

## Stakeholder Working Group on Public Rights of Way

### Guiding Principles

As agreed on 26th February 2009

The Group has discussed this set of guiding principles as a frame of reference for its detailed discussions and for the shaping of its specific proposals. The principles capture key points of agreement identified at the Group's meetings to date. No one principle is more or less important than the rest: they are inextricably linked with each other. The Group may wish to revisit and update these principles as its deliberations proceed.

**We value the public rights of way network as a vital part of the nation's heritage. It is a key means by which people enjoy the countryside and nature, keep themselves healthy and active, and get from A to B sustainably, including in urban and urban fringe areas. The network should be certain, evolving and cohesive:**

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|---------------------|--|
| <b>(1) Certain</b>  | Certainty is needed as soon as reasonably possible about the public rights of way that already exist. This implies capturing all useful existing rights of way on the definitive map, and then concluding the process of recording historic rights within a specified time period. |
| <b>(2) Evolving</b> | Where capturing a currently <b>unrecorded<sup>1</sup> and unused<sup>2</sup></b> historic right of way could threaten the viability of the established uses of the land, it should be possible to change its extent or alignment as part of the capture process. <sup>3</sup>      |
| <b>(3) Cohesive</b> | Making the rights of way network more joined-up and responsive to different needs – including horse riders' and cyclists' – is often a key need.   |

**We believe that to help meet these challenges, systemic changes may be required, with the following key aims:**

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| <b>(4) Improved administration</b>   | All parties would benefit from improvement or recasting of definitive map procedures to minimise delay, complexity and expense, while preserving the necessary fairness and balance.  |
| <b>(5) Integrated administration</b> | Rights of way are only one part of the wider system of highways and other local routes. In principle, greater integration of the management and administration of this system, and integrated recording of the range of similar public rights and their status, might be highly beneficial. |

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<sup>1</sup> This refers both to initial capture of the route and to later capture of any higher status.

<sup>2</sup> "Unused" means without any clear pattern of *public* use.

<sup>3</sup> There was also some discussion of the principle that it should become easier and quicker to change the alignment of a *recorded* right of way if doing so commands widespread local support. Agreement could not be reached on the adoption of this principle by the Group.