

# Wisborough Green Parish Council

## Public Rights of Way Charter

### Context

Public rights of way are open to everyone. They can be roads, paths or tracks, and can run through towns, countryside or over privately owned land. All public rights of way are recorded on the Definitive Map. The land over which a public right of way passes belongs to the respective landowner and a clear distinction must be made between public and private access rights.

Depending on the classification, rights of way are open to pedestrians, horse riders, carriage drivers, cyclists or motorists.

- Public footpaths - Only walkers have a public right of access along footpaths, which includes use by wheelchairs, pushchairs, prams and people with dogs, kept under control. Footpaths should not be confused with footways, usually known as pavements, which are part of the main highway and are not recorded on the Definitive Map.
- Public bridleways - Walkers, horse riders and cyclists have legitimate access along bridleways. Cyclists should give way to walkers and horse riders.
- Restricted byways - Restricted byways are legally available for use by walkers, cyclists, horse riders and non-motorised vehicles, such as horse-drawn carriage.
- Byways open to all traffic (BOATs) - Often referred to as 'byways', these routes are available for use by walkers, cyclists, horse riders and vehicles, which includes horse-drawn carriages, motorbikes and other mechanically-propelled motor vehicles.
- Promoted trails - Generally distinctively signposted, these are routes of short to middle distance, promoted along a variety of routes, lanes and permissive paths, such as the Downs Link (walkers, cyclists and horse riders).
- National trails – Long distance routes managed and promoted by Natural England in England; the South Downs Way is the only one local to West Sussex.
- Permissive paths - Permissive paths are not recorded public rights of way and are not defined by statute. They are routes which the landowner has consented to for use by the public.

Further information about the different countryside access routes classification can be found at: <https://www.westsussex.gov.uk/land-waste-and-housing/public-paths-and-the-countryside/countryside-access-routes-and-paths/>

Details of many routes in West Sussex can be found at: <https://www.westsussex.gov.uk/leisure-recreation-and-community/walking-horse-riding-and-cycling/>

There is an interactive map which records public rights of way in West Sussex:

## **Purpose**

The Parish of Wisborough Green is fortunate to have many public rights of way that allow access into the countryside, many of which cross land privately owned by farmers and householders.

Landowners have an obligation to make public rights of way accessible to individuals, and individuals using these routes also have obligations to the landowner. This charter details each party's obligations.

## **Landowner Obligations**

The landowner has a duty to ensure:

Public rights of way are accessible by maintaining gates or stiles.

- Public rights of way are kept clear of vegetation, although it is acknowledged that this may be more challenging at certain times of the year.
- Routes are kept clear of physical obstructions, although ploughing and harvesting are required at certain times of the year. After the surface of a footpath or bridleway has been disturbed, the landowner has a duty to restore the legal line.
- The temporary closure of a public right of way is a legal process and is done only where it is absolutely necessary and there is a danger to public safety that cannot be avoided. Once any work is completed, the legal definitive line of the public right must be available.
- Landowners must not deter use by the public in any way, for example, by blocking the route, altering waymarkers or through the use of misleading or deterrent signs.

## **User Obligations**

Those using a public rights of way footpath have a duty to ensure they:

- Keep strictly to the right of way and do not stray onto adjacent land.
- Use footpaths for walking or running only. Bicycles, horses and motorised vehicles are not permitted. If running, please do not run through cattle as this can cause alarm to animals.
- Keep dogs under control at all times and do not allow them to stray onto adjacent land.
- Keep dogs on a lead when in a field with livestock and, if chased by cattle, release the dog immediately.
- Clear up and removes dog mess. Do not leave bags in countryside, even bio-degradable bags – use a stick and flick dog mess off the path.
- Report any damage (gate/stiles/path issues) through the WSCC website or to the Parish Council.
- Avoid the disturbance of ground nesting birds.
- Leave farm gates as you find them as closure may prevent animals accessing water.
- Do not drop litter – take your litter home. Perhaps consider helping the environment and keeping the countryside clean by collecting any litter seen on the path.

### **Vehicle Access**

It is an offence to drive a motorised vehicle unauthorised on a public footpath, public bridleway or restricted byway, unless landowner permission has been granted or a private right exists.

### **Maintenance and Accessibility**

West Sussex County Council works with landowners to ensure their obligations are achieved. It consults on a local level with Wisborough Green Parish Council, which has knowledge of the Rights of Way network in the parish.

West Sussex County Council can be contacted by both rights of way users and landowners at [prow@westsussex.gov.uk](mailto:prow@westsussex.gov.uk) or by calling 01243 777620.

Further information can also be found at:

<https://www.westsussex.gov.uk/land-waste-and-housing/public-paths-and-the-countryside/>

Wisborough Green Parish Council can be contacted at:

[clerk@wisboroughgreenpc.org](mailto:clerk@wisboroughgreenpc.org)

or by calling 01403 701102