

**Burghill Parish Council (BPC)**  
**Management Plan**  
**for**  
**The Public Footpaths and Bridleways Within The Burghill Parish**

**Background:**

Within the Burghill Parish there is a network of footpaths and bridleways, most of which pass through the rural lands of the parish. These are public rights of way designated under the highways act as either footpaths or bridleways. Footpath routes are normally restricted to walkers, whereas bridleways are restricted to walkers, horses-riders and cyclists. Neither route may be used by any type of motorised vehicle.

Parish councils do not have a duty in respect of public rights of way. There is no duty for the parish council to fix anything. It is entirely the responsibility of the highway authority (Herefordshire Council) to ensure that the surface of the designated public right of way is fit for purpose and not dangerous for its specific use as either a footpath or a bridleway. This obligation to repair or replace extends to bridges or stream crossings.

As a principle, stiles and gates are the responsibility of the owner of the land to maintain. They are generally only present for the benefit of the landowner (eg to enable them to control livestock). There is no obligation for the parish council to maintain stiles or gates, or any other structure, on a public right of way. If a PC does carry out repairs, it would be done as a matter of choice by the PC and not as an obligation.

On the route of a public right of way the landowner has an obligation, within reason, to ensure that the right of passage is maintained and unhindered. This would include cutting back the growth of obstructive vegetation or providing walk lines through crops. However, a certain amount of tolerance is needed by walkers. For example, hedgerows cannot be cut back at a time of year when the activity would harm nesting birds. In the same way, a crop line cannot be cut away when fields are water-logged as it would damage the land. Rights of way cannot be wilfully obstructed by landowners as aside from being an inconvenience to users of the public footpath, it would be a breach of the relevant section of the highways act.

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The BPC recognises the importance of the public rights of way within the parish and the contribution that a properly maintained network can make to the well being and rural access rights of its parishioners. In the Burghill Parish Neighbourhood Development Plan part of *Objective 3* was set as:  
*Protect Commons and open spaces and maintain footpaths and bridleways.*

As in previous years, the BPC has appointed a Public Footpaths Officer (PFO). This person is not always a member of the parish council and it is not a paid appointment. It is a voluntary post and the person undertaking this task will report to The Clerk of the BPC and also The Community and Environment Working Group (C&EWG) of the BPC. It is the view of the BPC that the inspection and reporting system for the PFO will function as follows:

1. The PFO will attempt to walk all the public footpaths and bridleways within the parish at least once every year and record and report upon any matters which need attention. The inspection process will pay particular regard to matters that might be dangerous for users of these public rights of way.
2. The PFO may carry out minor works such as cutting back occasional plant growth to facilitate a freeway. The PFO may also attach direction markers to existing posts, where these are needed.
3. The PFO will report defects or obstructions to an appointed member of the C&EWG who will retain a running record of these reported defects.
4. The appointed member of the C&EWG will report the recorded defects to Herefordshire Council for resolution using the appropriate web-site.
5. The C&EWG will retain a record of the defect number returned from the HC web-site and continue to follow the progress of any repair work done by HC.
6. The running record of reported defects, together with any progress towards repair made by HC, will be updated monthly and submitted to the BPC at its public meetings.
7. The PC may carry out repairs or maintenance, but any work would be done as a matter of choice by the BPC and neither as a current nor continuing obligation and works maybe recharged to the Highway Authority.
8. The BPC reserves the right to update or amend this management plan for the footpaths and bridleways at any time and as considered appropriate by the BPC.

Mrs Paulette Scholes  
The Clerk  
Burghill Parish Council  
Date: 12<sup>th</sup> November 2019

Simon Hairsnape  
Chairman  
Burghill Parish Council  
Date: 12<sup>th</sup> November 2019