

# HASLEMERE UNCOVERED



## Ten years left to save our footpaths

Regular readers of this magazine may perhaps recall that a year ago I wrote about the unauthorised closure of a long-established public path in our town centre and urging those who cared about the path to attend the SCC Local Committee (Waverley) meeting to be held the month following publication.

The outcome of the meeting was very satisfactory for all the many objectors to the closure because the LAC voted unanimously for the path to be declared a *public path*. Some asked me later why it was not already an officially recognised path and my view was that it had never been included on the Definitive Map simply because it is so old that it had never occurred to anyone that it needed to be recorded.

That case shows how vulnerable many of our ‘public rights’ really are and it was very instructive, for we have now learned from the Open Spaces Society that the government has proposed that all paths that are not shown on the Definitive Map will be vulnerable to closure by the landowner or anyone able to control access to the path (as in the Lloyds Bank case). The time frame is a little over 9 years for action to be taken to record such claimed rights of way.



*North side of the Punchbowl at Thursley*

Many of us regularly use the paths around Haslemere which are owned by the National Trust and, given that the Trust has the aim of protecting public access, it is probably a safe bet that most of those paths will remain, although some

variations to the route of paths may be made where necessary, I expect. ‘So what paths are vulnerable then?’, you ask. If you use or know of a path which is well used but which has no finger post pointing in the direction of the line of the path then it is a safe bet that it is NOT shown on the Definitive Map.

I suppose that the next question is, ‘What is the definitive map and where can I see it?’ Defined footpaths are a right of way and as such come under the highways department of the local authority, in our case SCC, but as we are on the county boundary, then Hampshire and also West Sussex may be the relevant authorities. The definitive maps are drawn to a large scale and are now, of course, all available to view on-line: [www.surreycc.gov.uk/rightsofway](http://www.surreycc.gov.uk/rightsofway)

### **Public Footpaths, Bridleways and Byways**

Surrey's countryside has more than 2,000 miles of public footpaths, bridleways, restricted byways and BOATS (Byways Open to All Traffic). Surrey County Council is responsible for the management and maintenance of this network, and for the Definitive Map which is a legal record of the position and status of Rights of Way.



If you want to know the difference between a public footpath and bridleway as well as information about finding your way around the countryside using signs and waymarks, you can pick up a copy of a leaflet called **Arrows and Acorns - a guide to exploring public rights of way**, available from our local library or to download from the Surrey County Council website as above: [www.surreycc.gov.uk/rightsofway](http://www.surreycc.gov.uk/rightsofway).



You can view the routes of all the public rights of way on the Interactive Map on this website. There is a disclaimer regarding accuracy of the routes shown. For a more accurate record you can view paper copies of the Definitive Map at Waverley Borough Council, Haslemere Town Council and Surrey County Council offices.

A guide to using the map can be found on the website and is also copied below:

**HOW TO USE THE INTERACTIVE MAP TO FIND YOUR NEAREST PUBLIC RIGHTS OF WAY**

1. From the [surreycc.gov.uk](http://www.surreycc.gov.uk/_data/assets/pdf_file/0016/7915/GD-flyer.pdf) website, click on **Discover Surrey >** then **Surrey Interactive Map >** then click to agree the terms and conditions  
I have read the Terms & Conditions and wish to use the Interactive Map

then follow the steps below ...

2. To search for your house, click on **Address** and enter the address. Your house will be shown on the map by a red star.

3. You can zoom in and out by first clicking here, then clicking on the red star, or clicking and dragging a box over the area of the map you are interested in

4. To print your customised map, just click here and follow the instructions.

5. To show the public rights of way click **Discover Surrey** here, and tick the boxes as shown. Then click here to display the information you have ticked.

6. You can also use the interactive map to: find details of walks and events, look for schools, libraries, and nature reserves, and find out information from the 2001 Census.  
The map is being developed and more information will be available on it in future.

YOU CAN ALSO USE THE INTERACTIVE MAP TO: find details of walks and events, look for schools, libraries, and nature reserves, and find out information from the 2001 Census.  
The map is being developed and more information will be available on it in future.

DOWNLOAD TIMES: The Interactive Map makes extensive use of various web technologies. Users with a dial-up connection may find the Interactive Map takes a couple of minutes to load initially. Please be patient.  
PLEASE NOTE: The Rights of Way information shown on the map does NOT constitute a legal record. Please contact the Countryside Legal Team if you require further information: 020 8541 9245.

The Deregulation Act 2015, when it is brought into force later this year, will bring in changes as to how applications to add routes to the Definitive Map or make changes to existing routes are dealt with. The changes include:

- A 2026 cut-off date after which you will not be able to make an application to record a public right of way which came into existence before 1949 on the Definitive Map solely on the basis of historic evidence (e.g. tithe or enclosure award). You will still be able to make applications to record public rights of way on the basis of (20 years) user evidence.
- A different route from the one being used can be added to the Definitive Map where both the applicant and landowners agree to it. This could be, for example, to avoid areas where there are a lot of machinery movements.
- Notice of orders will no longer have to be advertised in a local newspaper. The new requirement is for authorities to publish orders on their website.
- An authority may disregard an irrelevant objection or representation, but has to inform the objector of its reasons.

- There will be a Right to Apply to remove a path from family gardens, working farmyards and commercial or other premises where privacy, safety and security is a significant concern.

The Rights of Way office at Surrey is glad to deal with any problems and queries although information about fly-tipping or an abandoned vehicle on a public right of way or other public land, should be reported to Waverley BC.

If, as a result of your new-found knowledge of footpaths and the law, you would like to make a general enquiry or report a fault e.g. a missing fingerpost or broken stile, there is an on-line form on the above website to report it.

The public Inquiry at Haslemere Museum on Wednesday 30<sup>th</sup> November and Thursday 1<sup>st</sup> Dec at 10.00 am enables the government inspector to hear the evidence for/against the Lloyds Bank path. Anyone may attend and speak too, if they wish.



*Robert Serman*

*My thanks go to Debbie Prismall the Rights of Way Officer at SCC and also to the Open Spaces Society.*