

Public Rights of Way vs. Public Easements

While these terms are sometimes used interchangeably in casual conversation, they carry specific legal distinctions, particularly in the UK context you are working in.

- **Public Right of Way (PROW):**

- A PROW is a specific path over land which the public has a legally protected right to pass and repass.
- These are usually recorded on a "Definitive Map" maintained by the local authority.
- The right is restricted to the specific route of the path.
- Examples include footpaths, bridleways (for walkers, horse riders, and cyclists), and byways (open to all traffic).

- **Public Easement:**

- An easement is a broader legal concept referring to a right to use another person's land for a specific purpose.
- A "public easement" often refers to a right that has been acquired by the public over time through long-term usage (often called "dedication" or "prescription").
- Unlike a standard PROW, which is often explicitly created or recorded, an easement might exist even if it is not clearly marked on a map, provided it can be proven that the public has used the path "as of right" (without force, secrecy, or permission) for a significant period (typically 20 years in many jurisdictions).

Note on Access: A "Public Right of Way" is a path protected by law and typically mapped by your local council. An "Easement" is a right to use land that may have been established through years of public use. In both cases, if you are on the route, you are exercising a lawful right. If a landowner challenges you, stay calm, cite the path's status, and remember that these rights are about historical public access, not private permission.