

If you enjoy walking the Cressing and wider countryside, it may be useful for you to know where to get definitive information about the route of public footpaths. Let's start with the definitions:

FOOTPATH - A public right of way for walkers but not at the side of a carriageway. A footpath can run along a way where certain individuals have a right to drive vehicles, such as a farm access drive.

BRIDLEWAY - A public right of way for walkers and those on horseback or leading a horse, but not a way at the side of a road. Pedal cyclists also have a right of way on a bridleway, but must give way to walkers and horse-riders. A bridleway can run along a way where certain individuals have a right to drive other vehicles, such as a farm access drive.

BYWAY OPEN TO THE PUBLIC - A particular type of way shown on a definitive map. Although motorists are entitled to use them, the predominant use of byways open to all traffic is normally by walkers, horse-riders and pedal cyclists. A carriageway has to be used, or be likely to be used, mainly by walkers and horse-riders to be eligible to be added to the definitive map as a byway open to all traffic.

RESTRICTED BYWAY - A public right of way for walkers, horse-riders and carriage-drivers and pedal cyclists. Many restricted byways were created by the reclassification in 2006 of ways previously recorded as roads used as public paths.

PUBLIC RIGHT OF WAY - legally the same as highway, with the main difference in meaning being that highway is used to refer to the physical feature and public right of way to the right to walk, ride or drive over it. The two terms are often used interchangeably, but in many cases public right of way is used to refer to those highways shown on definitive maps, (footpaths, bridleways, restricted byways, and byways open to all traffic).

The best place to look for footpaths and their classification is on the website for Essex Highways (www.essexhighways.org) and find the PRoW Interactive Map – this can be found under two headings:

PRoW Interactive Map | Essex County Council (essexhighways.org) - This is an interactive Map of Public Rights of Way. It is not the statutory Definitive Map which is held at County Hall. In law the Definitive Map provides conclusive evidence of the existence of any Public Rights of Way shown on it. This interactive map does not.

On the map of Public Rights of Way each path is identified by a code number both for the parish and the path. For example: 'PROW 74_8 is the footpath that runs from The Street, opposite the junction with Lanham Green Road, through to Polecat Road. Footpath 74_15 goes from the B1018 through the alleyway to alongside the playing field to Benton Close. This code number can be seen by clicking on the path. If you have any comments about a path, this code can be quoted when contacting Essex Highways to enable the Public Rights of Way team to deal with queries more easily and quickly.

You can either use the zoom in/out function to find a specific area of interest or use the search facility. You can check on who can use the different paths on the map by clicking on the 'Asset' Category on the left-hand menu. Additional map categories by selecting the corresponding tick box.

www.essexhighways.org/transport-and-roads/getting-around/public-rights-of-way/the-definitive-map.aspx - Public Rights of Way are protected by law and can only be altered by legal order. The Definitive Map is a statutory document which is conclusive in law as to the

existence and location of Public Rights of Way. The map is accompanied by Definitive Statements which give a brief description of each path, and by a series of Definitive Map Modification Orders which record any changes made since the publication of the current Definitive Map in 2002.

Walkers should refer to the interactive map to see where they can and can't walk freely. There are, however, circumstances that can affect the use of footpaths, especially when walking dogs.

Here are some quick do's and don'ts:

DO'S

Footpaths

This public right of way is meant for pedestrians only. You are allowed to walk your dog as long as it is under your close control. When walking a dog, you must ensure that it keeps to the public footpath and does not trespass into nearby properties.

Prams, pushchair or wheelchairs can also be used on a footpath.

Bridleways

These are meant for walkers, horse riders and bicyclists. Bicyclists are expected to give way to walkers and horse riders.

Byways Open To All Traffic (BOAT)

These byways are normally marked "byways" and are open to motorists, bicyclists, horse riders, motorcyclists and pedestrians. As with public tarmac road networks, motorists must ensure that they are legally authorised to use BOATs (i.e. registered, taxed, insured and MoT'd).

Restricted Byways

Restricted Byways are created under the Natural Environment and Rural Communities Act 2006. They are open to the traffic mentioned above in BOATs, but exclude motor vehicles and motorcycles.

Generally

- Between 1 March and 31 July dogs must be kept on a two-metre lead in order to protect ground nesting birds.
- Straying, or worrying of livestock is a serious offence and landowners can take direct action. Whenever livestock is present, dogs should be kept on a fixed lead of less than two metres. It's always good practice (and a legal requirement on 'open access' land) to keep your dog on a lead around farm animals and horses, for your own safety and for the welfare of the animals. A farmer may shoot a dog which is attacking or chasing farm animals without being liable to compensate the dog's owner.
- However, if cattle or horses chase you and your dog, it is safer to let your dog off the lead - don't risk getting hurt by trying to protect it. Your dog will be much safer if you let it run away from a farm animal in these circumstances and so will you.

DON'TS

Footpaths

Footpaths on edge of a field must not be ploughed. Footpaths can be ploughed, if they cross fields. However, a minimum width of 1 metre must be made available within 14 days of ploughing. Landowners must also ensure that they restore footpaths after ploughing.

If you are walking a dog, you must make sure that it does not stray off legal lines of a public footpath as this may constitute an act of trespass. Also ensure that you clean up your dog mess, if your dog fouls up on a footpath.

Bridleways

Bridleways on the edge of a field must also not be ploughed except where they cross over fields. Like footpaths, landowners must also give a minimum width of 2 metres within 14 days of commencing ploughing. Landowners must also ensure that they restore bridleways after ploughing. Motor cars, mini motors and motorcyclists are not allowed on bridleways.

Byways Open To All Traffic (BOAT)

Under-age or banned drivers, quad bikes, mini-motors, non-road-legal scramblers & quad bikes are not allowed on BOATs. BOATs must not be ploughed or obstructed to prevent public use.

Restricted Byways

Motorcyclists, motorists in motorcars, mini motors, quad bikes, non-road legal scramblers are not allowed on restricted by ways. Restricted byways must also not be ploughed or obstructed to prevent public use.

Generally

Please be responsible and don't let your dog foul a public right of way or open access land. Dog mess, especially from un-wormed dogs, also harbours parasites that can harm farm animals especially cows and sheep. If your dog is caught short, please clear up its mess and dispose of it in a dog bin. If there isn't a bin nearby, please **don't** leave it behind on the path or hang it on a tree in a bag. Instead, dispose of it safely at home by double wrapping it and putting it in your standard household refuse.

Other don'ts for landowners

- You cannot grow crops on a public right of way, however grass can be grown for hay and silage.
- Dairy bulls over 10 months are not allowed to cross over a field with a right of way.
- You cannot put up stiles or gates without the permission of your local authority.
- You cannot put up misleading signs to prevent people from using a public right of way.
- You are not allowed to harass, intimidate (e.g. placing a fierce dog on public right of way) or prevent members of the public from using a public right of way.
- It is an offence under the Highways Act 1980 to put up barbed wires, electric fences or exposed barb wire that prevents or obstructs a public right of way.

Other don'ts for users of public rights of way.

- You are not allowed to disturb or harm any wildlife found on a public right of way.
- You should not drop or leave litter on a public right of way.
- You should not trespass on neighbouring lands to public rights of way. At all times keep to the legal limits!

Whilst the advice and definitions provided by the Parish Council are obtained from various guidance, Acts of Parliament, and other sources, they should not be read as “LAW”, they are offered as a quick reference. For detailed advice and to read the Countryside Code, refer to the Government's directions at: [Countryside code - full online version - GOV.UK \(www.gov.uk\)](http://www.gov.uk)