

## **Rights of Way**

***HC Deb 21 November 1973 vol 864 cc423-4W***

*Mr. Bishop*

asked the Secretary of State for the Environment **if he is aware of the concern in Nottinghamshire and elsewhere that bridlepaths and lanes, some of which have existed since the Domesday Book was compiled, will disappear if his proposals to reclassify public rights of way are approved;** what representations he has received; and whether he will reconsider his proposals.

*Mr. Graham Page*

**The Countryside Act 1968 makes provision for the reclassification by county councils of "roads used as public paths" as by-ways open to all traffic, bridleways or footpaths.** It also lays upon my right hon. and learned Friend the duty, if objections or representations are duly made within a four-month period in respect of reclassification proposals and not subsequently withdrawn, of causing a local inquiry to be held before taking a decision.

I am aware that there have been objections to reclassification proposals published by Nottinghamshire County Council on 26th July 1973. The four-month period has not yet expired.

## **Public Paths and Bridleways**

*HC Deb 09 December 1975 vol 902 cc126-7W*

*Mr. Stephen Ross*

asked the Secretary of State for the Environment **if he will seek to amend the Countryside Act so as to protect roads used as public paths reclassified as bridleways from being destroyed by ploughing, the erection of gates and the removal of hedgerows.**

*Mr. Denis Howell*

**No.** However, I share the concern underlying the hon. Member's Question. We are examining the statutory provisions relating to bridleways and footpaths in general to see if any changes are needed. We are also awaiting the Countryside Commission's considered views on the maintenance of tree cover, the protection of historic countryside features and other matters covered in the public discussion of the report on new agricultural landscapes.

## **Public Footpaths (Classification)**

*HC Deb 07 April 1976 vol 909 cc173-4W*

*Mr. Stephen Ross*

asked the Secretary of State for the Environment **if**, in view of the Court of Appeal decision in *R. v. Secretary of State for the Environment ex Parte Hood* 1975, **he proposes to introduce legislation to amend the Countryside Act 1968; what advice he proposes to issue to county councils which have yet to publish proposals for reclassifying "roads used as public paths" under the 1968 Act; and what action is to be taken in those cases where reclassification has already taken place.**

*Mr. Denis Howell*

**My right hon. Friend and I have decided not to seek amending legislation to reverse the effect of the Court's decision on the reclassification of roads used as public paths. We are in touch with local authority Associations on the question of guidance to be issued in relation to both past and future reclassifications.**

## **Footpaths**

*HC Deb 20 December 1976 vol 923 cc37-8W*

*Mr. Stanbrook*

asked the Secretary of State for the Environment **if he will make a statement on the consultations he has had with local authorities on the implications of the Court of Appeal's decision in Hood v Secretary of State.**

*Mr. Marks*

There have been extensive consultations with the local authority associations about the effect of this decision. A revised draft circular has just been sent to the Associations for their comments, and I hope to issue the circular in the fairly near future.

*Mr. Stanbrook*

asked the Secretary of State for the Environment what advice he gives to local authorities seeking to reclassify cart road footpaths as simple footpaths when the footpath concerned is manifestly unsuitable for wheeled vehicles and horse-drawn traffic.

*Mr. Marks*

**The effect of the decision of the Court of Appeal in the case of Hood v. Secretary of State for the Environment which means that some roads used as public paths cannot be reclassified as footpaths may produce some anomalies. Although legally all roads used as public paths, including the non-statutory cart road footpath classification, had equestrian rights, I accept that some have proved to be unsuitable for horse riding, but I am sure that good sense will prevail with all users of public paths. In the longer term we may need to consider what, if any, revised arrangements should be introduced**

## **Public Paths (Mapping)**

***HC Deb 18 March 1977 vol 928 c352W***

*Mr. Stephen Ross*

asked the Secretary of State for the Environment (1) whether he will take steps to ensure that roads used as public paths are shown on county definitive maps as greenways;

(2) whether he will consider extending tree preservation orders so as to include lengths of ancient hedgerows;

(3) **whether he will now take immediate steps to identify and protect the physical existence of roads used as public paths** in fulfilment of his duties under Section 11 of the Countryside Act 1968.

*Mr. Marks*

"Greenway" is simply a descriptive term for an ancient track, and rights of way along such tracks vary. The term is, therefore, inappropriate for inclusion on definitive maps of public paths. **However, I am aware that there is widespread concern about threats to these tracks and to ancient hedgerows,** and I have decided to ask the Countryside Commission and the Nature Conservancy Council to study and advise me on these matters.

## **Roads (Public Paths)**

*HC Deb 17 December 1992 vol 216 c499W*

*Mr. Hunter*

To ask the Secretary of State for the Environment if he will **introduce legislation to clarify the requirement for vehicular use in respect of the definition of roads used as a public path in the** National Parks and Access to the Countryside Act 1949.

*Mr. Maclean*

The Wildlife and Countryside Act 1981 sought to dispel any confusion surrounding roads used as public paths—RUPPs— by requiring highway authorities to acknowledge the rights found to exist. Where vehicular rights exist, RUPPs must be reclassified as byways open to all traffic—BOATs—which are defined as routes over which the public have a right of way for vehicular traffic, but which are used mainly by walkers and riders.

I am aware of a growing concern about the reclassification procedure. A working party of the rights of way review committee has been considering a number of relevant issues including the definition of a BOAT. The working party has recently drawn up recommendations which we will be considering carefully.