

# Easton Royal Parish Council

## Harris Lane Bridleway Usage Protocol

### Object of the Protocol

Harris Lane is a bridleway (EROY 16) running east/west from Copes Cottage SU 20530 to the intersection SU 19807 60718 with the bridleway running south from the Bruce's Arms (EROY 22).

The Parish Council wishes to ensure that the surface is preserved as a safe recreational route for pedestrians, horse-riders and cyclists and where appropriate for disabled access, and that it is protected from damage by vehicles.

### Background

Harris Lane is an ancient byway, which was once a well-used carrier's track before the toll road through the centre of Pewsey Vale was established. It had become very overgrown in the recent century and, with a muddy surface and encroaching vegetation, passage was difficult particularly in winter months. Wiltshire Council supported an initiative by Easton Royal Parish Council to improve the surface for pedestrian use by cutting back vegetation extensively, levelling the sub-surface and providing a wearing surface of planings, all at a cost of some £13,000. It was stated at the time that further works on the lane were unlikely to be afforded and that the surface would not tolerate motor vehicle traffic. Easton Royal Parish Council undertook to ensure that use was restricted to pedestrian and bridleway users only.

### The Law on Bridleways

Under s34(1) of the Road Traffic Act 1988 (as amended by the Countryside and Rights of Way Act 2000) it is an offence to drive a motorised vehicle on a bridleway or footpath or restricted byway without lawful authority.

Under the Countryside and Rights of Way Act (CROW) 2000 it is an offence to damage the surface of a Right of Way as to render it inconvenient for the exercise of the public right of way.

Any landowner/ tenant wishing to claim Prescriptive access rights would be required to produce the evidence of such a right. Prescriptive Rights require evidence of 20 years continuous and constant use after 1980, when the law on these Rights changed.

For a Private Right to be valid, the user has to provide proof of entitlement as required by the Road Traffic Act 1988.

### Legal Responsibility for Harris Lane

Responsibility for the maintenance of the bridleway rests with Wiltshire Council; Wiltshire Council has delegated to Easton Royal the duty of maintaining the surface of Harris Lane and all footpaths and bridleways in the Parish

### Use of Harris Lane

Use of Harris Lane is restricted to pedestrians, push chairs, horses and bicycles. Exceptionally, Easton Royal Parish Council will authorise the following additional use:

1. Manor Farm is granted access to cross Harris Lane at OS SU 20162 60783 for the purpose of accessing fields on the other side of the track.
2. Motor vehicles required for the maintenance of Harris Lane and authorised by Easton Royal Parish Council.
3. Occasional use in dry weather of low ground bearing pressure vehicles for the inspection of trial plots on Manor Farm.
4. Vehicles responding to an immediate threat to life or property

Ease of access or where alternative access routes exist will not be accepted as valid reasons for using the bridleway.