

Public Rights of Way Glossary

There are a number of common terms used in rights of way and associated work:

Byway Open to all traffic (BOAT) – a highway available to all users including by mechanically propelled vehicles, but mainly used by pedestrians, horse riders and cyclists.

CRB – Carriage road bridlepath – as CRF but also with public equestrian usage.

CRF – Carriage road footpath – A non-statutory term used during the compilation of the first definitive maps for some routes that were intended to be recorded as RUPPs - to describe a route that was considered to carry vehicles but in actual fact used mainly by the public as a footpath.

Definitive Map – A statutory document that records the position of all public rights of way within the county. The definitive map is considered conclusive evidence of the existence and status of a right of way in a court of law and any changes to it must go through due legal process

DMMO – Definitive Map Modification Order – legal order which changes the definitive map and statement following the production of evidence to demonstrate it is in error or incomplete. Statutory duty

Definitive statement – The statutory document which accompanies the definitive map and sets out the extent of and limitations on rights of way recorded on the definitive map. In Herefordshire, in most instances, the definitive statement only gives the start and end points of a particular right of way.

Green lanes – a descriptive term used to describe many un-sealed routes (with or without a stone surface). “Green lane” has no legal significance and it cannot be assumed that these routes carry vehicular or indeed any other public rights.

IPROW – Institute of Public Rights of Way and Access Management – professional body representing public rights of way officers and those with an interest in public rights of way

List of Streets– a list of all highways that are publicly maintainable; Herefordshire Council is required by law to keep a list of streets (s36(6) Highways Act 1980) but it is not a legal record of highway status. Almost all rights of way are publicly maintainable and so technically should be recorded on the list of streets but, as in the majority of councils, they are not generally included on the Herefordshire Council list of streets. There is no defined format for the list of streets and it can be either a map or a simple list. In Herefordshire Council, the list of streets is regarded as a map held in its Geographical Information System – a digital map.

PPO – Public Path Order- legal order which changes the definitive map and statement following a request from the landowner or the local authority based on landowner and public interest.

Private Road – a route over which there are no highway rights. (Often used incorrectly on signs on access tracks or drives to property that also form part of a Public Footpath or Bridleway.)

Private Street – a highway that is not publicly maintainable.

Public bridleway – routes that can be used by pedestrians, cyclists and horse riders

Public footpath (Often confused with Footway which is a pavement) – routes that can be used by pedestrians

Quiet Lanes – non-statutory designation used to describe roads with little vehicular traffic (not used by Herefordshire Council)

Restricted byway – routes that can be used by carriage drivers, horse riders, cyclists and

pedestrians but not by mechanically propelled vehicles.

ROWIP – Rights of Way Improvement Plan – statutory strategic public rights of way document produced in 2007 and due for review in 2011

RUPPs – *Roads Used as Public Paths*. A type of highway recorded on the original definitive map. The right of the public over RUPPs was unclear and remaining RUPPs were reclassified as restricted byways in 2006.

“Without prejudice to higher rights” – a commonly used phrase reflecting the legal position that the depiction of, for instance, a footpath on the definitive map is not conclusive evidence that there are not currently unrecorded higher rights (bridleway or byway) (see modification orders)