

Public Guidance Note 14

Review of the Definitive Map and Statement Landowner Guidance

These guidance notes explain what the parish review of the Definitive Map and Statement (DMS) was and how claims for rights of way under the parish review are dealt with.

If a claim has been made to add a right of way on your property, or if evidence has been discovered during a parish review, which indicates that a right of way may cross your property, these notes explain what will happen and how you can put your views forward.

What is the Definitive Map and Statement of Public Rights of Way?

The DMS is the legal record of public rights of way. Not all paths and ways used by members of the public as rights of way are recorded on the DMS; therefore, it is only a minimum record.

Why does the DMS need to be reviewed?

Under the terms of the Wildlife and Countryside Act 1981 Shropshire Council has a statutory duty to keep the Definitive Map under continuous review. The Act also states that if evidence is discovered indicating that a public right of way exists that is not recorded on the DMS, the council must investigate that evidence and, if necessary, publish a legal order to record the right of way on the DMS.

Shropshire Council initially fulfilled this duty by, reviewing the DMS on a district-by-district basis (based on the old district council areas) and each district was to be reviewed on a parish-by-parish basis.

Some people may have already submitted information or evidence to claim unrecorded rights of way across your land in the past. In some cases, people may claim a right of way where none is recorded at all on the DMS and in other cases people may claim a change in status; for example, that a footpath shown on the Map should be recorded as a bridleway. Additionally, the Council holds information about anomalies shown on the Map. Anomalies could be footpaths which become bridleways halfway along their length or rights of way that suddenly end in the middle of fields or at parish boundaries and go no further.

How can I find more information about the processes involved?

Since 2018 Shropshire Council fulfils its statutory duties under its current Statement of Priorities (Policy Statement No. 8), rather than through the parish review process. The Council has produced guidance notes for landowners and others involved in claims for rights of way. You may find the following notes particularly useful:

Public Guidance Note 12: Formal Application Process for Definitive Map Modification Orders 2024

Public Guidance Note 13: Applications to Change the Definitive Map Landowner Guidance

Public Guidance Note 15: Providing Personal Evidence in Rights of Way Cases

Public Guidance Note 16: Providing Documentary Evidence in Rights of Way Cases

Public Guidance Note 17: Objecting to Definitive Map Modification Orders

