

Unrecorded Rights of Way & Farm Land

Ian Moodie
National Farmers Union
Flood Risk and Access Adviser



Stepping Forward & the Stakeholder Working Group



The NFU has been a partner in the SWG on Unrecorded Rights of Way since its inception in 2008 and is pleased that plans are to be implemented that will improve the process and help reduce unnecessary red tape.

“For NFU members the package of proposals for reform is good news as it moves towards making the access rules easier to understand and an end to the unacceptable length of time it takes to resolve rights of way issues. We also believe it’ll remove uncertainty for farmers and landowners around reclaiming unrecorded rights of way.”

Claire Robinson

NFU Countryside Adviser 2010



Uncertainty



Farm Practice



Livestock



Arable & Horticulture



Crime & nuisance



Health & Safety



Wildlife & Environment



“I also understand that [the Farmer] feels frustrated and threatened by this process because it does not allow for any consideration to be given to the impact of the proposed restricted byway on his business, on farm security, on landscape and conservation interests (the farm being located within [an] AONB) and not least his family.”

Planning Inspector’s report



Unresolved issues

1. A suitable presumption against routing rights of way through farmyards and around farm buildings on the grounds of safety, security and nuisance;
2. How we manage the needs of the environment and biodiversity interests in handling historic rights of way decisions;
3. Provisions to enable the placing of structures on rights of way on the grounds of safety or security;
4. Time limits for claiming rights of way after a map and statement have been deposited with the local authority under Section 31(6) of the Highways Act 1980;
5. Improvements to the quality of evidence to justify user claims for a right of way, through standardised forms and better guidance.

