

Leigh Parish Council Guide for Landowners to Public Rights of Way

The Parish Council is concerned regarding the poor state of repair and maintenance of the footpath and bridleway network within the village. There may be confusion among landowners as to who is responsible for keeping rights of way open and within a good state of repair.

We hope the following excerpts will provide a useful and practical guide.

•The duty to maintain the public rights of way network is shared between Wiltshire Council, as the highway authority, and the landowners/occupiers of the land over which the path exists.

Wiltshire Council responsibilities:

- **Making sure public rights of way are free from obstructions.**
- **Clearance of vegetation growing from the surface of the path.**
- **Signposting rights of way where they leave a road and waymarking the route where appropriate.**
- **Maintaining bridges over natural watercourses.**
- **To provide a minimum of 25% contribution towards any costs incurred by a landowner in maintaining stiles and gates on public rights of way.**

Landowner/occupier responsibilities:

- **Maintain stiles, gates and other boundary crossings.**
- **Obtain consent from the highway authority before erecting new stiles or gates on public rights of way.**
- **Cut back encroaching hedges or overhanging vegetation that is growing from their land.**
- **Keep paths clear of obstructions, such as padlocked gates, electric fences etc.**
- **Make sure that no misleading signs are placed near rights of way that might deter people from using the path.**
- **Cross-field footpaths and bridleways (but not byways) can be ploughed where it cannot reasonably be avoided as long as they are reinstated within two weeks of ploughing.**
- **Field paths must be kept clear of crops to the width recorded in the Definitive Statement or, where no width is recorded, a minimum width of:**
 - **Footpath: 1m across field and 1.5m field edge**
 - **Bridleway: 2m across field and 3m field edge**
 - **Other rights of way: 3m across field and 5m field edge”**

*The above was taken from the Wiltshire Council website: rights of way webpage

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Practical tips for stile building

The following tips are general guidance on best practice so that stiles are safe and convenient for the public to use (but consider replacing with a gap or a gate as less injury to users is likely to occur)

- if it is necessary to run barbed wire across a stile it must be covered with rails, plastic pipe etc. or have the barbs removed
- Leave one post longer than the other to act as a hand post. The public will find it easier to use the stile if the lower post is cut flush with the fence line
- as a minimum any stile should have at least one step for convenience
- if you need to use two steps they should be arranged in a cross rather than side by side
- the height for any step should be no more than 300 mm (1 ft.) from the ground or between steps
- The top rail should ideally be no more than 900 mm (3 ft.) high. Be aware of changes in ground level either side of a fence, this may require two steps on the lower side to make it suitable
- On popular paths for dog walkers it may be helpful to build a dog latch beside the stile. This will prevent possible damage to adjacent fences
- It is always preferable to use new materials which are as durable as possible.
- remember to round any sharp edges on the stile, such as the edges of the top rail
- Steps should not be nailed to rails. This does not make them more stable
- Electric fences must be insulated. The wire can be placed inside a plastic pipe or be put underground to avoid crossing the footpath. You must attach warning signs either side of the stile
- Steps should be level, constructed from rough sawn rather than planed timber, and be large enough for people to use safely. 175mm (7") x 38mm (1 1/2") x 900mm (36") is a good standard.
- stiles in fences or hedges running down a slope should have steps placed nearer to the lower post

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Practical tips for gate hanging

The following tips are general guidance on best practice so that gates are safe and convenient for the public to use:

- a self-closing gate that easily latches shut saves time and inconvenience for all
- Gates on bridleways must be able to be opened by the rider without them dismounting. If a rider does have to dismount they may climb on the gate to remount, which could result in damage
- when choosing a fastening remember horse riders prefer long handled latches or a simple chain and hook
- if you are using a chain and hook remember to locate it on the top rail of the gate and not half way down
- gates with adjustable hinges make for easier maintenance
- Particular care must be taken with electric fencing. This must be installed safely to avoid any danger for the public and their animals, e.g. horses. You must attach warning signs either side of the gate.
- when locating a gate on a bridleway there should always be a section of fencing at the latch end of the gate which is free from barbed wire to enable horses to negotiate the gate safely
- when locating a gate in the corner of a field always hang the gate with the hinges towards the corner, especially on a bridleway
- position the gate latch on a bridle gate where it cannot become caught on or cause injury to the horse and rider
- It is always preferable to use new materials which are as durable as possible.
- When installing a kissing gate there should always be sufficient space between the end of the gate and the frame to enable people to pass easily, including those with rucksacks, baby carriers etc.

*The above practical guides have been adapted from the Oxfordshire County Council Rights of Way Guide