

2026 information for applicants

Some rights of way are not recorded on the Definitive Map and Statement, the legal record of public rights of way. Provisions made under the Wildlife and Countryside Act 1981 permit any person to make application to add such routes to the Definitive Map and Statement. However, the ability to make an application to add historic routes, i.e. those based on historic evidence, is intended to end from the 1st January 2026 (the "cut-off date"). The Countryside and Rights of Way Act 2000 Section 53, when enacted, will provide for the extinguishment from that date of unrecorded rights of way created before 1949, subject to certain exceptions. In addition, any higher and unrecorded rights on routes already recorded on the Definitive Map and Statement will also be extinguished (e.g., if a route is shown as a footpath any unrecorded bridleway rights that there may be evidence for are extinguished). These provisions do not relate to claims based on evidence of use.

Details on how to make an application, together with details on the outstanding applications currently submitted to the County Council, can be found on our [definitive map web page](#).

West Sussex County Council, as the surveying authority, is duty bound to consider and investigate applications made under the provision of Section 53 of the Wildlife and Countryside Act 1981. In considering applications, the Council's role is to balance the evidence submitted both in support of and in opposition to the application against the strict legal tests set out in the Act. In doing so, the Council must remain impartial to applicants, supporters and objectors. As such, it cannot provide assistance to applicants in making applications other than to confirm the procedure for making an application. There are a number of organisations that offer advice and assistance with the researching and making of Definitive Map Modification Order (DMMO) applications, in particular those based on historic evidence. These include the following:

- [Ramblers Association](#)
- [British Horse Society](#)
- [Open Spaces Society](#)