

Don't Lose Your Way Lost Paths

The Definitive Map

Finding Lost Paths

Adding Lost Paths To The Map

Issues

The Definitive Map

The 1949 Act required all public rights of way to be recorded,

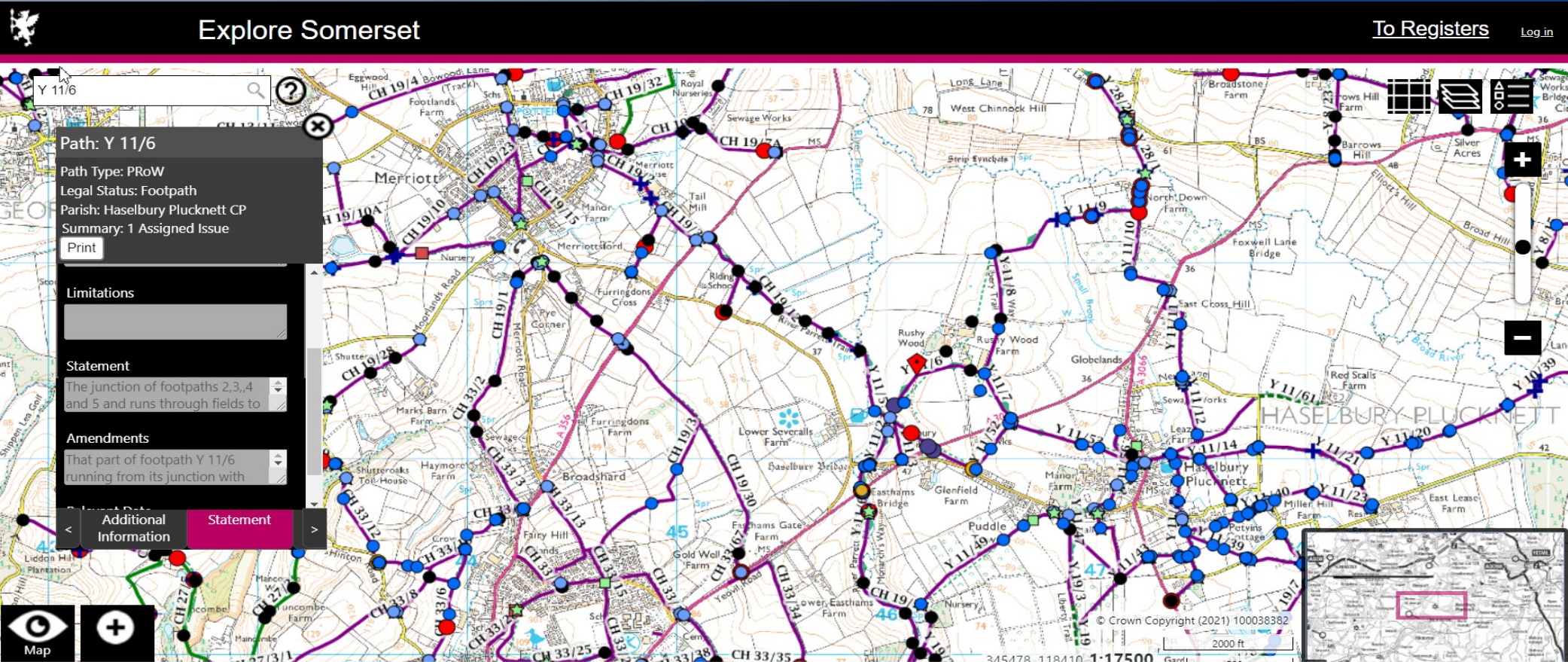
This was done by parish councils who then sent their survey to their local highway authority who created a definitive map of these.

Not all parishes acted in good faith and failed to record their paths. Mistakes were made in the information provided by them and drafting errors occurred.

The 1981 Act laid out the process for making changes to this map. This is called a Definitive Map Modification Order (DMMO Application).

2000 Act stated that all mistakes had to be rectified by 2026. So if a right of way was missed off an application had to be made by Jan 1 2026

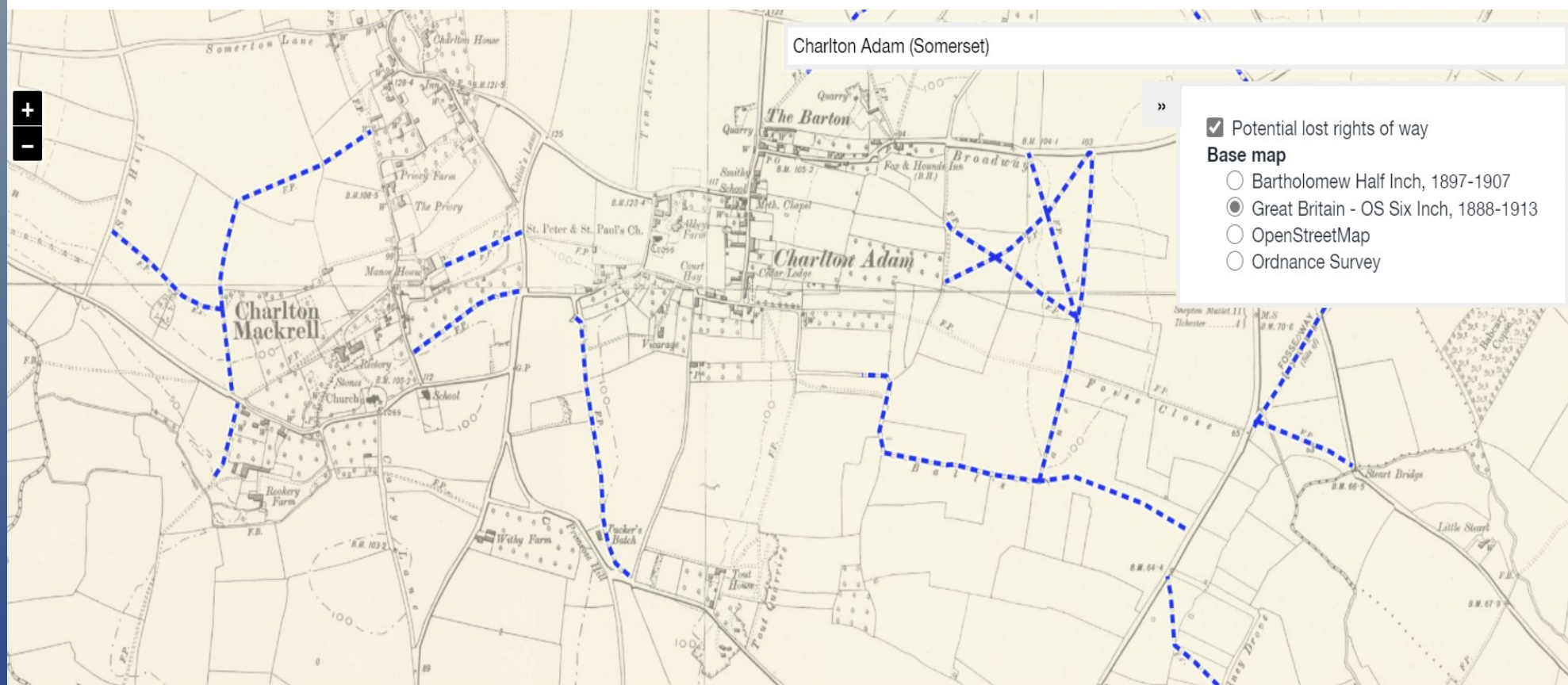
The Definitive Map



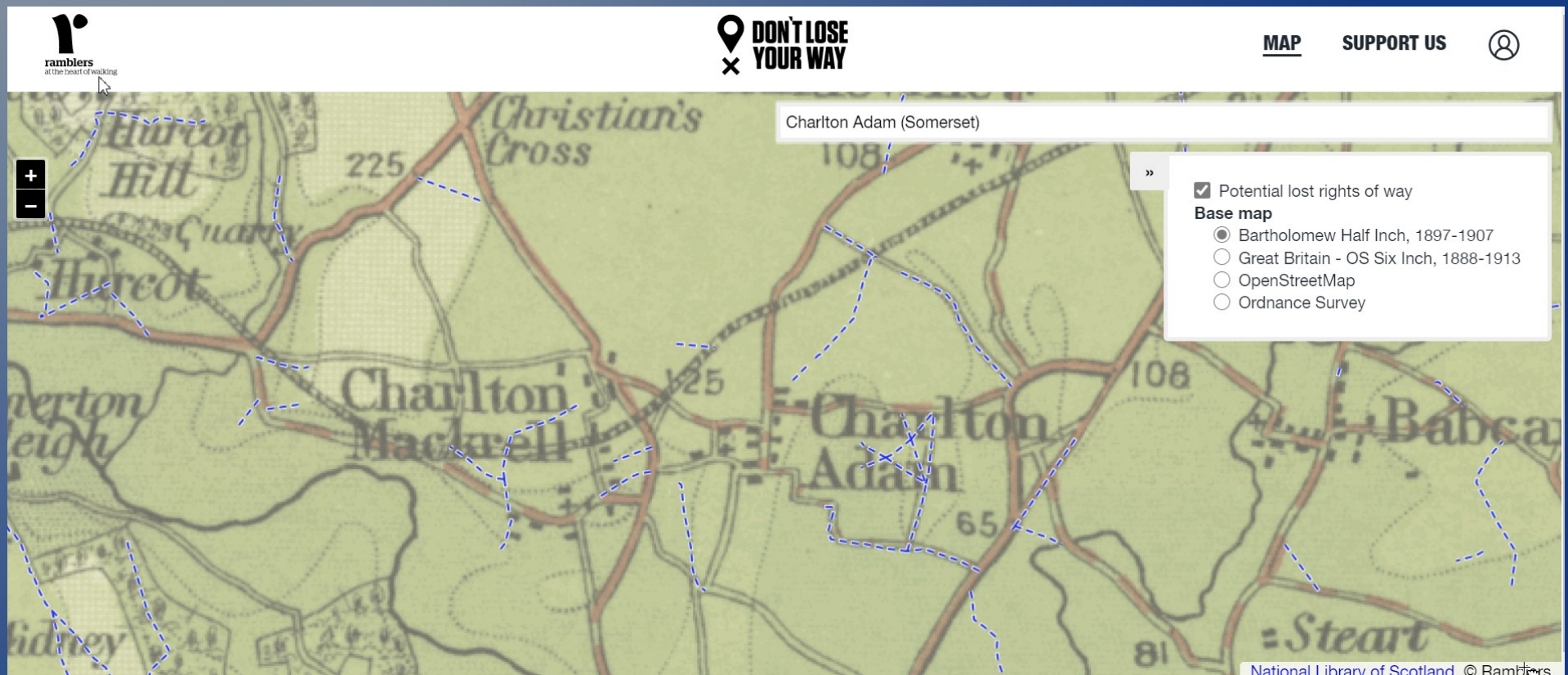
Finding Lost Paths

- The ramblers used volunteers to compare the 1888 to 1913 OS map and the Bartholomew map with the 2020 OS map and draw in the missing Footpaths and Bridleways.
- Volunteers looked at every square in England and Wales, Brian did 3,100
- The paths found were then validated by a different volunteer.

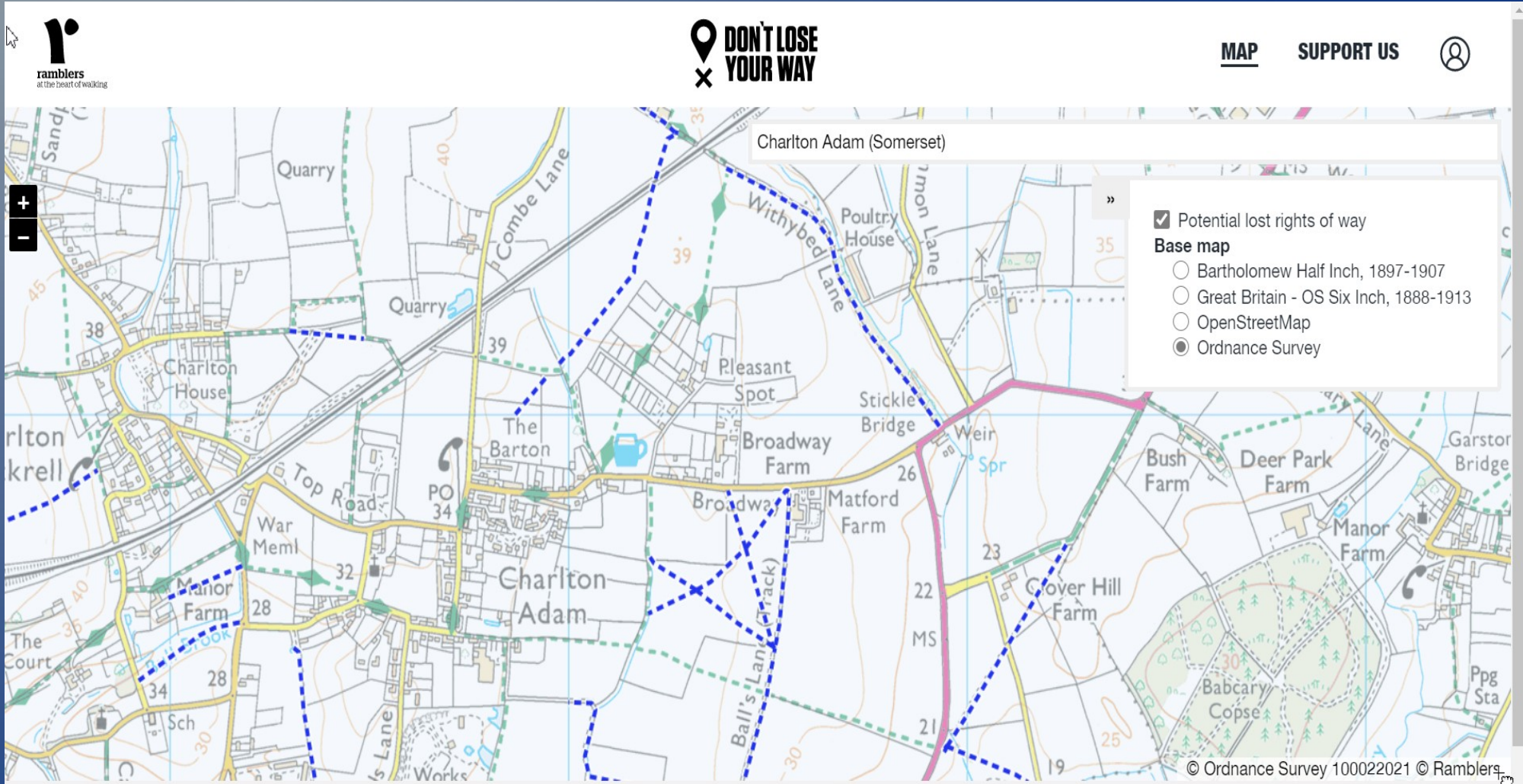
1888 to 1913 OS Map



The Bartholomew 1897 to 1907 Map



The OS Map



The Lost Paths

- 1,406 miles of lost paths were found in Somerset
- Not all the paths that were found can be claimed.
- They may have been legally stopped up, diverted, built over, lost due to quarrying or at the bottom of a reservoir

How Do We Get a Lost Path Onto The Definitive Map

- The Definitive Map Modification Application
 - We either have to prove 20 years of use without let or hindrance.
 - Or find sufficient evidence to prove on a balance of probabilities that the right of way existed in the past, has never been legally stopped up or diverted because Once a highway always a highway. Lack of use for however long does not stop the route having it rights
 - If we are claiming on historical evidence from maps etc then the application must be submitted prior to Jan 1 2026. Evidence can be added to the application subsequently

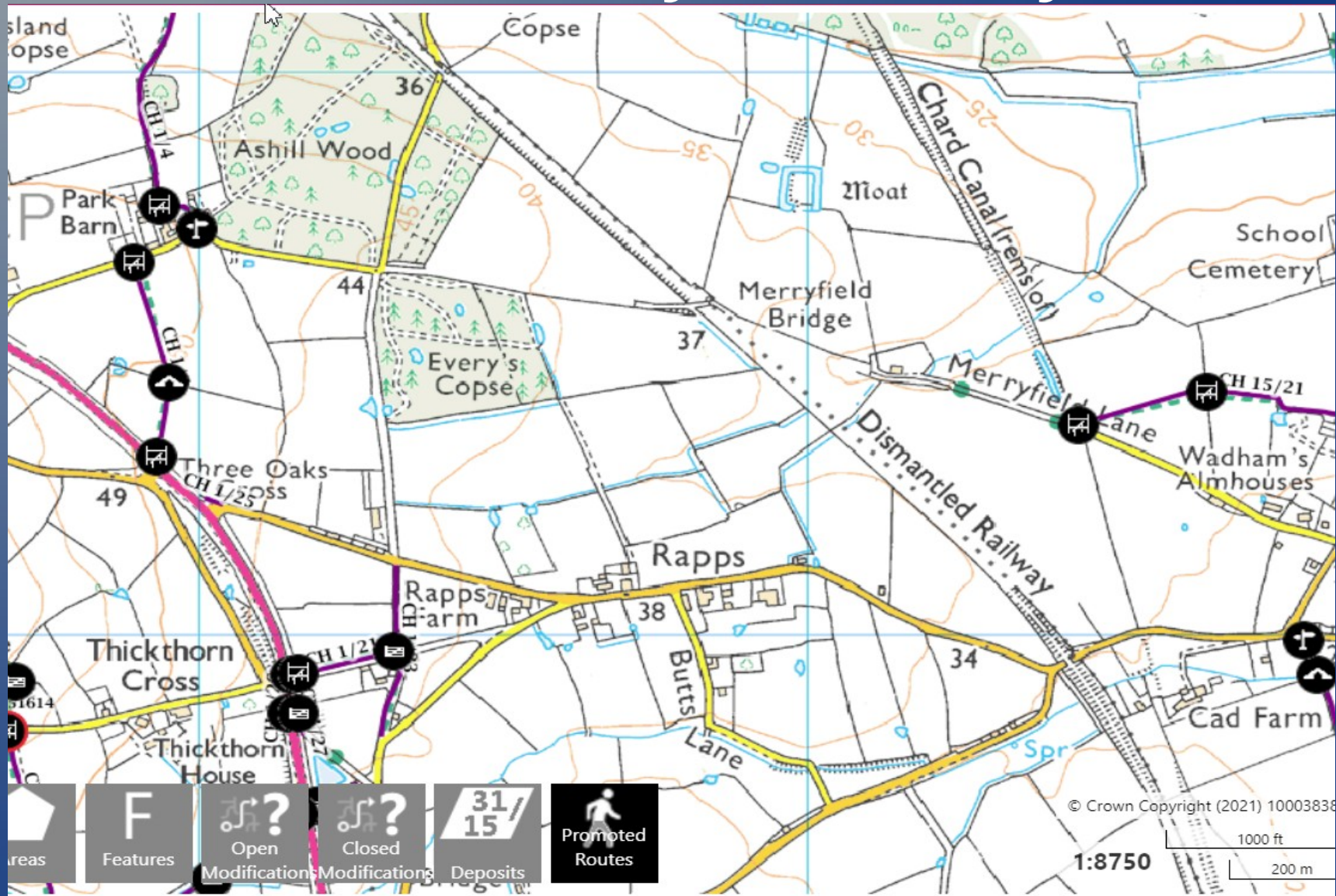
Where Do we Get The Evidence From

Type of Evidence	Value of Evidence in Stars . A total of 7 is recommended before submission
Route shown on early county or area map	2 for each one to a max of 4
Turnpike Records	5 if turnpike route 3 if links to turnpike
Inclosure Records	10 for routes set out in the award. 5 for others
Inclosure Exchange Records	Up to 3
Tithe Records	5
Parish / Estate /Manorial Maps	2 for each one to a max of 4
River and Drainage Authority Records	5
Railway and Canal Record	5
Ordnance Survey First Edition Maps Area Books	3 where area books provide land use information. 1 otherwise

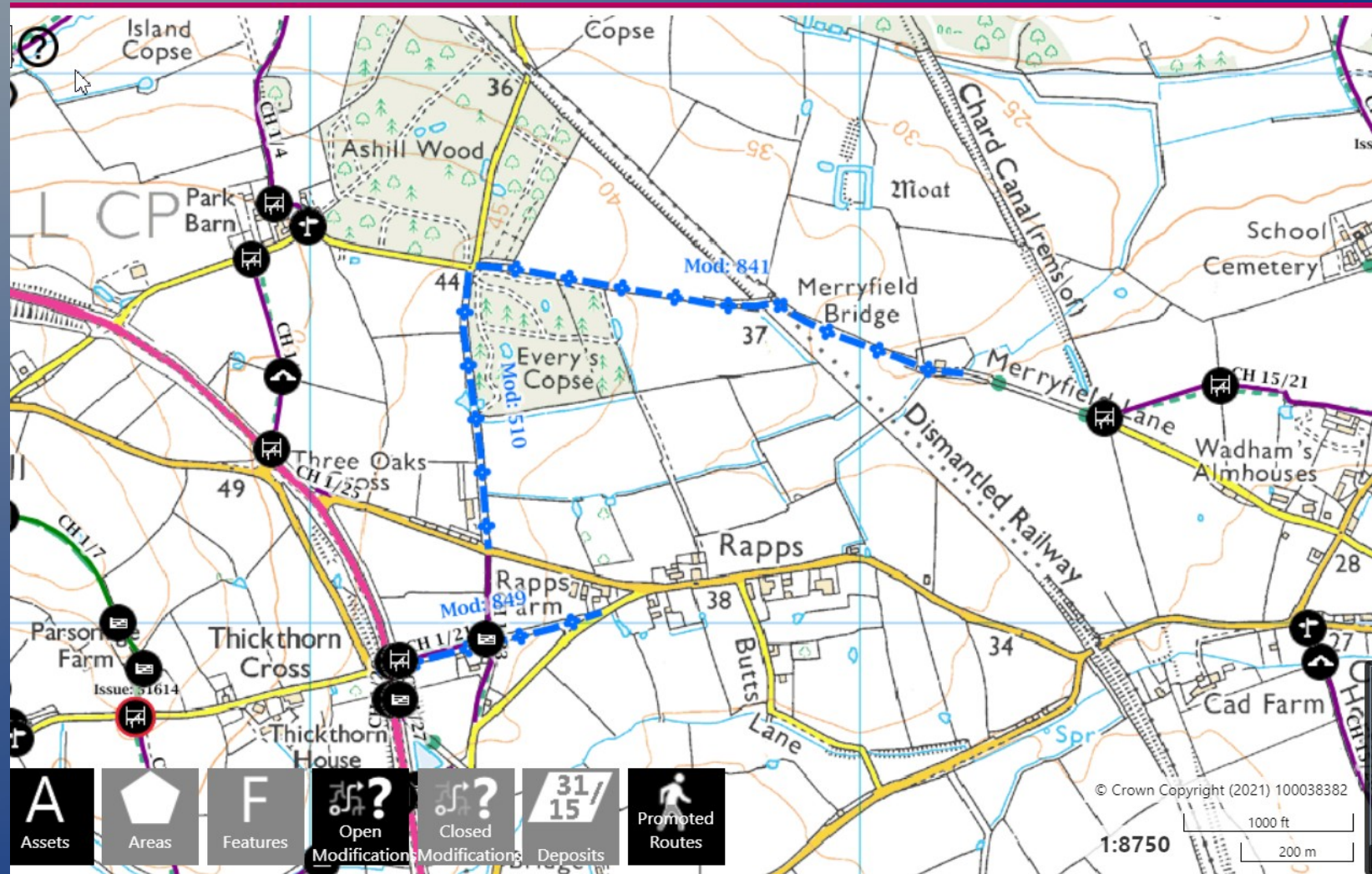
Where Do we Get The Evidence From

Type of Evidence	Value of Evidence
Highway Board Records	4
Main Road Orders	5
Quarter Session Records	10 if the order relates to the path in question. 5 if path is referred to.
Ordnance Survey Boundary Records	1 to 5
Ordnance Survey Object Name Books	1 to 4
Inland Revenue Valuation (Finance Act 1910)	1 to 2
Sales Documents and County Farm Valuations	3 to 5
Handover Maps	5
Stopping Up and Extinguishment Orders	10 if path is replacement highway 5 if mentioned
Ministry of Food Farm Survey Records	2

DMMO Application for Merryfield Way



DMMO Application for Merryfield Way



DMMO Application for Merryfield Way

- Merryfield Lane DMMO Application

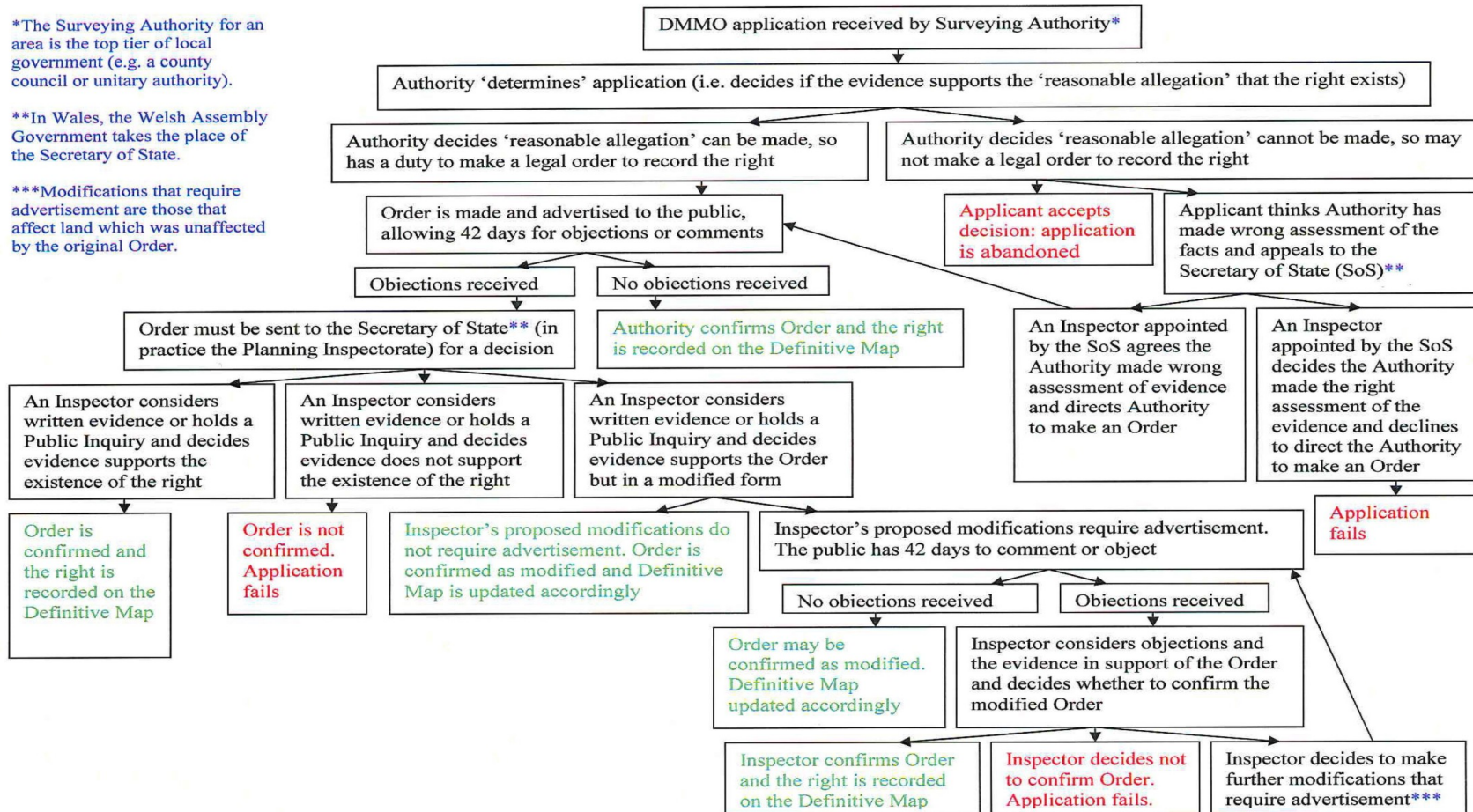
Click to Load
Lost Paths System

SCC's DMMO Application Process

*The Surveying Authority for an area is the top tier of local government (e.g. a county council or unitary authority).

**In Wales, the Welsh Assembly Government takes the place of the Secretary of State.

***Modifications that require advertisement are those that affect land which was unaffected by the original Order.



Somerset Area's Proposed Process

- Work with The Rambler DLYW project to define the system and process
- Consult with Somerset County Council Rights of Way to agree what they want.
- All DMMO applications submitted in the name of the ramblers must be approved by Les Stather and Brian Lucas
- Where possible work with Group Footpath Officer to classify the paths identified in the DLYW project into.
 - Already covered by an existing DMMO
 - Path has been legally closed or diverted
 - Path goes nowhere
- Work with Group Footpath Officer to identify paths that would be useful to the network.
- Check with Parish Council.

Issues

- Somerset are sitting on over 300 open DMMO applications and are only closing about 12 a year,
- How do ensure people can pick these DMMO applications up in the future.
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