Open Spaces Society

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November 2026

Dear supporter

Our legal-action fund is a great success: please keep it going

This year your generous contributions to our legal-action fund have once again paid off handsomely. Some of the successes which were made possible by members' support for the fund are listed below. And there were others. Every case costs money. That is precisely what our legal-action fund is for: turning your support into effective action when open spaces and public rights are threatened.

Please give now to help us fight the next legal battle.

Our case officers have worked tirelessly with members and lawyers to challenge injustices and, as a last resort, take matters to court, sometimes on our own, sometimes jointly with other organisations. Here are some examples.

Protecting commons

- We challenged an inspector's refusal to re-register two commons near Hayle in Cornwall, on the grounds that he had misinterpreted the Commons Act 2006. The government conceded and the registration applications will be reconsidered. This has a far-reaching effect as there are many other applications which well could be lost if the inspector's ruling had been allowed to stand.
- We also challenged an inspector's decision to grant an exchange of common land at Shuthonger near Twyning in Gloucestershire, despite the applicant's failure to supply the right maps. The government agreed that the maps were non-compliant and the Planning Inspectorate has issued instructions to ensure this error is not repeated.

Getting paths reopened

- At the request of one of our local correspondents, we applied to the magistrates' court for an order requiring Wiltshire Council to remove impassible stiles from a public footpath. We settled the matter out of court when the stiles were replaced with gates.
- At St Buryan, Lamorna and Paul in Cornwall, one of our members had served notice that a path was out of repair, and we made a financial contribution to legal costs. Fortunately, the council gave way and this glorious footpath near the coast has been reopened after decades of neglect.

- We are in the midst of a legal battle with Powys Council over broken stiles, which we consider to be unlawful obstructions on public footpaths.
- We have taken legal advice on the knotty problem of an historic footbridge in Charlton Kings, Gloucestershire, which has been closed for years, and are considering next steps.

Defending paths from development

- We objected to a plan to 'downgrade' to bridleway a byway open to all traffic (BOAT) in connection with a proposed wind farm at Mynydd y Gaer in Bridgend. We took legal advice with other user organisations. As a result, the developers backed down and the BOAT is protected.
- We paid for lawyers to write to Solihull Metropolitan Borough Council objecting to a planning application to bring into use works related to the HS2 high-speed railway. These would have had an adverse effect on users of a footbridge which is also a public footpath. The application was withdrawn.

Ensuring paths are recorded

- We joined in threatening a judicial review of an inspector's refusal to confirm a definitive map modification order at Little Trenay in Cornwall. The government gave way and the matter will be reheard. This case was important for the interpretation of historical evidence.
- With the British Horse Society and the Ramblers, we continue to pursue surveying authorities which fail to process and determine applications to add paths to the definitive map in accordance with the law.

We move into action as soon as an issue comes to our notice: time is always short, and the preliminaries are complicated. We may need counsel's opinion, our trustees must decide whether to proceed, and then we must brief lawyers to prepare for court. These steps can be costly, even when a dispute is resolved before reaching court.

Please enable us to continue to fund legal action where it is needed, and to support our members in fighting their legal battles—which are also yours.

Yours sincerely

Kate Ashbrook

Kate Ashbrook
General Secretary

PS: *We are pleased to accept donations to this appeal as follows:*

1. *Online at www.oss.org.uk/appeals/*
2. *By bank transfer to The Open Spaces Society, Account: 00035916 Sort Code: 40-52-40 (please quote AUT26 plus membership number or surname as the reference).*
3. *By cheque posted to the address below.*

PPS: Use of the law is vital to our work: your gift enables this to continue.