

# Paths – a simple 'how to' guide

for parish councils, individual volunteers and interested people

The Oxfordshire Countryside Access Forum has asked us to provide a simple guide about a range of scenarios common on the public rights of way network and which local people can do something about.

Local communities and individuals have always been involved in their local public rights of way (paths). They recognise the value of these paths and already do much work to keep them open. The Covid-19 lockdown made it even clearer that a good network of paths is vital in maintaining physical and mental health.

Normally, a path network can support our health through walking and riding, the local economy through tourism and keeping leisure spending local, provide opportunities for socialising, and contribute towards a more sustainable transport system where paths are used for journeys to school, work or the shops.

***Thank you for your support in caring for this amazing resource***

## Scenarios:

1. Surface vegetation
2. Hedges growing over paths
3. Boggy paths
4. Unusable stiles
5. Locked gates
6. Barbed wire
7. Waymarking
8. Broken bridges
9. Fallen trees and branches
10. Paths through arable fields

Glossary of Terms

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### Scenario 1: Excessive vegetation growing from the surface of a path

<i>What is the standard?</i>	Paths should be reasonably easy to use – ideally with any vegetation below knee height, with an acceptable height depending on whether it's grass or nettles, etc.
<i>Who is responsible?</i>	OCC is usually responsible for natural vegetation growing out of the surface of the path, but not crops. See scenario 10 for crops.
<i>What can local councils do?</i>	Include priority paths in your open space/play areas mowing/strimming contracts. Report impassable paths to OCC using photos where possible.
<i>What can local people do?</i>	Some people clear paths at the end of their gardens using home mowers and trimmers. This benefits users but householders choosing to do this should note that they will not have public liability insurance for this and so could be liable for damages if anyone was injured as a result.
<i>What can local workgroups do?</i>	With training, insurance and equipment local people can join organised groups that keep paths clear and easy to use. These can be organised by parish councils or the local Ramblers
<i>Things to consider</i>	Glass, stones and other debris hidden by vegetation can become injurious when struck by mower/trimmer. Long vegetation may obscure holes and other hazards. Avoid damaging fencing especially when strimming.

### Scenario 2: Overgrowth – trees and shrubs growing from the side or above the path

<i>What is the standard?</i>	Vegetation should not narrow the path or restrict access
<i>Who is responsible?</i>	Landowner - sometimes there can be more than one, e.g. a path on the boundary of two fields.
<i>What can local councils do?</i>	Include priority paths in your open space/play areas hedge-cutting contracts. Contact the farmer directly and request that they cut the hedge back. Report impassable paths to OCC using photos where possible.
<i>What can local people do?</i>	Path users may carry secateurs to trim small items of overgrowth they encounter on their journey. Some people choose to use saws or powered tools which benefits users, but they should not do this as they carry no public liability insurance and could be liable for damages if anyone was injured or property was damaged as a result of their actions.
<i>What can local workgroups do?</i>	With training, insurance and equipment local people can join groups that keep paths clear and easy to use.
<i>Things to consider</i>	Wasps may nest in path hedges. Trees and shrubs at the side of paths should not be cut back in bird-breeding season (March to October). Thorny cuttings especially blackthorn can cause injuries and punctures if left on the surface of the path.

### Scenario 3: Boggy sections of path – short sections of deeper mud and mires

<i>What is the standard?</i>	Users should dress for the weather and environment, including appropriate footwear. Muddy sections over 8"/20cm deep are not adequate.
<i>Who is responsible?</i>	OCC looks after the surface, but drainage ditches are normally the responsibility of the landowner.
<i>What can local councils do?</i>	Contact the farmer directly to clear ditches. Report impassable paths to OCC using photos where possible.
<i>What can local people do?</i>	You can take a small diversion around an impassable section of path. Do not put woodchip, branches or stones into the bog section as they can develop into greater problems. Use secateurs to trim short bypass route.
<i>What can local workgroups do?</i>	With training, insurance and equipment local people can join groups that can clear ditches and dig grips, or bring in some stone for surfacing. If material is brought onto the path this normally needs landowner or OCC involvement in order to check suitability or arrange storage and access.
<i>Things to consider</i>	Boggy paths are usually caused by drainage failure and lack of sun and wind drying. Removing overgrowth will speed up drying out. Adding woodchip and other materials often makes the problem worse. Stone containing flint or other sharp material should never be used on paths used by horses. Paths cannot normally be widened outside of the legal width (recorded in Definitive Map and Statement) without agreement.

### Scenario 4: Unusable stile

<i>What is the standard?</i>	Stiles should be steady, firm and easy to step over. There shouldn't be barbed wire on any part. Hedges should not encroach.
<i>Who is responsible?</i>	Landowners. They provide and maintain stiles as these are part of the fence which retains their livestock.
<i>What can local councils do?</i>	Contact the farmer directly to ask her/him to fix stiles. Report unusable stiles to OCC using photos where possible.
<i>What can local people do?</i>	If a very wobbly/broken step presents an immediate hazard you may remove part of the step to leave a hurdle if it makes the thing temporarily safer - but you cannot remove the rest of the structure as it is there to prevent livestock escaping. In all cases take before/after photos or videos and report the problem.
<i>What can local workgroups do?</i>	With training, insurance and equipment local people can join organised groups that can replace stiles with gates and make access easier.
<i>Things to consider</i>	A hammer and nails shouldn't normally be carried on paths so if the stile is really loose and unsafe it is better to report it as a hazard. Often the wobble is caused by ground settlement and poor construction so simply re-nailing the tread will not fix it.

### Scenario 5: Locked gate – padlocked or even just hard tied or hard to open

<i>What is the standard?</i>	Gates for path users must not be locked or otherwise secured so that it is impossible/very hard to open them. This includes dropped hinges.
<i>Who is responsible?</i>	Landowners. They provide and maintain gates as these are part of the fence which retains their livestock.
<i>What can local councils do?</i>	Contact the farmer directly to unlock, re-hang or replace gates. Report problem gates to OCC using photos where possible.
<i>What can local people do?</i>	You can try to negotiate a problem gate - for example by climbing over it, and you can also abate the nuisance - for example by untying the thing which is fastening the gate. However, the gate must not be left open and your action should be reported soonest. If you have to climb over a locked gate try and climb at the hinge end, not the catch end.
<i>What can local workgroups do?</i>	As farm gates are the landowner or farmer's responsibility this isn't really something for local work groups.
<i>Things to consider</i>	Make sure the gate is the legal route for the path and not the farmer's bypass structure that is lawful and necessary for them to secure.

### Scenario 6: Barbed wire – alongside and close to path or across path

<i>What is the standard?</i>	No barbed wire should run across a path. Where it crosses or connects to stiles the barbs should be removed or the barbs sheathed. Along the path side, users should not be able/likely to come in contact with the barbs - so either plain wire should be used, or the barbed wire should run on the field side of the fence with plain wire on the path side.
<i>Who is responsible?</i>	Landowners are responsible for all aspects of fencing.
<i>What can local councils do?</i>	Contact the farmer directly to remove or replace fencing. Report problem barbed wire to OCC using photos where possible.
<i>What can local people do?</i>	You can take a small diversion around the obstructed section. You can also abate the nuisance – for example by covering the barbed wire with hosepipe, tubing or plastic sheeting. You cannot cut the wire if it will leave the field unenclosed/insecure, but you may remove the barbs.
<i>What can local workgroups do?</i>	Local groups will often only re-attach fencing to new gates they install, and barbed wire will not normally be used.
<i>Things to consider</i>	Some barbed wire is installed under very high tension and there is a risk of severe injury if this type of fence is cut.

### Scenario 7: Waymarking – showing the route that a path takes

<i>What is the standard?</i>	Paths should be indicated by plastic discs or painted arrows where the route isn't obvious. Waymarks may be nailed onto freestanding posts, gates or stiles, and in some areas may be painted on trees.
<i>Who is responsible?</i>	OCC should sign all paths from roadside and waymark where needed. Local communities, farmers and volunteer groups often waymark paths in their areas of interest.
<i>What can local councils do?</i>	Identify paths that would benefit from waymarking and discuss this with OCC.
<i>What can local people do?</i>	Use secateurs and hand tools to clear around signs and posts so they are visible through the season. Clean sign faces as needed.
<i>What can local workgroups do?</i>	Local groups can often replace waymarking discs or painted arrows when doing other work nearby. Installing waymarker posts can be done where there's no suitable structure, with prior OCC approval.
<i>Things to consider</i>	Waymarker discs shouldn't be fixed into trees or attached to structures like signs or buildings etc., where permission hasn't been given. Don't use wet wipes for sign cleaning as they contain plastic – use a damp cloth instead.

### Scenario 8: Broken bridge – handrails, treads missing or damaged, or whole bridge loose or rotten

<i>What is the standard?</i>	Bridges and other crossings should be solid, stable and suitable for all users.
<i>Who is responsible?</i>	OCC is responsible for bridging natural watercourses. Landowners are responsible for bridging paths over drainage ditches and other artificial watercourses.
<i>What can local councils do?</i>	Contact the farmer directly to fix farm bridges. Report bridge problems to OCC using photos where possible.
<i>What can local people do?</i>	You can take a small diversion around an impassable section. Tree branches, an unsecured plank or large stones put into the watercourse do not provide safe crossing solutions.
<i>What can local workgroups do?</i>	With training, insurance and equipment local people can join groups that can, along with specialist OCC officers, replace smaller bridge structures like sleeper and kit bridges.
<i>Things to consider</i>	Often visible damage may be an indication of a greater underlying problem or that the bridge's lifespan has been exceeded. This needs to be assessed so reporting with photos is the best route to a solution.

## Scenario 9: Trees and branches – fallen or low-hanging over all or part of a path

<i>What is the standard?</i>	Paths should be unobstructed by fallen trees and branches. There should be a minimum of 2.5m (8ft) headroom on footpaths and 3m (10ft) on bridleways.
<i>Who is responsible?</i>	Landowners are responsible for trees growing over paths from their land. The highway authority manages trees on roads and paths.
<i>What can local councils do?</i>	Contact the farmer directly to remove fallen or potentially hazardous trees and branches. Report problem trees to OCC using photos.
<i>What can local people do?</i>	You can take a small diversion around a fallen tree. Branches and smaller fallen trees may be moved to the side of a path to maintain some level of passage. Small hand tools can be used to trim up the larger fallen trees to allow passage when the trees are too large to move.
<i>What can local workgroups do?</i>	With training, insurance and equipment local people can join organised groups that can work on larger trees and branches.
<i>Things to consider</i>	Fallen trees and large branches held up by neighbouring trees, fences etc. (hung up) should not be tackled – report the issue with photos.

## Scenario 10: Field edge and cross-field paths through arable land

<i>What is the standard?</i>	Paths should not have growing crops on them. When ploughed/drilled or when crops grow on the path they need to be reinstated. At all times the path should be distinct and reasonably level.
<i>Who is responsible?</i>	Farmers are responsible for all arable cultivations and cropping operations.
<i>What can local councils do?</i>	Photo-record all field edge paths and undisturbed cross field paths to establish a baseline condition. Contact the farmer directly to request reinstatement. Report impassable paths to OCC using photos.
<i>What can local people do?</i>	You can take a small diversion around a non-reinstated field. If an alternative route is signed this is permissive and the right to cross the field remains. Do not use other field edge margins as these are usually provided as wildlife habitats or chemical buffers as a condition of farm payments.
<i>Things to consider</i>	Widths may vary across a field and along a headland (field edge). Headland paths should not be disturbed and all restricted byway and byways whether cross field or headland must normally not be ploughed.

## Finding out more and taking next steps using these links

- The full version of the [Parish Path Guide to Improving Rights of Way](#)
- The Oxfordshire Ramblers work with OCC public rights of way and organise [Parish Path Wardens](#) who are local volunteers who check and report on their local paths – and also undertake some minor works. Here you can also find out about work parties.
- Other groups include the [Chilterns Society Path Maintenance Volunteers](#) and the [Cotswolds Volunteer Wardens](#)
- The Oxfordshire County Council [path issue reporting tool](#) can be found at All issues are assessed by the OCC Countryside Access Team
- Oxfordshire County Council is [working together with local communities](#) to manage highway matters. Find out more from the Highways Volunteer Coordination Team and in the guidance at\_
- **Oxfordshire Countryside Access Forum's** webpages can be found at [www.oxfordshire.gov.uk/ocaf](http://www.oxfordshire.gov.uk/ocaf)

## Grant funding for access improvement projects



The Trust for Oxfordshire's Environment has supported a large number of community-led access projects for many years with grants of up to £5,000, with more sometimes available for exceptional schemes. Full details of eligibility and example projects available from:

<https://www.trustforoxfordshire.org.uk>

## Glossary of terms

Types of public right of way	
<b>Footpath - Public Footpath</b>	A highway over which the right of way is on foot only. Normally waymarked with yellow arrows.
<b>Bridleway - Public Bridleway</b>	A highway over which the public have a right of way on foot and a right of way on horseback or leading a horse, but with or without a right to drive animals of any description along it. Bicycles may also be ridden on bridleways. Normally waymarked with blue arrows.
<b>Restricted Byway</b>	A highway open to all traffic except mechanically propelled vehicles. Normally waymarked with purple arrows.
<b>BOAT - Byway Open to All Traffic</b>	A highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used by the public mainly for the purpose for which footpaths and bridleways are used. Normally waymarked with red arrows.
Other terms	
<b>Finger post</b>	A signpost placed where a public right of way leaves a metalled road. Shows the status, direction, and where appropriate the destination and distance.
<b>Green lane</b>	A common term with no legal meaning. A physical description of an unsurfaced track, often enclosed by hedges. The land may be a public right of way or may carry no public rights at all.
<b>Highway Authority</b>	The body responsible for the maintaining of highways and keeping them free of obstructions. In Oxfordshire it is the County Council.
<b>Legal width</b>	Some paths have their lawful width recorded within the Definitive Map and Statement (DMS) if created under a specific piece of legislation. Paths without a recorded width may have an historic width much greater than the walked line. OCC may be able to assist if there are questions about width and the DMS has not yielded any information.
<b>Livestock</b>	<p>Any animal known to be aggressive, and dairy bulls over 10 months old must not be kept in a field crossed by a path.</p> <p>The following can normally be kept in a field crossed by a path: Beef bulls over 10 months old, provided it is running with heifers or cows; and cows, heifers, steers and calves. Caution needs to be exercised in fields where there are cows with calves at foot as they may react defensively when they detect dogs. If needed, users should release dogs from leads if approached.</p>
<b>LAF Local Access Forum</b>	The countryside access advisory body established by the County Council under the CRoW Act 2000. Comprised of volunteers including land managers, users and other relevant interested parties. Oxfordshire's LAF is known as the Oxfordshire Countryside Access Forum (OCAF).
<b>ORPA - Other Route with Public Access</b>	A non-statutory designation route shown by the Ordnance Survey (OS) on Landranger and Explorer maps. It normally includes unsurfaced unclassified roads.

<b>Path</b>	In this document a shorthand term for all public rights of way and other linear access routes.
<b>Permissive path</b>	A path made available through the goodwill of the landowner. It may be withdrawn at any time and the public have no permanent rights over it. Permissive Paths are not usually shown on the Definitive Map and Statement or Ordnance Survey maps.
<b>Priority path</b>	In this document a term for paths that the community or parish council may consider important. These could include paths used to get to local shops and services, paths to other villages, circular dog walking routes, paths to the best viewpoints, or paths forming part of a promoted route etc.
<b>Private right of way</b>	A right of way for an individual or any group other than the public at large.
<b>PRoW - Public right of way</b>	A right of passage by the public over the highway for the purpose of passing and re-passing and for incidental reasonable purposes.
<b>Reinstatement timings (of path through arable field)</b>	Where a path is lawfully disturbed, the line of the path and a reasonable path surface should be restored within 14 days of the first cultivation and within 24 hours of subsequent cultivations. Farmers are encouraged to carry out this work at the end of a field's cultivation whilst the machinery is on site in order to minimise impacts on users and follow-up action by OCC.
<b>RoWIP - Rights of Way Improvement Plan</b>	A statutory plan that assesses access and sets out an authority's ambitions to manage and improve this access. Find Oxfordshire's at <a href="http://www.oxfordshire.gov.uk/rowip">www.oxfordshire.gov.uk/rowip</a> .
<b>Waymark</b>	A means of showing the route of a public right of way. Oxfordshire uses round plastic discs with the status of the route and an arrow to show direction. Usually mounted on a wooden post or attached to stiles, gates and bridges. In the Chilterns Area of Outstanding Natural Beauty most waymarking takes the form of white painted arrows.