



Countryside Access Reference Guide



What is Countryside Access?



Legal Records of Access



Who's responsible?



A-Z of path problems



Improving local access

Introduction:

The Guide is intended to be useful; a handy reference document that will answer most of your countryside access queries straight away, or will point you in the right direction for those more technical problems that we can't hope to cover in a guide of this nature. It can't cover everything, but it will be useful.

As we will touch on more in chapter 1, Parish Councils have long been central to rights of way management and it is no accident that parishes are the fundamental unit for all path work. At a county level we recognise the importance of Parish Councils and we want to encourage you to make full use of your powers, rights and opportunities to provide the countryside access facilities that are so important to locals and visitors alike.

With your knowledge and local contacts, you are in a position to be very effective local agents; able to achieve results through mechanisms and contacts that are simply unavailable at the County Council level. This Guide is to help you achieve those results.

The Guide is divided up into five main sections;

1. **'What is Countryside Access'** lays out the basic historical, geographical and legal framework for access in Hampshire.
2. **'Legal Records of Access'** explains the background to the often perplexing world of the Definitive Map and Access Maps and shows how the Parish Council can be involved.
3. **'Who's Responsible?'** is where you will find the nitty-gritty of access management; it's where you should turn to find out just what powers are available to your council and what rights you can choose to exercise. This section also gives information on the split of responsibilities between the other interested parties; the County Council, land owners, managers and users.
4. **'A-Z of Path Problems'** is the handy reference section that at a glance will help you to sort out those day-to-day issues that crop up on all path networks; not all necessarily problems, but subjects that it's useful for the parish to have knowledge about; everything from abandoned cars to zoonoses!
5. **'Improving Local Access'** is the practical section where we get down to the serious business of discussing what parishes can do to make a difference, how to go about it and what support there is.

Finally, there are useful appendices containing a glossary, suggested further reading, web resources and other useful contacts.

The Guide is written so that it doesn't need to be read from cover to cover (although we hope that you might enjoy doing so!). If you need to know what powers the Parish Council has, go straight to chapter 3, 'Who's Responsible'; if you want to get straight into improving local paths, go to chapter 5.

Produced by Hampshire County Council

© Hampshire County Council September 2008

Written by Mike Furness

Edited by Justin Harvey and Cath Hart

Printed by Hampshire Printing Services

Some of the photographs in this guide were entrants to a competition run by the County Councils Countryside Service. We would like to thank them for the use of their photographs in this guide.

Contents

1. What is Countryside Access? (pages 1 - 9)

- Public Rights of Way
- Long Distance Routes
- Access Land
- Commons, Town and Village Greens
- The New Forest National Park
- Countryside Sites
- Access to beaches
- Permissive access
- How our access network came about
 - Public Rights of Way
 - Access land
 - Access authorities
 - Coastal access

2. Legal Records of Access (pages 10 - 17)

- The Definitive Map
- Changing the Definitive Map
- Definitive Map Modification Orders (DMMO)
- Public Path Orders (PPO)
- The Process for the Diversion of a Public Right of Way
- Path Creations
- Creation Agreements
- Creation Orders
- Extinguishments
- Special Orders
- Path Changes through the Planning Process
- Conclusive Maps of Open Country and Registered Commons

3. Who's Responsible? (pages 18 - 30)

- Summary
- User - walkers, horse riders, cyclists, carriage drivers and motorists
- Landowners and farmers
- Local Access Forums
- Parish and Town Councils
- District and Borough Councils
- National Park Authorities
- County Council and Unitary Authorities
- Defra, Natural England and the Planning Inspectorate

4. A-Z of Path Problems (pages 31 - 50)

- Abandoned vehicles
- Access for people with disabilities
- Area Teams
- Bridges and culverts
- Bulls and dangerous animals
- Competitions and speed trails
- Contact Centre - Hantsdirect

- Crops growing on Rights of Way
- Dogs on Rights of Way
- Encroachment
- Fences across a Right of Way
- Fences alongside a Right of Way
- Firearms
- Hedges and trees adjacent to Rights of Way
- Intimidating dogs
- Intimidation or threatening behaviour intended to deter use of a Right of Way
- Liability of landowners to path users
- Liability of the County Council to path users
- Litter and fly-tipping
- Misleading signs and notices
- Obstructions and encroachments
- Pesticides and herbicides
- Ploughing of Rights of Way
- Signing of Rights of Way
- Stiles and gates
- Surfaces of Rights of Way
- Trees and branches fallen across a path
- Undergrowth
- Waymarking
- Width of Rights of Way
- Problems with other access
 - Activities on Open Access Land
 - Dogs on Open Access Land
 - Paths/areas which are not Rights of Way or open access land

5. Improving Local Access (pages 51 - 70)

- Countryside Access Plans
 - CAP - what are they?
 - How do CAPs affect Parish Councils?
- Community Led Plans
- Parish Plans
- Market Town Healthcheck
- Parish Path Poll
- Whose Role?
 - A role for Parish Councils?
- Small Grants Scheme
- Small Grants Scheme - Volunteering
- Hampshire Paths Partnership
- Other Sources of Funding
- Glossary
- Further Reading
- Web Resources
- User Groups and Access Societies
- Other useful documents

Contact Details

- To report a fault or a problem on a Right of Way call the contact centre (Hantsdirect) on **0845 603 5636**
Calls will cost up to 4p per minute for BT customers. Calls made using other service providers or mobiles may cost more. Alternatively call 01329 225398 - standard and local call rates apply to this number.
- To report a fault or problem using the online mapping go to the website at **www.hants.gov.uk/maps/paths**
- To contact the officer for Hampshire Countryside Access Forum (HCAF) **01962 847221**
- To contact the officer for the New Forest Access Forum (NFAF) **01590 646669 access.forum@newforestnpa.gov.uk**
- To contact the Network Development Officer to discuss an application to divert a Right of Way - **01962 846891**
- Commons, Town and Village Greens registers - contact to arrange a time to visit **01962 846955**
- To contact the Planning Officer for the Countryside Service to discuss a planning application affecting a Right of Way **01962 846040**
- To contact the officers involved in the Small Grant Scheme - **01962 847181 or 847221**
- **The Rights of Way Team telephone numbers have migrated to the contact centre - 0845 603 5636.**

Below is a list of the Area Officers, and overleaf a map showing their area of responsibility.

- Matt Beal North West Area
- Peter Watson Central Area
- Ian Lawrence West Area
- Rob Thompson North East Area
- David Marshall East Area
- Liz Giles South Area

Rights of Way Teams and Officers

North West

Matt Beal
Basing House, Redbridge Lane
Old Basing, Basingstoke
RG24 7HB

Central

Peter Watson
Crabwood Depot
Sarum Road
Winchester SO22 5QB

West

Ian Lawrence
Crabwood Depot
Sarum Road
Winchester SO22 5QB



District & Borough
Council Boundaries



North East

Rob Thompson
Basing House
Redbridge Lane, Old
Basing
Basingstoke RG24 7HB

East

David Marshall
Queen Elizabeth Country
Park, Horndean
Portsmouth PO8 0QE

South

Liz Giles
Royal Victoria Country Park
Netley
Southampton SO3 5TA