

# Ploughing and Cropping on Public Rights of Way

## Guidance Notes

**There are two specific offences in relation to Ploughing and Cropping and the offences are detailed below:**

- 1) It is an offence to plough a public right of way without lawful authority or excuse so as to make it inconvenient for the use of the public.
- 2) It is an offence to allow any crop which has been sown or planted other than a grass crop, to grow on a public right of way so as to inconvenience the public or prevent the line of the route being apparent on the ground.

The 1990 Rights of Way Act states that **you must not** plough or disturb the surface of any:

- field-edge rights of way (headland footpaths / bridleways etc)
- Byway Open To All Traffic (BOAT)

You must not plough or disturb the surface of a Restricted Byway

You must also avoid ploughing cross-field public Rights of Way where possible.

If you cannot avoid ploughing or disturbing the surface of a cross-field footpath or bridleway when sowing or cultivating a crop, you must re-instate the path within fourteen days. This means that it must be rolled and the line of the path delineated, so that it is apparent on the ground and it is reasonably convenient to use. If the surface of the path is subsequently disturbed on a second occasion, you must re-instate it within 24 hours, unless you have written authorisation from Shropshire County Council.

The full width of the path must be kept clear of all crops, other than grass (grass is defined as a crop commonly used for pasture, silage or haymaking). You must also not allow crops other than grass, to overhang a Public Right of Way at any time as this would impact on its usable width. ( Crops such as rape etc have the potential to further obstruct public Rights of way as they grow, in these instance, it is advisable to create a greater width than is normally required to allow for this)

### **Widths of Rights of Way for ploughing and cropping purposes**

If the width of the path is recorded in the Definitive Statement, then that is the minimum width. If there is no width recorded then the minimum width will be:

- Footpaths :
  - 1 metre across the field
  - 1.5 metres on the field edge
- Bridleways :
  - 2 metres across the field
  - 3 metres on the field edge
- Byways :
  - 3 metres across the field
  - 5 metres on the field edge

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### Responsibility for ensuring path is available

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

### Keep within the law

The Highway Authority will take action against you if you fail to keep Public Rights of Way on your land open and available for the use and enjoyment of the public. It can;

- Prosecute you and/or;
- Enter onto your land, carry out the works it thinks is necessary (to the max width allowed) and recover the cost from you. (separate guidance notes in this instance are available on request).

Please note any person can bring a prosecution against you if you fail in your duties as stated above.

### Remember

If you need advice on the law relating Public Rights of Way across your land, you may contact The Countryside Access Team for further information.

The Highway Authority is Shropshire County Council

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

For information or advice, please contact:

**The Countryside Access Team,  
Shropshire County Council,  
Shirehall,  
Abbey Forge,  
Shrewsbury.  
SY2 6ND**