

Definitive Map Modification Order Applications Frequently Asked Questions for Landowners

Thank you for reading this note which explains why we have applied for a Definitive Map Modification Order (DMMO) to record a right of way, such as a public bridleway, across your land and what may happen next. This is a summary of the process, and you may wish to get your own independent advice.

What are Public Rights of Way and who can use them?

Public rights of way are minor highways, protected by law, that any member of the public is entitled to use. The four categories of public rights of way are:

- Footpath – use on foot
- Bridleway – use on foot, horseback and pedal cycle
- Restricted Byway – use on foot, horseback, pedal cycle and non-mechanically propelled vehicles (e.g. horse-drawn vehicles)
- Byway Open to All Traffic – use on foot, horseback, pedal cycle, horse-drawn and motorised vehicles

Public rights of way are legally recorded on a document called the Definitive Map which is held by the County Council or Unitary Authority (“the Council”) for an area. If errors or omissions are spotted on the Definitive Map, they can be corrected by means of a Definitive Map Modification Order (DMMO).

What is a DMMO?

A DMMO is a Definitive Map Modification Order. A DMMO does not create a new right of way; it adds an existing right of way to the record or corrects an error on the record.

First compiled in the 1950s, the Definitive Map recorded the status of a path and the route the path followed. At this time, the emphasis in the instructions was on footpaths, meaning many bridleways and byways were recorded incorrectly, or not at all.

Anyone can apply to the Council for a DMMO if they have evidence that a route has been missed off the map in error. The evidence might be historical maps and records, or evidence of more recent use by the public.

Why have I been sent this notice and what does it mean?

You have been sent a notice because it appears that you own or occupy land crossed by or close to a route affected by a DMMO application to record a public bridleway or byway. The notice will give you brief details of the route being claimed.

We normally get landownership details from HM Land Registry -

www.gov.uk/government/organisations/land-registry - but sometimes our information will be based on local enquiries and knowledge. Where we cannot reasonably identify the owners of land, the Council

permits us to put up a notice at the ends of the path. If you do not have an interest in the land, then you can ignore the notice, and we apologise for any confusion or concern caused.

How do I get more information about the application?

The Council will be able to provide further details of the application. The Council is obliged to keep a register of all valid applications, and this register should be available online. Not all councils have done this yet – if you cannot find it, you should contact your council's Rights of Way team to find out more.

Why is the British Horse Society making this application?

The BHS is the country's largest and most influential equestrian charity in the UK with over 125,000 members, seeking to improve education, equestrian welfare, access and safety. The vast majority of horse riders and carriage drivers wish to ride out on safe, traffic-free routes and thus the bridleway and byway network is key to us.

The BHS initiated Project 2026 as due to a proposed change in the law in 2026, meaning any historical bridleways (and footpaths) which had not been recorded on the Definitive Map by then would be extinguished, and the public's right to use them would end. The government has changed its mind several times on this provision; most recently in 2024, it announced that it intends to repeal it but, as yet, there has been no indication of when this might happen. In the face of such uncertainty, the need to safeguard these unrecorded equestrian routes remains as important as ever. Consequently, the BHS is working hard with other groups such as the Ramblers to research and apply for routes for which we have evidence should be recorded on the Definitive Map but are not currently.

What happens next? Can I object to the application?

The application will be considered by the Council. Many councils have large backlogs of applications and sometimes it will be several years until a new application is dealt with. When they do consider it, put simply they must decide "on the balance of probabilities" whether the claimed right exists or not. They will look at the evidence submitted with the application and any other evidence that is available to them.

If you disagree with the application, you can object to it, and any DMMO that is made. However, objections must be based on evidence of whether the claimed rights actually exist. Objections on the grounds that the route would be unsuitable, a nuisance, or intrude on your privacy for example, are not relevant to that and would be disregarded. However, it may be possible to negotiate with the Council to agree an alternative alignment for the route to make it more acceptable.

Useful Information

- You can find details of your local council at <https://www.gov.uk/find-local-council>
- More information about the DMMO process is available online from the following Government departments/agencies:
 - Natural England: 'A guide to definitive maps and changes to public rights of way': <https://www.gov.uk/government/publications/definitive-maps-of-public-rights-of-way-change-the-legal-records>
 - Department of Environment, Food and Rural Affairs: Circular 1/09, www.gov.uk/government/publications/rights-of-way-circular-1-09
 - The Planning Inspectorate - www.planningportal.gov.uk/planning/countryside/rightsofway/rightsofway

Contact us

You can email access@bhs.org.uk or call 02476 840515. Our usual office hours are Monday-Thursday 8:35am-5:00pm, and Fridays 8:35am-3pm. BHS is closed on Bank Holidays.