

This guidance is included with the definitive map modification order (DMMO) application pack and covers the steps you need to take to submit your application to City of York Council. It does not cover the kinds of evidence you need to support your application. Please see the document titled “EVIDENCE GUIDANCE” for information on what you should look for to support your application.

Content of the application pack

Before you begin putting together your application please check you have all the various forms and guidance listed below:

- i. Application form – you should have **one** of these for **each** route you wish to make an application for; it has “APPLICATION” in the top right corner of the form.

In addition to the application form your application pack should also have two sets of guidance notes:

- ii. These guidance notes called “SUBMITTING AN APPLICATION”.
- iii. Guidance notes on the kinds of evidence you need to support your application. These are titled “EVIDENCE GUIDANCE”.

Finally, if the evidence supporting your application includes long use of the route by members of the public you should also have a “PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT” and “COMPLETING YOUR EVIDENCE STATEMENT” guidance note. You need to ask people who have used the route to fill these forms in to record their evidence. Please give them a copy of the guidance note as well.

Please note all of the above documents are available to download on our website www.york.gov.uk/DefinitiveMap

If any of these parts of the application pack are missing please get in touch with us as quickly as possible for replacements. You can get in touch with us in the following ways:

By email: rightsofway@york.gov.uk

By telephone: 01904 551550

By letter: The Rights of Way Officer, Rights of Way, City of York Council, West Offices, Station Rise, YORK, YO1 6GA.

Starting your application

Thinking about the route that you are making this application for, which **one** of the following three options are you trying to do?

- i. ADD a route to the definitive map – go to Section 1 (page 3).
- ii. CHANGE a route that is already recorded on the definitive map – go to Section 2 (page 5).
- iii. REMOVE a route that is already recorded on the definitive map – go to Section 3 (page 7).

If you are trying to do more than one of these you will need to complete a separate “APPLICATION” form for each option. You will also need to serve separate “NOTICE” on each affected land owner and send us a separate “CERTIFICATE” for each route that you have completed an APPLICATION form for. If you need extra forms please get in touch with us.

Section 1 – ADD a route to the definitive map

Please use the following check list to guide you through making your application.

Stage 1		✓
Gather your evidence	Take copies of all the documents you believe show the application route is a public right of way. Gather as many user evidence statements as you can.	
Make an application map	<p>This map must:</p> <ol style="list-style-type: none"> i. Indicate the application route as clearly as possible. ii. Be on a detailed base map. iii. Relate to one application route only. iv. Be at a scale of between 1:1 and 1:25000. <p>Make sure you have copies (paper or electronic) because you will need to provide a copy of this map with every notice you serve on a land owner or occupier. If you are having difficulty getting hold of a suitable map please get in touch with us.</p>	
Complete the APPLICATION form	<ol style="list-style-type: none"> i. Fill in your name and address in the spaces at the top of the form. ii. Complete part 2 only. iii. List all your evidence in the space provided. iv. Sign and date the form. v. Fill in the name of the parish or ward where the application route is located. 	
<p>Now send your completed application form, application map, and copies of all evidence to:</p> <p>The Rights of Way Officer, Rights of Way, City of York Council, West Offices, Station Rise, YORK, YO1 6GA.</p> <p>We will then make a preliminary assessment of the evidence after which we will send to you with a NOTICE and a CERTIFICATE. Once you have received this you can move to stage 2.</p>		
Stage 2		✓
Complete a NOTICE for each land owner and occupier affected by the application route.	<ol style="list-style-type: none"> i. Fill in the land owner or occupier's name and address in the space provided. ii. Fill in your name and address in the space provided. iii. Complete part 2 only. iv. Sign and date the form. v. Fasten a copy of the application map to the NOTICE. <p>If you are having trouble tracing a land owner please get in touch with us.</p>	

<p>Serve the completed NOTICES on the relevant land owners and occupiers.</p>	<p>You should make a note of when you do this for each affected land owner or occupier. Remember, failure to serve notice on all affected land owners and occupiers will render your application invalid.</p>	
<p>Complete the CERTIFICATE.</p>	<ul style="list-style-type: none"> i. Fill in your name and address in the space provided. ii. Sign and date the form. iii. List all the people on whom you served notice. iv. (Optional) if you have addresses for the people you served notice on it would be helpful to include that as a separate list along with the date you served notice. 	
<p>Now send your completed certificate and any list of addresses to:</p> <p>The Rights of Way Officer, Rights of Way, City of York Council, West Offices, Station Rise, YORK, YO1 6GA.</p> <p>We will then check you application is correct. If it is then we will write to you confirming acceptance the application and setting out what happens next. If it is not correct we will write to you setting out what you need to do to correct it.</p>		

Section 2 - CHANGE a route that is already recorded on the definitive map

If your application is seeking to change a route that is all ready recorded on the definitive map please use the check list below to guide you through making your application.

Important note – In law the definitive map and statement is conclusive proof that a public right of way of the status and description shown on the map and statement exists. In order to have any chance of overturning that presumption your evidence must be new and significant. Before trying to make an application like this it is recommended that you get in touch with us. You can contact the rights of way team on 01904 551550 or email rightsofway@york.gov.uk.

Stage 1		✓
Gather your evidence	Take copies of all the documents you believe show that the route shown on the definitive map is incorrect. Gather as many user evidence statements as you can but please bear in mind that evidence that people did not use the route shown on the definitive map is unlikely to be enough to make a change to the map on it own.	
Make an application map	<p>This map must:</p> <ul style="list-style-type: none"> i. Indicate the application route as clearly as possible. If your application is trying to change the route of a public right of way please show the existing route as well. ii. Be on a detailed base map iii. Relate to one application route only iv. Be at a scale of between 1:1 and 1:25000. <p>Make sure you have copies (paper or electronic) because you will need to provide a copy of this map with every notice you serve on a land owner or occupier. If you are having difficulty getting hold of a suitable map please get in touch with us.</p>	
Complete the APPLICATION form	<ul style="list-style-type: none"> i. Fill in your name and address in the spaces at the top of the form. ii. Complete either part 3 (to change the status of a route) or part 4 (to change the definitive statement). iii. List all your evidence in the space provided. iv. Sign and date the form. v. Fill in the name of the parish or ward where the application route is located. 	
<p>Now send your completed application form, application map, and copies of all evidence to:</p> <p>The Rights of Way Officer, Rights of Way, City of York Council, West Offices, Station Rise, YORK, YO1 6GA.</p> <p>We will then make a preliminary assessment of the evidence after which we will send to you with a NOTICE and a CERTIFICATE. Once you have received this you can move to stage 2.</p>		

Stage 2		✓
Complete a NOTICE for each land owner and occupier affected by the application route.	<ul style="list-style-type: none"> i. Fill in the land owner or occupier's name and address in the space provided. ii. Fill in your name and address in the space provided. iii. Complete either part 3 (to change the status of a route) or part 4 (to change the definitive statement). iv. Sign and date the form. v. Fasten a copy of the application map to the NOTICE. <p>If you are having trouble tracing a land owner please get in touch with us.</p>	
Serve the completed NOTICES on the relevant land owners and occupiers.	<p>You should make a note of when you do this for each affected land owner or occupier.</p> <p>Remember, failure to serve notice on all affected land owners and occupiers will render your application invalid.</p>	
Complete the CERTIFICATE.	<ul style="list-style-type: none"> v. Fill in your name and address in the space provided. vi. Sign and date the form. vii. List all the people on whom you served notice. viii. (Optional) if you have addresses for the people you served notice on it would be helpful to include that as a separate list along with the date you served notice. 	
<p>Now send your completed certificate and any list of addresses to:</p> <p>The Rights of Way Officer, Rights of Way, City of York Council, West Offices, Station Rise, YORK, YO1 6GA.</p> <p>We will then check you application is correct. If it is then we will write to you confirming acceptance the application and setting out what happens next. If it is not correct we will write to you setting out what you need to do to correct it.</p>		

Section 3 - REMOVE a route that is already recorded on the definitive map

If your application is seeking to remove a route that is all ready recorded on the definitive map please use the check list below to guide you through making your application.

Important note – In law the definitive map and statement is conclusive proof that a public right of way of the status and description shown on the map and statement exists. In order to have any chance of overturning that presumption your evidence must be new and significant. Before trying to make an application like this it is recommended that you get in touch with us. You can contact the rights of way team on 01904 551550 or email rightsofway@york.gov.uk.

Stage 1		✓
Gather your evidence	Take copies of all the documents you believe show that the route shown on the definitive map is incorrect. Gather as many user evidence statements as you can but please bear in mind that evidence that people did not use the route shown on the definitive map is unlikely to be enough to make a change to the map on it own.	
Make an application map	<p>This map must:</p> <ul style="list-style-type: none"> i. Indicate the application route as clearly as possible.. ii. Be on a detailed base map iii. Relate to one application route only iv. Be at a scale of between 1:1 and 1:25000. <p>Make sure you have copies (paper or electronic) because you will need to provide a copy of this map with every notice you serve on a land owner or occupier. If you are having difficulty getting hold of a suitable map please get in touch with us.</p>	
Complete the APPLICATION form	<ul style="list-style-type: none"> i. Fill in your name and address in the spaces at the top of the form. ii. Complete part 1 only. iii. List all your evidence in the space provided. iv. Sign and date the form. v. Fill in the name of the parish or ward where the application route is located. 	
<p>Now send your completed application form, application map, and copies of all evidence to:</p> <p>The Rights of Way Officer, Rights of Way, City of York Council, West Offices, Station Rise, YORK, YO1 6GA.</p> <p>We will then make a preliminary assessment of the evidence after which we will send to you with a NOTICE and a CERTIFICATE. Once you have received this you can move to stage 2.</p>		

Stage 2		✓
Complete a NOTICE for each land owner and occupier affected by the application route.	<ul style="list-style-type: none"> i. Fill in the land owner or occupier's name and address in the space provided. ii. Fill in your name and address in the space iii. Complete part 1 only. iv. Sign and date the form. v. Fasten a copy of the application map to the NOTICE. <p>If you are having trouble tracing a land owner please get in touch with us.</p>	
Serve the completed NOTICES on the relevant land owners and occupiers.	<p>You should make a note of when you do this for each affected land owner or occupier.</p> <p>Remember, failure to serve notice on all affected land owners and occupiers will render your application invalid.</p>	
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