

# I Congreso Internacional de Camino y Carreteras Locales 7 March 2018



## Rural ways in England

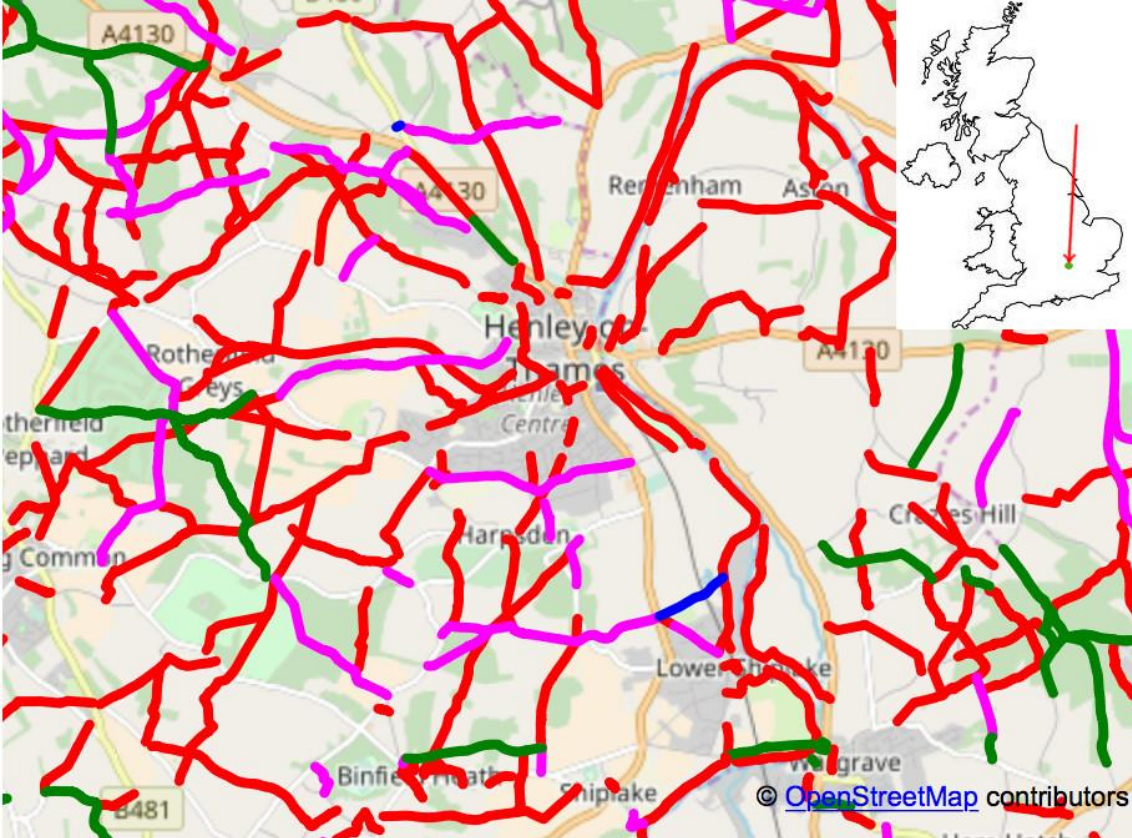
Hugh Craddock, case officer, Open Spaces Society (a charity based in Oxfordshire, England)

# The network



- England has immense network of rural ways
- Probably > 200,000 kms
- Many have ancient origins — mediæval, Roman or older
- Formerly served functional needs — trade, travel to work, visiting friends and relatives, shopping — but now mainly recreational use

# Rural ways near Henley, Oxfordshire (1)



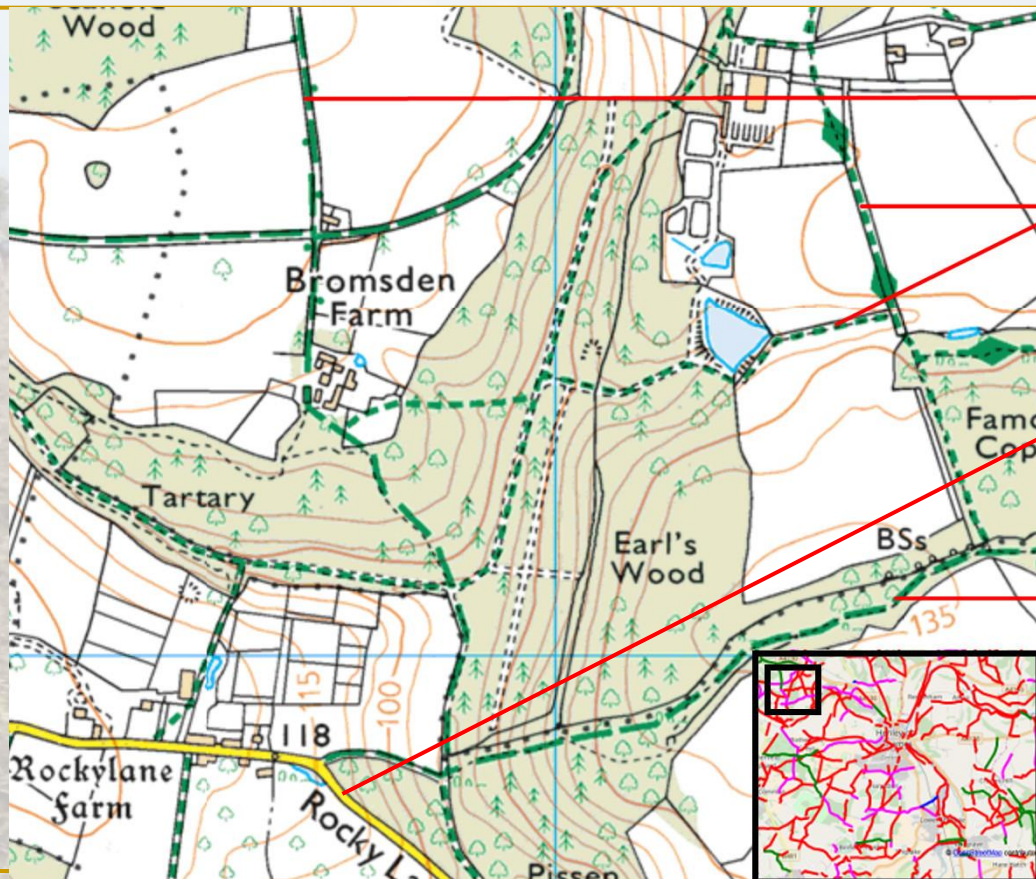
10 kms

# Classes of rural ways

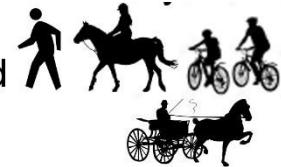


- Footpaths: for walkers
  - Bridleways: for walkers, horse riders and cyclists
  - Carriageways: for all, including motor vehicles ( $\approx$  roads)
- ...to which Parliament has added:
- Cycle paths: for walkers and cyclists
  - Restricted byways: all except motor vehicles

# Rural ways near Henley, Oxfordshire (2)



restricted byway



footpaths



road

bridleway

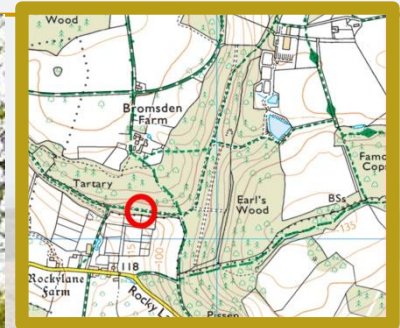


Ordnance Survey  
Explorer map (scale:  
1:25,000)

1 km



# Rural ways near Henley, Oxfordshire (3)



## Footpath in Tartary Wood

© Graham Horn (cc-by-sa/2.0)

# Public rights (1)



- All of these ways are defined in English law as ‘highways’ (as are roads)
- The public has a legal right to use a highway — a right to ‘pass and repass’
- The public may also make reasonable use — e.g. stop to look at view, take photos, or drink
- ‘Reasonable accompaniment’: dog, pram, disabled buggy...

# Public rights (2)



Right to use disabled buggy — if practicable!

© Graham Bathe



# Character of rural ways (1)



- Most rural ways are not tarred  
e.g. stone, earth or grass...



# Character of rural ways (2)



- They cross private land e.g. farm land...



# Character of rural ways (3)



- The landowner must provide gates or stiles



# Character of rural ways (4)

- The farmer may plough most cross-field ways— but must reinstate within two weeks



# Character of rural ways (5)

- The landowner must not obstruct ways, and may move them only by legal process



# Local authorities (1)



## Local authorities must:

- protect the public right to use these ways
- maintain most rural ways
- prevent and remove obstructions
- signpost and waymark paths
- make sure ploughed paths are reinstated
- keep a definitive map and statement of footpaths, bridleways and byways

## Local authorities (2)



Every rural way must be signposted at junction with a road

## Local authorities (3)



- But 'austerity' (spending cuts) in England means local authorities cannot fulfil their duties
- Ways blocked by vegetation, obstruction, ploughing *etc.*
- Important role for volunteers to supplement role of local authorities...



# Local authorities (4)



Volunteers!  
(above  
River Wye,  
Hereford-  
shire)

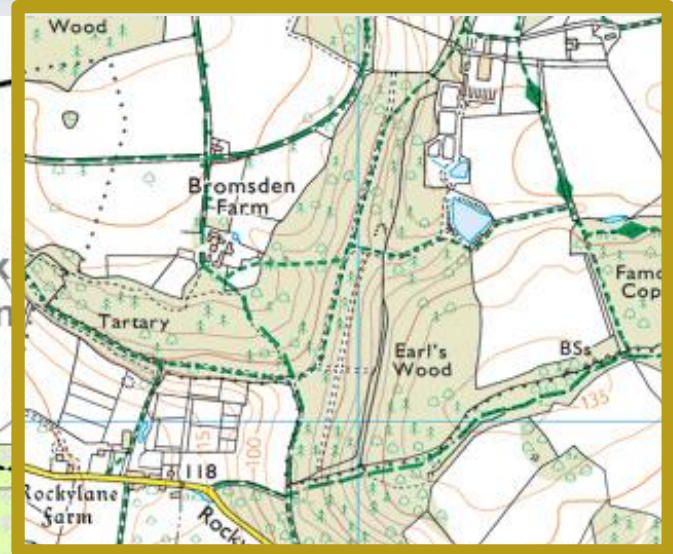
© Ramblers

# Definitive map and statement (1)



- Definitive map and statement (DMS) legally conclusive of existence of ways shown in it
- *Map* shows alignment of way (but often small scale!)
- *Statement* may give details of stiles, surface, bridges *etc.*
- Ways can legally exist even though they are not shown in map

# Definitive map and statement (2)



Ordnance Survey ^  
map

< Definitive map for  
Oxfordshire

# Definitive map and statement (3)



- Anyone may apply to the local authority to modify the DMS
- A way may be added to the DMS because it has been used for 20 years without interruption or permission
- A way may also be added to the DMS because of historical evidence of existence
- A way cannot be closed except by legal process

# Definitive map and statement (4)



- 'Roman Road', East Kent
- Not on DMS
- Application made 2016
- Historical way!

# Government (1)



Department for the Environment, Food and Rural Affairs (Defra):

- Policy, guidance and legislation
- Funding for 14 National Trails in England
- Cross compliance on Common Agricultural Policy (CAP) payments

# Government (2)



## Rural Payments Agency

- Farmers must observe statutory obligations (e.g. reinstate ways across ploughed fields)
- Breaches of cross compliance may lead to deductions from CAP payments

## Planning Inspectorate:

- Appeals against diversion and extinguishment of ways
- Appeals against modification of DMS

# National Trails (1)



- 14 National Trails in England (+2 in Wales)
- Long-distance ways (mainly footpaths, bridleways or byways)
- Some suitable for cyclists and horse riders



# National Trails (2)



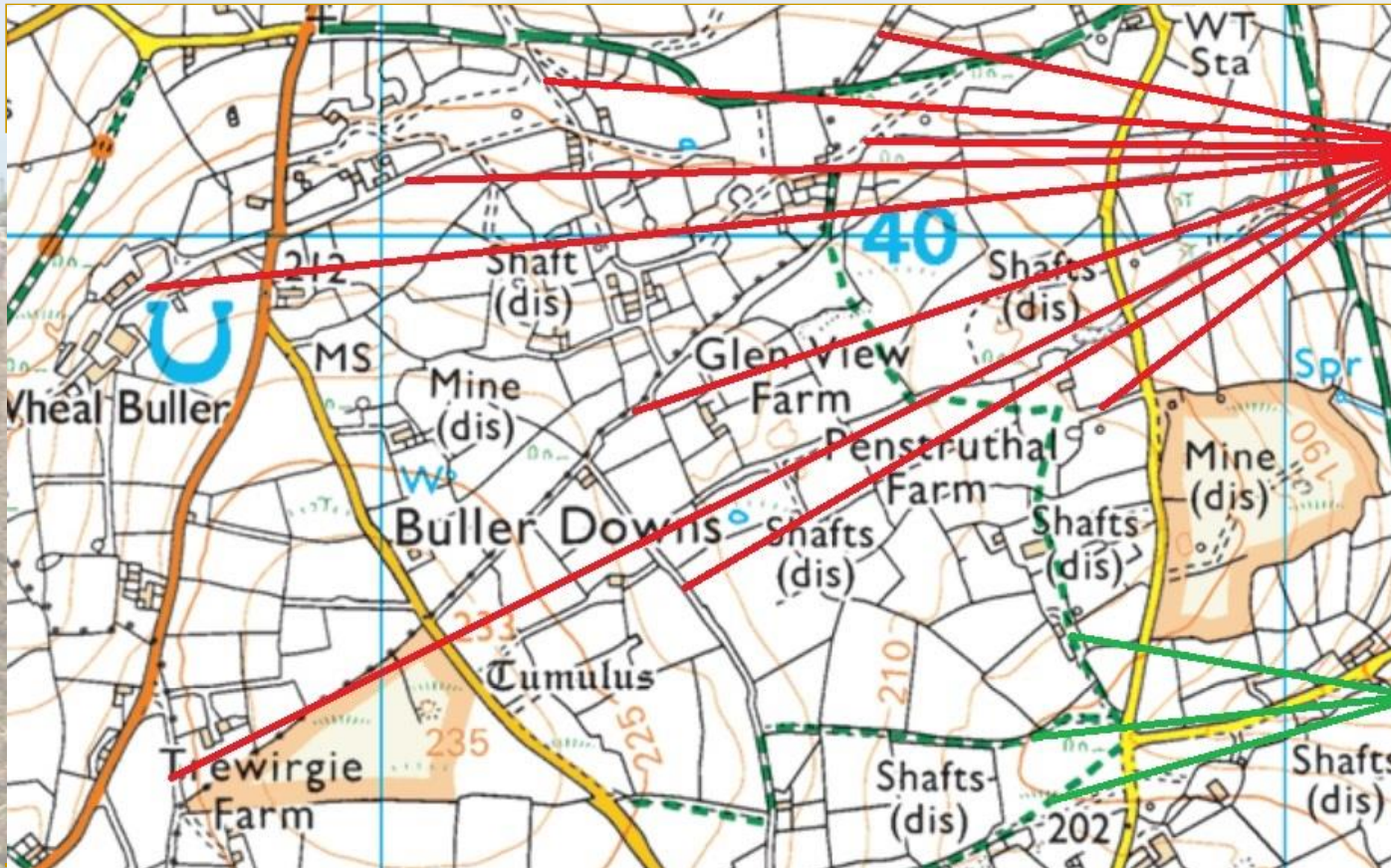
South Downs  
Way,  
East Sussex  
(The 'Seven  
Sisters')

# Closure of historical ways (1)



- Many historical ways remain unrecorded on the DMS
- Missed or suppressed when DMS drawn up by parish councils in 1950s
- Public still has right to use historical ways
- But legislation closes these ways in 2026 if still unrecorded on DMS
- Many × 1,000s of unrecorded historical ways

# Closure of historical ways (2)



Unrecorded ways at risk in 2026

Near Redruth, Cornwall

Footpaths on DMS

# Role of rural ways (1)



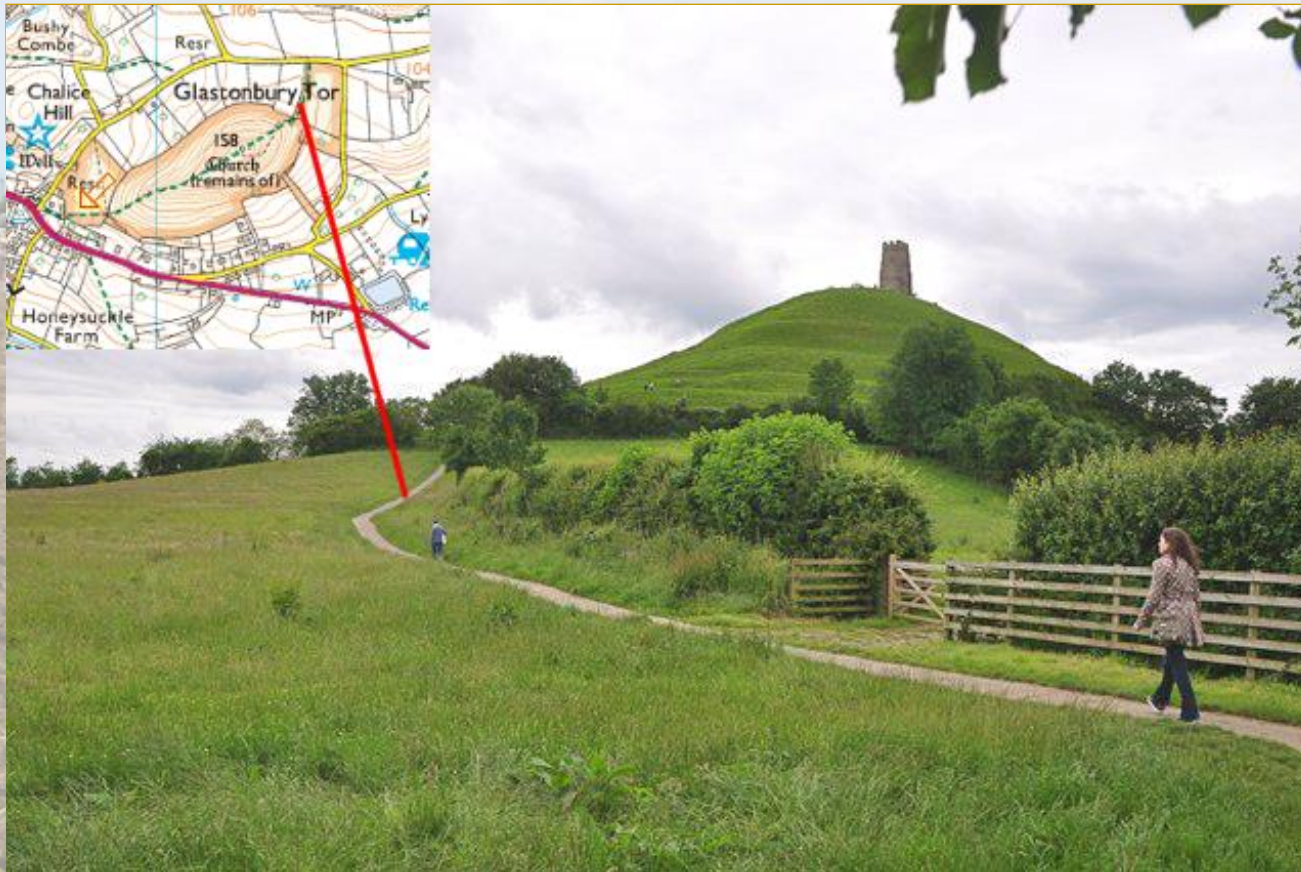
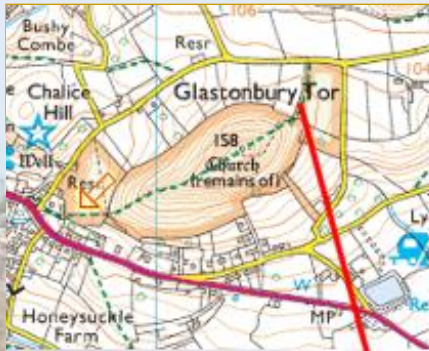
- Mainly recreational use — walking, cycling, horse riding, horse drawn carriages, driving
- Access to the countryside — exercise, bird-watching, wildlife, 'getting away from it all' *etc.*
- Functional use — *e.g.* walking to village or railway station, access to isolated homes
- Over 80% of British people walk at least once a week, primarily for recreation

# Role of rural ways (2)



- Rural ways are the key to many countryside visits —
  - National Trails
  - countryside walks and rides
  - iconic sites e.g. Glastonbury tor, White Cliffs of Dover, Mount Snowdon...

# Role of rural ways (3)



Glastonbury Tor,  
Somerset

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# Role of rural ways (4)



- Walkers on rural ways spend €7b per annum
- And help sustain  $\approx 1/4$ m jobs
- Important for health and well-being
- 3.1b trips to the countryside each year
- *Walkers are Welcome*—
  - 100 member towns
  - attractive for walkers with good facilities
  - well-maintained network!

# Role of rural ways (5)



Walkers  
are  
Welcome:  
Hebden  
Bridge,  
West  
Yorkshire



# Concluding



- Many rural ways date back to mediæval, Roman or prehistoric times
- Rural ways are part of our landscape
- They continue to be an important means for access to the countryside
- But their future is threatened by spending cuts and closure of historical ways in 2026

# Questions?



## Bridleway towards Corfe Castle, Dorset

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