

# Paths, Widths, Heights & Gaps

## Countryside Service Design Standards (2024)

The legal width of a path can be a contentious issue and may take some investigation to determine. It is usually desirable for vegetation to be cleared to a greater width.

This guide also explains the size of a gap to be left if a stile or gate is no longer needed; removing these barriers saves the landowner the time and cost of maintenance and improves access for all users.

### Responsibilities

Landowners are responsible for ensuring that the legal path width is open and available for use; if needed, the County Council has powers to enforce this. Details of how to establish the legal width are overleaf. Often, it is desirable for the vegetation to be cleared to a greater width, if the landowner permits this.

The County Council is responsible for cutting vegetation from the surface of the path and the landowner is responsible for clearing back vegetation to the side of the path and overhanging vegetation (e.g. trees and hedges).

There is no legal path height clearance standards; HCC has guidelines for vegetation clearance which are set up below.

### Desirable path widths and heights for vegetation clearance

Desirable widths and heights can vary depending on the use of the path—for example, busy paths will benefit from being wider and horse-riders will require a greater height clearance than walkers.

The following are recommended widths and heights for the purposes of vegetation clearance:

- Footpaths (or paths for walkers only): a minimum width of 1.5m and height of 2.5m
- Bridleways (or paths open to cyclists and/or horse-riders): a minimum width of 2.5m and height of 3.5m
- Restricted Byways (or paths allowing carriages): a minimum width of 3m and height of 3.5m
- Byways Open to All Traffic: a minimum width of 4m and height of 3.5m

This guidance is suitable for most situations in Hampshire; for further advice email [pro@hants.gov.uk](mailto:pro@hants.gov.uk) or call 0300 555 1391

The physical characteristics of a path may mean it is not be possible to create these widths e.g. between the hedges. If fences are present; please refer to the legal width if this seems unduly restrictive. When cutting, spread cut vegetation on path verges, or remove and dispose of appropriately. Do not cut crops. Landowners are responsible for ensuring paths are reinstated through crops.

Path furniture, such as bridges and legally-authorized stiles and gates can create pinch points. See the relevant guide for widths at these points.

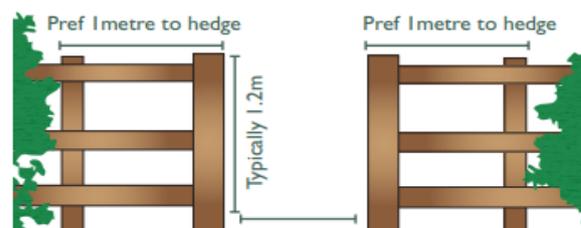
If a route is to be fenced in on both sides, consult with an officer first. Gates and stiles should be removed if the path is fenced off as they are no longer necessary.

### Removing stiles and gates to create a 'Gap'

Where paths cross boundaries (e.g. between fields), a structure is usually unnecessary, unless livestock are present. The best option is to leave a gap. This is most accessible for users and does not impose a maintenance burden on the landowner.

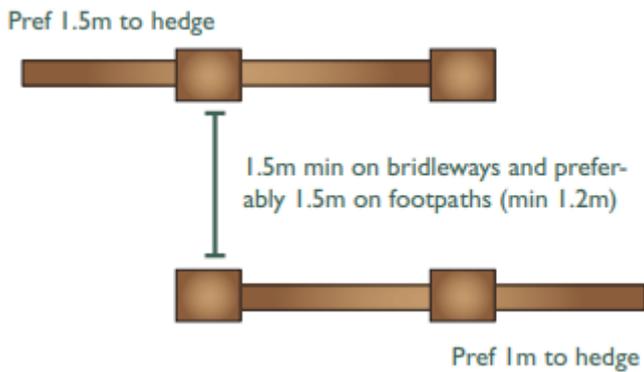
In most cases, leaving a gap is just that—however, in some cases a formally constructed gap may be desirable. For example, to identify where the path goes, or a staggered gap to slow users approaching a road or prevent illegal behaviour; while ensuring legitimate users are not restricted.

The preferred width for gaps and gates is 1.5m. Landowners permission is required if the legal width is less than 1.5m.



Gap width should preferably be 1.5m; it should be 1.2m min on footpaths and 1.5m min on bridleways

## Staggered Gap (for footpaths and bridleways):



Leaving a width of 1 metre between the hedge and the edge of the gap reduces the frequency with which the landowner has to cut back vegetation.

Structures should be set back at least 2m (footpaths) or 4m (bridleways) from roads where possible. Barbed wire and electric fencing must not be attached to the structure.

## Establishing the legal width of a path

The legal width of the path is unique to that path. It may be different to the currently used width and the desirable width for vegetation cutting.

The legal width is the minimum which must be kept open and is legally protected.

The legal width can be established by following the process below, in this order:

- Widths recorded in the Definitive Statement for the path. The Statement is a written description which accompanies the Definitive Map. In Hampshire these are on-line at <https://www.hants.gov.uk/landplanningandenvironment/rightsofway/definitivemap>. Where the Statement gives a width, this is the legal width of the path.
- If a path has recently changed by legal order (within the last two years), call us on 0300 555 1391 with details of the path.
- In cases where the path runs between two established boundary features, e.g. hedges or ditches. It is assumed that the entire width is included within the legal width if the boundary features were laid out in reference to the highway. Historical maps and other evidence can be used to determine this. Where boundary features have been removed the highway width will remain.

Path widths can be measured on maps using a scale rule, but note the thickness of lines, may vary in width, especially on older maps.

- The width that has been historically used
- Legislation does not provide widths for paths, except for the reinstatement through arable fields, shown below. These widths can be used as an absolute minimum requirement for path widths in other circumstances:

Cross field footpath:	1m
Field edge footpath:	1.5m
Cross-field bridleway:	2m
Field edge bridleway:	3m
Restricted Byway or Byway open to All Traffic:	3m

Please speak to County Council Officers, regarding any width query

## Obstructed Paths

If the whole or part of the width of a rights of way becomes obstructed, for example by a new fence, an unauthorised stile, by crops or even by a building then please report this to us. Fly-tipping should be reported to the District Council.

## Summary of Widths

The table below must only be read in conjunction with the rest of this guide, as some widths only relate to reinstatement following cultivation.

	Footpath	Bridleway	RB/BOAT
Legal min cross-field (if not specified otherwise)	1m	2m	3m
Legal min field edge (if not specified otherwise)	1.5m	3m	3m
Desirable widths for vegetation clearance	1.5m	2.5m	3.5m
Desirable widths if the path is enclosed between hedges, fences or walls	2.5m	3.5m	3.5m