



Countryside Act 1968

1968 CHAPTER 41

Public rights of way

27 Signposting of footpaths and bridleways

- (1) A highway authority, after consultation with the owner or occupier of the land concerned, shall have power to erect and maintain signposts along any footpath or bridleway for which they are the highway authority.
- (2) Subject to subsection (3) below, at every point where a footpath or bridleway leaves a metalled road the highway authority shall in exercise of their power under subsection (1) above erect and maintain a signpost—
 - (a) indicating that the footpath or bridleway is a public footpath or bridleway, and
 - (b) showing, so far as the highway authority consider convenient and appropriate, where the footpath or bridleway leads, and the distance to any place or places named on the signpost.
- (3) A highway authority need not erect a signpost in accordance with subsection (2) above at a particular site if the highway authority, after consulting the council of the parish in which the site is situated, or as the case may be the chairman of the parish meeting for the parish, not having a parish council, in which the site is situated, are satisfied that it is not necessary, and if the parish council, or as the case may be the chairman of the parish meeting, agree.
- (4) It shall also be the duty of a highway authority in exercise of their powers under subsection (1) above to erect such signposts as may in the opinion of the highway authority be required to assist persons unfamiliar with the locality to follow the course of a footpath or bridleway.
- (5) With the consent of the highway authority, any other person may erect and maintain signposts along a footpath or bridleway.
- (6) Section 117(2)(c) of the Highways Act 1959 (destruction, damage or defacement of a traffic sign) shall apply to a signpost erected or placed along a footpath or bridleway in pursuance of this section as it applies to a traffic sign placed on or near a highway,

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and in section 63 of the Road Traffic Regulation Act 1967 (power to enter on land) " traffic signs " shall include signposts for footpaths and bridleways.

- (7) In this section (and in the amendments made by this section in other enactments) references to signposts shall include references to other signs or notices serving the same purpose and references to the erection of a signpost shall include references to positioning any such other sign or notice.

28 Duty to maintain stiles, etc., on footpaths and bridleways

- (1) Any stile, gate or other similar structure across a footpath or bridleway shall be maintained by the owner of the land in a safe condition, and to the standard of repair required to prevent unreasonable interference with the rights of the persons using the footpath or bridleway.
- (2) If it appears to the highway authority for the footpath or bridleway that the duty imposed by subsection (1) above is not being complied with, the highway authority, after giving to the owner and occupier not less than fourteen days' notice of their intention, may take all necessary steps for repairing and making good the stile, gate or other works, and may recover from the owner of the land the amount of any expenses reasonably incurred by the highway authority in and in connection with the exercise of their powers under this subsection, or such part of those expenses as the highway authority think fit.
- (3) The highway authority shall contribute not less than a quarter of any expenses shown to their satisfaction to have been reasonably incurred in compliance with subsection (1) above, and shall have power to make further contributions of such amount in each case as they shall, having regard to all the circumstances, consider reasonable.
- (4) Subsection (1) above shall not apply to any structure if and so long as the highway authority are, under an agreement in writing with any other person, liable to maintain the structure, or if any conditions for the maintenance of the structure are for the time being in force under section 126 of the Highways Act 1959 (authority for erection of stiles etc.).
- (5) This section shall be construed as one with the Highways Act 1959.

29 Ploughing of footpath or bridleway

- (1) Subject to subsection (2) of this section, the duty to make good the surface of a footpath or bridleway imposed by section 119(3) of the Highways Act 1959 (ploughing of footpath or bridleway) shall be carried out not later than six weeks from the date of the giving of the notice of intention to plough required by subsection (2) of the said section 119, or if, in contravention of the said subsection (2), no such notice was given, not later than three weeks from the time when the occupier began to plough the footpath or bridleway in pursuance of the said section 119.
- (2) If on the application of the occupier the highway authority are satisfied that it is expedient in the interests of good farming that the period of six or three weeks mentioned in subsection (1) of this section should be extended the highway authority may—
- (a) order the temporary diversion of the path or way until such date as may be specified in the order, being a date not more than three months after the time when the occupier began to plough the footpath or bridleway, and

- (b) by the order extend the period of six weeks or three weeks mentioned in subsection (1) of this section so as to expire on that date.
- (3) On the making of the order the highway authority shall forthwith cause a copy of the order to be displayed in a prominent position at the ends of the diversion.
- (4) In deciding whether to make an order under subsection (2) of this section a highway authority shall take into account the interests of the users of the path or way, and the highway authority shall before refusing to make an order under subsection (2) of this section consult the Minister of Agriculture, Fisheries and Food.
- (5) An order under this section diverting a path or way—
 - (a) shall not affect the line of the path or way on land not occupied by the applicant,
 - (b) shall not divert any part of the path or way on to land not occupied by the applicant, unless written consent to the making of the order has been given by the occupier of that land, and by any other person whose consent is needed to obtain access to the land,
 - (c) may require as a condition of the taking effect of the order the provision of any necessary facilities for the convenient use of the diversion,and the highway authority may enter into an agreement with the applicant for the provision of any such facilities by the highway authority at the expense of the applicant.
- (6) The said section 119 shall not apply to so much of a footpath or bridleway as follows what are for the time being the headlands or sides of a field or enclosure.
- (7) If a footpath or bridleway is ploughed, and the occupier has no right to plough it, or if there is a failure to comply with subsection (3) of the said section 119, the highway authority, after giving to the occupier not less than fourteen days' notice of their intention, may take all necessary steps for making good the surface of the path or way so as to make it reasonably convenient for the exercise of the public right of way, and may recover from the occupier the amount of any expenses reasonably incurred by the highway authority in and in connection with the exercise of their powers under this subsection.
- (8) Subsection (1) of this section shall bind the Crown.
- (9) This section shall be construed as one with the Highways Act 1959.

30 Riding of pedal bicycles on bridleways

- (1) Any member of the public shall have, as a right of way, the right to ride a bicycle, not being a motor vehicle, on any bridleway, but in exercising that right cyclists shall give way to pedestrians and persons on horseback.
- (2) Subsection (1) above has effect subject to any orders made by a local authority, and to any byelaws.
- (3) The rights conferred by this section shall not affect the obligations of the highway authority, or of any other person, as respects the maintenance of the bridleway, and this section shall not create any obligation to do anything to facilitate the use of the bridleway by cyclists.

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- (4) Subsection (1) above shall not affect any definition of " bridleway " in this or any other Act.
- (5) In this section " motor vehicle " has the same meaning as in the Road Traffic Act 1960.
- (6) It is hereby declared that sections 9, 10, 11 and 13 of the said Act of 1960 (offences connected with riding of bicycles) apply to bridleways as being highways which are " roads " within the meaning of that Act.
- (7) Section 12(1) of the said Act (prohibition of cycle racing on highways) shall have effect as if the expression " public highway " included a bridleway, but without the exception for a race or trial authorised by regulations under that section.

31 Public paths; amendments as respects procedural and minor matters

The Acts mentioned in Schedule 3 to this Act shall be amended in accordance with that Schedule.