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1. Introduction

Welcome to our guidance for Rights of Way volunteers at the Ramblers.

Working to protect and improve our unique network of rights of way is one of the key charitable objectives of the Ramblers (1). By volunteering to help us you’ll be joining thousands of people across England and Wales dedicated to preserving and enhancing our paths.

Ever since the Ramblers was established in 1935, volunteers have played a key part in the successes of this organisation. We have a proud record of making Britain a better place for all walkers; our long history of campaigning has achieved, among many things, the recording of public paths on official ‘definitive’ maps across England and Wales and on Ordnance Survey maps, the development of National Trails such as the Pennine Way and Offa’s Dyke Path, and the requirement for local authorities to signpost their paths.

In 2015 we carried out our Big Pathwatch survey which was part of our ambitious campaign to ensure all rights of way in England and Wales are well maintained by 2020.

And this is where you come in. We hope that you find your involvement in the Ramblers interesting and enjoyable. It may be challenging on occasion but don’t forget that there is a wealth of experience available within the organisation, both locally and centrally. These notes are introductory and aim to give you an understanding of the basics. Further information on dealing with other aspects of rights of way volunteering in more detail (e.g. resolving problems, definitive maps, dealing with proposals to change the network, etc.) are available online, alongside information about training opportunities. Staff are happy to advise you on these matters further, and to provide you with extra information that we believe may be helpful in specific situations. Page 10 explains how you can contact central office for further help and advice.

2. What do rights of way volunteers do?

A lot of the Ramblers activities are undertaken by local volunteers; without them it would cease to function. Rights of way volunteers undertake a range of different tasks. These vary according to the preferences and skills of the volunteer, the way in which the Ramblers Area concerned organises its rights of way work, and the amount of time the volunteer is willing to spend. We hope that whatever you do you will find the experience rewarding. Examples of the things rights of way volunteers do are listed below, but don’t worry—you certainly won’t be expected to do all of these things all of the time!

- Reporting path problems to local authorities and trying to get them resolved.
- Making site visits to inspect path problems.
- Pursuing long-standing problems with the local authority responsible and, beyond, to the Local Government Ombudsman if necessary.
- Organising path surveys.
- Campaigning for more resources for rights of way work in local authorities, or for new or different policies within an authority, e.g. that no diversions will be considered unless all paths on that landholding are clear of obstructions.
- Practical work, e.g. waymarking, stile building, and path clearance.
- Working to protect urban paths, as well as those in the countryside.
• Promoting the path network and the work of the Ramblers by getting publicity for successes such as re-opening obstructed routes or adding new routes to the definitive map.
• Seeking opportunities to develop and extend the rights of way network (in particular, through Rights of Way Improvement Plans—a document which all local highway authorities must produce, setting out a strategy for improving rights of way in the area).
• Commenting on other local authority plans, policies, and strategies where they relate to rights of way and pedestrian access and safety.
• Working in close co-operation with other Ramblers volunteers: for example, with Ramblers countryside/walking environment secretaries where rights of way are affected by development, with access officers where rights of way link up with areas of access land, with Ramblers appointees to Local Access Forums (LAFs), and with walks leaders to encourage the reporting of problems and the use of less well-walked paths.

**Coping with change**—making sure that any proposed changes to the rights of way network are in the best interests of the walking public

• Liaising with local authorities over consultations and orders which seek to change the rights of way network and making site visits to assess the benefits or otherwise of any proposed changes. Objecting to such orders when necessary to protect the interests of walkers or negotiating if there’s scope for provision of a better route.
• Finding out about planning applications which affect rights of way and objecting to such applications where appropriate (where necessary in consultation with the Area or Group countryside secretary/walking environment officer), and negotiating if there’s scope for better provision for walkers within the scheme.
• Finding out about proposals for new and improved roads and commenting on their implications for the rights of way network and its users. Objecting to orders to close or divert paths in connection with road development when necessary.
• Campaigning for improvements to dangerous rights of way crossings over major roads.
• Attending public inquiries either to present the Ramblers case or to represent its interests.

• Definitive maps—making sure that the legal record of public rights of way is as accurate as possible in view of the 2026 deadline
• Definitive map work—collecting evidence for the addition of paths to the map.
• Opposing applications to upgrade footpaths to bridleways, cycle paths restricted byways or byways open to all traffic status where these are not in the best interests of walkers
• Opposing applications to delete paths from the definitive map where these are not justified by evidence.
• Attending public inquiries either to present the Ramblers case or to represent its interests.

**Building partnerships**

• Working with all tiers of local government to improve the walking environment
• Liaising with local councils (parish, town and community councils) through letters,
meetings and talks.

- Developing and maintaining contact with like-minded organisations, e.g. local rights of way groups, the BHS and other riding, cycling and rambling clubs, including those for the less-able, and amenity societies.

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<th>Things you need to find out or obtain</th>
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<tr>
<td>- When you start volunteering, another volunteer within your Area or Group should explain to you which tasks you will be asked to undertake, and should agree with you a role description. Ramblers Areas and Groups organise their rights of way work in many different ways to suit local circumstances, so there is no 'one size fits all' description of what a Ramblers rights of way volunteer does.</td>
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<td>- If you are taking over from an existing volunteer, any appropriate records, e.g. of problems reported, active case work, details of local landowners or their agents, etc.</td>
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<tr>
<td>- A copy of the definitive map and statement of the territory which you will be looking after, or a 1:25000 OS map marked up with path numbers.</td>
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3. **Your place in the Ramblers**

3.1 **How we are organised**

The governing body of the Ramblers is General Council which meets annually around Easter time, usually at a university. This is the Ramblers’ AGM. The delegates at Council are comprised of around 200 members of the Ramblers nominated to attend by Areas, and affiliated organisations. Motions are put forward by Areas and by the Board of Trustees, the delegates debate the motions and it is in this way that Ramblers policy is proposed to the Board of Trustees (see below). Delegates also discuss the annual report and accounts, as submitted by the Board of Trustees, and consider amendments to the Ramblers’ Memorandum and Articles (our constitution).

General Council also elects the Board of Trustees which is responsible for deciding how to implement the policies, employing the staff, and making sure that the Ramblers’ charitable funds are used appropriately. It also elects the President and vice-presidents. The current president is rights of way and access campaigner, Kate Ashbrook. Notable past presidents include Chris Smith (the Lord Smith of Finsbury), writer and broadcaster Janet Street-Porter, writer and entertainer Mike Harding, environmental campaigner Lord Peter Melchett, broadcaster Julia Bradbury, and Andrew Bennett, until 2005 MP for Denton and Reddish in Manchester. All past presidents automatically become vice-presidents.

The Board of Trustees comprises three officers—the chair, currently Kate Ashbrook; the vice-chair – Dr Peter Rookes, honorary treasurer, Michael Penny plus the Chair for Ramblers Cymru, Chris Hodgson and the Convener for Ramblers Scotland, Alison Mitchell. There are also nine ordinary members serving three year terms and up to two co-opted members.

Staff and volunteers carry out rights of way work within the framework of Council resolutions which define our policy approach. It is open to any member of the Association who thinks that a policy should be changed to use the Ramblers’ democratic structure to seek that change. In particular, you can make use of your Area’s right to table motions at the annual meetings of General Council.

We now have over 50 Areas across England, Scotland and Wales. Areas are responsible for pursuing the charitable objectives of the Association within their territories. Each Area operates in accordance with a constitution approved by the Board of Trustees. Each must hold an AGM which all members in that Area and locally affiliated organisations are entitled to attend. At the AGM the Area’s governing body is elected, delegates are elected or nominated to attend General Council and motions for Council may be put forward. In some Areas, much of the work to further the Ramblers’ charitable objects is delegated to local Groups of which there are over 500. Most walks and other social activities are organised at Group level.

The thousands of volunteers who participate in Area and Group activities do an enormous amount to further the Ramblers’ aims. In many cases it is their diligence that sparks off major changes in legislation affecting walkers’ rights. It is they who are walking, clearing and keeping open our wonderful network of footpaths, spreading a love of the countryside and firing enthusiasm in local campaigns.
Each Area organises its rights of way activities in what appears to be the most effective way in the light of local factors such as local government organisation, volunteer availability and the size of territory it has to cover.

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<th>Things you need to find out or obtain</th>
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<tr>
<td>• The names and contact details of your co-volunteers (in particular the Area and Group Footpath Secretaries and any local or district footpath workers appointed for territories not covered by Groups). Remember that the volunteers in these roles may change from year to year, following Area or Group AGMs.</td>
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<tr>
<td>• Information about how decisions are made on rights of way matters. Usually rights of way issues will be discussed at an Area and/or Group committee, so you will need to find out where and when these committees meet. Staff at central office strongly recommends that such committees be set up.</td>
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<tr>
<td>• If there is one, the Area statement setting out the role of its footpath committee; who makes decisions and how they are made; and the division of responsibilities between Area, Group and local footpath secretaries.</td>
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<td>• The arrangements for reporting problems to local authorities in the Area. Please note: The Ramblers’ official approach is for all path problems to be reported through our Pathwatch system. A report is then sent on a fortnightly basis to the local authority responsible (the Area Footpath Officer is CC’d into these reports as well so that they can cascade them down to the Group Footpaths Officer).</td>
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<tr>
<td>• How to go about claiming your out of pocket expenses (travel, etc.) from your Area or Group Treasurer.</td>
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3.2 Ramblers’ Values & Code of Conduct

We’ve developed a Code of Conduct for Ramblers members, volunteers, trustees and staff. The Code reminds us of our values, which are to be welcoming, positive, empowering, inclusive, ethical, democratic and environmentally responsible. It is important that everyone involved in the Ramblers is aware of these values and is guided by them at all times.

The Code also underlines the way we interact and work together. We want to ensure that the Ramblers is a pleasant and enjoyable organisation for everyone involved – especially for the many volunteers who give their free time to support our work.

The vast majority of people involved in the Ramblers do treat one another with respect at all times. In any organisation there will however be rare occasions when the behaviour of staff, trustees or volunteers will not meet expectations. In these cases the Code should be a useful tool in dealing with a difficult situation, particularly where a person’s behaviour is having a negative impact on others.

Our values are to be:
Welcoming - to all, and particularly to newcomers
Positive - looking to have fun and create enjoyment
Empowering - helping give people the confidence to help themselves
Inclusive - welcoming people from diverse backgrounds, and being sensitive to the needs of different communities
Ethical - being respectful of others, honest in what we say, and thinking through the consequences of what we do
Democratic - working to deepen and improve democracy within our organisation
Environmentally Responsible - promoting activities and behaviours which are sustainable and which benefit the environment

Code of Conduct
Our Code of Conduct sets out the basic principles of how everyone involved in the Ramblers should work together in a spirit of mutual respect and understanding.

1. Volunteers, members, staff and trustees will work together collaboratively to deliver our strategic aims and, in doing so, benefit the wider public.

2. We will uphold the values of the Ramblers and promote them in all of our work – with each other and when working on behalf of the Association with people outside of the Ramblers. We will challenge attitudes and behaviour which disregard our values

3. We will recognise the structure of the Ramblers and acknowledge that we may have differing lines of accountability which means that we may have to say no to requests.

4. We will recognise that our organisation is accountable to external organisations and is regulated externally, which means that we cannot always do what we may want.
5. We will aim to communicate our requests and decisions clearly, effectively and with courtesy. We will avoid language or behaviour which may come across as offensive. We will try to listen to each other, especially where we may disagree.

6. We will strive to make the Ramblers an enjoyable environment for everyone who works or volunteers.
3.3 Contact with, and support from, Ramblers staff

Staff
Rights of way volunteers are supported and assisted by staff in the Policy and Advocacy Team at the Ramblers London office and by staff at Ramblers Cymru in Cardiff. Our work is centered on the Ramblers’ ambition of seeing ‘a country designed for walking.’ Our remit includes:
Enhancing, improving and protecting paths
- Improving access to the countryside
- Protecting green space and walking in urban areas
- Protecting the beauty of the countryside
- Securing support for walking from decision makers
- Improving health and wellbeing through walking

In England there is a single point of contact for all new queries to the team. The majority of these will be fielded by the Policy and Advocacy Support Officer, Robyn Stephens. Please contact the team by calling 020 7339 8554 or e-mailing policy@ramblers.org.uk. You can, of course, write to the Ramblers address—marked for the attention of the team. If you are already working with a member of staff on a particular issue please contact them in the first instance. There are four main strands to the work of the Policy and Advocacy team:

**Policy development:** developing an authoritative voice on key policy issues by building organisational understanding, developing policy, providing expert advice and managing key resources.

**Advocacy:** influencing decision makers by monitoring governments, implementing strategies and activities, working with external stakeholders and collaborating with colleagues.

**Monitoring and reporting:** ensuring changes to the path network benefit walkers by monitoring path orders which seek to alter the network, supporting Ramblers volunteers and staff in responding to them, managing information and building organisational understanding.

**Advice and casework:** supporting and assisting volunteers and members of the public in resolving problems on rights of way and access land, and where necessary commissioning legal representation.

Volunteers in Wales should contact Ramblers Cymru on 029 2064 4308 cerddwyr@ramblers.org.uk, or in writing to 3 Coopers Yard, Curran Road, Cardiff, CF10 5NB.

Communication between Ramblers central office and rights of way volunteers
- WALK magazine includes Front Foot: our round up of news from the world of walking and Campaign update: A round up of the Ramblers’ latest campaigning work. You should find these sections of particular interest, please make sure you read them
- There’s a lot of useful information in our Volunteer Toolkit here: www.ramblers.org.uk/volunteer-zone/support-and-development/protecting-and-expanding-where-we-walk.aspx
- Any new guidance or policies will be highlighted on the main Ramblers GB website news section. Please make sure you check this regularly.
All of this information is provided to keep you up-to-date with developments in rights of way law and practice. We send information by e-mail where possible, and by post where not. If you would like to receive communications from us by e-mail please let us know at policy@ramblers.org.uk.

Public path and definitive map modification orders received from local authorities, and other communications relating to particular paths, e.g. reports of problems, are sent, normally weekly, to whoever is nominated by the Area to receive them (we usually refer to this person as the ‘path order recipient’). Local authorities are increasingly choosing to send these via email to save costs therefore it is becoming essential to have your email address on record.

But this is a two way process. To operate effectively the Ramblers centrally has to be kept informed of what is going on locally. Areas and Groups are therefore asked to keep us informed by responding to the requests we make from time to time for information on particular subjects and generally letting us know when something happens of particular interest.

We have developed a path order feedback form to gain an understanding of what role our volunteers have undertaken after receiving a path order and what stance they have taken (supportive, objective etc.) which can be found here: http://www.ramblers.org.uk/great-britain/resources/volunteer-resources/protecting-and-expanding-where-we-walk-toolkit/path-order-feedback-form.aspx

In particular, it is vitally important that you let us know about your success in rights of way work: saving a path from closure, opening up an overgrown path by undertaking practical work, getting a path added to the definitive map and so on. We need to be able to let the general public know about the good work which the Ramblers undertakes—that way we encourage new members to join us and the more membership income we have, the more we are able to do. Please inform us of any successful result you have via the online form here: http://www.ramblers.org.uk/volunteer-zone/support-and-development/tell-us-about-a-path-success.aspx and these will be added to our map of successes which can be found at http://www.ramblers.org.uk/news/news/volunteer-success-stories/map-of-successes.aspx.

You should also inform central office immediately if you are served with any form of legal proceedings relating to your activities on behalf of the Ramblers, such as an application for an injunction. Don’t worry—this is an extremely rare occurrence!

**Division of responsibility between staff and Ramblers Areas**

The Ramblers’ Memorandum and Articles (1) make Ramblers Areas responsible for carrying out the objects of the Association within their territories. This means that most decision-making on path matters is delegated to officers elected locally by Ramblers members. However, an exception to this is that it is necessary for you to obtain approval from staff at central office/Ramblers Cymru before initiating legal action of any kind. This is because, in all cases, there is a possibility of the action establishing a legal precedent, or being challenged by the other party concerned, and of costs being awarded against you as the person representing the Ramblers. Since any such case could be contested all the way to the Supreme Court, this could cost the Ramblers many thousands of pounds.
The requirement to obtain central office approval before becoming involved in court proceedings also applies to opposing an application by a highway authority to the magistrates’ court under section 116 of the Highways Act 1980 for the closure or diversion of a right of way, and seeking orders for the removal of an obstruction under sections 130A–D of the Highways Act 1980, or to put a path into repair under section 56 of that Act. Staff will normally make a site visit before giving authority to commence on the court stage of these two procedures. Before contacting staff, rights of way volunteers should always discuss the possibility of embarking on any such action with their Area Footpath Secretary since approval of the Area is needed before any action can be commenced.

3.4 Training

The Ramblers centrally organises Ramblers Roadshows which includes a session on the “Basics of Rights of Way Law.” Information about the Roadshow events can be found here: [http://www.ramblers.org.uk/volunteer-zone/support-and-development/ramblers-roadshow-events.aspx](http://www.ramblers.org.uk/volunteer-zone/support-and-development/ramblers-roadshow-events.aspx)

We have also partnered with the British Horse Society to deliver the “Rights of Way - Restoring the Record” sessions which are presented by acknowledged experts, Phil Wadey and Sarah Bucks. The aim of these training events is to enthuse, enable and empower rights of way researchers to make definitive map modification order applications to ensure that rights that would be extinguished in 2026 are saved from the cut-off-date. Any upcoming sessions will be advised on the “Don’t Lose Your Way” section of the website: [http://www.ramblers.org.uk/get-involved/campaign-with-us/dont-lose-your-way.aspx](http://www.ramblers.org.uk/get-involved/campaign-with-us/dont-lose-your-way.aspx)
4 The Basics of rights of way and access law

The Ramblers is an acknowledged source of expertise and information on the subject—if you have access to the internet you can find a wealth of information on our website at http://www.ramblers.org.uk/advice/rights-of-way-law-in-england-and-wales.aspx and paper copies of all of this can be made available. Set out below are some basic questions and answers to get you started.

1. What is a right of way?
A right of way is a path that anyone has the legal right to use on foot, and sometimes using other modes of transport.

- Public footpaths are open only to walkers
- Public bridleways are open to walkers, horse-riders and pedal cyclists
- Restricted byways are open to walkers, horse-riders, and drivers/riders of non-mechanically propelled vehicles (such as horse-drawn carriages and pedal cycles)
- Byways Open to All Traffic (BOATs) are open to all classes of traffic including motor vehicles, though they may not be maintained to the same standard as ordinary roads.

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?
Your legal right is to “pass and repass along the way”. You may stop to rest or admire the view, or to consume refreshments, providing you stay on the path and do not cause an obstruction.

You can also take with you a “natural accompaniment” which includes a pram, or pushchair. You can also legally take a manual or powered wheelchair (mobility scooter) provided you follow the regulations for taking these vehicles on ordinary roads. However there is no guarantee that the surface of the path will be suitable for pushchairs and wheelchairs.

You can take a dog with you, but you must ensure it is under close control. Note that there is no requirement for stiles to be suitable for use by dogs.

3. How do I know whether a path is a public right of way or not?
The safest evidence is the official ‘definitive map’ of public rights of way. These maps are available for public inspection at the offices of local surveying authorities (see Q7). Some are also available 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 (see Q23), is shown by the Ordnance Survey on its Explorer and Landranger maps.

Some rights of way are not yet shown on definitive maps. These can quite properly be used, and application may be made to surveying authorities for them to be added to the map. The inner London boroughs are not required to produce definitive maps, though this does not mean there are no rights of way in inner London.

4. Are all footpaths rights of way?
No. There are many paths that the public is able to use but that are not legally rights of way and do not enjoy the same protection.

Paths crossing public parks and open spaces, commons and other land to which the public has formal or de facto access may not necessarily be rights of way, though some of them are.

Other paths, known as permissive routes, are open to the public because the owner has given permission for them to be used: often there is a notice on the path making clear the owner has no
intention of dedicating the path as a right of way, and reserving the right to withdraw the
permission. These paths are sometimes closed for one day a year, with a view to preventing claims
that they are rights of way.

Towpaths, paths across land owned by organisations such as the Forestry Commission and
National Trust who have a policy of providing access, and off-road multi-user routes such as those
created as part of the Sustrans National Cycle Network, are available for public use but may not be
rights of way.

The Countryside and Rights of Way Act 2000 provides a right of access to mapped areas of
mountain, moor land, down land, heath land and registered common land be it on tracks and
paths or off them.

5. 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 makes the presumption that
if the public uses a path without interference for some period of time—set by statute at 20 years—
then the owner had intended to dedicate it as a right of way.

A public path that has been unused for 20 years does not cease to be public (except possibly 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 confirmation by the Secretary of State for the
Environment, Food and Rural Affairs, or the National Assembly for Wales.

6. Who owns the paths?

The surface of the path is for most purposes considered to belong to the highway authority (see
Q7). What this means is that the authority owns the surface of the way and so much of the soil
below and the air above as is necessary for the control, protection and maintenance of the
highway. The rest normally belongs to the owner of the surrounding land.

7. Which councils are responsible for paths?

The council that has principal responsibility for rights of way in a particular area, known as the
highway authority, is either
• the county council
• the unitary authority (this term includes the London boroughs and the metropolitan
authorities)

These councils are also surveying authorities, which have the duty to prepare and maintain the
definitive map (except in inner London; see Q3).

The highway authorities may sometimes assign some of their responsibilities to other authorities.
District councils may, by agreement, take over path maintenance and other duties from county
councils. Parish and community councils also have the power to maintain paths (see our leaflet
Paths for People). In national parks, the national park authority sometimes takes over some or all of
the responsibilities for rights of way.

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. They are legally responsible for maintaining the surface of the
path, including bridges, and keeping it free of overgrowth. They have the power to require owners
to cut back overhanging growth from the side of a path.

8. How wide should a path be?
The path should be whatever width was dedicated for public use. This width may have arisen through usage, or by formal agreement, or by order, for example if the path has been diverted. The width may be recorded in the statement accompanying the definitive map (see Q3) but in many cases the proper width will be a matter of past practice on that particular path (see also Q17 and Q19). Note the width of the right of way itself may be greater, or sometimes less, than the width of any track or hard-surfaced strip along the route. If establishing the legal width of a path proves complicated, it is worth remembering the rough Ramblers’ maxim that “a path should be wide enough for two people to pass.”

9. Are horses allowed on public paths?
Horse riders have a right to use bridleways, restricted byways and byways open to all traffic. They have no right to use footpaths, and if they do they are committing a trespass against the owner of the land, unless the use is by permission (see Q25). If use of a footpath by riders becomes a nuisance the local authority (see Q7) can ban them with a traffic regulation order. This makes such use a criminal offence rather than an act of trespass.

10. Are pedal cyclists allowed on public paths?
Pedal cyclists have a right to use bridleways, restricted byways and byways open to all traffic, but on bridleways they must give way to walkers and riders. Like horse riders, they have no right to use footpaths and if they do so they are committing a trespass against the owner of the land, unless use is by permission (see Q25). As with horse-riding (see Q9), use of any right of way by cyclists can be controlled by traffic regulation orders and byelaws imposed by local authorities. Infringement of byelaws or orders is a criminal offence. Under the Highways Act 1835, it is an offence to ride a bicycle on the pavement at the side of a road, and under the Fixed Penalty Offences Order 1999 a person who rides on a pavement can be fined on the spot by a police officer.

11. Is it illegal to drive cars or motorcycles on public paths?
Anyone who drives a motor vehicle on a footpath, bridleway or restricted byway without permission is committing an offence. This does not apply if the driver stays within 15 yards of the road, only goes on the path to park and does not obstruct the right of passage. 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.

12. Are all the paths supposed to be signposted?
Highway authorities (see Q7) have a duty to put up signposts at all junctions of footpaths, bridleways and byways with metalled roads. The signs must show whether the path is a footpath, bridleway or byway and may also show other information such as destination and distance.

Highway authorities also have a duty to waymark paths along the route so far as they consider it appropriate (see Q13).

13. What is waymarking?
Waymarking is a means of indicating the line or direction of a path away from metalled roads at points where it may be difficult to follow. In Britain it is normally done with arrow markings on gates, stiles and posts. Natural England and the Countryside Council for Wales recommend a standard system of colour-coded arrows—yellow for footpaths, blue for bridleways, purple for restricted byways, and red for byways open to all traffic.

Waymarking is also used to indicate specially promoted routes like long distance paths, circular walks, nature trails and so on. Where these routes follow public rights of way, the route name or logo is often used in addition to or in combination with the standard waymark.

14. Are paths numbered?
Yes, on the definitive maps (see Q3). Sometimes you will also see these numbers used on signs and waymarks. Different local authorities use different systems of numbering, and paths are often numbered on a parish or community basis, so path numbers are not very useful as an aid to navigation, only as a means of referring to an individual path for legal purposes.

15. Can a landowner put up new gates and stiles where none exist presently?
No. Not without seeking and getting permission from the highway authority (see Q7) in circumstances where a stile or gate is necessary to prevent the movement of animals and then complying with any conditions to that permission.

16. 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; see also Q7) must, in certain cases, contribute 25% of the cost if asked and may contribute more if it wishes. If stiles and gates are not kept in proper repair the authority can, after 14 days’ notice, do the job itself and send the bill to the owner.

17. Is it illegal to plough up or disturb the surface of a path so as to make it inconvenient to use?
Yes, unless the path is a footpath or bridleway running across a field as opposed to running alongside the field boundary. In this case the landowner can plough or otherwise disturb the path surface provided it is not reasonably convenient to avoid doing so. The path must be restored within 24 hours of the disturbance or within two weeks if this is the first such disturbance for a particular crop. The restored path must be reasonably convenient to use, and have a minimum width of 1m for a footpath or 2m for a bridleway, or the legal width if known, and its line must be clearly apparent on the ground.

18. What happens if a path surface has been disturbed but not restored?
A highway authority (see Q7) 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.

19. What about crops growing on or over a path?
The landowner has a duty to prevent a crop (other than grass) from making the path difficult to find or follow. The minimum widths given in Q17 apply here also, but if the path is a field-edge path they are increased to 1.5m for a footpath, 3m 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 landowner or cut the crop and send the owner the bill.

20. What is an obstruction on a path?
Anything which interferes with your right to use it, for example 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 (see Q7).

Highway authorities have a duty “to prevent as far as possible the stopping up or obstruction” of paths.

21. Can I remove an obstruction to get by?
Yes, provided that you are a bona fide traveller on the path and have not gone out for the specific purpose of moving the obstruction, and that 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 always report such obstructions to the highway authority.

22. Can a farmer keep a bull in a field crossed by a public path?
A bull of up to ten months old, yes. Bulls over ten months 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 over ten months 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.

23. Can a landowner close or divert a path?
No. Closure and diversion—that is, a change to a path’s route—can only be carried out by local authorities or central government.

Path closures - Under the most common procedure a highway authority (see Q7) can make an order to close a path if it considers the path is no longer needed for public use. A notice must be published in a local paper and also placed at both ends of the path. At least 28 days must be allowed for objections. These must be heard at a public inquiry taken by an inspector from the Planning Inspectorate, or by hearing (less formal than an inquiry), or they may be considered in writing if the objectors agree.

Path diversions - These may not take place if the new route 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 path as a whole. The procedure is the same as for closure orders.

Paths may also be closed or diverted “in order to enable development to be carried out in accordance with planning permission”. There are also provisions for highway authorities to apply to magistrates’ courts for closure or diversion of paths, and for orders to be made in other circumstances such as the construction of new roads, railways and reservoirs, both on a permanent and temporary basis. Notice of temporary orders must be given on site; however there is no specified procedure for objections.

If you have any doubts about the legality of a change to a path, contact the highway authority.

24. What is a misleading notice?
This is a notice calculated to deter you from using a public right of way, for example, a notice saying PRIVATE at the point where a path enters a park. Such notices should be reported immediately to the highway authority. They are illegal on paths shown on the definitive map (see Q3).

25. What is trespassing?
A person who strays from a right of way, or uses it other than for passing and repassing (see Q1) commits trespass against the landowner.

In most cases, trespass is a civil rather than a criminal matter. A landowner may use “reasonable force” to compel a trespasser to leave, but not more than is reasonably necessary. Unless injury to the property can be proven, a landowner could probably only recover nominal damages by suing for trespass. 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. Criminal 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 a criminal offence to trespass on railway land, and sometimes on military training land and on land which has been specifically designated under the Serious Organised Crime and Police Act 2005.

Access to open country

The right of access provided under the Countryside and Rights of Way Act 2000 (CRoW Act) gives the public access to 936,000 hectares of mapped open uncultivated countryside.
26. **What is the new right of access?**
The CRoW Act provides a right of access on foot to mapped areas of uncultivated open countryside. Open countryside defined as mountain, moor, heath, down, registered common land or land which has been voluntarily dedicated for access by the landowner.

27. **Is it the "Right to Roam"?**
The Act is sometimes called the "Right to Roam". However, this term can be misleading as the Act does not provide a right to walk everywhere at all times.

28. **Where can I go? And how can I find out where I can walk?**
You can find out where the right of access applies by getting your hands on a new OS Explorer Map. These have all been updated and show the new access land. The new maps have the access symbol on the front as shown on the left.

29. **When did the right of access come into force?**
On Monday 31 October 2005 the implementation of the right of access was fully completed in all of England and Wales after a regional programme of mapping.

30. **What am I allowed to do on access land?**
The right of access allows recreational activities on foot such as walking, bird-watching and climbing only. Some things are specifically not allowed on access land under the Act, these are given as a list of general restrictions.

31. **How is access managed?**
Access is managed by local highway authorities or, in National Parks, by the National Park Authority, these are called access authorities. Access authorities have the power to enact and enforce bye-laws where necessary, appoint wardens, erect and maintain notices and improve means of access to access land. For more information see the functions of access authorities. They will be advised by Local Access Forums.

32. **What are Local Access Forums?**
Local access forums are bodies set to advise these access authorities. They are made up of councillors, landowners, farmers and user groups like horse riders and walkers. They advise on such issues as access management, new signs or proposed long-term local access restrictions and Rights of Way management plans. For more information see Local Access Forums.

33. **Are landowners able to close their land?**
The Act allows landowners to close their land for up to 28 days a year (including some Saturdays and Sundays) for any reason. Landowners may apply for further closures or restrictions, on a temporary or permanent basis, for health and safety, land management or fire risk. There may also be closures to protect wildlife or areas of historic interest or on the grounds of national security.

34. **Where can I get information on local closures and restrictions?**
At the present time the only place to check for information on local closures and restrictions will be the www.openaccess.gov.uk web site. Some tourist information centres also display this information and notices may be displayed at information points and on the relevant area of access land.

35. **What should I do if I see a misleading notice?**
If you come across a notice you believe is misleading, like a "no access sign" on access land or out of date restrictions notice then you should report it to your local access authority. If they take no action then the matter should be reported to Local Access Forums. For any more help or advice on trying to sort out problems on access land please contact the Policy and Advocacy team at policy@ramblers.org.uk.
36. **What if there is no way onto the access land?**
Access authorities have powers to provide means of access to access land, ideally in consultation with the landowner but by order if necessary. If you find there is no way of getting to the access land, then please report it along the same lines as a misleading notice.

27. **What is dedicated access land?**
Under the CRoW Act landowners can dedicate land as access land so adding it to the other mapped areas of open countryside. So far the largest landowner to do this is the Forestry Commission which has dedicated all their free hold land. For more information see Dedication of access land.

**Rights of Way: a guide to law and practice**

In addition to this, the Ramblers and the Open Spaces publish *Rights of Way: A Guide to Law and Practice* (commonly referred to as the Blue Book) (6). This is widely acknowledged as the key text book on rights of way law. Each Ramblers Area and Group in England and Wales was issued with a copy when the fourth edition was published in 2007. The book is usually in the custody of the Area or Group Footpath. All rights of way volunteers should have a copy of, or easy access to, the book and we are able to provide copies to any new footpaths officers. These notes have been cross-referenced to pages in the fourth edition of the book thus [Blue Book, pages 9–10]. A special website [http://www.ramblers.org.uk/rightsofwaybook/](http://www.ramblers.org.uk/rightsofwaybook/) complements the latest edition of the book. It provides links to documents and judgments mentioned in the book, as well as updates on changes in the law and other matters.
5. The management of rights of way

As we saw in section 4, rights of way are afforded a great deal of protection in law. The law of highways has been developed over many hundreds of years. It is a combination of common law (defined by judgments in court cases) and statute law set out in Acts of Parliament. Throughout its history the Ramblers has successfully lobbied MPs and members of House of Lords to achieve changes to the law which have improved the walking environment. Major campaigns to achieve such changes are run by our Campaigns Team (campaigns@ramblers.org.uk), but from time-to-time we may ask for your help, e.g. by providing us with information about the situation on the ground in respect of a particular type of problem, or by getting you to write to/e-mail your MP/AM or an interested member of the House of Lords in support of our campaigns.

Making good friends with an MP can have unexpected benefits as well. Ramblers in Lincolnshire took their MP, Edward Leigh, on a walk to show him how badly paths were obstructed by ploughing and cropping activities. Mr Leigh was so concerned by what he saw on that walk that when he had the opportunity to bring forward a Private Member’s Bill in Parliament he contacted us to find out if it could be used to improve the law on ploughing and cropping of paths. The result was the Rights of Way Act 1990 which considerably strengthened the law in that respect.

### Things you need to find out

The name and constituency address of your MP (and in Wales your Assembly Member (AM) as well) and his or her listed interests (and, if different, the details of the MP/AM of the area in which you are doing your rights of way work). Don’t be put off if they haven’t listed walking and the great outdoors amongst their interests; they may be interested in health, transport or social inclusion issues and walking and rights of way are relevant to those agendas. Your local MP/AM has been elected to serve you and is dependent on your vote to get re-elected and so will be anxious to win and retain your continued support.

5.1 **English government involvement** (Blue Book pages 304–305)

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<thead>
<tr>
<th><strong>Defra (Department of the Environment, Food and Rural Affairs)</strong></th>
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<tr>
<td>This is the central government department which has responsibility for the legislative and policy framework within which the rights of way network operates and is protected. Defra’s Sponsorship, Landscape and Recreation Division, based in Bristol, is responsible for, amongst other matters, the sponsorship of Natural England, policy on landscape protection, national parks, areas of outstanding natural beauty (AONBs) and other protected areas, access to open country and the coast, common land, countryside recreation, and rights of way policy and legislation. Other divisions of Defra also have some interest in rights of way and countryside issues, e.g. the Environment Group of the Department is based in London and has sections dealing with conservation and woodlands policy, land use planning, conservation management, environmentally sensitive areas, countryside stewardship, land use and the rural economy.</td>
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<tr>
<th><strong>DfT (Department for Transport)</strong></th>
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<tr>
<td>DfT is responsible for railways, aviation, shipping and ports, roads, regional and local transport, road safety, and driver and vehicle operational matters. Both cycling and walking as forms of transport fall within its remit.</td>
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<tr>
<th><strong>DCLG (Department for Communities and Local Government)</strong></th>
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<tr>
<td>DCLG sets policy on local government, housing, urban regeneration, planning, and fire and rescue. It has responsibility for all race equality, and community-cohesion related issues in England and for building regulations, fire safety, and some housing issues in England and Wales.</td>
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| **PINS (The Planning Inspectorate)** |
The Planning Inspectorate is an Executive Agency of the Department of Communities and Local Government, but it also provides services to the Secretary of State for Transport, the Secretary of State for the Environment, Food and Rural Affairs, and the Welsh Assembly Government (see below) on appeals and other casework under planning, housing, environment, highways and allied legislation. The Inspectorate is based in Bristol and Cardiff and its rights of way sections deal with all public path and definitive map modification orders which are submitted to the Secretary of State/Welsh Assembly Government for determination. PINS also deals with representations and appeals under Schedule 14 to WLCA 1981.

Natural England
Natural England is a public body, funded by central government through Defra. It was established in 2006 as a result of the merger of English Nature, the landscape, recreation and access elements of the Countryside Agency, and the land management functions of the Rural Development Service. Its purpose is to conserve and enhance and manage the natural environment for the benefit of current and future generations. It is the government’s statutory adviser on these matters.

5.2 The National Assembly for Wales and Welsh Government

The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales, and holds the Welsh Government to account. It was created by the Government of Wales Act 1998, which followed a referendum in 1997. The National Assembly has 60 elected members: 40 constituency and 20 regional members. Assembly Members (AMs) are elected by and are responsible to voters in Wales. Wales remains part of the UK, and, so, constituencies have MPs with seats in Westminster and AMs with seats in the National Assembly.

At first the Assembly had no powers to initiate primary legislation until limited law-making powers were gained through the Government of Wales Act 2006. Its primary law-making powers were further enhanced following a Yes vote in the referendum on 3 March 2011, making it possible for it to legislate without having to consult the UK parliament, nor the Secretary of State for Wales in the 20 areas that are devolved.

The Welsh Government holds executive power and the Cabinet consists of The First Minister, 9 other Ministers, 3 deputy Ministers, and the Counsel General. Together with civil servants in the policy divisions they form the Welsh Government (WG).

There are a number of departments and divisions covering areas relating to Ramblers work. The Department of Sustainable Futures deals with planning, environmental and countryside policy/issues, including access to the countryside and rights of way policy, implementation of the Countryside and Rights of Way Act 2000, and sponsorship of the Natural Resource Wales and national parks in Wales. Access to the Countryside, rights of way and active recreation policy are the responsibility of the Minister for Culture and Sport.

Other departments which particularly concern The Ramblers are: Environment; Agriculture & Food; Housing & Regeneration; and Local Government and Communities.

The Environment Department brings together environmental factors and management of the countryside with economic and social objectives to maximize the well-being of people and communities through Natural Resource Wales. This also has close links to the Agriculture and Food Department responsibility of which is with the same Minister.

The Housing, Regeneration and Heritage Department has responsibility for serving and protecting the historic environment of Wales and promotion of heritage-led regeneration; promoting access to, and community engagement with, Welsh heritage and the historic environment.
The Local Government and Communities Department has responsibility for transport policy including walking and cycling.

The Planning Inspectorate operates as an Executive Agency in Wales, serving the Welsh Assembly Government. Its rights of way section deals with all public path and definitive map orders which are submitted to the National Assembly for Wales for determination.

**Natural Resource Wales**

On 01 April 2013, Natural Resources Wales took over the work of Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales. Natural Resources Wales was created to bring together the management of natural resources and environment in Wales. Natural Resource Wales is the principal adviser to the Welsh Government on the environment, enabling the sustainable development of Wales’ natural resources for the benefit of people, the economy and wildlife. They manage 7% of the land area of Wales and have a unique mix of activities in terms of managing, protecting and using Wales’ natural resources. They are also one of the biggest providers of outdoor recreation in Wales, with 550km of mountain bike trails, 135km of horse riding trails, 450km of walking trails, five visitor centres and 75 picnic sites.

5.3 **Local government in England and Wales** [Blue Book, pages 297–303]

**Country councils and unitary authorities**

Duties regarding the protection and maintenance of rights of way, which are highways in law, and the keeping of definitive maps (the legal record of public rights of way) have been assigned by Parliament, through various Acts, to those councils which have been designated as ‘highway authorities’ and ‘surveying authorities’. County councils, London boroughs and unitary authorities (which include the metropolitan district councils) are both highway and surveying authorities. In most cases, rights of way volunteers will be dealing with these councils.

**District councils**

Rights of way workers may also have to deal with non-metropolitan district councils. This is because:

- under section 42 of the Highways Act 1980 they have the right to take over from county councils the maintenance of footpaths and bridleways;
- by agreement under section 101 of the Local Government Act 1972 any function of a county council can be exercised on its behalf by a district council (although such an agreement does not relieve a county council of its duties);
- by virtue of section 130(2) of the Highways Act 1980 any council may assert and protect the rights of the public to the use and enjoyment of highways and this power is sometimes exercised by district councils and requires no agreement;
- Non-metropolitan district councils have the same powers as county councils to make public path orders under the Highways Act 1980 sections 26, 118 and 119 and, as local planning authorities, will make most orders needed to enable development to take place using the provisions of the Town and Country Planning Act 1990 s 257.

(Note that there are no district councils in Wales as all local authorities are unitary authorities.)

**National parks**

All national parks are run by independent national park authorities (NPAs). NPAs have the same powers as non-metropolitan district councils to make orders under the Highways Act 1980, and as local planning authorities, they will make orders under the Town and Country Planning Act 1990 section 257. They may also act as agents for the highway/surveying authorities which cover the national park. They also have the power to make traffic regulation orders on certain roads within national parks (ways shown on the definitive map and unsurfaced carriageways).
Rights of way workers need to establish what, if any, work on behalf of the highway/surveying authority is carried out by district councils or NPAs in their territories. If rights of way work is not being carried out properly under such arrangements then the failings need to be reported to the highway/surveying authority, and may need to be made the subject of a campaign.

There are now two organisations representing those local government officers who are professionally involved in rights of way matters. The Institute of Public Rights of Way and Access Management (IPROW) is the professional body for public rights of way officers. It provides training and support for its members and is, increasingly, making its voice heard on rights of way issues. Together with Natural England and ADEPT (the Association of Directors of Environment, Economy, Planning and Transport), it has produced a Good Practice Guide covering many aspects of rights of way work from the point of view of local authority officers. This is essentially a ‘work in progress’ and it is available electronically at http://www.iprow.co.uk/gpg/index.php/Main_Page. ADEPT has a special interest group, the National Countryside Working Group, which brings together senior local authority staff with an interest in countryside and rights of way matters.

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<tr>
<th>Parish, community and town councils</th>
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<tr>
<td>Parish, community and town councils (local councils) have no duties in respect of public rights of way, but they do have certain rights and powers which enable them to improve the state of their rights of way if they so desire. The Ramblers actively encourages local councils to take an interest in rights of way and has produced a special leaflet on the subject for councillors (7). Some local councils choose to affiliate to the Ramblers to learn more about rights of way and the work of the Ramblers, and can be powerful allies.</td>
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**Decision making in local government**

The Local Government Act 2000 introduced new political structures into local government in England and Wales. Although the full council remains the central decision-making body, there are three options available for the executive structure of each council. These are (i) a directly elected mayor with a cabinet; (ii) a leader and cabinet; or (iii) a mayor and council manager. Each council must have at least one overview and scrutiny committee. These committees are made up of councillors who are not members of the executive/cabinet, and reflect the political balance of the authority. ‘Scrutiny’ in this context takes in a varied range of activities. These are—

- Reviewing and developing the council’s polices.
- Making policy and budget proposals to the council.
- Reviewing proposed executive decisions.
- Calling-in or reviewing decisions before they are implemented.
- Performance monitoring and review.
- Scrutiny of other local organisations, including health services.

In most councils the executives will have replaced the old system of decision-making by sub-committee, although committees which reflect the political membership of the council continue for what are called quasi-judicial decisions, e.g. on planning and licensing matters, and may well deal with decisions on the making of public path and definitive map modification orders. It is important that Ramblers volunteers find out how their councils are organised so that decision-makers, and those who are scrutinising the decision-makers, can be identified. Each council must publish its constitution and these can usually be found on council websites.

**Access to local authority meetings and information**

The public’s rights of access to meetings of local authorities and to the information given to members of local authorities are set out in section 100A to 100H of the Local Government Act 1972, added by the Local Government (Access to Information) Act 1985. In particular, the agenda
and reports for full council and for council committee and subcommittee meetings must be available to the public, except where they refer to business from which the public is likely to be excluded. (This will usually only apply when matters of a sensitive financial or confidential nature are under consideration.) A list of background papers for each report, and copies of those papers, must be available for six years from the meeting. In addition, you should be able to see the council’s standing orders governing access to information and any code of practice concerning the right of the public to see (and copy) internal council documents [Blue Book, pages 321–323].

Members of the public may be allowed to address the council on an agenda item by prior agreement with the support officer (committee clerk). The time allowed is usually two or three minutes, at the discretion of the chairman. Note that this may depend on the standing orders of the council in question.

The Freedom of Information Act 2000 applies to all public authorities in England and Wales and makes provision for the disclosure of information which they hold. Since January 2005 anyone has had a right to any information held by a public authority unless an exemption under the Act applies. Requests for information will have to be dealt with within 20 working days. An advice note can be found on this in the Volunteer Zone within the ‘Protecting and Expanding Where We Walk’ Toolkit. [Blue Book, pages 323–324].

5.4 Local access forums

The Countryside and Rights of Way Act 2000 introduced a new requirement for highway authorities in England and Wales to set up local access forums (LAFs), though for London Boroughs this is optional, and the Secretary of State or National Assembly for Wales has the power to exempt certain areas from having one. The main purpose of the forums is to advise on the following:

a) Draft maps of open country;
b) Long term restrictions on access land;
c) Appointing wardens;
d) Creation of byelaws;
e) Rights of way improvement plans.*

(* Under sections 60–62 of the 2000 Act, highway authorities have a new duty to prepare and publish a rights of way improvement plan. The plan must include an assessment of the local rights of way network and a statement of action for managing and improving it. In assessing the network, highway authorities are required to consider the (a) the extent to which local rights of way meet the present and likely future needs of the public; (b) the opportunities provided by local rights of way for exercise and other forms of open-air recreation; (c) the accessibility of the local rights of way network to blind or partially sighted persons or others with mobility problems; (d) such other matters as may be prescribed by the Secretary of State/NAW. Every highway authority in England and Wales was required to produce a plan by November 2007. Many have done so and the plan should guide the way in which the authority carries out its rights of way work).

The highway authority must take the views of the forum into account when dealing with these matters.

When giving advice, LAFs are required to take into consideration the needs of land management; conserving natural beauty; and guidance from DEFRA and NAW. LAF membership should include representatives of users of local rights of way or access land; owners and occupiers of access land or land over which local rights of way exist; and any other interests especially relevant to the authority’s area.
Before preparing or reviewing a rights of way improvement plan or making their assessment of the state of the network, highway authorities must consult any local access forum established for their area or part of it. So LAFs must be involved with the plans at the earliest stage. They are expected to comment on opportunities for access to open countryside, including new linear routes, and to assist highway authorities in setting their priorities for improvements.

Rights of way volunteers can feed into this process by finding out whether any local Ramblers members have a place on the LAF, and making contact with them. You can also help by attending forum meetings. LAF meetings are open to the public, and by attending you can show support for the work of the forum and keep up to date with proceedings. By keeping track of recommendations made by the forum, you can help lobby the authority to spend more money: for example, on the implementation of improvements, signposting, creation of new links and warden of access land. More information on LAFs and how you can help is available in the RA’s Local Access Forum Guidance (8).

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<tr>
<th>Things you need to find out</th>
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<tr>
<td>Local government arrangements in your Area (county plus district, or unitary)</td>
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<tr>
<td>Details of your own ward or division member(s)</td>
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<th>Find out from your Area</th>
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<tr>
<td>Details of the council department which deals with rights of way, and the names of the officers</td>
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<tr>
<td>Information on any other council members with an interest in walking and related issues, and the cabinet member or portfolio holder with responsibility for rights of way</td>
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<tr>
<td>Details of local Ramblers members who have a place on the LAF</td>
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<tr>
<td>Times, dates and locations of LAF meetings</td>
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<th>Things you need to obtain</th>
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<tr>
<td>A copy of your local Rights of Way Improvement Plan</td>
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6. **Key Ramblers policies**

**Public Rights of Way**
In England and Wales we have over 140,000 miles of public rights of way, providing the ability to walk recreationally and to get from one place to another on foot, sometimes by using paths which have been walked for thousands of years. These public rights of way should be maintained by your local Highway Authority and are recorded on official maps (called definitive maps) in England and Wales.

Public rights of way are not just footpaths - there are bridleways and byways which the public has a right to use. Unfortunately not all public rights of way are recorded on definitive maps or shown on the Ordnance Survey, and neither are other paths which are open by permission or under other arrangements.

The Ramblers work to protect public rights of way includes:

- Ensuring they are recorded properly, adding new paths to the definitive map and the network
- Reporting problems like obstructions to highway authorities, and follow reports up to make sure these problems are resolved
- Saving paths from unsuitable diversions which will spoil a walk or make it unsafe
- Undertaking improvements to paths ourselves - our path work teams all over the country help maintain our paths on behalf of the highway authorities and landowners and for the walking public.
- We work in partnership with volunteers, sometimes involving legal action, to make sure that the interests of walkers using their public rights of way are secured.

**Rights of way and cattle**
We work to ensure that walkers are not exposed to unnecessary risks caused by cattle kept on land to which the public has access.

**The issue**
Farmers are allowed to keep cattle in fields with public access, but legislation bans the keeping of bulls in fields crossed by rights of way, unless they are less than 10 months old, or not of a recognised dairy breed. Beef bulls in such fields must be accompanied by cows or heifers. Health and safety laws require farmers to ensure that people not in their employment aren’t exposed to unnecessary risks by undertaking risk assessments.

Whilst the law on bulls is specific, incidents in which members of the public are chased or injured by cattle are far more likely to involve cows with calves.

**Our position**
The countryside is a working environment in which our food is produced, however risks to walkers associated with the keeping of farm animals should be minimised.

Government must raise awareness amongst the public by improving guidance on how to behave around farm animals (especially when walking with dogs) and amongst farmers and land managers on measures which can be taken to minimise risks.

In addition there must be proper enforcement of the law on bulls, and of health and safety legislation covering cattle and other animals. A ban on the keeping of any bull in a field to which the public has a right of access should be introduced.

**Rights of way and motor vehicles**
We work to ensure that the activities of users of recreational motor vehicles do not endanger or disturb walkers, or damage the country paths which they use.

**The issue**
Paths which don’t have sealed surfaces can be damaged by motor vehicles, making them difficult to use and costly for local authorities to repair. Use of these paths by motor vehicles can also spoil the quiet enjoyment of the countryside for walkers, horse riders, pedal cyclists and horse drawn carriage drivers.

Although there is a legal right to drive motor vehicles on paths classified as Byways Open to All Traffic (BOATs), and on other unsealed roads which carry rights for motor vehicles (often called ‘green lanes’), the use of motor vehicles on footpaths, bridleways and restricted byways is illegal in most circumstances, and should be reported to the police.

Our position

Laws exist to protect these routes but they are inadequately enforced. We believe there should be:

- Proper enforcement of the law which prohibits the driving of motor vehicles on footpaths, bridleways and restricted byways (with use of criminal proceedings and confiscation of vehicles where appropriate).
- Timely use of traffic regulation orders (TROs) to prohibit the use of recreational motor vehicles on BOATs and other unsealed roads, particularly within National Parks and AONBs, and on National Trails, to protect paths from damage, and in the interests of non-motorised users.

Without consistent and comprehensive application use of these measures, the most cost-effective protection of these routes inevitably lies with new legislation.

Rights of way and level crossings

The permanent closure of rights of way over level crossings should be a matter of last resort, when there are no other reasonable means of improving safety.

The issue

Network Rail’s current level crossing closure programme involves the closure or diversion of many rights of way which cross railways. We believe that the legislation currently used to achieve these changes does not achieve a proper balance between the interests of Network Rail and rail operating companies, and highway users. These laws require reform.

While the existing system remains in place, early discussion between Network Rail, local highway authorities, and local communities and path user groups about how such closures and diversions can be either avoided or reasonably consolidated within the wider rights of way network is essential.

Our position

We welcome moves to make level crossings as safe as possible through education, improvements to crossing approaches (e.g. better sight-lines, gates and other barriers), and the provision of warning lights and alarms.

The closure of a pedestrian level crossing may mean that walkers are forced on to busy country roads with no footways where traffic poses dangers. When closure of a level crossing is being considered then the alternative route must be safe and convenient for all users.

Alternative railway crossing points must be as close to the original crossing as possible: a detour of a few miles is a major inconvenience and likely deterrent for pedestrians.

Urban

Rambler’s policy on walking in towns and cities
What do we want?
Ramblers want cities and towns that are designed to encourage people to go about their everyday lives on foot. We want to make walking the easy choice, for any type of urban journey, whether just trying to get from A to B or for recreation and relaxation. Cities and towns with high-quality, well-connected, accessible networks of paths and spaces that are rich in natural features encourage walking and in so doing improve public health, boost local economies and help create safer, happier, more cohesive communities.

What is the problem?
- **Inheritance**: The built environment has been designed to get cars – rather than people – moving. This emphasis on making car travel easier has resulted in walking environments that are less safe, less pleasant, more polluted, more congested, noisier and more difficult to navigate, leading to a decline in physical activity.
- **Connections**: There are many national and local government objectives and targets associated with walking, including those related to physical activity; connecting people to the natural environment; and increasing walking as part of everyday journeys. Despite the potential of walking to help meet these important targets, the approach to improving walking environments has so far been piecemeal and limited in impact.
- **Maintenance and management**: Local authorities own and manage most green and grey spaces in cities. As the amount of funding given by central to local government decreases, many local authorities are struggling to maintain public spaces. Our urban walking infrastructure is at high risk of decline.
- **Housing crisis**: There is strong pressure on local authorities to build more houses. Many authorities have or are considering selling land and property or giving green space over to development without sufficient guarantees that new development will improve the quality or extent of local walking networks or enhance the natural environment. Yet the development of land provides a clear opportunity to do so.
- **Public space**: As local authorities sell off land, the private sector is increasingly stepping in to develop previously public spaces. There are concerns that this public-private development is altering the character of cities – making them less welcoming - and becoming the dominant type of public space. Again, there is an opportunity for collaboration to improve the urban walking environment.

What are the solutions?
- **Make connections**: The routes and spaces which facilitate urban walking should be considered as a network, in the same way that roads are. National and local strategic plans concerned with transport, environment, health and planning should be coordinated and prioritise the development of a well-connected, high quality local walking networks, to encourage people to walk as part of everyday routines. Local authorities should appoint walking champions to provide leadership across the authority whilst the new Cycling and Walking Investment Strategy and the development of Local Cycling and Walking Infrastructure Plans provide an opportunity to adopt a more strategic approach to walking.
- **Value green space**: Local authorities should know the extent of their green spaces and have a strategy for maintaining and improving them, including measures to address imbalances in the quantity and distribution of green spaces. Evidence shows that where local authorities have a positive commitment to their green spaces - for example, by having a strategy in place - green spaces are more likely to be in good condition. New funding sources and partners should be sought to contribute to the upkeep of green spaces and routes.
- **Improve the built environment**: Urban development must put the needs of people to live in healthy places above the needs of car traffic. Plans for new developments must prioritise walking, providing green routes and spaces that connect to public transport, surrounding streets, shops and amenities. Urban spaces and streets should contribute to a sense of community and place through high quality design, encouraging connections and permeability; welcoming, with places to sit, shade, displays of art or regular events; and be rich in natural green features.
7. Useful Contacts

**Ramblers** www.ramblers.org.uk

Ramblers GB Office
2nd Floor, 89 Albert Embankment, London, SE1 7TW
020 7339 8500  ramblers@ramblers.org.uk

Ramblers Scotland Office
Caledonia House, 1 Redheughs Rigg, South Gyle
Edinburgh, EH12 9DQ
Tel: +44 (0)131 472 7006  scotland@ramblers.org.uk

Ramblers Cymru Office Cymdeithas y Cerddwyr
3 Coopers Yard, Curran Road, Cardiff, CF10 5NB
0292 064 4308  cerddwyr@ramblers.org.uk

**Government**

Directory of all public services
www.gov.uk

UK Parliament
www.parliament.uk
Find your MP: http://www.parliament.uk/mps-lords-and-offices/mps/
Find your local Councillors: https://www.gov.uk/find-your-local-councillors

Welsh Assembly Government
http://gov.wales
0300 0603300 or 0845 010 3300 (English) or 0845 010 4400 (Cymraeg)

Department for Communities and Local Government (DCLG)
030 3444 0000

Department for Environment, Food and Rural Affairs (DEFRA)
03459 33 55 77

Department of Transport
https://www.gov.uk/government/organisations/department-for-transport
0300 330 3000

**Other**

Blue Book extra  http://www.ramblers.org.uk/rightsofwaybook/
IPROW  www.iprow.co.uk
Natural England  www.naturalengland.org.uk
Natural Resources Wales  http://naturalresourceswales.gov.uk/
Planning Inspectorate  www.planning-inspectorate.org.uk

[* Note that Ramblers’ Association is our registered name but that we are known as the Ramblers.*]
8. Abbreviations and Acts of Parliament commonly encountered in rights of way work

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ADEPT</td>
<td>The Association of Directors of Environment, Economy, Planning and Transport</td>
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<tr>
<td>BOAT</td>
<td>Byway open to all traffic</td>
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<tr>
<td>BTCV</td>
<td>British Trust for Conservation Volunteers</td>
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<tr>
<td>CCW</td>
<td>Countryside Council for Wales</td>
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<tr>
<td>CLA</td>
<td>Country Land and Business Association</td>
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<tr>
<td>CPRE</td>
<td>Campaign to Protect Rural England</td>
</tr>
<tr>
<td>CPRW</td>
<td>Campaign for the Protection of Rural Wales</td>
</tr>
<tr>
<td>DCLG</td>
<td>Department for Communities and Local Government</td>
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<tr>
<td>Defra</td>
<td>Department of the Environment, Food and Rural Affairs</td>
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<tr>
<td>DIT</td>
<td>Department for Transport</td>
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<tr>
<td>FW</td>
<td>Footpath Worker (the RA’s technical bulletin for footpath workers)</td>
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<tr>
<td>FUW</td>
<td>Farmers Union of Wales</td>
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<tr>
<td>IPROW</td>
<td>Institute of Public Rights of Way and Access Management</td>
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<tr>
<td>LTPs</td>
<td>Local Transport Plans</td>
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<tr>
<td>NAW</td>
<td>National Assembly for Wales</td>
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<td>NFU</td>
<td>National Farmers Union</td>
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<td>NPa</td>
<td>National park authorities</td>
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<tr>
<td>ORPAs</td>
<td>Other routes with public access</td>
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<tr>
<td>OS</td>
<td>Ordnance Survey</td>
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<tr>
<td>PINS</td>
<td>Planning Inspectorate</td>
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<tr>
<td>POR</td>
<td>Path order recipient—a person nominated by their Ramblers area to receive path orders and other information from Ramblers central office</td>
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<tr>
<td>RB</td>
<td>Restricted byway</td>
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<tr>
<td>ROWIPs</td>
<td>Rights of way improvement plans</td>
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<td>RUPP</td>
<td>Road used as a public path (now obsolete)</td>
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<tr>
<td>Sustrans</td>
<td>Sustainable Transport (a charity which designs and builds routes for cyclists and walkers, in particular the National Cycle Network)</td>
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<tr>
<td>WG</td>
<td>Welsh Government</td>
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**Most important Acts of Parliament**

<table>
<thead>
<tr>
<th>Act</th>
<th>Year</th>
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<tbody>
<tr>
<td>HA 1980</td>
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<tr>
<td>WLCA 1981</td>
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<td>TCPA 1990</td>
<td></td>
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<td>CRWA 2000</td>
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<td>NERCA 2006</td>
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**Other Acts which are mentioned**

- Contempt of Court Act 1981
- Copyright, Designs and Patents Act 1988
- Countryside Act 1968
- Cycle Tracks Act 1984
- Disability Discrimination Act 1995
- Disability Discrimination Act 2005
- Environment Act 1995
- Environmental Protection Act 1990
- Equality Act 2010
- Freedom of Information Act 2000
- Interpretation Act 1978
- Local Government (Access to Information) Act 1985
- Local Government Act 1972
Local Government Act 2000
Local Government and Housing Act 1989
National Parks and Access to the Countryside Act 1949
Public Health Act 1936
Rights of Way Act 1990
Road Traffic (Temporary Restrictions) Act 1991
Road Traffic Regulation (Special Events) Act 1994
Road Traffic Regulation Act 1984
Transport and Works Act 1992

Acts since 1988 and most Statutory Instruments since 1987 are available on the website of the Office for Public Sector Information at:
http://www.opsi.gov.uk/acts.htm

In addition, the Statute Law Database is the official revised version of the statute book for the UK in electronic form, although it is not wholly up to date. The statute book is a term used to mean all the primary legislation of a public general nature in force at any particular time. This can be visited at: http://www.statutelaw.gov.uk/Home.aspx