

A Walker's Guide to Freedom to Roam Legislation in England and Wales



What responsibilities come with this new right?

The new right of access is restricted in several ways. For instance, it does not allow walkers to drop litter, light fires, cause damage to plant or animal life and bathe in non-tidal water. It does not allow camping and organised games. The Act does not distinguish between access during the day and at night, although local restrictions could affect access at night. Walkers are responsible for their own safety at all times. Anyone breaking a restriction will be treated as a trespasser and barred from entering the land for the next 72 hours. The Act does not confer additional rights for cyclists or horse-riders but existing rights are not affected.

Will landowners and occupiers be affected by this legislation?

The new access arrangements will not restrict the way the land is used as long as landowners do not endanger, obstruct, or discourage visitors. Landowners may close or restrict access to their land for up to 28 days per year (including some Saturdays and Sundays) for any reason. Landowners may apply to the countryside bodies for further closures or restrictions for reasons of land management, fire risk or danger to the public. Owners and occupiers may also benefit from wardening services.



What does the new Countryside and Rights of Way Act say?

The Countryside and Rights of Way (CRoW) Act creates a new legal right of access on foot to areas of open, uncultivated countryside allowing walkers to explore away from paths on approximately four million acres of mountain, moor, heath, down, and common land in England and Wales. It includes safeguards to protect the environment and landowners' interests and will NOT allow people to walk through private gardens or over crops. The Act may in future be extended to coastal land although this will be subject to consultation and a full impact assessment. It does not apply in Scotland.

Will the Act apply differently in England and Wales?

Some variations in the way the law is applied may occur where the Welsh Assembly and the Department for the Environment, Transport and Regions choose.

When can I enjoy the freedom to roam?

The CRoW Act is now on the statute-book, but we will not be able to enjoy the new right for 3-4 years. Until conclusive maps showing where the Act will apply are published and restrictions have been agreed, there is no freedom to roam over areas of open countryside. So currently, in most areas of open country, you would still be a trespasser. However, 'fast track access' may be granted by the government to common land and land over 600m which are shown on existing maps.

Will the new law damage the environment?

Allowing access will encourage people to enjoy, respect, and protect the environment. The Act allows land to be closed for nature or heritage conservation. It also includes measures to protect Sites of Special Scientific Interest and Areas of Outstanding Natural Beauty.

Are dogs permitted on access land?

Dogs will normally be permitted on access land, but must be kept on short fixed leads between 1 March and 31 July and at any time near livestock. Dogs may be banned altogether from certain areas. It will be important to check local arrangements in advance.



Don't rights of way provide enough places to walk?

Freedom to roam is different from walking on public paths. The Act will provide the public with the opportunity to wander, responsibly, away from paths without trespassing, to see and visit particular views or special features. And in many places, there are no paths to take us over open country.

How will the new law work?

The Countryside Agency and the Countryside Council for Wales (the 'countryside bodies') will play an important role in delivering the Act. They will inform the public of the new right of access and guides for owners and occupiers on managing access. They are responsible for drawing up maps showing where the new rights of access apply. The countryside bodies, national park authorities and the Forestry Commission will be responsible for administering restrictions which will limit or prohibit access. Highway and national park authorities will set up local access fora which will advise on improving all types of open air recreation in their area.



How will I know where I can walk and what restrictions apply?

In addition to Ordnance Survey maps showing access land, the countryside bodies will produce information on access opportunities and restrictions. This will be distributed in guides, booklets, leaflets and over the internet. Information will also be available through visitor centres, tourist information offices, local media, shops and at information points near access land.

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For full text of the Act see web pages
www.legislation.hms.gov.uk/acts/acts2000

