



February 1996

RIGHTS OF WAY - REPORTING PROBLEMS and A BRIEF GUIDE TO THE LAW

REPORTING PROBLEMS

If you want to report a problem on a public right of way to the RA then please send us as much information as possible, including the date when you found the problem and a six-figure grid reference. The details will then be passed to our local voluntary footpath secretary for investigation. You can use the path problem report form in the *Reporting Path Problems* leaflet (see page 4).

The more path users show their concern for the state of the rights of way network, by complaining about trouble spots, the better. You should consider reporting bad cases to the local highway authority as well as to the RA. In England and Wales, the highway authority is the relevant county, metropolitan district or London borough council.

A BRIEF GUIDE TO THE LAW

1. What is a right of way?

A right of way in the countryside is either a footpath, a bridleway or a byway. On footpaths the public has a right of way on foot only. On bridleways it also has a right of way on horseback and on a pedal cycle. Byways are open to all classes of traffic, including motor vehicles. Legally, a public right of way is part of the Queen's highway and subject to the same protection in law as all other highways, including trunk roads.

2. What are my rights on a public right of way?

The public's right is to pass and repass along the way. You can also take with you a "natural accompaniment", which includes a dog. However, you should ensure that dogs are under close control. On suitable paths, a "natural accompaniment" could also include a pram or a pushchair.

3. How do I know whether a path is a public right of way or not?

The safest evidence is the definitive map of public rights of way. These maps are available for public inspection at county, district and outer London borough council offices. Some are also available for inspection in libraries and some are sold by the councils concerned. In addition, public rights of way information derived from them, as amended by subsequent orders, is shown by the Ordnance

Survey on its Pathfinder (1:25,000) and Landranger (1:50,000) maps. But note that a path not shown on the definitive map may still be a public right of way, and application may be made to the surveying authorities (see Q10) for ways to be added to the definitive map.

4. How does a path become public?

In legal theory most paths become rights of way because the owner "dedicates" them to public use. In fact very few paths have been formally dedicated, but the law assumes that if the public uses a path without interference for upwards of 20 years then the owner intends dedication. Most public paths came about this way. But it is not true that a path can cease to be public if it is unused for 20 years (except in Scotland). The legal maxim is "once a highway, always a highway". Paths can also be created by agreement between local authorities and owners or by compulsory order, subject, in the case of objection, to the consent of the Secretary of State for the Environment (or for Wales).

5. Who owns the paths?

The surface of the path is for most purposes considered to belong to the highway authority, but the soil under the path remains the property of the owner of the surrounding land.

6. How wide should a path be?

The theory is that the path should be whatever width was dedicated to the public. This width may be recorded in the statement accompanying the definitive map. But in many cases the proper width will be a matter of what has been past practice on that particular path. (See also questions 14 and 16 below.)

7. Are horses allowed on public paths?

Riders have a right to use bridleways, as the name implies. Riders have no right to use footpaths, but they often do and are not thereby committing a criminal offence. If use of a footpath by riders becomes a nuisance the county council can make a traffic regulation order forbidding riders to use that particular path.

8. Is it illegal to drive cars or motor cycles on public paths?

Anyone who drives a vehicle on a footpath or bridleway without permission is committing an offence. This does not apply if the driver stays within 15 yards of the road and only goes on the path to park. The owner of the land, however, can still order vehicles off even within 15 yards from the road. Races or speed trials on paths are forbidden. Permission for other types of trials on paths may be sought from the local authority, if the landowner consents.

9. What is a road used as a public path (RUPP)?

RUPPS, as they are commonly known, are a type of way shown on the definitive map which is usually unsurfaced and may or may not carry vehicular rights. This classification is now in process of abolition and all RUPPS will eventually be reclassified as either footpaths, bridleways or byways open to all traffic.

10. Which councils deal with paths?

The councils to which duties have been given as highway and definitive map surveying authorities are the county, metropolitan district and London borough councils. Highway authorities have a general duty "to assert and protect the rights of the public to the use and enjoyment" of paths in their area and "to prevent as far as possible the stopping up or obstruction" of such paths. They should therefore deal with any deliberate obstruction such as a barbed wire fence or crops across a path. They are also legally responsible for maintaining the surface of the path (including bridges) and keeping it free of overgrowth. Shire district councils are entitled to take over the maintenance of public paths from the county councils if they wish and may by agreement take over other responsibilities from the county council. Parish councils and

community councils also have the power to maintain paths (see the RA leaflet *Paths for People* - details below). Highway authorities have the power to require owners to cut back overhanging growth from the side of a path.

11. Who is supposed to look after stiles and gates on a path?

Maintaining these is primarily the owner's responsibility, but the highway authority (or the district council if it is maintaining the path) must contribute a quarter of the cost if asked and may contribute more if it wishes. If the landowner fails to keep his stiles and gates in proper repair the authority can, after 14 days' notice, do the job itself and send the bill to the owner.

12. Are all the paths supposed to be signposted?

Highway authorities have a duty to put up signposts at all junctions of footpaths, bridleways and byways with metalled roads. But there is no time limit within which this job must be completed. Also parish and community councils can relieve authorities of the obligation for particular paths. Highway authorities also have a duty to waymark paths so far as they consider it appropriate.

13. What is waymarking?

Waymarking is a means of indicating the line or direction of a path at points where it may be difficult to follow. The Countryside Commission has recommended a standard system of painted arrows for waymarking - yellow for footpaths, blue for bridleways and red for byways.

14. Is it illegal to plough up or disturb the surface of a path so as to make it inconvenient to use?

No, if the path is a footpath or bridleway running across a field; yes, if the path is a byway, or any other footpath or bridleway. However, in the former case, the farmer must make good the surface within 24 hours of the disturbance (two weeks if the disturbance is the first one for a particular crop). A path so restored must be reasonably convenient to use, must have a minimum width of one metre for a footpath and two metres for a bridleway, and its line must be clearly apparent on the ground.

15. What happens if a path surface has been disturbed but not restored?

A highway authority may serve notice on the occupier and, if necessary, then restore the path itself and send the bill to the occupier. The authority may also prosecute the person responsible for the disturbance.

16. What about crops growing on or over a path?

The farmer has a duty to prevent a crop (other than grass) from making the path difficult to find or follow. The minimum widths given in Q14 apply here also, but if the path is a field-edge path they are increased to 1½ metres for a footpath, three metres for a bridleway. You have every right to walk through crops growing on or over a path, but stick as close as you can to its correct line. Report the problem to the highway authority: it has power to prosecute the farmer or cut the crop and send him the bill.

17. What is an obstruction on a path?

Anything which interferes with your right to proceed along it, e.g. a barbed wire fence across the path or a heap of manure dumped on it. Dense undergrowth is not normally treated as an obstruction but is dealt with under path maintenance.

18. Can I remove an obstruction to get by?

Yes, provided that (a) you are a *bona fide* traveller on the path and have not gone out for the specific purpose of moving the obstruction, and (b) you remove only as much as is necessary to get through. If you can easily go round the obstruction without causing any damage, then you should do so. But report the obstruction to the highway authority and/or the RA: see details of our *Reporting Path Problems* leaflet below.

19. How can I help the RA deal with path problems?

To help the RA tackle path problems, you can:

- (a) Send full details to the highway authority, and to the RA (see "Reporting problems" on page 1).
- (b) Ask the farmer or landowner concerned to clear the obstruction.
- (c) Take part in RA footpath clearance working parties.
- (d) If the problems persist, write to your local councillors about them.
- (e) Send letters to local newspapers seeking support for any representations you may be making.
- (f) If the authority fails to take action, consider complaining to the local ombudsman.

20. Can a farmer keep a bull in a field crossed by a public path?

Bulls of a recognised dairy breed (Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry) are banned from fields crossed by public paths under all circumstances. All other bulls are banned unless accompanied by cows or heifers. If any bulls act in a way which endangers the public, an offence may be committed under health and safety legislation.

21. Can a landowner close or divert a path?

No. Closure and diversion (i.e. change of a path's route) can only be carried out by local authorities or central government. Under the commonest procedure for closure a county, district or London borough council is empowered to make an order to close a path if it considers it is no longer needed for public use. A notice that the council has made an order must be published in a local paper and also placed at both ends of the path. It must allow at least 28 days for objections. These must be heard at a public inquiry taken by an inspector from the Department of the Environment (or Welsh Office), or by private hearing if the Department so decides, or they may be considered in writing if the objectors agree.

Path diversions may not take place if the new path will be substantially less convenient to the public than the existing one, and account must also be taken of the effect the diversion will have on public enjoyment of the way as a whole. Paths may also be closed or diverted under the Town and Country Planning Act 1990 "in order to enable development to be carried out in accordance with planning permission". The procedure for these orders, and for diversion orders under the Highways Act, is the same as for closure orders. There are also provisions for county councils to apply to magistrates courts for closure or diversion of paths, and for closure and diversion orders to be made in other circumstances, e.g. construction of new roads, railways and reservoirs, both on a permanent and temporary basis.

22. What is a misleading notice?

A misleading notice is one calculated to deter you from using a public right of way, for example, a notice saying PRIVATE at the point where a public footpath enters a park. Such notices should be reported immediately to the highway authority. They are illegal on paths shown on the definitive map.

23. What is trespass?

The civil tort of trespass arises from the bare fact of unauthorised entry. However, unless injury to the property can be proven, a landowner could probably only recover nominal damages by suing in such a case. But of course you might have to meet the landowner's legal costs. Thus a notice saying "Trespassers will be Prosecuted", aimed for instance at keeping you off a private drive, is usually meaningless. Prosecution could only arise if you trespass and damage property. However, under public order law, trespassing with an intention to *reside* may be a criminal offence under some circumstances. It is also sometimes a criminal offence to trespass on military training land.

24. What is the law in Scotland?

There are rights of way in Scotland, and the law relating to them is similar in some respects to that which applies south of the border. But rights of way in Scotland do not have to be recorded on definitive maps. A few have been signposted by local authorities and by the Scottish Rights of Way Society. If you encounter a problem on a Scottish path you should report it to the relevant planning authority. Throughout the mainland this is usually the district council. However, in the Borders, Dumfries and Galloway, and Highland regions planning responsibilities fall on the regional councils; and in Orkney, Shetland and the Western Isles they fall on the island councils.

Countryside Commission publications on rights of way

Available, free of charge, from Countryside Commission Postal Sales, PO Box 124, Walgrave, Northampton NN6 9TL [tel: 01604 781848]

Out in the country – where you can go and what you can do (CCP186), includes the Access Charter

Waymarking rights of way (CCP 246)

Managing rights of way: an agenda for action (CCP 273)

A guide to definitive map procedures (CCP 285)

A guide to procedures for public path orders (CCP 449)

Rights of Way Act : guidance notes for farmers (CCP 299)

Rights of Way Act : guidance notes for highway authorities (CCP 301)

Managing public access: a guide for farmers and landowners (CCP 450)

CCW publications on rights of way

Available, free of charge, from CCW, Plas Penrhos, Fford Penrhos, Bangor, Gwynedd, LL57 2LQ [tel: 01248 370 444]

Out in the country (bilingual) (CCC 051)

Managing public access: a guide for farmers and landowners (bilingual) (CCC 081)

RA publications on rights of way

The 528-page second edition of the RA's book, *Rights of Way: a guide to law and practice*, which is recognised as the definitive work on the subject, is now available, price £12 plus £2 post and packing.

Footpath Worker, a quarterly bulletin containing reports of decision letters on public path orders, court cases and other matters of interest to those concerned with public paths is available from the RA, price £6.50 for a volume of 4 issues.

Free leaflets on rights of way matters, produced by the RA and available on receipt of an SAE, include:

Paths for people – a leaflet explaining the powers and opportunities for parish and community councils to care for and improve their local footpaths.

Reporting Path Problems – including a path problem report form and giving guidance on what to do if a path is blocked or otherwise difficult to use.

Ploughed and Cropped Paths – a leaflet explaining the law on ploughing and cropping of public paths.

Defending Public Paths – explaining what the RA does to defend public paths and how you can help.

Planning for Public Paths – a leaflet for developers and planning authorities aimed at preventing the obstruction of rights of way by new buildings.

A comprehensive circular giving advice to local authorities on rights of way is published by the **Department of the Environment**.

DOE Circular 2/93: Public Rights of Way, price £5.35, available from HMSO

FORM A RIGHTS OF WAY COMMITTEE

Form a Rights of Way Committee and co-opt keen local path users to gain the benefit of their knowledge and experience.

MAKE REGULAR INSPECTIONS

Carry out regular inspections (at least twice a year) of all the rights of way in the parish or community, noting any matters which need attention, and following these up as appropriate.

GET BASIC MAINTENANCE WORK DONE

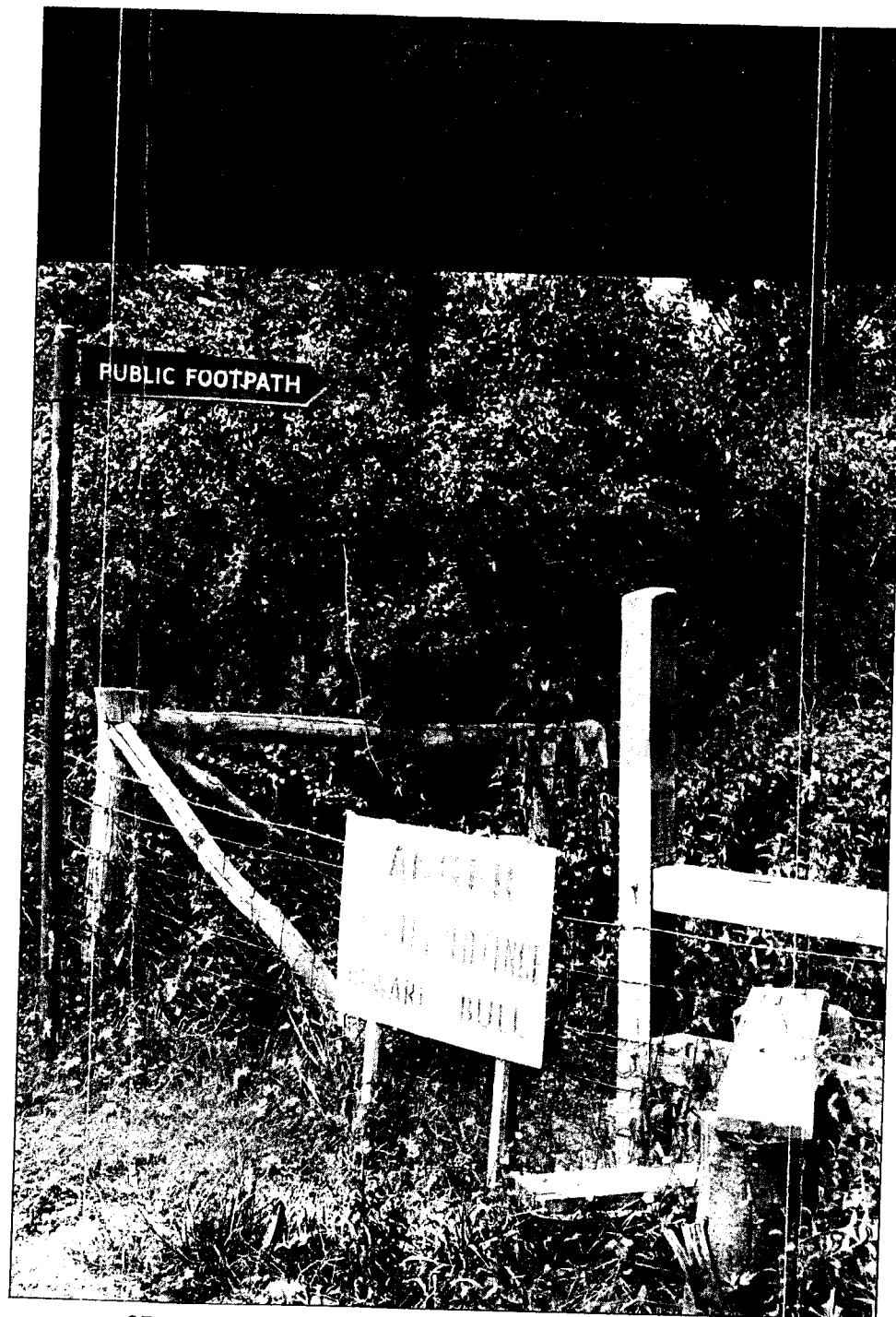
Carry out basic maintenance work, e.g. clearance of overgrowth, on behalf of the highway authority.

TRY TO RESOLVE PROBLEMS

Try and resolve problems such as ploughing and obstruction with the person responsible.

SEE THAT THE COUNTY COUNCIL TAKES ACTION

If this approach is not successful report the matter to the county council and see that the council takes action.



SEE OVER FOR THE POWERS YOU CAN EXERCISE

CHECK STILES AND GATES

Check that all stiles and gates are easy for all members of the public to use, and carry out repairs or improvements as necessary.

SEE THAT ALL PATHS ARE SIGNPOSTED

Ensure that all rights of way are signposted and waymarked where they meet metalled roads, and carry out maintenance of signposts as necessary.

SEE THAT RIGHTS OF WAY ARE WAYMARKED TOO

Ensure that all rights of way are waymarked along their length, by carrying out the work itself or by assisting voluntary organisations willing to waymark, e.g. by identifying and contacting landowners on their behalf.

PUBLICISE THE PATHS

Publish a guidebook to local walks and put up a map showing the rights of way in the parish or community.

ORGANISE WALKS FOR THE PUBLIC

This both encourages the public to use the paths and provides an opportunity for the council to show to the public the work it has done on their behalf.

MAINTENANCE

A local council may undertake the maintenance of any public footpath or bridleway in the parish or community (*Highways Act 1980 sections 43 and 50*). If the path or way is maintainable at public expense (as virtually all paths are), the county council, as a highway authority, or a district council exercising maintenance powers may reimburse the local council. Maintenance means in effect the cutting back of overgrowth, the repair of surfaces and the upkeep of bridges. It does not include the maintenance of stiles or the removal of obstructions. A local council is also well placed to point out to a highway authority when major maintenance work, e.g. on a footbridge, will be needed, and such early information can help to save the authority money.

OBSTRUCTIONS

In many cases it will be possible for a local council to resolve the problem caused by an obstruction by taking the matter up with the person responsible and arranging for him to remove the obstruction. This can be done informally at first, but more formally if the need arises. However, if this approach is not successful, a council has two further options. Firstly, it has the same right as any member of the public to prosecute the person responsible for obstructing the public's free passage along the highway. (*Highways Act 1980 section 137*, maximum fine £400 – level 3 on the standard scale). Secondly, the council can invoke the duty of the county council, as highway authority, to assert and protect the public's right to use the way concerned and to keep it free from obstruction. The highway authority is entitled, after giving due notice, to remove the obstruction and recover the costs incurred from the person responsible.

Parliament has provided local councils with a special power connected with this duty. Section 130, subsection 6, of the *Highways Act 1980* states that if a local council makes representations to a highway authority about an obstructed highway, then the authority is under a duty, unless it is satisfied that the allegations are incorrect, to take "proper proceedings" to deal with the obstruction. In 1979 Send Parish Council took Surrey County Council to court over its alleged failure to take "proper proceedings", and was granted an order of *mandamus* requiring the County Council to carry out its duty.

In that case Lord Lane, now Lord Chief Justice, said that whilst the County Council had a discretion as to the form of proceedings taken, it "must at all times act with the object of protecting the highway and of preventing or removing any obstruction, and, more broadly speaking, of promoting the interests of those who enjoy the highway or should be enjoying

THE POWERS OF LOCAL COUNCILS

The information in this leaflet is correct as at October 1990. In metropolitan counties district councils became highway and surveying authorities on 1st April 1986.

the right of way; and (...) must likewise operate against the interests of those who seek to interrupt such enjoyment of the highway".

How does a local council make such a representation? There is no need for undue formality and it can be done merely by a suitably detailed letter to the County Council as highway authority. The letter could be in the following terms:-

"I am instructed by (*name of*) Council to make a representation to you pursuant to section 130(6) of the *Highways Act 1980*.

The representation relates to a public footpath numbered ... on the definitive map of rights of way covering the parish/community leading from ... (*give grid reference if known*) to ... (*give grid reference if known*) in the parish/community.

This representation concerns the fact that it has been unlawfully stopped up or obstructed at:- (*describe location of obstruction etc. accompanied by grid reference*) and the Parish/Community Council believes that the obstruction is being caused by Mr. Y of ... (*give his address*). The obstruction (or stopping up) takes the form of (*describe the obstruction*).

I should be grateful if you would kindly deal with this representation in accordance with the duties provided for by the Act and it would be of benefit to this Council and the inhabitants of the area if you would be kind enough to inform me of the action which you have taken and in any event let me have a progress report from time to time.
Yours faithfully,"

In the case of a parish or community council the letter should be signed by the clerk to the council. In the case of a parish or community meeting the letter should be signed by the person presiding.

PLOUGHING AND CROPPING

Under section 134 of the *Highways Act 1980*, as amended by the *Rights of Way Act 1990*, the occupier of farmland is entitled to plough up or otherwise disturb the surface of a footpath or bridleway which crosses a field (but not one which runs along the edge) if it cannot conveniently be avoided. He is then under a duty to make good the surface so as to make it reasonably convenient for public use and make the line of the path or way apparent on the ground. These restoration provisions must normally be carried out within 24 hours of the disturbance, but if it is the first disturbance for that crop 14 days are allowed. They must be carried out over a width of at least 1m (*footpath*), 2m (*bridleway*). It is an offence not to comply with these restoration provisions, and also an offence under section 131A of the *Highways Act 1980*, added by the *Rights of Way Act 1990*, to disturb without lawful authority or excuse the surface of any footpath, bridleway or unsurfaced carriageway so as to render inconvenient the exercise of the right of way. In each case the maximum fine is £400 (level 3 on the standard scale.).

The occupier of farmland also has a duty, under section 137A of the *Highways Act 1980*, added by the *Rights of Way Act 1990*, to keep the line of a path or way apparent through crops. In addition crops must not be allowed to grow on, or grow or fall over or onto, any footpath, bridleway or unsurfaced carriageway so that walkers and riders are inconvenienced. "Crops" includes cereal crops and oilseed rape, but does not include grass grown for pasture, silage or haymaking. The width that must be kept clear is 1m (*footpath*), 2m (*bridleway*), 3m (*carriageway*) across fields, and 1.5m (*footpath*), 3m (*bridleway* or *carriageway*) around the edge of the field. Failure to comply with these duties is an offence, with a maximum fine of £400 (level 3 on the standard scale).

While highway authorities have the duty to enforce these provisions, the local council is also given the power, denied to individual members of the public, to undertake prosecutions where an offence is alleged to have been committed under section 131A or 134. Anyone may prosecute under section 137A. This is a very important power which Parliament has entrusted to local councils. A council's power to initiate a prosecution puts it in a strong position when discussing problems of ploughing or other disturbance with a farmer.

Highway authorities also have power to take default action under all these provisions by carrying out the work required and recovering their costs. Although the local council cannot take such action itself it can greatly assist the highway authority, by bringing problems to their notice and maintaining an exact record of the date a path was first ploughed or disturbed, so that the authority knows when the time available to the farmer has expired.

PATHS FOR PEOPLE

CLOSURES AND DIVERSIONS

Most closures and diversions take place by the county or district council making an order under section 118 or 119 of the *Highways Act 1980*. Notice of the making of such an order has to be placed in the local press, and, with a plan showing the effect of the order, on the path(s) concerned. A copy of the notice, together with a copy of the order, must also be served on the local council concerned not less than 28 days before the closing date for objections specified in the notice. If there are no objections the county or district council may itself confirm the order, but if there are objections the order, together with the objections, must be referred to the Secretary of State for the Environment (or for Wales). He must in turn arrange for the objection to be dealt with by one of his Inspectors, either by holding a public inquiry or a hearing or by arranging for the matter to be dealt with by written representations. If a local council objects, it is normal for a public inquiry to be held.

Some closures and diversions of footpaths and bridleways, and any such actions involving a road, are dealt with under the procedure in section 116 of the Act, whereby the county council applies to a magistrates' court for an order stopping up or diverting the highway in question. Under this procedure the county council must serve notice of their intended application on the local council, which then has two months in which it may decide to veto the application.

We strongly urge local councils to make use of this power of veto. The very formal procedure at magistrates' courts is in many ways less satisfactory for all concerned than the more informal procedure at public inquiries. It is by no means unusual for interested parties to be afraid to go to court, or having gone to court, to be afraid to speak – partly out of nervousness, and partly because of the very real risk of being involved in substantial legal expenses. The Secretaries of State for the Environment and for Wales have recognised the disadvantages of the procedure by advising authorities (in circular 1/83) not to use it unless there are good reasons for doing so. By using their veto, local councils can ensure that

the highway authority uses the more appropriate procedures under s 118 and 119 described above.*

MODIFYING THE DEFINITIVE MAP

Local councils have a number of powers connected with the making of modification and reclassification orders under sections 53 and 54 of the *Wildlife and Countryside Act 1981*. These are to be consulted on any application which is made to a surveying authority for a modification order; to be consulted before any modification or reclassification order is made; to be sent, not less than 42 days before the closing date for objections, a copy of the public notice announcing the making of the order, with a copy of so much of the order as affects the parish or community; and the right to make an application for a modification order to be made. A number of local councils have successfully applied for modification orders to be made to add paths to the definitive map. We urge others to follow their example.

If a local council objects to an order the procedures to be followed are essentially similar to those described above under "Closures and diversions".

IMPROVEMENTS

Local councils have been given a number of powers with which to make improvements to their public rights of way. These include:-

- a the creation of new footpaths or bridleways in their own, or an adjoining, parish or community by agreement with the landowner concerned. The council may carry out, or pay for, any necessary works, but does not appear to have any power to pay compensation to the landowner. (*Highways Act 1980 section 30*)
- b insisting that a highway authority puts up signposts at all places where footpaths, bridleways and byways leave metalled roads (*Countryside Act 1968 section 27(3)*)
- c carrying out, with the consent of the highway authority, signposting and waymarking of footpaths, bridleways and byways, (*Countryside Act 1968 section 27(5)*). Waymarking involves the painting of arrows, or the affixing of metal signs,

to suitable objects on or near paths to help people find their way.

- d providing seats, shelters and lighting on footpaths and bridleways (*Parish Councils Act 1957 sections 1 and 3*)
- e putting up notices warning of danger on or near a footpath or bridleway with the consent of the landowner and occupier. (*Road Traffic Regulation Act 1984 section 72*)

*Only when the highway to be closed or diverted is a road is it necessary to use the magistrates' court procedure.

FURTHER READING

Local councils may find the following publications of use:
Who needs a hole in the wall?, a leaflet to encourage developers to take more account of rights of way. Free
Rights of Way: a Guide to Law and Practice
Published jointly with the Open Spaces Society, a comprehensive book containing detailed information on every aspect of rights of way law, and including the text of all relevant legislation and government circulars.
Second edition due to be published early 1991.
available from the Ramblers' Association

Waymarking public rights of way, a practical leaflet. (CCP 246) Free

Out in the country: where you can go and what you can do, containing the Countryside Access Charter. (CCP 186) Free

A guide to definitive map procedures (CCP 285) Free.
Also available in Welsh. (CCP 285W)

The Rights of Way Act 1990: Guidance notes for farmers (CCP 299) Free booklet

The law for farmers on ploughing, cropping and rights of way (CCP 300) Free laminated pocket card

The Rights of Way Act 1990 (CCP 300RA) Free leaflet about the Act for the public

The Rights of Way Act 1990: Guidance notes for highway authorities (CCP 301) Free

Rights of way survey manual. (CCP 250) £5.00 post free
available from Countryside Commission Publications, Despatch Department, 19-23 Albert Road, Manchester M19 2EQ.

October 1990

Countryside COMMISSION

This leaflet has been grant-aided by the Countryside Commission. Its 'Enjoying the Countryside' policies emphasise the importance of rights of way being available and open for use.

The Commission is keen to encourage local councils to take a more positive role in local conservation and recreation activities. It has a 'low-cost grants scheme' with simplified procedures to help local councils and voluntary bodies undertake small projects up to £1500. For details of grant and recreation policies write to the Countryside Commission, John Dower House, Crescent Place, Cheltenham, Glos GL50 3RA.

THE RAMBLERS' ASSOCIATION

The Association has over 80,000 individual members and over 800 affiliated organisations. It exists to encourage walking in the countryside and to protect the public's right to do so.

A number of local councils are affiliated to the Association. The current affiliation rate is the same as the basic subscription rate for individual members. Members and affiliated organisations receive a journal four times a year, an annual Ramblers' Yearbook and other benefits.

A Welsh version of this leaflet can be obtained from our Welsh Officer at the address below.

The Ramblers



1-5 Wandsworth Road, London SW8 2XX.
Telephone: 071-582 6878

Miss Beverley Penney, Ramblers' Association Welsh Office,
Pantwood, Pant Lane, Marford, Wrexham Clwyd LL12 8SG.
Telephone: 0978 855148

Dear Councils,

As a member of your local council, you have a key job safeguarding a unique part of our heritage – the network of public footpaths, bridleways and green lanes (more than 140,000 miles of them all told) which reach into every corner of England and Wales.

The statutory duty to protect these paths and maintain them rests with the county councils and is often devolved to the districts. But Parliament has given important rights and powers to town, parish and community councils. What is more, no other authority can know the local paths as well as a local council can. When paths are ploughed out or obstructed (as they all too often are), the voice of the local council will command the attention of the responsible authorities in getting action.

The paths are a resource to be cherished for all. Official surveys show that walking in the countryside is today the most popular of outdoor recreations. It is not merely the pastime of town-based ramblers and hikers. In fact your local paths are just as valuable to your citizens as parks and open spaces are to city-dwellers; they offer open-air recreation on the doorstep. Public paths cost very little to maintain – but they do need vigilance and a knowledge of the relevant powers and procedures. In this leaflet the Ramblers' Association has condensed that knowledge. I hope that you will find it useful.

Yours sincerely,

Christopher Hall

Christopher Hall
President, The Ramblers' Association

PATHS FOR PEOPLE

A GUIDE TO PUBLIC PATHS
FOR MEMBERS OF PARISH,
TOWN & COMMUNITY COUNCILS



The Ramblers' Association