

Who is responsible for PROW?

The Highway Authority (Cheshire West and Chester Council), landowners and tenants all have legal duties, prohibitions and responsibilities for footpaths. In addition, the Parish Council has special discretionary powers which can be applied to rights of way. Members of the public also have rights and responsibilities in terms of how they may or may not use public rights of way.

The Highway Authority is responsible for:

- Asserting and protecting the public's rights.
- Keeping rights of way free from obstruction.
- Keeping the surface of the path clear from natural vegetation*.
- Maintaining bridges over natural watercourses and ditches.
- Signposting the paths and bridleways where they leave a metal road.
- Waymarking along the paths where appropriate.
- Recording the rights of way on the Definitive Map.

The landowner or tenant is responsible for:

- Providing and maintaining stiles and gates in a safe condition for public use
- Cutting back overhanging vegetation.
- Clipping hedges which obstruct the right of way.
- Not obstructing the right of way.
- Not ploughing field-edge paths.
- Reinstating cross-field paths within 14 days of ploughing.
- Ensuring that the line of the footpath is clear on the ground in cultivated fields, and not obstructed by growing crops.

Farmers and landowners should:

- Know where public rights of way cross their land
- Never plough or disturb a public right of way along a field edge
- Obtain consent from Cheshire West and Chester Council before erecting new stiles and gates
- Never plough a byway, under any circumstances
- Provide adequate bridges where new ditches are made or existing ones widened
- Not put plain, barbed or electrified wire across a right of way. It is not necessarily illegal to run wire along the side of a right of way but some types of wire are considered a nuisance to the public using the path
- Never deter the public from using a public right of way, including the erection of misleading signs or markings
- Not keep any animals that are known to be dangerous in a field through which a public right of way passes

- Not keep beef bulls under 10 months of age in a field that contains a right of way. It is acceptable to keep a beef bull over 10 months in a field with cows or heifers, but dairy bulls over 10 months are never to be put in a field that contains a right of way.

The Parish Council can:

- Maintain any footpath in the parish.
- Draw problems to the attention of the Highway Authority.
- Make improvements to rights of way.
- Agree new routes with landowners and farmers.

Members of the public should:

- follow the Countryside Code at all times:

Members of the public may:

- Pass and re-pass on any Public Right of Way, even if it hasn't been used for many years
- Stop to look at the view, take a photograph, and sit down to rest
- Take a pram, pushchair, wheelchair, but expect to encounter stiles on footpaths
- Take a dog, preferably on a lead, but always under close control
- Take a short route around an illegal obstruction
- Remove an illegal obstacle sufficiently to get past

Members of the public may not:

- Roam over land at will (except on Countryside Access land), or deviate from the line of the right of way unless it is to pass an obstruction
- Use a vehicle on a byway if it is not registered, taxed and insured, or ride/pedal/drive recklessly, carelessly or without consideration
- Use footpaths if you are a cyclist and horse rider (except with the permission of the landowner).