Guidance Notes and Forms required for Service of Notice of a Definitive Map Modification Order to amend the Definitive Map and Statement of Public Rights of Way

The Wildlife and Countryside Act 1981

The Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993



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# Service of Notice of Application

### How to serve notice

1. **You are required to notify all owners and occupiers of any land to which the application relates following your application to Lancashire County Council.**The steps outlined below describe how to notify all owners and occupiers.
2. Complete the notice of application for a Definitive Map Modification Order below, details which are required include:
	1. The Owner and/or Occupier's name and address
	2. Date of your application
	3. Your name and address
	4. The details of the modification applied for.
	5. Signature and date

*NOTE: An individual notice will need to be completed for each owner or occupier.*

1. Once you have completed your notices of application, these must be ‘served’ on the owners and occupiers by one of the following methods:
	1. By personal delivery to the owner or occupier or, in a case where another person has been specified for service, to that person; or
	2. By leaving the notice at the usual or last known address of that person or, in a case where an address for service has been given by that person, at that address; or
	3. By sending it in a prepaid registered letter, or by recorded delivery, addressed to the owner or occupier to their usual or last known address of that person or, in a case where an address for service has been given by that person, at that address; or
	4. In a case where an address for service using electronic communication has been given by the owner or occupier, by sending it using electronic communication to that person at that address. The notice shall be:
		1. Capable of being accessed by the owner or occupier;
		2. Legible in all material respects; and
		3. In a form sufficiently permanent to be used for subsequent reference.
	5. Where the owner or occupier is an incorporated company or body, by personally delivering it to the secretary of clerk of the company body at their registered or principal office, or by sending it by prepaid registered letter, or by recorded delivery addressed to the secretary or clerk of the company or body at that office.
2. If you are unable to find the owner or occupier of all or part of the land, after making all reasonable efforts you should write to Lancashire County Council giving full details of the steps you have taken. Lancashire County Council may consent to notification of an unknown landowner by posting the notice on the land.
3. Complete sign and date the certificate of Service of notice below. Useful further details include:
	1. Brief details of the modification.
	2. List of Landowners notified (including their name and address)
	3. Details of the method of service (see paragraph 6 above) for each land owner
4. Please return the completed certificate of service of notice to Lancashire County Council at the address shown on the form.

# Notice of Application for a Modification Order

**Section 53(5) of, and Schedule 14 to, the Wildlife and Countryside Act 1981**

**The Definitive Map and Statement of Public Rights of Way for the County of Lancashire**

To:

Of:

I / We: (Name of applicant)

of: (address of applicant)

Hereby give notice that on [date]

I / We made application to Lancashire County Council that the Definitive Map and Statement for the area be modified by:

Deleting the [footpath] [bridleway] [restricted byway] [byway open to all traffic]

from:

to:

Adding the [footpath] [bridleway] [restricted byway] [byway open to all traffic]

from:

to:

[Upgrading] [downgrading] to a [footpath] [bridleway] [restricted byway] [byway open to all traffic] the [footpath] [bridleway] [restricted byway] [byway open to all traffic]

from:

to:

[Varying] [adding to] the particulars relating to the [footpath] [bridleway] [restricted byway] [byway open to all traffic]

from:

to:

by providing that:

DATED: SIGNED:

**THE FOLLOWING DOES NOT MAKE UP PART OF THE ABOVE FORM**

Notes for Information

This notice has been served on you by the person(s) named overleaf, not by Lancashire County Council. The Notice is required to be served on you in accordance with the procedure described on the Wildlife and Countryside Act 1981.

It is intended to show that an Application has been made to Lancashire County Council, by the person named overleaf, for a Definitive Map Modification Order to be made to amend the Definitive Map and Statement of Public Rights of way, on Land in which you have an interest.

When the County Council is satisfied that the application has been made in the prescribed manner, you will then be contacted by Lancashire County Council. Until that time, there is no need for you to take any action in relation to this notice.

**NOTE: Please be advised that evidence and information supplied will be used in accordance with the processes under the Wildlife and Countryside Act 1981, it will not be confidential and may be disclosed to third parties. Those supplying any evidence should be informed of this.**

# Certificate of Service of Notice of an Application for a Modification Order

**Wildlife and Countryside Act 1981**

**The Definitive Map and Statement of Public Rights of Way for the County of Lancashire**

To: The Director of Corporate Services, Lancashire County Council

(REF: LSG4/PROW)

of: PO Box 78, County Hall, Fishergate, Preston, Lancashire, PR1 8XJ

I / We: (Name of applicant)

of: (address of applicant)

Hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with.

DATED: SIGNED:

Additional information

NOTE: You are required to notify all owners and occupiers of any land over which the application route passes.

Details of Modification

List of Landowners Notified

Method of Service of Notice