**KNOWSLEY METROPOLITAN BOROUGH COUNCIL**

**APPLICATION FOR A MODIFICATION ORDER**

**DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY**

**WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53(1) SCHEDULE 14**

|  |  |
| --- | --- |
| **TO:** | **KNOWSLEY METROPOLITAN BOROUGH COUNCIL**HIGHWAYS AND CAPITAL DELIVERY - DEVELOPMENT CONTROLMUNICIPAL BUILDINGSARCHWAY ROADHUYTONMERSEYSIDEL36 9UX |
| 1. **APPLICANT DETAILS**
 |
| FULL NAME: | Enter your full name |
| ADDRESS: | Address line 1 |
|  | Address line 2 |
|  | Address line 3 |
| POSTCODE: | Postcode |
| TELEPHONE NUMBER: | Telephone number |
| EMAIL: | Email address |
| 1. **LEGAL APPLICATION STATEMENT**
 |
| \*Choose from the list provided hereby apply for an order under Section 53(5) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by(iii):-(🗷 Select one or more options and provide details for each) |
|[ ]  **ADD A PUBLIC RIGHT OF WAY** |
| **TYPE OF WAY:** | CHOOSE A TYPE OF WAY FROM THE LIST |
| **FROM:** | ENTER THE STARTING LOCATION | **OS GRID REF:** | OS GRID REF |
| **TO:** | ENTER THE ENDING LOCATION | **OS GRID REF:** | OS GRID REF |
| **WARD:** | CHOOSE A KNOWSLEY WARD FROM THE LIST |

|  |  |
| --- | --- |
|[ ]  **DELETE A PUBLIC RIGHT OF WAY** | **EXISTING ROUTE No:** |
|  |  | SEE NOTE 2.3 |
| **TYPE OF WAY:** | CHOOSE A TYPE OF WAY FROM THE LIST |
| **FROM:** | ENTER THE STARTING LOCATION | **OS GRID REF:** | OS GRID REF |
| **TO:** | ENTER THE ENDING LOCATION | **OS GRID REF:** | OS GRID REF |
| **WARD:** | CHOOSE A KNOWSLEY WARD FROM THE LIST |
|  |  |  |
| [ ]  | UPGRADE OR DOWNGRADE **A PUBLIC RIGHT OF WAY** | **EXISTING ROUTE No:** |
|  |  | SEE NOTE 2.3 |
| **TYPE FROM:** | CHOOSE A TYPE OF WAY FROM THE LIST |
| **TYPE TO:** | CHOOSE A TYPE OF WAY FROM THE LIST |
| **FROM:** | ENTER THE STARTING LOCATION | **OS GRID REF:** | OS GRID REF |
| **TO:** | ENTER THE ENDING LOCATION | **OS GRID REF:** | OS GRID REF |
| **WARD:** | CHOOSE A KNOWSLEY WARD FROM THE LIST |
|  |  |  |
| [ ]  | **MAKE A CHANGE TO A PUBLIC RIGHT OF WAY** | **EXISTING ROUTE No:** |
|  |  | SEE NOTE 2.3 |
| **TYPE OF WAY:** | CHOOSE A TYPE OF WAY FROM THE LIST |
| **FROM:** | ENTER THE STARTING LOCATION | **OS GRID REF:** | OS GRID REF |
| **TO:** | ENTER THE ENDING LOCATION | **OS GRID REF:** | OS GRID REF |
| **DETAILS OF CHANGE YOU WISH TO REQUEST:** | STATE THE VARIATION REQUESTED – E.G WIDTH, ALIGNMENT, STATUS OR TERMINATION |
| **WARD:** | CHOOSE A KNOWSLEY WARD FROM THE LIST |
| and is also shown on the mapped annexed hereto (see notes overleaf) |
| \*Choose from the list provided attach copies of the documentary evidence to this application, as set out overleaf, including Statement of Witnesses. |
| SIGNED: |  | DATE: | DD / MM / YYYY |

## NOTES FOR GUIDANCE

[Please read carefully]

1. **WHAT THIS FORM IS FOR**
	1. You can use this form to apply to Knowsley Metropolitan Borough Council to **change the Definitive Map and Statement**.
	2. You may wish to:
* **Add** a new route to the map
* **Delete** a route from the map
* **Change** the status of an existing route, OR
* **Make a change to** the information shown on the map

1.3This is alegal process under **Schedule 14 of the Wildlife and Countryside Act 1981.**

***NOTE:*** *It is important that you complete this form correctly and accurately. If something is missed or incorrect you risk the application being invalid and as such, not accepted by the Council.*

**2. HOW TO FILL IN THIS FORM**

2.1 This form asks you to state what change you want to make to the Definitive Map and Statement. You should choose your answers using the drop-down lists and check boxes where provided.

 You will need to say:

* What the change is (add, delete, upgrade, downgrade, vary)
* What type of path it currently is (footpath, bridleway, restricted byway or byway open to all traffic)
* Where the route starts and ends

2.2 To help is identify the route clearly, you should include OS Grid References. You can find grid reference numbers for any location in the UK using the free tool here - [Grid Reference Finder](https://gridreferencefinder.com/).

2.3 Please include the route number for the existing Right of Way or track as shown on the Knowsley Highways Mapping Tool. You can access the tool here - [Highways Mapping](https://highways.knowsley.gov.uk/). This will help us process your application more efficiently.

2.4 ROUTE TYPES

 If you are unsure, you can use the simple definitions below.

* **Footpath** – A path that only pedestrians can use
* **Bridleway** – A path for pedestrians, cyclists, horse riding (or leading a horse). It is also permitted to lead animals such as sheep or cows along a bridleway. No motor vehicles are allowed to use it.
* **Restricted Byway** – A route for walking, horse riding, cycles and horse drawn carts. No motor vehicles are allowed to use it, however mobility scooters and powered wheelchairs are.
* **Byway Open to All Traffic (BOAT)** – A route which is open to all kinds of traffic, including cars and motorcycles, but they are mostly used like a footpath or bridleway.

For further information, please refer to [Rights of Way and Accessing Land (GOV.UK)](https://www.gov.uk/right-of-way-open-access-land/use-public-rights-of-way)

2.5 MAP

 You **must** include a map with your application. It should clearly show:

* Where the route starts (Point A)
* Where the route ends (Point B)
* The full line of the route you want to change

***NOTE:*** *The map should be at a scale of at least 1:25,000, but ideally should be 1:10,000 or 1:2.500. If you are making more than one application, you* ***must*** *include a separate map for each route.*

2.6 EVIDENCE

 You **must** include copies of any evidence that supports your application. This may be:

* Old maps
* Letters
* Legal documents
* Statements from witnesses or users of the route

*If a document can’t be copied, i.e. legal or archive reasons, explain why this is the case in writing as part of your application.*

Include:

* **Certified photocopies** if possible (in colour if the original is coloured or unclear)
* A list of the documents included on Form G, stating where they came from

2.7 LANDOWNER NOTIFICATION

If you are applying to change the Definitive Map and Statement, you are obligated to inform the people who own the land over which the route exists.

**This is a** **Legal Requirement.**

As part of your application to the Council, you must provide evidence that you have sent a **notice** to every landowner or person with a legal interest in the land affected by your application. This is called **serving notice.**

You need to do this within 28 days of submitting the application form (FORM A) to the Council.

You can use FORM B provided in the application pack to serve notice on landowners.

If you are unable to establish the identity of the landowner after trying, you must place a notice on the land, e.g. on a gatepost or fence, and provide photographic evidence of this to the Council.

If the above is not completed, then your application will be deemed invalid.

2.8 SUBMITTING YOUR APPLICATION

Once you are satisfied that your application is complete and you have gathered all of your evidence (maps, historic documents, user evidence etc.), you must send your application to Knowsley Metropolitan Borough Council.

You can do this by email or by post:

📧 **SEND BY EMAIL**

* Email your completed application to HighwaysDC@Knowsley.gov.uk
* Make sure that you include “DMMO Application for [ROUTE DESCRIPTION] in the subject line
* Make sure that your supporting documents are clear and complete
* Attach all files as PDFs or scanned images

*Please be aware that we can only accept email attachments up to 20MB in size, if your files are larger than this, send them across in multiple emails and clearly number them in the subject line (e.g. DMMO Application for Tarbock Road [Email 1 of 3])*

 📮 **SEND BY POST**

* Post your completed form and supporting documents to:

**Highways and Capital Delivery – Development Control (PROW)**

Knowsley Metropolitan Borough Council

Municipal Buildings

Archway Road

Huyton

Merseyside

L36 9UX

 Make sure you include:

* The completed **FORM A**
* A **clear map** showing the route
* Copies of all **supporting evidence**
* A list of your evidence using **FORM G**

If you are sending the form by post, we recommend using **recorded delivery** so you have proof of posting.

**3. WHAT HAPPENS NEXT?**

After you submit your application:

* The Council will conform receipt of the application and state whether it is valid or invalid
* If the application is deemed invalid, you will have 28 days to rectify the issues raised. If they are not rectified, then the application will be treated as withdrawn
* Once validated, the Council has **12 months** to decide whether to amend the Definitive Map and Statement in accordance with your application
* A report of recommendation will be compiled by a Public Rights of Way Officer and the decision made by the Assistant Executive Director for Development and Infrastructure
* If the Council fails to reach a decision within 12 months, you can write to the Secretary of State to ask them to step in
* You will be informed in writing of the decision made following the investigation into the evidence provided in your application
* If the Council informs you that they have made a decision and you disagree with it, you have **28 days** to appeal this decision to the Secretary of State

**NEED HELP?**

If you need help filling in this form or understanding the process, please contact the Council’s Public Rights of Way Team. They will help in completing the form and can answer any questions on the process. You can contact the team via the email – HighwaysDC@Knowsley.gov.uk

**NEED A PAPER VERSION?**

If you would prefer a **printable version** of this form to fill by hand, please contact us at HighwaysDC@Knowsley.gov.uk. We can send you a printable form and guidance pack in the post or by email.