

## Background Paper

# Registration and re-instatement of “lost” public rights of way

The Government made provisions under the Deregulation Act 2015 Section 20 for those public rights of way that have “disappeared” since late Victorian times to be registered and reinstated for public use.

In England, approximately 49, 000 miles of public rights of way have been lost since 1900, some due to wartime needs for the country to produce more of its own food. The Parish of Nuthurst has lost about 12 public rights of way. These are shown as blue dotted lines on the maps included with the Clerk’s Report for this agenda item and include:

In **Mannings Heath** from Golding Lane to Winterpit Lane and then across to Bucks Head.

In **Monks Gate** from nearly opposite Saxtons Farm up onto the ridge.

In **Nuthurst** there are four lost public rights of way,

In **Copsale** there are three, and

In **Sedgwick**, there are two. One is along the north driveway to Sedgwick House which bears a notice “No public footpath” and there is another from the WW2 airstrip on the Sedgwick estate, down onto Sedgwick Lane.

In **Maplehurst**, no public rights of way seem to have been lost.

The Ramblers Association have undertaken a massive mapping exercise to identify these lost public rights of way. Members of the Ramblers have compared late Victorian maps with current OS maps and produced the maps you see with the Clerk’s Report.

The Ramblers Association has launched a campaign called “Don’t Lose Your Way” and is asking every Parish Council in England to email a local co-ordinator by the end of January with a list of routes they would like to see reinstated.

Individual counties are responsible for the legal process of registering lost public Rights of Way. The Ramblers Association will put forward a list to the relevant county. It is possible that some landowners will oppose the registration of lost footpaths that cross their land. When this happens, the cases will be decided by the Planning Inspectorate.

There is concern about the ability of individual Counties to cope with the volume of work likely to result from this “Don’t Lose Your Way” initiative, especially as many counties already have a considerable backlog of work relating to public rights of way. Hampshire, for example, has a backlog of 174 cases and dealt with just 10 last year. It is not known what is the position in West Sussex and our County Councillor may be able to advise on this.

It is worth remembering that the Parish tries to promote a healthy life-style with its organised Parish Walks and its publication “Ten Circular Walks” in the Parish (on its website). Registering and getting these “lost” footpaths re-instated would provide greater walking opportunities and bring people more in touch with the varied flora and fauna of the Parish. On the other hand, some landowners may not be supportive.

**The Parish Council needs to decide if it wishes to ask the local co-ordinator of the Ramblers Association to approach West Sussex regarding the process of registering its “lost” footpaths. The deadline is the end of January, 2021.**

**Owen Hydes, 28.12.20**



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Potential lost rights of way

Base map

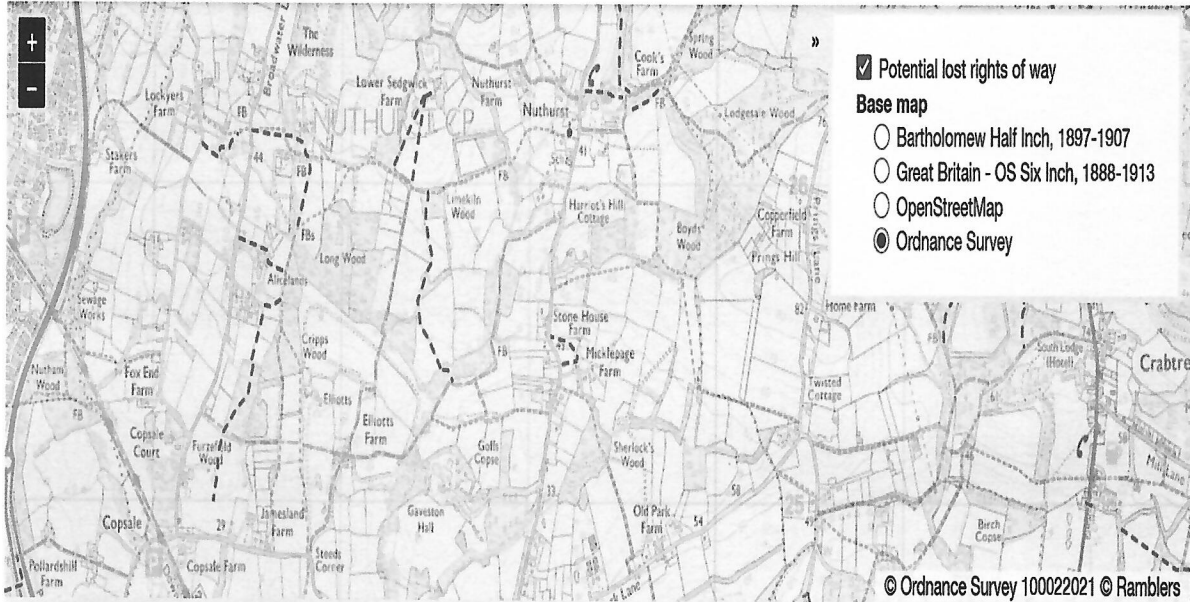
- Bartholomew Half Inch, 1897-1907
- Great Britain - OS Six Inch, 1888-1913
- OpenStreetMap
- Ordnance Survey

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For any questions about the map, please see our [FAQs](#)



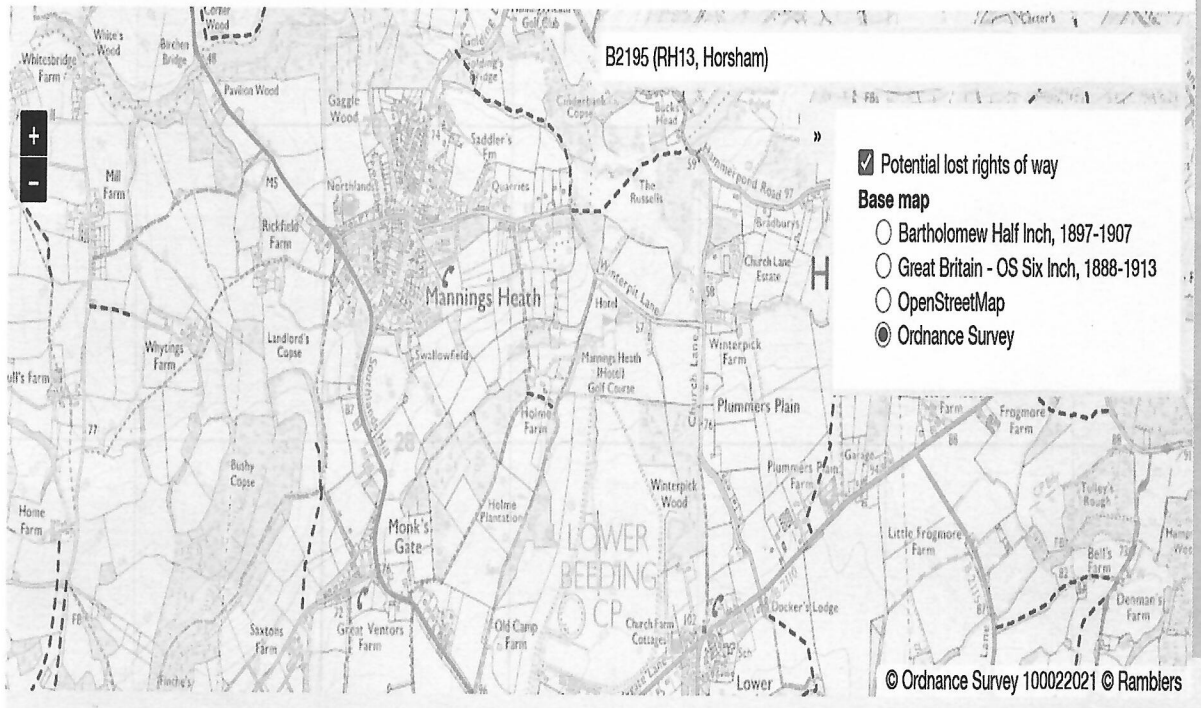
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