

Statement of Priorities for Definitive Map Modification Orders

Purpose

This policy note sets out Milton Keynes City Council's approach to the receipt, investigation, and prioritisation of Definitive Map Modification Order (DMMO) applications made under the Wildlife and Countryside Act 1981. It aims to ensure that applications are processed in a fair, transparent, and efficient manner despite significant operational pressures and resource constraints.

Legislative Context

Under Schedule 14 of the Wildlife and Countryside Act 1981, any individual may apply to the Council for a DMMO where they believe the Definitive Map and Statement contains an error or omission. Applications may seek to add, delete, upgrade, downgrade, or amend a recorded public right of way. The Council is legally required to investigate such applications "as soon as reasonably practicable." If no determination is made within twelve months of receipt, applicants may request a direction from the Secretary of State requiring the Council to issue a decision by a specified deadline.

Operational Context and Prioritisation Approach

Milton Keynes City Council, like many authorities, faces a substantial backlog of Definitive Map Modification Order (DMMO) applications. Each application requires detailed evidential and/or historical research, and many are contested, which prolongs the investigation process—particularly where opposed Orders must be submitted to the Secretary of State. A statutory register of all applications is maintained on the Council's website.

While applications will generally be processed in chronological order to maintain fairness and transparency, the Council will exercise discretion to prioritise certain cases out of turn where justified. The Council will also continue to comply with any direction issued by the Secretary of State requiring the determination of a specific application.

Prioritisation Criteria

1. All DMMO applications will be placed on a waiting list and, as a general rule, investigated in the order in which they are received.
2. An application may be prioritised ahead of its chronological position if one or more of the following criteria apply: -
 - *Risk of permanent loss*: The route is at genuine risk of being lost to development. This will normally only apply where planning permission has been granted, and officers are satisfied that construction is intended imminently.
 - *Serious Detriment to affected parties*: The delay is causing significant adverse impact to one or more parties, such as hindering a property sale or where delay would materially reduce the availability or reliability of evidence.
 - *Contribution to strategic objectives*: The route, if recorded or upgraded, would support a defined City Council objective or policy, such as the Council Plan, MK City Plan 2050, or the Rights of Way Improvement Plan.
3. To reduce the backlog and improve service delivery, the Council may also choose to prioritise applications where: -
 - the evidential issues appear straightforward,
 - opposition is limited or unlikely, or
 - there is potential to resolve the matter through alternative mechanisms (e.g., a public path order or a public path creation agreement).

Implementation and Review

This policy will be applied by officers when managing the DMMO waiting list and scheduling investigative work. The Rights of Way Team will keep this approach under regular review to ensure continued alignment with legislative requirements, resource capacity, and service expectations.

Approved by the Assistant Director for Environment and Waste on 7th April 2026.