

## Keep within the law

North Somerset Council (the highway authority) has a duty to assert and protect the rights of the public to use and enjoy the public rights of way network.

The council seeks to work with farmers to provide advice and assistance in order to make sure the requirements of legislation are met.

The highway authority can take action against you if you fail to keep a public right of way clear of crops or fail to reinstate the surface after ploughing.

It can prosecute you and/or enter onto your land, carry out necessary works (sometimes to a wider 'maximum width') and recover the costs from you.

## Cross Compliance GAEC

If a public path is obstructed, ploughed and not reinstated, or any gate or stile is not maintained, part of the Single Farm Payment may be withheld by DEFRA ([rpa.defra.gov.uk.GAEC8](http://rpa.defra.gov.uk/GAEC8)).

## Remember

If you are the occupier, it is your responsibility to comply with the law, regardless of who carried out the work for you.



### For more information, contact:

Public Rights of Way, North Somerset Council, Town Hall, Weston-super-Mare BS23 1UJ

Tel: **01934 888 888** • [www.n-somerset.gov.uk](http://www.n-somerset.gov.uk)

# Public Rights of Way Ploughing and cropping



## Ploughing and cultivating

You must not plough or disturb the surface of:

- footpaths or bridleways at the edge of the field
- restricted byways and byways open to all traffic
- cross field footpaths and bridleways that you can conveniently avoid.

If you cannot avoid ploughing or disturbing a cross field footpath or bridleway, you must then make sure that:

- the surface is made good, to at least the minimum width, so that it is reasonably convenient to use
- the line is apparent on the ground, to at least the minimum width, to anyone using it.

### This must be done within:

14 days of the first disturbance for that crop and 24 hours of any second or subsequent disturbance, unless a longer period has first been agreed, in writing, by the highway authority.

You may also disturb a footpath or bridleway during an excavation or engineering operation, but only if you first get written permission from the highway authority - North Somerset Council.



## Crops

You must not allow crops, other than grass, to grow on or overhang the minimum width of any footpath, bridleway or byway, so as to inconvenience the public or prevent the line of the right of way from being apparent on the ground.

You must spray or cut the crop to keep the line of the path visible before it reaches 150mm (6 inches) tall.

### Minimum/Maximum widths

If the width of a path is recorded on the definitive statement, then that is the minimum width. If the width is not recorded the 'minimum/maximum width means:

	Cross field		Field edge/ headland	
	MIN	MAX	MIN	MAX
<b>Footpath</b>	1.0	1.8	1.5	1.8
<b>Bridleway</b>	2.0	3.0	3.0	3.0
<b>Byway</b>	3.0	5.0	3.0	5.0

These widths apply only to the law on ploughing and cultivation. They are the minimum you must comply with if you are to avoid action being taken against you. They do not affect other aspects of the law on public paths and do not limit the public's established rights of passage in any way.

## Practical tips

### Tall crops

Such as oil seed rape, beans, and maize can fall across the path. Make a wider path through the crop at the beginning to avoid having to repeat the process later on in the season.

### Mark the path

A few runs over with a tractor may be sufficient, if repeated at intervals throughout the growing season. Canes or stakes may also be used.

Remember, unmarked paths can lead to unintentional trespass and crop damage.

### Weather conditions

If bad weather prevents reinstatement within the given time limit, please contact the PROW office as it may be possible to extend the time period.

