Wiltshire Council

Ploughing, crops, and public rights of way;

a guide for landowners, farm managers and contractors on the legal requirement to keep open and available public rights of way after ploughing and cropping

Before ploughing

- Ensure your tractor driver or contractor knows where paths are and how do deal with them
- Field-edge rights of way must not be ploughed
- Avoid ploughing cross-field footpaths and bridleways if you can reasonably do so
- Cross-field byways open to all traffic and restricted byways must not be ploughed.

After ploughing

- Within 14 days of ploughing, the path must have a firm level surface and be marked on the ground to at least the minimum width
- It is good practice, and saves time, to re-establish rights of way before leaving the field, using tractor wheels to define the minimum width.

Further cultivation

- If further cultivation is necessary after expiry of the 14 day period following ploughing, the path must be reinstated within 24 hours. This is best achieved before leaving the field by marking the path using, for example, tractor wheels.

During the growing season

(for crops other than grass)

- As the crop grows, the path must remain evident on the ground
- As soon as is practical and before the crop reaches a height of 150mm (6") the crop should be removed from the path
- The path should remain clear of the crop to its minimum legal width, including where the crop encroaches from the sides as it grows.

Tall crops

- To prevent obstruction to the minimum width, tall crops such as oilseed rape or maize may need additional clearance during the growing season. A practical solution is to clear extra width, equal to the anticipated height of the crop.

What happens if a path is not reinstated?

Landowners and farm managers have a responsibility to ensure that when a field is ploughed or sown with crops, any public right of way across it is reinstated. This should be done to a minimum legally prescribed width and within set timescales.

Wiltshire Council seeks to work with farmers, the National Farmers' Union and the Country Land & Business Association to ensure that legal requirements are met.

The Highways Act 1980 places a duty on Wiltshire Council as the Highway Authority to ensure the law is complied with. Wiltshire Council is committed to ensuring paths remain available to the public and may use the powers given to it by the Act, should they be necessary.

Landowners are reminded that the requirements outlined in this leaflet represent good agricultural practice. Failure to keep public rights of way in good order could result in prosecution with offenders being reported to the Rural Payments Agency for non-compliance with Good Agricultural & Environmental Conditions.

Ploughing and Cropping Reference Guide

Cross Field Paths

	Footpath	Bridleway	Byway/Restricted Byway
What is the minimum width required?	1m (unless stated otherwise)	2m (unless stated otherwise)	3m (unless stated otherwise)
Can I plough across field path?	Yes, but only where it is not reasonably convenient to avoid it.		No
What do I have to do after I have ploughed?	Within 14 days ensure that the path has a firm and even surface that is easy to use and ensure the path is the minimum width or wider.		N/A

Field Edge Paths

	Footpath	Bridleway	Byway/Restricted Byway
What is the minimum width of a field edge path?	1.5m (unless stated otherwise)	3m (unless stated otherwise)	5m (unless stated otherwise)
Can I plough a field edge path?	No		
Must I do anything to a field edge path?	You must ensure that the hedge is cut back and any boundaries are well maintained so that the path is easy to use.		

Crops

Crops have started to grow on the path which crosses my field, what should I do?	You must keep the minimum width of the path clear from any crops and ensure the route is clearly marked. This will help to stop people wandering away from the path and onto your land.

For further information/advice:
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