



Rights Of Way Improvement Plan (extracts)

Policy RW1: Managing the network

The County Council will assert and protect the rights of the public to use and enjoy the rights of way and recreational highway network, by maintaining the asset and taking enforcement action where necessary.

Policy RW2a: Gaps, gates and stiles on footpaths and bridleways

The County Council will only authorise the least restrictive option for new boundary crossings.

The County Council will always aim for the least restrictive option when landowners or land managers replace or install structures in existing boundary crossings.

"Least restrictive option" means that:

- A gap is the preferred option.
- If a gap is not practicable then a field gate or wicket gate shall be used. Gate latches on bridleways must be usable by a competent rider from horseback.
- If a gate is not practicable and the route is a footpath, then a kissing gate may be used.
- Stiles are not acceptable. A stile is unlawful unless it is already in existence and has been there since the date of the first Definitive Map. The County Council will seek by negotiation to replace these stiles with gates.

Wherever possible, the County Council will seek to replace stiles with gates or gaps, and to make gates easier to open/close. In order to achieve this, the County Council may choose to bear the cost of improvement.

In authorising structures under Highways Act 1980 section 147 the County Council will seek to restrict the number of structures in sub divided or strip grazed fields and horse paddocks.

The County Council will allow existing structures of historical or cultural significance to remain for reasons of local distinctiveness, but will seek where appropriate to increase accessibility by installing a gate or creating an adjacent gap.

Policy RW5: Changing the network

The County Council will change the network, by creating, diverting and extinguishing rights of way and recreational highways to meet the needs of the 21st Century.

Policy RW5a: Creations, diversions, conversions and extinguishments

The County Council will prioritise creations, diversions, conversions and extinguishments on the rights of way and recreational highway network according to the following criteria, and deal with them accordingly;

Any one of the following will be treated as **High Priority**:

- Where there is a clear benefit to public safety e.g. at-grade rail level crossings, major road crossings etc.
- Where an application is made under Highways Act 1980 Sections 118B or 119B (crime prevention), 118C or 119C (schools special orders) or Section 119D (SSSIs).
- Where a path is in danger of being (naturally) eroded.
- Where an additional link, higher status or new path is dedicated (or created) which will have a significant positive impact on the local network and/or local population.
- Where an order (or combination of orders) will contribute to achieving actions in the ROWIP Implementation Plan.
- Applications processed by the County Council in its capacity as planning authority.

Any one of the following will be treated as **Medium Priority**:

- Where processing an order could save significant costs incurred in processing other orders.
- Where an order will significantly benefit members of the public using a highway, i.e. where an order is in the public interest.
- Where the town/parish council or district/borough council resolve to actively support the proposal or where they are the applicant.
- Where an order is, in the opinion of WCC heritage or ecology professionals, necessary to safeguard an archaeological or ecological feature.

Any one of the following will be treated as **Low Priority**:

- Where an order is principally in the landowner's or land manager's interest and meets none of the above criteria.
- Orders and agreements promoted by WCC and which meet none of the above criteria.
- Orders and agreements which resolve Definitive Map and Statement anomalies but which meet none of the medium or high priority criteria.

Applications should be made in writing on the relevant form and the relevant charges will apply.

The County Council will make a number of orders and agreements each year in order to achieve ROWIP Implementation Plan actions. Whilst the County Council will try to reach agreement with persons who have an interest in the affected land, it will inevitably mean making orders contrary to the wishes of some individuals or landowners/land managers.

Widths of public rights of way and UCRs which are created or diverted by legal order will be subject to the widths given in Policy RW5c: Legal widths of rights of way and recreational highways.

N.B. See also policy RW2a Gaps, gates and stiles on footpaths and bridleways.

Policy RW5c: Legal widths of rights of way and recreational highways

The legal width is the width which must remain clear and unobstructed. The surfaced width will often be less than the legal width.

The following minimum legally recorded widths will apply to all new and diverted routes created by legal order:

Unenclosed footpaths	2m
Enclosed footpaths	3m
Unenclosed bridleways or bridleways where there is little likelihood of equestrian use (e.g. in urban areas)	4m
Enclosed bridleways in rural areas	5m
Restricted byways, byways open to all traffic and recreational UCRs	5m

except in the following circumstances:

- where existing physical features (e.g. buildings) mean there is not sufficient width available OR
- where the landownership extent means there is not sufficient width available without taking land from a third party and it is not practical to do so OR
- where there is a pinch point or barrier.

Where a new or diverted footpath or bridleway crosses agricultural land it may be appropriate to include a limitation in the Order which permits reinstatement of a ploughed or cropped path to a lesser width than that shown above.

N.B. See also Policy RW5d Cycling and rights of way.