

DMMO application received by Surveying Authority*



Authority 'determines' application (i.e. decides if the evidence supports the 'reasonable allegation' that the right exists)

Authority decides 'reasonable allegation' can be made, so has a duty to make a legal order to record the right.

Authority decides 'reasonable allegation' cannot be made, so may not make a legal order to record the right.

Applicant accepts decision: application is abandoned.

Applicant thinks Authority has made wrong assessment of the facts and appeals to the Secretary of State (SoS)**

An Inspector appointed by the SoS agrees the Authority made wrong assessment of evidence and directs Authority to make an Order.

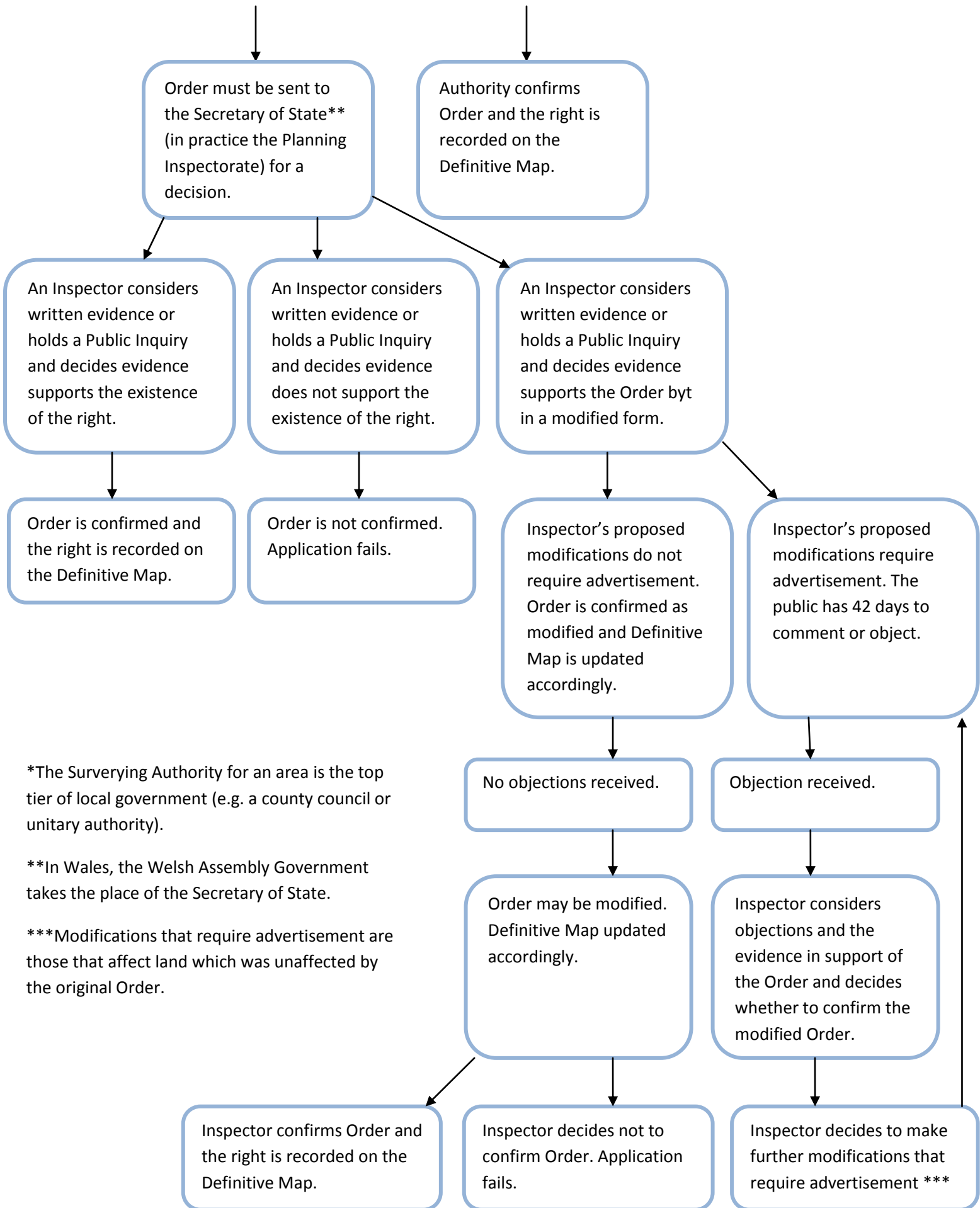
An Inspector appointed by the SoS decides the Authority made the right assessment of the evidence and declines to direct the Authority to make an Order.

Order is made and advertised to the public, allowing 42 days for objections or comments.

Application fails.

Objections received.

No objections received.



*The Surveying Authority for an area is the top tier of local government (e.g. a county council or unitary authority).

**In Wales, the Welsh Assembly Government takes the place of the Secretary of State.

***Modifications that require advertisement are those that affect land which was unaffected by the original Order.