

COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

Under Paragraph 2 of Schedule 5, and Paragraph 4 of Schedule 6 of this Act, every Highway Authority must set up public registers for specific kinds of orders it has received and are considering, that might lead to altering the map. Authorities must also register declarations limiting the establishment of new paths across private land.

The registers were considered necessary to help to increase knowledge among landowners, users of rights of way, and the general public about applications which could result or have resulted in changes to the definitive map and/or statement, or events that might impact on such changes.

These registers must be maintained for public access online and as paper records in County Hall in Ruthin. The information can also be viewed at the Rights of Way Unit office in Denbigh.

The Authority is obliged to provide the following registers.

Section 53b register

Applications for Definitive Map Modification Orders (DMMO) made under Section 53(5) of the Wildlife and Countryside Act. In respect of each application under section 53(5) of the Act, the register contains:

- A copy of the application together with a copy of any map submitted with the application.
- A description of the intended effect of the application.
- A description of the geographical location to which the application relates.

- The applicant's name and address, including postcode (Subject to exclusions at applicants request).
- The date the application was received by the surveying authority.
- Any date set by the authority for determining the application.
- Any unique reference number the authority allocates to the application together with the details of the person who is responsible for dealing with the application.
- A link to view the location on the County on-line map

To use the online register to search for a modification look for:

- Town/Village
- Community Council Area
- Postcode
 - Application Reference Number

Section 31a register

Register of declarations lodged and maps and statements deposited by landowners with local Highway Authorities under section 31(6) of the Highways Act 1980 of their intention NOT to dedicate any new public rights of way over their land holdings. In respect of each declaration deposited under section 31(6) of the Act, the register contains:

- Statements and maps that landowners have deposited with the County Council.
- Associated sworn declarations.

- A link to view the location on the County on-line map.

Depositing these declarations with the County Council is, in the absence of proof to the contrary, sufficient evidence that a landowner or their successor in title has no intention to give the public any additional rights of way over their property, other than those specifically included in the declaration.

Lodging a declaration does not however affect any rights which may have been acquired through public use prior to the date of the declaration.

Declarations cease to have further effect at the change of ownership unless renewed by the new owner. The responsibility to notify the Council of change of ownership rests with the owner of the property.

Declarations expire after 10 years if not renewed. If not renewed they will be effective against claims for rights of way where any part of the 20 year period for the purposes of Highways Act 1980 s31(1) occurred whilst a declaration was valid.

Use the online register to search for a declaration using the following fields:

- Town/Village
- Community Council Area
- Postcode
- Reference Number - Click on required order

Section 121b register

Register of applications of Public Path Orders made under Sections 118ZA, 118C, 119ZA, or 119C of the Highways Act 1980.

At present the sections 118ZA, 118C, 119ZA, or 119C of the Highways Act 1980 of the Highways Act 1980 are not in force and there is no obligation on the Council therefore to enter any applications until the sections of the Act are enabled by Wales Government. The council may maintain a register to include other applications for orders made under other Sections 118 and 119 but is under no obligation to do so and will only do so where resources permit and it considers there is a public benefit in doing so.