



**Upminster & Cranham
Residents Association**

Members Room
Town Hall
Main Road
Romford
RM1 3BD

16th July 2026

Dear resident,

This letter is to provide you with information in relation to the footpath that leads from Heron Way, through to Cranham Brickfields Local Nature Reserve.

The strip of land lying East of Heron Way (behind the properties in Heron Way) stretching to the boundary of the Brickfields, and the narrow strip of land between properties ~~65~~ and ~~167~~ Heron Way, which has been a means of access over many years, is privately owned. The Council therefore has no legal rights over the site.

The 'pathway' is an 'informal' pathway which means it is not registered as a 'Public Right of Way'. It is shown on the H.M. Land Registry March 1983 Plan as a 'path'.

It is therefore not the responsibility of the Council to challenge the right of access, which means it falls to the public to take this forward. This would need a co-ordinated approach, potentially legal advice, evidence gathering, plenty of reading, form submissions and support!

The Council has provided the Cranham Ward councillors with the following three links on establishing 'Rights of Way'. This involves gathering information and evidence statements, and an application to the council. Particularly useful is the Open Space Society website, which runs through the process required. Contained within their advice is a point of note that although it can take as little as seven months, it more normally takes three to five years, or even longer.

Government website regarding Rights of Way and accessing land.
www.gov.uk/right-of-way-open-access-land

Open Spaces Society guide to recording Public Rights of Way.
www.oss.org.uk/need-to-know-more/information-hub/rights-of-way-applications-to-record-public-paths-after-twenty-years-use/

Havering Council's historic published Public Rights of Way Map does not extend this far east and therefore does not show whether a Right of Way has previously been recorded.

www.havering.gov.uk/downloads/file/2293/map-2-romford-hornchurch-upminster-rainham

We have also sourced the following links which could be of use, **particularly this first one, which is a 'Deed of Easment' and will be a priority. It is the legal declaration that you have had access to the site, which would then be registered on land registry stating the right to walk across this piece of land. There would be a charge which appears to be £5.00 and £2.00 according to the government website. There may also be a charge for the drafting although templates are available.**

Practice guide 52: easements claimed by prescription:

<https://www.gov.uk/government/publications/easements-claimed-by-prescription-pg52/practice-guide-52-easements-claimed-by-prescription>

A guide to definitive maps and changes to public rights of way - 2008 Revision:

https://assets.publishing.service.gov.uk/media/5a80d867e5274a2e8ab527d5/definitive-map-guide.pdf?fbclid=IwDGRjcATAJFBwZG9mA2ZkaWQWUKaQYNRHR8GV9YFcloMKIxRRINmMIGV4dG4DYWVtAjExAHNydGMGYXBwX2lkCjY2Mjg1NjgzNzkAAR6X85zeXYiD2k3X77hUpkcjvEzCtTwnEYHWS53JVoBH6LLo5GzIbEqVqfDALw_aem_n_C9caayHcuaDGZWKxvz_A

Right to Roam:

<https://www.gov.uk/right-of-way-open-access-land/use-your-right-to-roam>

Ramblers UK - Unrecorded rights of Way:

<https://www.ramblers.org.uk/go-walking-hub/claiming-unrecorded-public-rights-way>

Havering Council: Public Rights of Way:

<https://www.havering.gov.uk/planning-3/public-rights-way>

What a Walk - How to Register a New or Lost Right of Way: Public Rights of Way in the UK:

<https://www.whatawalk.com/blog/registering-new-lost-rights-of-way/>

The following link is one for landowners which gives insight as to what action they can take to prevent the establishment of a new public right of way:

Brachers - How to protect your land from the establishment of new public rights of way and town and village greens

<https://www.brachers.co.uk/insights/new-public-rights-of-way>

As a reminder, a planning application for what is believed to be the same area of privately owned land was submitted in 2019 (Planning reference **P1687.19**), for the '*Development of up to 98 dwellings with associated landscaping, open space and infrastructure, with vehicular access from Kerry Drive.*' This was refused at the time. Details of the application and reasons for refusal can be found in the Planning section of the Havering Council website – **www.havering.gov.uk** . The approximate area of land concerned can be seen on Google Maps, as the darker green section between Kerry Drive and the railway line.

There is no suggestion at this stage that an application will be submitted but it is almost certain there will be at some stage. It is only at the point of an application finally being submitted that any action can be taken to oppose.

The initial focus has to be the retention of the pathway for public use. This needs a coordinated approach and Councillor Gillian Ford has confirmed she is happy to support residents.

Kind regards,

Councillor Gillian Ford

Councillor John Tyler

Councillor Lesley Tyler

Upminster and Cranham Residents' Association - Cranham Ward
(Members of the Havering Aligned Residents' Associations Group on Havering Council)