



COVID-19 Information for Landowners and Farmers

Public Rights of Way

Wakefield Council has been made aware of concerns of land and property owner where with public access on or over their land during the Covid-19 outbreak. There is currently no legislation in place to allow the closure of public highways, which includes public footpaths, bridleways and byways for public health grounds. .

Defra advice is that the risk of Coronavirus being passed onto others from people using public rights of way and other paths and trails is considered to be **very low** provided people follow the Governments instructions on maintaining social distancing.

It is an offence under the Highways Act 1980 to block or obstruct public rights of way and there are no powers to close or obstruct a public right of way. It is also an offence to display a notice that contains false or misleading information and is likely to deter the public from using a public right of way. Enforcement action will be considered where any such notice is brought to our attention.

Landowners could consider the following measures where public rights of way are being used in large numbers or are close to properties.

- Tying open gates if there is no stock and it is safe to do so, so that walkers and riders do not need to touch the gate
- Temporarily displaying polite notice that encourage users to respect local residents and workers by following social distancing guidelines and consider using alternative routes that do not pass through gardens, farmyards or schools
- Offering an alternative route around gardens and farmyards but only where it is safe to do so and only when the path passes close to homes or through working yards

If you are considering offering an alternative route is should only be done in the following circumstances:

- The official path must remain open and available for use
- The alternative route must be safe.
(Landowners may be liable for personal injury under section 2 of the Occupiers' Liability Act 1957 and Section 1 of the Occupiers' Liability Act 1984 if they are reckless or intend to create a risk e.g. by providing a dangerous alternative)
- The alternative route must be on your land or with permission from whoever owns the land.
- The alternative route must be clearly signed.

Please contact prowteam@wakefield.gov.uk if you wish to discuss any of the above.

Examples of appropriate notices for paths where there is no alternative or where alternatives are available can be found below.



COVID-19 AND PUBLIC RIGHTS OF WAY

This path passes through a private garden/ working farmyard/ working stables.

An alternative and safe permissive path is available to help maintain social distancing

In line with Defra and Public Health England Advice:

Maintain Social Distancing Requirements

Ensure you keep at least 2 metres away from other people

Hand wash/ sanitise after touching any shared surface e.g. stiles or gates

Keep dogs on a lead near livestock and away from other people/ dogs

Leave all gates as you find them

Keep to the line of the public right of way

Follow the Countryside Code



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