

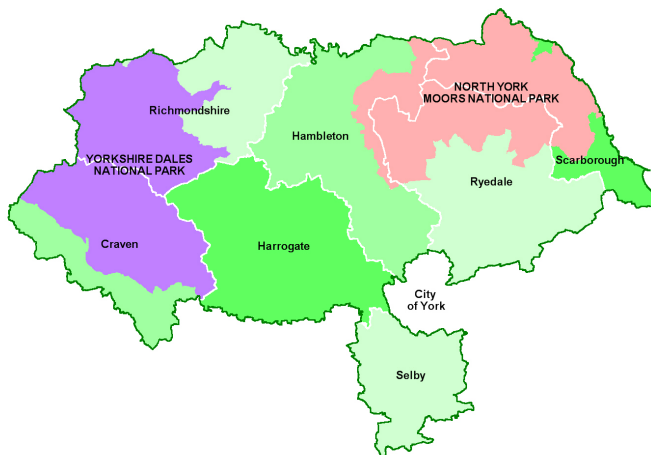
## General duties

- Never keep an animal known to be aggressive (including any bull of whatever breed) in a field to which the public has any access.
- Cut back vegetation from the sides and from above (but not from the surface) so that it does not inconvenience the public or prevent the line of the right of way being apparent on the ground: allowing a minimum of 3 metres (10 feet) headroom on bridleways, restricted byways and byways open to all traffic.
- Keep rights of way clear of any obstructions such as padlocked gates, rubbish, barbed wire, slurry, manure, electric fences, hedgerows and chained or loose dogs, and warn users of potential dangers (e.g. slurry lagoons, cliffs) near rights of way.

## Stiles and gates

- It is the responsibility of landowners to maintain stiles and gates in a safe condition.
- If a stile or gate is not recorded on the Definitive Statement and has not been authorised by the Highway Authority it is regarded as an unlawful obstruction.
- Where a stile, gate or other structure is required to prevent stock from straying from land used or being brought into use for agriculture or forestry, the occupier should apply to the Highway Authority for authorisation under the Highways Act 1980 Section 147. The structure would then become lawful.

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outside the national parks



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## Contact us

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## Duties and Responsibilities of Landowners and Farmers



## Public rights of way over arable land

### A summary of the duties and responsibilities of landowners and farmers in accordance with the Highways Act 1980.

#### Cross-field footpaths

- You must not plough or disturb the surface of a cross-field footpath or bridleway that you can conveniently avoid.
- If you do have to plough you have 14 days from the first disturbance to re-instate the surface to the appropriate width.
- After any subsequent operation in the same cycle of cultivation, such as drilling, the footpath must be re-instated within 24 hours.
- A convenient surface is considered to be level and firm. Special consideration should be given to surfaces on bridleways where a firmer surface is generally required
- The law requires that a route be marked in such a way that it can easily be distinguished from the rest of the field. Wheel marking using a tractor may be sufficient until the crop shows, a better method is to use stakes or canes to indicate the line of the route.
- Another method of achieving this requirement of the Act is to leave the surface of the footpath un-drilled.

#### Headland footpaths

- Headland or field-edge footpaths of all types cannot lawfully be ploughed or cultivated. The specified width is normally taken from level ground, clear of the shoulder of the ditch or outer edge of a hedge line. The surface should be level and firm.
- Although a landowner is responsible for removing the crop growing on a cross-field route, the Highway Authority is responsible for cutting natural surface growth on headlands. If you are concerned about a natural surface growth on your footpaths, contact the public rights of way team.
- Different categories of public rights of way have different widths, which are recorded in the Definitive Statement. In the absence of a statement and after cultivation the widths are specified by reference to the Rights of Way Act 1990 and are dependent upon whether they have cross-field or headland status.

Rights of way	Minimum width
Cross-field footpath	1 metre
Field-edge footpath	1.5 metres undisturbed
Cross-field bridleway	2 metres
Field-edge bridleway	3 metres undisturbed
Cross-field BOAT*	3 metres undisturbed
Field-edge BOAT*	5 metres undisturbed

\*Byway open to all traffic

#### Action by the Highway Authority

- The Act places specific duties on the Highway Authority to ensure compliance with the law. The Act allows the Authority to enter land and carry out such work as is required to ensure a route is available and recover the costs from the landowner.
- An enforcement policy has been agreed with North Yorkshire County Council, the NFU and CLA, which requires persistent offenders to be prosecuted. Timely action by landowners, to ensure that all routes on their land meet the requirements of the Act, is the best way of complying with the law and avoiding legal action.

