

Dave Waterman

Rights of Way Reforms Project
Defra

Hobhouse Committee 1947

“the obscurity in which the origin of the great majority of footpaths is shrouded has given rise to innumerable disputes, involving great expense in time effort and money”

Definitive Map & Statement

- Original survey – 5 years to complete?
- '68 Act – further attempt through legislation to complete
- '81 Act – duty to keep under continuous review, plus an application process
- Growing recognition of need for an end to the process

2026 cut-off

January 2026

January				
Wed	Thu	Fri	Sat	
	1 1	2 2	3 3	
7 7	8 8	9 9	10 10	
14 14	15 15	16 16	17 17	

How the cut-off works

- Does not just bite on 'lost ways'
- All unrecorded rights will be extinguished if not recorded by 2026
- The policy aim is not to extinguish
- The CRow Act 2000 provides for certain rights to be excepted from extinguishment
- Further exceptions can be prescribed in regulations – the next phase of reforms

Stakeholder working group



Rights of way reforms package

- Giving greater certainty.
- Protecting useful routes.
- Requiring better quality applications.
- Reducing scope for conflict and disputes.
- Streamlining and simplifying procedures.
- Right to apply for diversions and extinguishments.
- New guidance on rights of way that pass through farmyards.

Progress and next steps

- ✓ Stakeholder working group report.
- ✓ Public consultation.
- ✓ Pre-legislative scrutiny.
- ✓ Provisions in the Deregulation Act 2015.