@liverpool.gov.uk
Sefton Metropolitan Borough Council	Mrs Val Hough	0151 934 4206	Val.Hough@technical.sefton.gov.uk
St Helens Metropolitan Borough Council	Mr James Widdop	01744 456 652	Jameswiddop@stelens.gov.uk
Wirral Metropolitan Borough Council	Mr Robin Tutchings	0151 606 2480	Robintutchings@wirral.gov.uk

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What is the Definitive Map?

The definitive map is a record of the location and status of public rights of way. Each Highway Authority on Merseyside maintains its own maps for routes within their area. These maps are conclusive evidence of the existence of the rights of way shown on it. You can view the maps by prior arrangement with your respective rights of way officer.

Changing the Definitive Map.

Anyone can apply to amend the Definitive Map if they have evidence, which proves that the Map is inaccurate or incomplete.

How much will a claim cost me?

Depending upon the individual circumstances and nature of the claim, there may be a charge incurred.

Why make a claim for a route?

If you believe that a right of way exists and has been used in excess of 20 years you should make a claim for it if:

- You believe you have a right to use it.
- You have been stopped from using it.
- Challenged about using it.
- Has had access blocked by an obstruction.

Once you make a claim for a route the relevant Highway Authority can investigate on your behalf whether a right of way has been established and make an order to add the route to the Definitive Map if the claim is successful.

What type of route can be claimed?

- **Footpaths** – to be used on foot. You may also take a pram or a pushchair, wheelchair or invalid carriage if it is practical to do so. You may usually take a dog, though it should be kept under close control.
- **Bridleway** - the same rights as public footpaths, plus a right to ride a horse or bicycle.
- **Restricted Byway** - same rights as public bridleways, plus a right to drive a non motorised vehicle e.g. horse and carriage. But do not expect a smooth tarmac surface.

How do I make a claim?

In the first instance you should contact the Rights of Way Officer to discuss any potential claim, contact details are contained on this leaflet. Application forms and maps can be sent to you from the Rights of Way Officer in the Highway Authority.

Completed forms must be returned with maps or plans showing the claimed route and copies of the evidence that supports the application.

Evidence can consist of:

- Statements.
- Copies of transcripts of documents.
- Archive references (when original documents cannot be reproduced).
- Maps.
- Photographs.
- Title deeds.
- Published materials referring to the route in question.
- User evidence from people who have used the route (a standard form is supplied for this purpose by the Highway Authority).

What you must do.

- Complete and return all necessary documentation.
- Inform every owner and occupier of affected land about the claim and certify to the Highway Authority that this has been done. *

* Landowner's details may be available from the land registry if they cannot be obtained by local enquiry.

What we will do.

Upon receipt of your application we will:

- Send you a written acknowledgement, detailing the claims policy.
- Investigate your claim following the claims policy guidance.
- Record your application on a register, which is available for public inspection.

What happens next?

Based on the evidence you supply the Highway Authority will make a decision whether to confirm the order for the claim. You will be advised of the outcome.