



FOVANT PARISH COUNCIL

Policy: PROW

Ratified on :03.06.2025

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Review Due: 08.06.2027



1.1 Context for the Policy

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.

1.2 Defining a Public Right Of Way.

Footpath – a highway where you have a Right of Way

- on foot only

Bridleway – a highway where you have a Right of Way

- on foot
- on any pedal cycle
- on horseback

Restricted byway – a highway where you have a Right of Way

- on a horse drawn vehicle, for example horse and cart
- on foot
- on any pedal cycle
- on horseback

Byway Open to All Traffic (BOAT) – a highway where you have a Right of Way

- on a horse drawn vehicle, for example a horse and cart
- on foot
- on any pedal cycle
- on horseback
- on wheeled vehicles of any kind, including cars and motorbikes

Note that the surface of this type of byway does not have to be of a standard that ordinary cars

<https://archive.connectingwiltshire.co.uk/walk/rights-of-way/>



FOVANT PARISH COUNCIL

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 way marking 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 responsibilities:

- maintain stiles, gates and other boundary crossings. Keep gate latches in good order
- 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 not 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: 2 metres or 3 metres if bound by fences / hedges
 - bridleway: 4 metres
 - restricted byway: 5 metres

<https://www.wiltshire.gov.uk/recreation-rights-of-way>



FOVANT PARISH COUNCIL

Parish Council Responsibilities

Local councils have no duties in respect of bridleways and footpaths but do have certain powers. One of which is to undertake the maintenance of publicly maintainable footpaths,

bridleways or restricted byways in the parish/community and privately maintainable footpaths and bridleways.

The clerks manual (2023:178)

1.4 Considerations

Users. Bridleways are specifically designated paths legally open to walkers, horse riders, cyclists, mobility scooters and powered wheelchairs. However, Fovant Parish Council does not consider that any of the historic bridleways established long ago in the parish should be assumed as suitable for mobility scooters or powered wheelchairs. Footpaths in Fovant are open to walkers and runners only.

The landowner is responsible for ensuring that that a footpath or bridleway is free of obstructions such as fallen trees or growing crops, and must act immediately to rectify the situation once notified by the Parish Council.

Landowners must

- avoid putting obstructions on or across the route, such as permanent or temporary fences, walls, hedgerows, padlocked gates or barbed wire
- make sure vegetation does not encroach onto the route from the sides or above, bearing in mind the different clearances needed for users of different types of route, for example by horse riders
- Landowners must not cultivate (e.g. plough) footpaths or bridleways that follow a field edge. The minimum width to be kept undisturbed is: 1.5 metres for a field edge footpath and 3 metres for a field edge bridleway
- Landowners should if possible avoid cultivating a cross-field footpath or bridleway. If cultivation is necessary, they must make sure the footpath or bridleway:
- remains apparent on the ground to at least the minimum width of 1 metre for a footpath or 2 metres for a bridleway, and is not obstructed by crops
- is restored to at least the minimum width so that it's reasonably convenient to use within: 14 days of first being cultivated for that crop
- 24 hours of any subsequent cultivation, unless a longer period has been agreed in advance in writing by the highway authority



FOVANT PARISH COUNCIL

The landowner **must** ensure that the surface is suitable as a minimum standard for users, if necessary in consultation with the Local Authority.

The policy

The Parish Council will consider formal applications from the landowner for assistance towards the costs of necessary repairs to the surface of a footpath when:

1. The Council has also received written requests from specific types of users of the right of way.
2. Following inspection from Wiltshire Council Rights of Way officers which conclude that the public right of way is in need of repair to bring it back to a standard state.
3. The land owner has a specific resolution plan which involves solving of the underlying issue causing the disrepair and it is not for remedial works.
4. That the landowner has a minimum of three quotations from contractors for the works on letter headed paper.
5. That the works to be undertaken will not affect the underlying substructure of the right of way including drains.

The Parish Council may decide to take the initiative in funding a minor repair to a footpath (but not a bridleway) if it becomes unusable through natural events such as flooding or land slippage or decay of a gate. This may only be feasible if funding can be also obtained from outside sources such as the Area Board or Cranborne Chase National Landscape to support the Parish Councils budgets.

The Parish Council continues to act as a coordinator for footpath maintenance and has a modest budget to meet costs such as green waste disposal and personal protection wear.