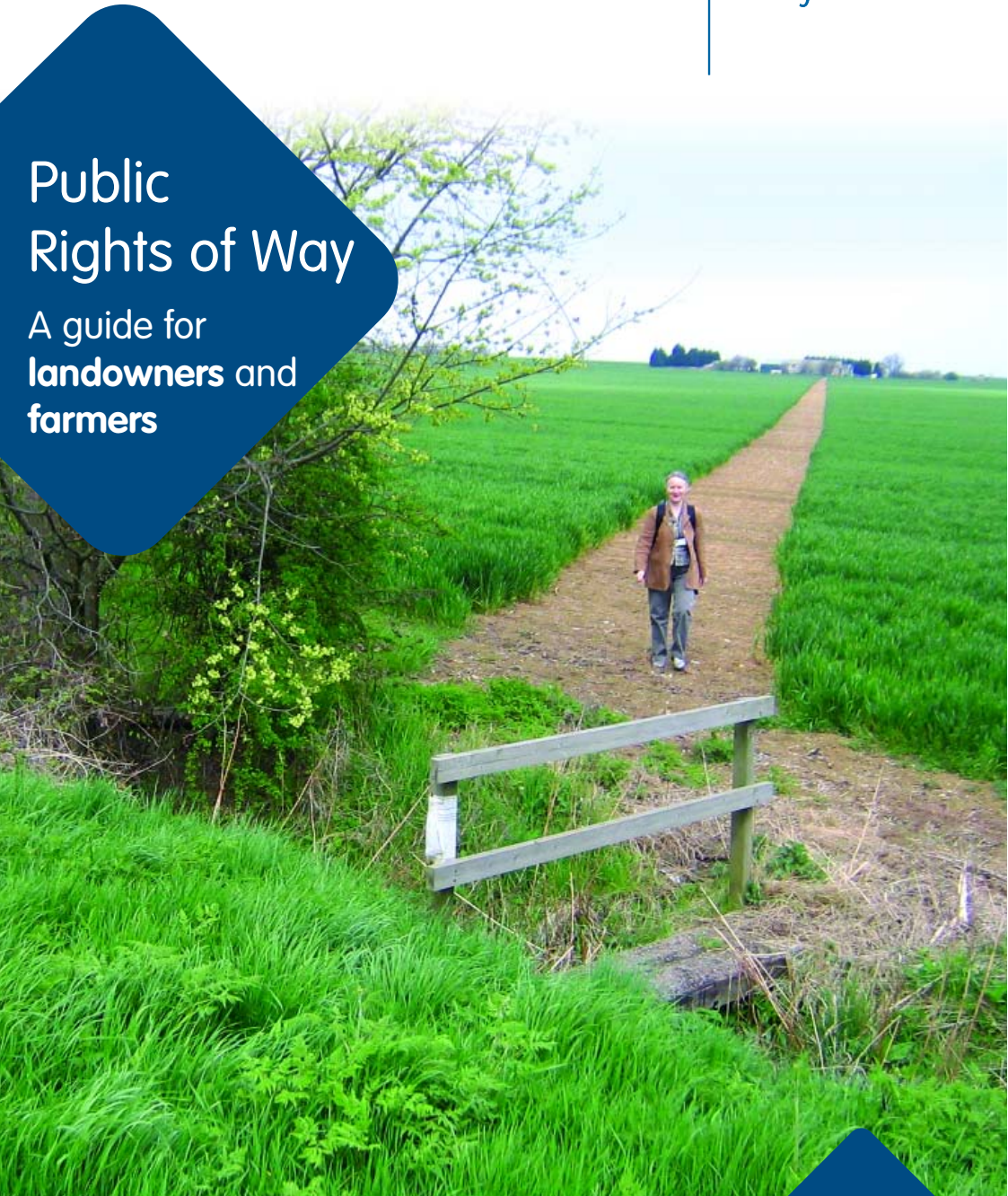




Cambridgeshire
County Council

Public Rights of Way

A guide for
landowners and
farmers



What are Public Rights of Way?

There are four categories of public rights of way:

Public Bridleways



Public Bridleways may be used for riding or leading a horse. They also provide access for walkers and pedal cyclists (as long as the cyclist gives way to all other users). They are waymarked with a blue arrow.

Byways Open to All Traffic



Along a Byway Open to All Traffic, a right of way exists for walkers, people on horseback, pedal cyclists and people driving all kinds of wheeled vehicles, including horse drawn and motorised vehicles. They are marked with a red arrow.

Public Footpaths



Public Footpaths provide a right of way for walkers. They are waymarked with a yellow arrow

Restricted Byways



Restricted Byways provide a right of access to walkers, people riding or leading a horse, pedal cyclists and a horse-drawn carriage. Restricted Byways are waymarked with a purple arrow. There are very few in Cambridgeshire.

Waymarks are provided **free** of charge. For more information, call the Countryside Access Team on **0345 045 5212**

Who does what?

In order to keep the paths open, we rely on farmers and land managers to undertake certain tasks. If you have a path, it makes sense to keep it in good order and properly waymarked to keep users on the right path. Responsibilities are shared and are detailed below.

Farmers and Land Managers should;

- Ensure that rights of way are not obstructed. An obstruction can be anything that prevents convenient use of the path, including cultivation.
- Ensure that field-edge paths and all byways/restricted byways are never cultivated.
- Obtain consent from the County Council before erecting barriers or altering the surface of a public right of way.
- Maintain gates and stiles in a safe and easy to use condition.
- Ensure that hedges next to public rights of way are cut back to prevent them from obstructing the path.



Cambridgeshire County Council should;

- Assert and protect the public's right to use the public rights of way network.
- Manage natural surface growth on public rights of way.
- Signpost public rights of way where they leave a metalled road and waymark along the public rights of way where appropriate.
- Consider and authorise (where appropriate) barriers and other works which affect public rights of way.
- Keep the legal record of public rights of way up to date on the Definitive Map and statement.



Frequently asked questions

Can I plant a new hedge next to the public right of way?

Yes, hedges create a barrier to prevent trespass and provide a wildlife habitat, in addition to visual enjoyment for all. You must plant a hedge at least 2m away from the public right of way to prevent it from encroaching on the route as it grows. The hedge should then be managed.

How can I prevent oil seed rape obstructing public rights of way?

At its full height oil seed rape can reach 6 ft. Even if the width of a cross-field path is left unsown, fully grown rape will fall across the path. To prevent obstruction it is generally necessary to cut or leave a wider strip through the crop.



How can I keep crops clear of a path that crosses my land?

You must ensure that the minimum legal width of the path is kept clear from crops in order to prevent them obstructing the line of the path. It is safer to cut vegetation than to kill it by spraying. However, some herbicides are approved for use in removing vegetation growing on public rights of way. Product labels should be checked prior to use and health and safety requirements adhered to.



Who can I contact about fly-tipping on public rights of way?

For problems with fly tipping on public rights of way contact the environmental health section of your local district council. Further guidance is available from the Health and Safety Executive.

Who can I contact about unauthorised traveller encampments on rights of way?

You can report unauthorised encampment on rights of way to the The Team at Cambridgeshire County Council. Please find the contact details in this leaflet.

Want to make physical changes to routes on your land?

Gates, Barriers, Stiles or a gap?

Any structure on a path has to be authorised by the County Council and we are limited as to where and under what circumstances we are allowed to authorise structures. Gaps are best! Where a structure is required a gate or posts are the norm. We can currently supply metal kissing gates, (sometimes) free of charge to replace worn/damaged stiles so long as a barrier is still justified, but only while stocks last. Any legitimate structures should conform to British Standards - see website or phone for details



Changes to the surface of a path

If you want to make a permanent change to the surface of a path you need to get approval from the Highways Authority. This is to ensure that all users interests, including your own, are properly recognised and protected. Contact the Team for further discussion on any of these issues.

Helping you, to help us

Grass cutting contracts

Keeping paths free of crops is down to the farmer but grass growing through the surface is the County Council responsibility. We have contracts with over 40 landowners who we pay (albeit a limited sum) to cut the grass. Keeping the grass down is not only good husbandry, but helps keep people on the right path and prevents unwanted weeds from gaining hold. If you would like to discuss grass cutting contracts, please call the Team.

Waymarking

Waymarking helps keep people on the right path and to avoid inadvertant trespass. The arrows displayed on waymarks are colour coded to help distinguish which 'Public Right of Way' a path follows. The County Council can supply waymarking materials, i.e. posts and plastic direction arrows free of charge for waymarking within the county. Please ask for details.



Getting us, to help you

Discretionary Access

With many farmer Countryside Stewardship schemes coming to an end, people are asking us “what next?”

If the public are making use of routes on your land why not get this properly recognised? Landowners may wish to consider the following options:-



Permissive Paths: An agreement between Cambs County Council and landowners to allow access (on the landowners terms) to the public for specified purposes. A standard agreement can be found on our website. Free of charge.

Higher Level Stewardship (HLS): HLS aims to deliver significant environmental benefits in high priority situations and areas. It involves more complex environmental management, so land managers will need advice and support. HLS agreements are for ten years and payments are sent out every six months. HLS includes payments for capital items such as hedgerow restoration and for public access. Details can be found at www.naturalengland.org.uk/ourwork/farming/funding/es/hls/default.aspx

Limiting Future Claims

In order to prevent claims for new access arising, you may make (and keep up to date) an S31 deposit. This is a mechanism by which landowners/managers can record what rights of way exist and therefore prevent further rights arising. A standard form can be found on our website. Free of charge.





Quick Ploughing & Cropping Reference Guide

	Footpath	Bridleway	Byways and Other Paths
Can I plough a cross-field path?	Yes	Yes	No
What should I do after I have ploughed a cross-field path?	Within 14 days, restore the path so it has a level and even surface and the route is clearly visible		n/a
What width should be free of vegetation on a cross-field path?	1m	2m	3m
Can I plough a field edge path?	No	No	No
What width should be free of vegetation on a field edge path?	1.5m	3m	5m

Minimum widths

For all Public Rights of Way enquiries in Cambridgeshire contact:

The Rights of Way and Access Team at Cambridgeshire County Council

Tel: 0345 045 5212 Email: cst@cambridgeshire.gov.uk

Website: www.cambridgeshire.gov.uk/countryside

If you need this booklet in large print or in an alternative version, please contact Cambridgeshire County Council on 01223 715558.