

Upper Deverills Parish Council
Rights of Way Accessibility Monitoring Policy

1. Landowners have a legal responsibility to ensure that rights of way (RoW) are maintained and cleared to allow access year-round within abiding by the Row's legal dimensions but recognising that seasonal constraints may sometimes delay clearance within the mandated timeframe.
2. The Parish Council has no specific power to enforce the accessibility and maintenance of RoW. Those powers are vested in the principal authority – Wiltshire Council.
3. If a breach of RoW accessibility is reported, the following procedure will be followed:
 - a. The issue is to be investigated by the Parish Council (ideally the RoW portfolio holder) within 3-4 weeks of a report, if possible. If the report is found to be valid, the landowner is to be approached informally, as promptly as practically possible, to remind them of their responsibilities. The RoW parish councillor will keep the Chairman of the Parish Council informed throughout the process and, if applicable, the parish resident who reported the breach.
 - b. If the matter has not been remedied, or steps to remedy the situation have not been advised by the landowner after 3-4 weeks of being informed of the breach, the Parish Council (Clerk) is to write to the landowner in a prescribed form to remind them of their responsibilities (Letter 1). This letter will be copied to the Chairman of the Parish Council and the portfolio holder.
 - c. If, after a further 3-4 weeks, the matter has not been remedied, or steps to remedy the situation have not been advised by the landowner, the Parish Council (Clerk) is to write to the landowner again in a prescribed form to remind them of their responsibilities (Letter 2). As well as being copied to the Chairman of the Parish Council and the portfolio holder, Letter 2 is to be forwarded to Wiltshire Council (RoW Department) inviting them to take the matter forward for enforcement action as they deem appropriate, requesting feedback to the Parish Council as soon as feedback is available.
 - d. Depending on the feedback provided by Wiltshire Council (RoW Department) to Letter 2, the Parish Council need take no further action save to monitor the situation and advise Wiltshire Council accordingly. However, if the Parish Council feels it to be in the public interest to take the matter further, it may use the provisions available under the Highways Act 1980. However, it will endeavour to settle the matter amicably as well as effectively with the landowner and the RoW Department of Wiltshire Council, recognising the value of maintaining constructive relations with both parties.

Adopted by the Parish Council on 12th November 2025)