

Parish Footpath Warden

Responsibilities:

- Be aware of rules and regulations for Public Rights of Way
- Be familiar with the Definitive Map
- Survey all paths in the parish annually
- Carry out path inspections
- Waymark routes
- Carry out minor vegetation clearance and minor repairs
- Encourage parishioners to use paths to keep them walkable
- Act as contact for local enquiries about footpaths
- Maintain contact with the NCC Footpaths Officer
- Liaise with landowners
- Seek advice as appropriate from CPRE and The Ramblers
- Report to Parish Council on Rights of Way issues

In carrying out these duties, the Footpaths Warden is covered by Parish Council public liability insurance as a volunteer working on behalf of the Parish Council.

Maintenance of footpaths includes:

- Replacement of directional signs (NCC Highways should supply discs)
- Surface cutting – note landowner agreement is required and side growth is the landowners responsibility
- Approaching landowners to have maintenance carried out, eg after ploughing

Relevant legislation:

- Countryside and Rights of Way Act 2000 (CROW)
- Highways Act 1980 (HA)

Guidance Notes for Parish Footpath Wardens

Definitions of Public Right of Way:

Footpath (FP). For walkers only. Prams, pushchairs or wheelchairs are allowed along a public footpath but please be aware that many routes may not be physically suitable for that purpose. Public Footpaths are normally waymarked in yellow

Bridleway (BW). For walkers, horse riders and pedal cyclists. Cyclists must give way to walkers and horse riders. Bridleways are normally waymarked in blue

Byways Open to All Traffic (BOAT). These are often referred to as Byways, for motor vehicles, cyclists, horse riders and walkers. Because of its nature, a byway is used mainly as a footpath or bridleway. BOATs are normally waymarked in red

Restricted Byway (RBW). For walkers, horse riders, cyclists and horse drawn vehicles. Restricted byways are normally waymarked in mauve

Countryside Access Land (CA). Open country and registered common land to which the public have a right of access.

Additional Information.

All Public Rights of Way carry a definitive number with a prefix for the area e.g. DR166, NS265

A permissive route is not a Public Right of Way. The public are allowed to use it with the kind permission of the landowner, but remember such permission can be withdrawn.

There is a difference between Public and Private Rights. When using public rights of way, you should be aware that there might also be additional landowners' or other private higher rights of access – sometimes with vehicles. On Countryside Access Land, there is in many cases the “right to roam” under the provisions of CROW.

Rights of Way Widths. There is no general statutory definition of a minimum or maximum width. However, a width may be recorded in the Definitive Statement or the right of way may have a customary width. Statutory provisions only apply in respect of paths which have been disturbed or ploughed. In such cases the minimum widths are as follows:-

- * Cross field footpath 1.0 metre
- * Field edge path 1.5 metres
- * Cross field bridleway 2.0 metres
- * Field edge bridleway 3.0 metres
- * Restricted Byway 5.0 metres

Inspecting paths to check whether there are any problems.

Parish Footpath Wardens would be expected to walk all the paths in their parish at least once a year to ensure that the list below is complied with and reported to KCC if it is not.

1) Paths are signposted where they join a metalled road (either public or private) with two signs either side of a road where the same path crosses a road.

- 2) Paths are free of obstructions, such as fallen trees, electric fences, barbed wire, barriers, fencing, ditches, debris (bricks, rubble, dung), posts.
- 3) Paths have sufficient waymarking with the correct coloured waymark
- 4) Stiles and gates are in good condition and free of barbed wire.
- 5) Paths across ploughed fields have been reinstated and are thus clearly marked
- 6) In arable fields, there are no crops actually growing on paths
- 7) Path widths generally are correct (as above)
- 8) No fierce animals (bulls, dogs, horses)
- 9) No intimidating signs (beware of dogs, etc.)
- 10) No misleading notices ("private" can be misleading)
- 11) No unauthorised diversions
- 12) Shared routes with cyclists are correctly signed and have the appropriate surface
- 13) No people using firearms close to a footpath
- 14) No incidents of verbal or physical abuse (if so, also report at once to the police)
- 15) No cyclists or horse riders using footpaths
- 16) No motor vehicles using footpaths, bridleways, or restricted byways
- 17) No missing bridges

How to report path problems

Problems should be reported to Northamptonshire County Council, ideally by means of Northamptonshire Street Doctor

Supplementary Information

Rights and responsibilities

Most Public Rights of Way cross private land. We all have a responsibility to look after the network of paths. If properly managed and well used, Rights of Way provide an excellent access to the countryside without causing disruption to the working or natural environment.

The landowner is responsible for keeping the Rights of Way free from obstruction and for looking after gates and stiles on the path, whilst NCC is responsible for maintaining them, keeping them in good condition, signing and waymarking them.

A series of eight Countryside Access Design Standards have been produced to assist landowners and Countryside Agencies in raising the quality of access furniture (e.g. gates, bridges, stiles) across the county. The standards, based on the British Standard, are designed to improve the accessibility, enjoyment and safety of the countryside.

Standards for Stiles and Gates

Stiles should be in a safe condition and to a standard of repair required to prevent the unreasonable interference of the rights of users.

B.S.I. recommendation (but not legally enforceable) for stiles:

- height from ground 36 inches for one step
- height from ground 41 inches for two steps
- step height 12 inches * Height between steps 12 inches
- Width between uprights 39 inches

Gates should be freely operable, i.e., on hinges to a minimum width of 5 feet for bridleways.

NCC Responsibilities

Northamptonshire County Council is responsible for:

- * administering the law concerning Rights of Way
- * recording, defining and protecting all Public Rights of Way in the county
- * signposting footpaths, bridleways and byways, where they leave a metalled road, and waymarking along the paths where appropriate
- * maintaining and controlling natural vegetation on the surface of Rights of Way
- * maintaining bridges over natural water courses and ditches
- * making grants to farmers or landowners of at least 25% of the cost of maintaining existing authorised stiles and gates. This is usually done by providing the necessary materials.

Farmers & Landowners Responsibilities

Farmers and landowners are responsible for:

- * ensuring established stiles and gates are in a safe condition for public use
- * keeping paths free from obstructions and overhanging vegetation
- * reinstating footpaths and bridleways across fields two weeks after the first disturbance (ploughing or cultivation) and within 24 hours of it being disturbed again
- * keeping rights of way free of crops to legal minimum widths
- * ensuring that vegetation overhanging or encroaching from the sides is cut back
- * maintaining stiles and gates so they are easily used by the public. NB Where stiles and gates are no longer required they can be removed with the agreement of the local NCC Public Rights of Way officer.

Farmers and landowners should:

- * know where public rights of way cross their land
- * never plough or disturb a public right of way along a field edge
- * obtain consent from Northamptonshire County Council before erecting new stiles and gates
- * never plough a byway, under any circumstances
- * provide adequate bridges where new ditches are made or existing ones widened
- * not put plain, barbed or electrified wire across a right of way. It is not necessarily illegal to run wire along the side of a right of way but some types of wire are considered a nuisance to the public using the path
- * never deter the public from using a public right of way, including the erection of misleading signs or markings

- * not keep any animals that are known to be dangerous in a field through which a public right of way passes
- * not keep beef bulls under 10 months of age in a field that contains a right of way. It is acceptable to keep a beef bull over 10 months in a field with cows or heifers, but dairy bulls over 10 months are never to be put in a field that contains a right of way. The following are classified as dairy breeds: Ayrshire, Jersey, Dairy Shorthorn, Kerry, British Friesian, British Holstein and Guernsey.

The public's rights and responsibilities

Some examples of the many legal rights and responsibilities of the general public are listed below:
Members of the public may:

- * pass and re-pass on any Public Right of Way, even if it hasn't been used for many years
- * stop to look at the view, take a photograph, and sit down to rest
- * take a pram, pushchair, wheelchair, but expect to encounter stiles on footpaths
- * take a dog, preferably on a lead, but always under close control
- * take a short route around an illegal obstruction
- * remove an illegal obstacle sufficiently to get past

Members of the public may not:

- * roam over land at will (except on Countryside Access land), or deviate from the line of the right of way unless it is to pass an obstruction
- * use a vehicle on a byway if it is not registered, taxed and insured, or ride/pedal/drive recklessly, carelessly or without consideration
- * use footpaths if you are a cyclist and horse rider (except with the permission of the landowner)

The Countryside Code

Please remember to - Always follow the Countryside Code - Be safe! - Plan ahead and follow any signs - Leave gates and property as you find them - Protect plants and animals, and take your litter home - Keep dogs under close control - Consider other people

Countryside Access Land

Can I always walk on Access Land?

Not always. Farmers and landowners have the right to close their land sometimes, usually for reasons of nature conservation, land management or public safety. If access land is temporarily closed, it will have a 'restriction' placed on it so there is no public access. This will show on the online Interactive Map in red and details about the restriction will be listed below the map. If land is marked with red hatching in this way it will always mean that there is some limitation on public access and you should check the restrictions list below the map for more details. It could simply mean that you can't take dogs on the land or that it is closed one day of the week. Please note: Existing Public Rights of Way are not affected by Open Access restrictions or exclusions under the CROW Act.

Can I take my dog?

You can normally enjoy walking with your dog on open access land. However, sometimes there may be a ban on taking your dog or you may need to keep it on a lead due to sensitive wildlife. Access

land marked in yellow on the maps means you can take your dog but if it is marked in red hatching, you should check the details of the restriction to find out if you and your dog are affected. You do not have to put your dog on a lead on public paths as long as it is under close control. You must not allow your dog to defecate on ground where animals graze. Always pick up your dog's poo and dispose of it in an appropriate bin. But as a general rule, keep your dog on a lead if you cannot rely on its obedience. On a bridleway or byway this could be especially important as you may meet horses and could be liable for damages if your dog causes an accident.

Restrictions on Access Land

While exercising the access right with a dog, you must use a fixed lead no more than 2 metres (6 feet) long at all times near livestock, and from 1st March to 31st July as this is the ground-nesting bird season. You may also find that dogs are excluded from lambing enclosures at lambing times.