



Advice to members: Covid-19 and access – updated 6 April 2020

The CLA are working with Defra and other organisations on ways to assist landowners and occupiers who are being affected by the increased numbers of users on the public rights of way network.

Defra issued guidance on 3 April for landowners which may be seen [here](#), following CLA lobbying. It is vital that landowners together with members of the public follow the latest Government advice to limit the spread of the virus. The working countryside needs to function, and safely.

Here are simple actions we would encourage you to take straight away:

- Promote and follow the Countryside Code which can be found at the following links:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/701188/countryside-code.pdf (England) and
<https://cdn.naturalresources.wales/media/1369/the-countryside-code.pdf?mode=pad&rnd=131999848960000000> (Wales). The code highlights the need for respect for other people and consideration for others in the local community.
- Some landowners may wish to offer short term permissive access in order to support local communities during this challenging time or to act as a by-pass to those public rights of way which run through locations near vulnerable occupiers. If you choose to do this, please consider:
 - erecting signage clearly stating to the public that there is no intention to dedicate a public right of way and keeping dated photographic evidence of the signage. The CLA has produced signs using wording approved by Defra which can be found and printed [here](#) and [here](#);
 - notifying your insurers of the additional access you are providing, keeping a record of their acknowledgment;
 - your responsibility to cut back overhanging vegetation; and
 - that you have a higher duty of care for a user than that of a user of a public right of way crossing your land. They are treated as an invitee and you must “take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for those purposes for which he is invited or permitted by the occupier to be there;” and
 - any existing public right of way being by-passed must still remain open to the public.
- Where private land is being accessed by members of the public, signs should be erected to discourage this, with clear messages such as “Private land, no public access. Please help us keep each other and wildlife safe by only using designated public rights of way.” It may be helpful to highlight the nearest such route if appropriate. Closing and locking gates that do not cross public rights of way will also act as a deterrent.
- If you are concerned that public rights of way run in close proximity to vulnerable occupiers, you may wish to erect signs advising the public of this (e.g. “please help us keep everyone safe and well by ensuring you keep 2m or more away from residents and each other.”). However, please note it is an offence to erect signs containing any information which is either false or misleading which are likely to deter the public from using the route.



- If you find yourself having to persuade a member of the public to leave private land, we suggest you explain the situation, refer to Government social distancing advice and the fact there are occupiers on the land, some of whom may be vulnerable. You should explain if applicable, about Health and Safety risks around working farms, farm machinery and livestock and calmly indicate routes or areas on the public right of way network or open access land that keep the public and occupiers alike, safe. If the situation gets too confrontational be prepared to walk away; if you feel threatened or harassed the matter can be reported to the police.
- If you are a victim of, or witness criminal activity, please alert the police by calling 101 or 999 in an emergency.

The latest Government advice on health can be found at <https://www.gov.uk/coronavirus>.

If you would like further, more detailed advice, please get in touch with your Regional Office in the first instance or email Sophie.dwerryhouse@cla.org.uk or telephone on 07771 977204.