

Bracknell Forest Borough Council

DMMO – Decision Report

Application for a Definitive Map Modification Order to record a public footpath linking Peterhouse Close to Merton Close (SU856626), to the junction with RMA trackway (SU856626)	
Decision Maker (Officer):	Andrew Hunter
Title:	Executive Director: Place
Date:	10 th March 2025
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1. Purpose of this Report

To determine a claimed public right of way at Peterhouse Close to Merton Close in the parish of Sandhurst, following receipt of a Definitive Map Modification Order (DMMO) application.

2. Recommendation

- 2.1. That an Order be made under Section 53(2) of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement (DMS) by the addition of a Public Footpath at Peterhouse Close, Owlsmoor, Sandhurst.
- 2.2. That the Order be confirmed by Bracknell Forest Borough Council as an unopposed Order if no objection or representations are received to that Order; or, if objections or representations to that Order are received that they are submitted by Bracknell Forest Borough Council to the Secretary of State with a request that the Order be confirmed.

3. Reasons for recommendation

- 3.1. An application was made by a nearby resident ('the applicant') in January 2024 under Section 53 of the Wildlife and Countryside Act 1981, to record a public footpath in Peterhouse Close, in the parish of Sandhurst. The application was supported by user evidence, which the applicant believes demonstrates that a public right of way should be recorded based on long-term use of the claimed route. A copy of the Application form is available in annex A.

- 3.2 The available evidence of the way on foot was considered to be sufficient to give rise to the presumption that a public footpath has been established by long term (20 years) use under Section 31 Highways Act 1980 and at common law
- 3.3 There was nothing in the evidence submitted by the landowner, which suggests there has been any interruption to the use of the path or way within the 20-year period. This includes erection of signs, installation of gates or a deposit of statement on the land.
- 3.4 Legal framework for the decision
Two main laws: the Highways Act 1980 and the Wildlife and Countryside Act 1981 create the requirement for this decision.

In simple terms, the Highways Act states that if a path has been used by the public for 20 years without interruption, it is presumed to be a public right of way unless there is evidence to the contrary.

The Wildlife and Countryside Act requires the council to keep the DMS up to date whenever certain events happen, for instance the creation of a new public path or the closure of an existing one.

For clarity the relevant sections of legislation are included as follows:

HIGHWAYS ACT 1980 – Section 31: Dedication of way as highway presumed after public use for 20 years. (PART)

(1) Where a way over any land...has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.

(2) The period of 20 years...is to be calculated retrospectively from the date when the right of the public to use the way is brought into question, whether by a notice...or otherwise.

(7A) Subsection (7B) applies where the matter bringing the right of the public to use a way into question is an application under section 53(5) of the Wildlife and Countryside Act 1981 for an order making modifications so as to show the right on the definitive map and statement.

(7B) The date mentioned in subsection (2) is to be treated as being the date on which the application is made in accordance with paragraph 1 of Schedule 14 to the 1981 Act.

PRESUMED DEDICATION AT COMMON LAW

Use of a way by the public without secrecy, force or permission of the landowner may give rise to an inference that the landowner intended to dedicate that way as a highway appropriate to that use, unless there is sufficient evidence to the contrary. Unlike a dedication under S.31 of the Highways Act 1980, there is no automatic presumption of dedication after 20 years of public use, and the burden of proving that the inference arises lies on the claimant. There is no minimum period of use, and the amount of user which is sufficient to imply the intention to dedicate will vary according to the particular circumstances of the case. Any inference rests on the assumption that the landowner knew of and acquiesced in public use.

WILDLIFE AND COUNTRYSIDE ACT 1981 - Section 53: Duty to keep definitive map and statement under continuous review

(2) As regards every definitive map and statement, the surveying authority shall-

a) as soon as reasonably practicable after the commencement date, by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence, before that date, of any of the events specified in subsection (3); and
 (b) keep the map and statement under continuous review and as soon as reasonably practicable after the occurrence.... of any of those events [the events specified in sub-section (3)] by order make such modifications to the map and statement as appear to them to be requisite in consequence of that event.

(3) The events referred to in sub-section (2) are as follows -

(a) the coming into operation of any enactment or instrument, or any other event, whereby—

- (i) a highway shown or required to be shown in the map and statement has been authorised to be stopped up, diverted, widened or extended;
- (ii) a highway shown or required to be shown in the map and statement as a highway of a particular description has ceased to be a highway of that description; or
- (iii) a new right of way has been created over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path

(b) the expiration, in relation to any way in the area to which the map relates, of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path

(c) the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows -

- (i) that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic;
- (ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description; or
- (iii) that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification

4. Description of the Claimed Route

- 4.1. The claimed route comprises a single natural surfaced track running along the northern boundary of 11 Peterhouse Close to the trackway on the boundary of the Royal Military Academy (RMA).
- 4.2. The claimed route (running between A-B on the Location Plan as per annex B, approximately 36 metres long) commences at the public footpath (non-right of way) linking Peterhouse Close to Merton Close and runs eastwards along the driveway boundary, outside of a mature hedgerow and panel fence, terminating at the junction of the north-eastern boundary of 11 Peterhouse Close and RMA trackway.

5. Issues to be decided

- 5.1. The issue to be decided is whether there is evidence to show that public rights subsist or can be 'reasonably alleged' to subsist along the claimed route. At least one of these tests must be satisfied for an Order to be made. In the case of an application that concerns a route not already recorded on the definitive map, it is simply necessary to demonstrate that the 'reasonably alleged' test has been met in

accordance with Section 53(3)(c)(i). If there is genuine conflict in the evidence, for example between the evidence of users on the one hand and landowners on the other, an Order should be made so that the evidence can be tested at a public inquiry.

- 5.2. Case law has indicated that the burden of proof associated with the confirmation of DMMOs is 'on the balance of probabilities', so it is not necessary for evidence to be conclusive or 'beyond reasonable doubt' before a change to the definitive map can be made. Where an Order has been made, and no objections to the Order are received, the Borough Council can confirm the Order if it is satisfied that the way subsists 'on the balance of probabilities'.
- 5.3. If an application is approved and an Order is to be made, then the alignment of the route, and the status and width of the way and any lawful limitations to use must also be determined. Authority for the inclusion of those particulars in the Order to change the DMS should also be given.
- 5.4. Any changes to the definitive map must reflect public rights that already exist. A change must not be made simply because it would be desirable, or instrumental in achieving another objective. Therefore, before an Order is made, it must be demonstrated that any change to the map is supported by evidence. This might be proved by historic documentary evidence and/or by evidence of use in the recent past.
- 5.5. If a DMMO is made, the process allows for objections to the Order to be made. Further evidence could potentially be submitted for examination along with an objection. In these circumstances, the Borough Council cannot confirm the Order, and the matter would need to be referred to the Secretary of State for determination.
- 5.6. If an application is refused, the applicant has the right to appeal the refusal to the Secretary of State under Schedule 14 to the 1981 Act, and they may direct the Borough Council to make the Order that is sought if they agree that the evidential threshold has been met. The Schedule 14 process allows for the introduction of additional evidence at appeal stage, and this could result in the Borough Council being directed to make an Order based upon evidence that was not before it at determination stage. The stance taken by the Borough Council in the event a decision not to make an Order is appealed will therefore depend upon the particulars of each case.

6. Background to the Application

- 6.1. The application was submitted in January 2024 by the applicant.
- 6.2. Land Registry records show that the land through which the claimed route runs is within the title of 11 Peterhouse close, Owlsmoor, Sandhurst, GU47 0XD.
- 6.3. The applicant certified that the requirements of Paragraph 2 of Schedule 14 of the Wildlife and Countryside Act 1981 had been complied with by serving Notice of the Application on every owner and occupier of the land in issue.
- 6.4. The applicant, user evidence providers and the landowner confirm the installation of a locked metal gate across the trackway during November 2023. This followed some

communication with the Borough Council regarding ownership and current addition of routes within the DMS, where no current rights of way are recorded.

- 6.5. No Deposit of Statement under Section 31(6) of the Highways Act 1980 has been received for this land.

7. **Documentary Evidence (annex C)**

The following Ordnance Survey maps have been reviewed for any recorded routes along the claimed path.

- 7.1 **1876** original scale – 1:10,560
During this period the area of Peterhouse and Merton Close was within the wider woodland. There appears a trackway to the south of the claimed route, however there is no evidence to show any unrecorded route along the claimed path.
- 7.2 **1910** original scale – 1:10,560
Some smaller development is visible during this time within the Owlsmoor area. However, the claimed route continues to show no evidence of any unrecorded path.
- 7.3 **1965** original scale – 1:2,500
A continuation of the smaller development of Owlsmoor is evident some of which is closer to the claimed route. There however remains no evidence to show an unrecorded path.
- 7.4 **1972** original scale – 1:2,500
As the timeframe is close to the 1965 map there is little change with no evidence of an unrecorded path along the claimed route.

8. **Definitive Maps**

- 8.1 On both the first (relevant date 1952) and second (relevant date 2013) Definitive Maps, the claimed route is not shown and there is no evidence available of a trackway or path along the claimed line. This is consistent with the route never having been recorded as a public right of way.
- 8.2 Aerial photograph – Some aerial photography is available from 2003. This shows little change to the area or visible claimed route. Maps are available in annex D.

9. **Analysis of Documentary Evidence**

- 9.1 There is no documentary evidence which indicates that the claimed route was in public use or has ever physically existed until the residential development. The estate was built in the 1980s, where prior to residential development the general area was within a wider woodland setting.
The application must therefore rely upon the user evidence submitted with the application.

10. **User Evidence**

- 10.1 The application was supported by the evidence of 51 people (including the applicant), who completed Bracknell Forest Council approved user evidence forms. The dates and frequency of use details are summarised in annex E. The table is, by necessity,

a generalisation, but it provides an insight into the evidence which has been put forward in support of the application.

- 10.2 The evidence charts public use of the claimed route(s) from 1983 up until 2023 (the relevant date of application following the introduction of the gate on the claimed route).
- 10.3 The maps accompanying the application forms depict a single route that all users claim to have used and correspond with all evidence provided. This has had the effect of strengthening the claim of route used and its addition to the DMS.
- 10.4 The following supporting evidence was submitted by the applicant with the application:
 - Completed Borough Council prescribed form (form A)
 - Detailed start and finish points for the claimed route
 - Personal statement
 - Detailed maps
 - Photos of route, from date of claim.
 - Photo of RMA bylaws (adjacent land)
- 10.5 A selection of user evidence providers (5) and the applicant and landowner were interviewed to gain any further relevant information. This included signing a 'statement of truth' that all comments received are true to each providers recollection. This information and the Borough Council's method for selection is provided in annex F&G.
- 10.6 For Section 31 of the Highways Act 1980 to operate and give rise to a presumption of dedication, the criteria highlighted in section 13 must be satisfied.

11. Summary of user evidence

- 11.1 Of those submitting evidence 31 claimed to have used the route for 20 years or more. The earliest claimed date of use by several users is 1983 with several others having used the route since the 1980s, covering well beyond the required 20 year period.
- 11.2 Of the evidence provided, 19 used the route daily with 21 having used the route at least once each week.
- 11.3 All evidence providers have used the route for walking, often with a dog. Two users have also used the route less frequently on a pedal cycle.
- 11.4 There is no evidence provided to show any signs, gates, notices or other obstructions to access throughout the individual timeframes given. One user stated verbal communication was received a few days prior to the 2023 closure stating that the route was not for public use.
- 11.5 The claimed route A-B is not depicted as a physical feature on any Ordnance Survey maps, and so a degree of interpretation has been necessary to plot the routes that have been walked, this has been mimicked throughout all evidence received with the route remaining unchanged.

- 11.6 No users were noted to have been given permission or was anyone aware the route was not public.
- 11.7 A significant number of evidence providers also provided personal statements. This info. is available within annex H.

12. Landowner Evidence

- 12.1 The Borough Council contacted the landowner following the receipt of their application. Their response was as follows:

'We began our conversations with BFBC back in July 2023, and it was (a previous Council Right of Way officer) who kindly pointed out that our request to install this gate was not a council matter, as the pathway lies within our boundaries.'

We have followed the deeds, and all those with gardens off of both the side and back pathways that we own still have access to their gardens. The two back gardens have a code to open the gate, as they are the only ones who need it.

We are aware that this has caused uproar for some residents, but the footfall was affecting our well being. What's absurd is that there are 3 other routes into the woods, all of which can lead to this pathway that runs past the Military fence line eventually. We don't even use the gate to walk anymore, we use the other 3 routes.

It's clear that some time ago there was a barbed wire fence that ran the length of the back of the estate. It's still up on parts of the pathway and has been trampled down on others. All of the other routes into the woods cause no disruption to the residents. Those who used the pathway we own would walk down our private driveway to access it, and look over our back fence. It caused major disturbance and nuisance that built up over the years that we have been here to the point we felt we needed to invest in the gate, as so many people from all over the estate would use it.'

- 12.2 The landowner was invited to submit evidence using a Borough Council approved form. This information is available in annex I.
- 12.3 The landowner was thereafter invited to an informal discussion with Council Officers on 17 June 2024 with the general DMMO process and various outcomes explained. The landowner was then invited to submit any further information relevant to the case post meeting.
- 12.4 It is noted that the current landowner has only owned the land containing the claimed route since 2014 and that this does not therefore cover the entire 20-year period of use required for a successful claim.
- 12.5 Several adjacent properties have a right of access over the claimed route to access the rear of their properties. They do have access to open the newly installed gate (Dec '23).
- 12.6 The continued use by the public is acknowledged and this was seen to increase throughout the Covid-19 pandemic.

- 12.7 Signs/notices were installed by the landowner prior to their installation of the gate. These explained the rationale for its requirements and detailed the land ownership. No evidence could be provided of other sign/notices expressing the route was not for public use prior to this. There were also no previous gates or barriers etc.. installed prior to the recent gate (December 2023).
- 12.8 Reference is made to old barb wire fencing across the route at the eastern end, buried within the ground layer. Whilst this may suggest a previous obstruction to access there is no other reference or mention of this being erected or standing by the landowner or evidence providers.
- 12.9 There is no submission of Section 31(6) landowner deposits over any part of the route, which would identify and accept or reject any rights of way and demonstrate an intention not to dedicate any future rights of way.
- 12.10 The only reference to the landowners verbally informing users that there were no rights over the route was immediately prior to the gate installation in December '23. It is considered therefore the application must turn on the strength of evidence of public use to see whether this satisfies the criteria for a deemed dedication either under Section 31 and/or at common law.

13. Analysis of the Evidence under Section 31, Highways Act 1980

For Section 31 of the Highways Act 1980 to operate and give rise to a presumption of dedication, the following criteria must be satisfied:

- the physical nature of the path must be such as is capable of being a right of way at common law
- the use must be 'brought into question', i.e. challenged or disputed in some way
- use must have taken place without interruption over a period of 20 years before the date on which the right is brought into question
- use must be *as of right*, i.e. without force, without stealth and without permission
- use must be by the public at large
- there must be insufficient evidence that the landowner did not intend to dedicate a right of the type being claimed, i.e. acknowledging use without challenge.

14. Physical nature of the route.

A public highway must follow a defined route, which is the case with the claimed route. The route follows from a highway maintained public footpath (non-right of way) and up until land owned by the RMA, which has continued permitted access by the landowner and within its byelaws.

15. The bringing into question of the public's right to use the paths

Other than the display of notices immediately prior to the submission of the application, there is no event which can be said to have brought the public's right to use the routes into question. It is therefore considered that the public use was called into question around November 2023, giving a relevant period of November 2003 – November 2023.

16. Twenty years' use without interruption

To establish that a way has become a right of way it is necessary to evidence uninterrupted use over the period of twenty years previous to the right being brought into question. The route has been well used throughout and beyond the 20 year period prior to the relevant date of challenge. It would appear that use had been accepted up until increased use during the restrictions of the Covid-19 pandemic, although any challenge or obstruction of use was not communicated until late 2023. Of the significant number of users providing evidence there is no comment about any restrictions throughout periods of use.

17. 'Without force, stealth or permission'

- **Force** – *to be as of right, use must not be as the result of the use of force.*
There is no evidence to suggest that force was necessary to gain access to the claimed route.
- **Stealth** – *to be as of right, use must be open and of the kind that any reasonable landowner would be aware of, if he or she had chosen to look.*
Use appears to have been open and without secrecy.
- **Permission** – *users as of right should not be using the way with any kind of licence or permissions.*
No permissions were sought or received by users.

18. Use by the Public

Use must be by the public, and that should be reflected in its volume and the breadth of the type of users. The use must be of a volume that is capable of coming to the attention of a landowner. It should consist of enough users, and the number may reflect the setting of a path, such as whether it is in a rural or urban area and the type of use being claimed. Use of a way should not consist solely of a particular class of person, such as the employees of a particular employer, tenants of a particular landlord, or customers of a particular business, if it is to be recorded as public.

The use of the claimed route in Owlsmoor, Sandhurst is considered to be representative of 'the public' for the following reasons:

- The evidence of use came from 51 people. The majority all being local to the route in question, which is to be expected within its residential and urban setting.
- The evidence also covers all required periods and frequencies.
- The majority of users have used the route without permission, although it is noted that a selection of properties have rights of access over all or parts of the route to access the rear of said properties.

- None of the users indicated that they were related to, employed by, or a tenant of the owner of the land in question.

19. Conclusions under Section 31, Highways Act (1980)

It is considered that the provisions of s31 of the Highways Act (1980) have been satisfied in this case.

There has been strong evidence provided across a wide timeframe (in excess of 20 years) with a significant volume of users representative of the area. The majority of users use the route regularly enough to have experienced any restrictions to access. The route available is clear on the ground with an obvious start and end point.

20. Analysis of the evidence under Common Law

This matter can also be considered at common law. For a claim to succeed at common law, the onus is on the applicant to show that the owners were aware of, and acquiesced in, the use of a route by the public. The users must be able to show that it can be inferred from the conduct of the landowners that they had intended to dedicate the route as a public right of way of the type that has been applied for. This may be by an express act of dedication, or it may be implied from a sufficient period of public use without secrecy, force or permission, and the acquiescence of those landowners in that use. This is required to meet the two pre-conditions for the creation of a highway - that is dedication and public acceptance of that way by use. The length of time that is required to demonstrate sufficient user is not fixed under common law and depends on the facts of the case. The user must be obvious to the landowners, who may rebut any suggestion of a dedication by acts such as putting up a physical barrier, erecting notices stating that the route is not a public right of way of the type being claimed or turning people back. The more frequent the use, the easier it will be to infer dedication.

21. Conclusions under Common Law

There has been no evidence of any use within the defined 20-year period, being challenged either verbally or through signage/notices or obstructions. Use has been clear and obvious with the landowner being aware of said use. As above the volume of use is seen to be significant enough to be readily witnessed by the landowner and permitted until the erection of notices and resulting gate in late 2023.

22. Conclusions

- 22.1 There is no documentary evidence which would indicate the existence of public rights over this route. Maps have been reviewed from 1876 through to 1972 (and present) and highlight the evolution of the previous woodland area into the present-day residential estate. Whilst there are clearly routes into and through the woodland parcel there is no evidence to show a marked route on the line of that claimed.
- a. There is sufficient evidence for the claimed route to be recorded as a right of way at common law. The evidence provided from users and the landowner clearly show that use of the route has been over a significant period of time with a frequency and volume that was obvious and without secrecy or challenge.

- b. There is sufficient evidence for the route to be claimed under Section 31 Highways Act 1980 where the user evidence covers over a period of over 20 years from the relevant date. There is no evidence prior to the current gate and notices that there has ever been any obstructions to use, including notices or verbal challenge.
 - c. There has been no deposit of statement under section 31 (6) Highways Act 1980 submitted by the landowner of the parcel affecting the claimed route over the required timeframe.
- 22.2 For the above reasons, it is considered that the application should be **ACCEPTED and that a DMMO shall be made for the claimed route and added to the DMS as a public footpath with a width of 1.5m.**

23. Consultation and other considerations

- 23.1 The local Ramblers Association group (south-east Berkshire) were consulted, and the following comment received:

'The Ramblers is a national charity which promotes all aspects of walking. It campaigns for increased (rather than decreased) walking opportunities. We were approached by the applicants for advice on how to progress a challenge to the sudden closure of this path which they told us that many local residents had used for many years. We strongly support Definitive Map Modification Order applications where there is evidence of continuous, unchallenged use of a path for more than 20 years. In this case, it seems likely that the path has been in continuous use since the estate was built about 40 years ago. We believe there is significant evidence that this path qualifies to be added to the definitive map to preserve access to popular local walking routes.'

- 23.2 The Ministry of Defence were consulted as adjacent landowners with the following comment received:

'I can confirm the claimed route falls outside MOD land ownership.

The MOD adjacent to the claim is subject to the Aldershot and District Military Lands Byelaws 1976. Sandhurst is on the north of the byelaw plan where Broadmoor and Olddean Common are located.

I note a photograph of a site byelaw sign is included alongside the DMMO application. Contrary to the comment made in the application document, rather than access as of right, public access to this MOD land is *permitted* as per clause 2 of the byelaws, and is subject to the wider Byelaw provisions and site requirements.

With regard your query - For a public path to exist we would need the path to link from and to open access land and I would very much like to get a better understanding of the MOD's position regarding accessing this highlighted land.

The presence of Byelaws makes the full extent of MOD land excepted from designation as CROW access land as per *Schedule 1 – Part I – Excepted Land – s13 Land the use of which is regulated by byelaws under section 14 of the Military Lands Act 1892 or section 2 of the Military Lands Act 1900.*

Consequently, as per point 2, this is not open access land and where public access is permitted it is subject to the provisions of the Byelaws and site requirements.'

- 23.3 Sandhurst Town Council, including associated ward councillors are to be consulted following this recommendation report along with the cabinet member for Planning, Transport and Countryside.

23.4 Legal Advice

Advice and support has been provided throughout the analysis of this application by the Council's Legal Department. The Legal issues surrounding definitive map modification orders are set out within the body of the report.

23.5 Financial Advice

It is to be considered if an Order is made and that Order is confirmed on the basis of presumed dedication under section 31 of the 1980 Act, the public footpath may not be highways maintainable at public expense as it came into existence through modern public user presumed dedication and after section 38 of the Highways Act, 1959. The authority can however through agreement with the landowner maintain any route if it is deemed for the benefit of the public.

New official public footpath fingerposts will be required and placed at either end of the footpath.

23.6 Equalities Impact Assessment

Bracknell Forest Council, in its capacity as 'surveying authority', has a legal duty to determine applications for DMMOs made under s.53 Wildlife and Countryside Act 1981. It is not considered that there are any aspects of the Borough Council's duty under the Equality Act 2010 which will impact upon the determination of this DMMO application.

23.7 Strategic risk management issues

Should an Order be confirmed the footpath may not be maintainable by the borough council (section 23.5). Therefore, current surface condition is likely to remain. Any encroaching vegetation maintenance will be the responsibility of the applicable landowners (HA80 sec. 154).

23.8 Climate change and ecological impact

Bracknell Forest Council declared a climate change emergency on 13 September 2023 and a Climate Change Strategy and Action Plan has since been adopted. The recommendations within this report (section 2) are expected to have no impact on emissions of CO₂. Any addition of an unrecorded footpath to the DMS is seen to make no change as any claimed route is already being utilised.

23.9 Health and wellbeing considerations

Should an Order be confirmed the footpath will serve to provide the public, linking to further routes and access to nature.

24. Background Papers

The following supporting annexes are to be reviewed alongside this report:

- A** – copy of the completed application form.
- B** – claimed route location plan.
- C** – copy of historical mapping.
- D** – copy of aerial imagery.
- E** – user evidence, dates and frequency of claimed use.
- F** – interviewee selection process/decision.
- G** – copy of completed interview forms.
- H** – copy of user evidence personal statements.
- I** – copy of completed landowner evidence form.

This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because: the Borough Council, in its capacity as ‘surveying authority’, has a legal duty to determine applications for DMMOs made under s.53 Wildlife and Countryside Act 1981.

Section 100 D - Local Government Act 1972 - background documents	
The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)	
Claim Reference: Peterhouse Close and Merton Close DMMO	Rights of Way Team Parks & Countryside Bracknell Forest Council Time Square Market Street Bracknell RG12 1JD