



# Buckinghamshire County Council

## Minutes LOCAL ACCESS FORUM

**AGENDA ITEM: 3**

**MINUTES OF THE MEETING OF THE BUCKINGHAMSHIRE LOCAL ACCESS FORUM HELD ON WEDNESDAY, 11 JUNE 2003 IN MEZZANINE ROOM 2, COUNTY HALL, AYLESBURY, COMMENCING AT 4.06 PM AND CONCLUDING AT 6.34 PM.**

### **MEMBERS PRESENT**

Mr C Ashenden, Mrs J Ashton, Mrs C M Aston, Mr R Boas, Mr D Briggs (Vice-Chairman), Mr J M Elfes (Chairman), Mr F Gomme, Mrs B Harris, Mr C Hurworth, Mr N Jeffrey, Mr A Lambourne, Ms C Limond, Mrs V Lynch, Mr S Pratt

### **OFFICERS PRESENT**

Mr I Burgess, Mrs M Freeman, Mrs K Jones, Mr M Walker (Buckinghamshire County Council)

### **IN ATTENDANCE**

Mr P Fox (Bedfordshire County Council), Ms C Bellamy, Ms E Message (Countryside Agency), Mr T Bindoff, Mr P Harris (Oxfordshire County Council)

### **APOLOGIES FOR ABSENCE**

There were no apologies.

### **1 MINUTES**

It was agreed that the minutes of the meeting held on 5 March 2003 be amended and signed at the next meeting.

A member suggested and it was agreed, that individuals be named at future meetings of the Forum rather than be referred to as members.

### **2 MATTERS ARISING**

Mr Boas asked what response there had been to the proposed areas for crime prevention. Mr Walker replied that no areas had been put forward by the Council for designation based on the evidence currently available. However, there was no reason why any area should not be designated if it were appropriate in the future.

### **3 TERMS OF REFERENCE**

The Forum agreed the proposed Terms of Reference, subject to the addition of the words “and visitors” at the end of paragraph 5.1.2.

### **4 ACCESS LAND MAPPING**

Charlotte Bellamy from the Countryside Agency gave a presentation on “Mapping for New Countryside Access, the Countryside Agency and Part 1 of the Countryside and Rights of Way Act 2000 (CROW)”.

The following issues were described:

- Role of the Countryside Agency Countryside and Rights of Way Act 2000 (CROW Act) mapping process;
- Information;
- Restrictions;
- Local Access Forums.

Amongst the new duties and powers of the Countryside Agency are:

- Duty to map registered common land and open country;
- Duty to operate a closures and restrictions regime;
- Duty to provide information to users and land managers.

The new rights and new responsibilities of access under Part 1 include:

- Visitors will have a right to walk on the access land;
- Access rights will be limited in several ways:
  - a excepted land types (ie cultivated land);
  - b excluded activities (ie horse riding and cycling);
  - c special controls on dogs;
  - d closures and restricted access at times.

Ms Bellamy explained that Buckinghamshire is in Zone 7 of 8 in the proposed new areas and that the draft maps will be issued on 30 June 2003. It is proposed that provisional maps, taking account of representations received at the draft map stage, will be issued between six and eight months after the issue of the draft maps, depending on the volume of comments received during the consultation process.

Conclusive maps will be issued between six and twelve months after the issue of the provisional maps in each area, but this is subject to the appeals process.

Members were advised that open country is land that appears to the Countryside Agency to consist wholly or predominantly of mountain, moor, heath or down and is not registered common land.

Registered Common Land (RCL) was defined as the following:

- Land registered and maintained under the 1965 Commons Registration Act;
- Reproduction, not replacement of the commons registers held by local authorities;
- Provide faithful copy, there are no discretions.

A help line telephone number 0845 100 3298 will be open between 9.00 am to 5.00 pm Monday to Friday. Any queries can be raised by calling the number or through the website [www.countryside.gov.uk/access/mapping](http://www.countryside.gov.uk/access/mapping) .

Ms Bellamy explained the reasons for closures or restrictions including nature conservation, national security, fire risk or public safety, heritage conservation and land management which may be restricted for short term, long term or permanent. The types of restriction include provision for:

- Discretionary '28 day' restrictions – available to landowner or farm tenant;
- Directions applied for by landowner or farm tenant – discretionary powers to exclude dogs from grouse moors and lambing enclosures; and
- Directions made by the "relevant authority" where necessary on grounds set out in the Act.

A restriction can:

- Specify dogs must be on leads;
- Restrict access to specified routes;
- Specify use of an entry point on the land
- Exclude the public completely; or
- Impose any other conditions.

The restriction system will be run by the 'relevant authorities' which are:

- The National Park Authorities (within national parks);
- Forestry Commission (for woodland dedicated under the Act); and
- Countryside Agency (elsewhere in England).

The timescales for restrictions are:

- The relevant authority must decide whether to grant a direction within six weeks of receiving an application;
- Where the direction would restrict access indefinitely or for over six months, the relevant authority must consult the Local Access Forum;
- It must respond to the applicant within four months.

Ms Bellamy explained that Local Access Forums are new statutory bodies that advise Highways Authorities, National Park Authorities and the Countryside Agency on countryside access. They are balanced and representative and include representatives from landowners, user groups and other local interests. Forums are influential – access authorities are required to have regard to their views on a range of issues. Amongst those issues on which Forums advise are appointment of wardens on access land, proposals for by-laws on access land, recreation and access strategies, review the draft maps, and local restrictions long term or permanent.

The Chairman thanked Ms Bellamy for her presentation.

The Vice-Chairman asked Ms Bellamy how many individuals were working on the mapping process. She replied that contractors were performing the majority of the work. Mr Gomme asked if Ms Bellamy was confident of meeting the proposed timetable. This was confirmed.

Mrs Aston asked how additional guidance on the terms would be provided. Ms Bellamy recommended referring to the website. In response to a question, members were advised that roadshows in Buckinghamshire would take place on the following dates:

**Aylesbury** - Library, Walton Street –23 July 2003 10.00 am - 1.00 pm

**High Wycombe** – Library, Queen Victoria Road –22 July 2003 10.00 am - 1.00 pm.

Mr Lambourne asked if the maps would be distributed to Parish Councils at the same time as to the County Council. This was confirmed although it was noted that the public would not generally be aware that Parish clerks would have copies of the maps. Mr Walker advised members that the maps would also be on display at County Hall

The Chairman advised members that at the last meeting of the Forum it had been suggested that a sub-committee meets to discuss the proposals.

Mr Harris from Oxfordshire County Council explained that a meeting of the Oxfordshire Countryside Access Forum was being held on 7 July 2003 and an additional meeting on 25 July 2003 at which a site visit will take place followed by a public access meeting during the evening. Mrs Aston suggested an additional meeting of the Forum.

Following a discussion, it was agreed that an additional meeting of the Forum will be held on 30 July 2003 at 7.00 pm. The Chairman encouraged members to attend the roadshow.

## **5 THE RIGHTS OF WAY IMPROVEMENT PLAN**

The Forum was asked to comment on the draft framework outlining the new requirement under the CROW Act for Buckinghamshire County Council (BCC) as a Highway Authority to produce a Rights of Way Improvement Plan within the next five years.

An assessment is required of how the local network meets the present and future needs of the public with regards to footpaths, bridleways, restricted byways and cycleways; how it provides opportunities for exercise and other forms of open-air recreation; at the same time having special regard to the accessibility of the network for people with mobility problems. There is also a requirement to produce and publish a plan containing the above assessment and a statement of the action for the management of the network and for securing the proposed improvements. There is an additional requirement to set up a means to monitor progress, and carry out an assessment and report progress every ten years, issuing a plan if required.

BCC must involve the Local Access Forum before preparing the assessment. It is the role of the Local Access Forum to comment on opportunities for access, assist the authority in setting priorities for implementing plans and comment on the published draft plans.

Information from the consultation exercise should be scrutinised as part of the assessment. In addition, the assessment will take into consideration such things as network fragmentation (ie cul-de-sac paths). It should look at routes that provide links which enable people to avoid using roads, assess convenient and safe crossing of roads/railways, investigate opportunities for providing routes from centres of

population that could link to transportation routes or provide paths to school, shops etc and paths that provide an amenity for exercise, dog walking, cycling and riding.

The assessment should enable BCC to reach a conclusion about the strengths and weaknesses of the network, and identify where action is required, to draw up a statement of action that is an integral part of the plan. The statement should show proposed action, costs and key partners in the action, and timescales for implementation.

The Council will be required to publish a draft plan, and it will be necessary to publicise this and invite representation. Before publishing the final plan comments must be considered and acknowledged. The Council is required to monitor progress on the statement of action, and within ten years, make a new assessment and decide whether or not to amend the plan.

Members made the following comments:

- Mr Jeffrey - Page 12, paragraph 3 in his opinion, the assessment should be wider. Page 17, paragraph 3, point 1 equestrian users and motorised users should be included as having present and future needs.
- The Vice-Chairman suggested that paths leading onto major roads should, in effect, be treated as cul-de-sac routes and addressed accordingly.
- Mr Hurworth asked if there would be a map showing cycle paths. Mr Walker replied that this is something that must be considered in the overall context of an Improvement Plan but, presently, where footpaths were converted to cycle track, the legislation did not allow them to remain on the Definitive Map in any form. Mrs Freeman added that it would be necessary to change the legislation to allow for cycle tracks to be shown on Definitive Maps..
- Mrs Lynch welcomed the initiative which was, in her opinion, both positive and very refreshing.

Mr Walker explained that one of the aims was to identify where the network did not do what it was intended to achieve, for example with horse riders where the bridleway network might be particularly fragmented.

Mr Fox from Bedfordshire County Council explained that they were using consultants for this research. The role of the consultants was to collate information to produce a draft plan with the intention of preparing a manual that would help other authorities. This was as part of a pilot scheme being funded by the Countryside Agency. The Vice-Chairman suggested that it was important that in addition to consulting users, non-users also need to be consulted as a means of understanding why they did not use the access network

The Chairman requested that Buckinghamshire take the approach taken by Bedfordshire that includes a combination of formal approaches to organisations and views from the general public.

## **6 IMPROVING ACCESS TO THE COUNTRYSIDE – MAKING A START**

Mr Jeffrey presented a paper to the Forum proposing that the Local Access Forum instigates a practical pilot project to provide 'access for all' across a significant area straddling the Buckinghamshire/Oxfordshire county boundary. Within this area all rights of way could be accessible to users of all abilities (consistent with the

requirement for reasonable stock control) and all 'lost ways' could be researched and incorporated.

Mr Jeffrey explained that this pilot project is intended as a demonstration of what can be achieved by co-operative working both within the Bucks LAF and its partner organisations and also with the neighbouring Oxfordshire Countryside Access Forum.

The Forum was requested to:

- Approve the concept in principle and that contact be made by the Chairman with the Secretary of the Oxfordshire Countryside Access Forum;
- Participate in a preliminary survey working in a selected area with invited users, local councillors and land managers to be organised by Mr Jeffrey; and
- Consider prior to the next meeting, the role they, and organisations with which they are connected, can play in building a consensus of support in implementing the project.

Mr Jeffrey explained that one of the reasons for his proposal was that approximately 8% of the population have difficulties with mobility. He would like to review the fixed barriers across rights of way and replace them with kissing gates providing access for the disabled.

Mrs Harris welcomed and supported the initiative on behalf of the disabled. Mr Pratt also supported the initiative in his capacity as the Manager of the Phoenix Trail and added that an estimated 100,000 trips per annum take place on the Phoenix Trail. He would like to improve access to the trail.

The Vice-Chairman noted that the earlier paper had recommended careful consultation. In his opinion there was not a requirement to remove all barriers but moreover to make some footpaths more accessible for the disabled and he recommended a wide consultation.

Mr Pratt commented that there had not been any reports of persistent motorised use on paths that had been upgraded to cycle track. Mr Jeffrey explained that in his opinion, peer group pressure can deter illegal and anti-social use of paths. The Vice-Chairman commented on the exercise of caution before removing all barriers.

Following a discussion it was agreed that the Forum support the proposal in principle although it was noted that it was very ambitious.

## **7 REPORT BACK FROM THE RIGHTS OF WAY DISABLED ACCESS EVENT**

Mrs Harris attended this event and explained that James Littlewood of the Chilterns AONB Office is hosting events to assess disabled access at certain sites in the Chilterns. There was a very good presentation on gates by Tom Bindoff. Mr Hurworth also attended the site visit with the Chairman, demonstrating a disabled access buggy. Mr Pratt stated that he had already implemented some of what he had learned at the event and stated that is what information that is key to enabling the disabled to explore the countryside.

## **8 RIGHTS OF WAY LIAISON GROUP MEETINGS**

The Chairman requested that copies of the minutes of these meetings be distributed to the Forum.

## **9 TRAINING OF MEMBERS**

The Chairman suggested that the Forum visit Tom Bindoff's establishment to identify the positive results of his work with gates. Mr Burgess tabled the British Standard report on the specifications for gaps, gates and stiles.

## **10 BUSINESS AT FUTURE MEETINGS**

Possible future business included:

- A visit to Mr Jeffrey's proposed project area
- A visit to Tom Bindoff's display area
- Invitation to James Littlewood to address the Forum
- A report from Mr Gomme about the Community Appraisal process

## **11 ANY OTHER BUSINESS**

The Chairman agreed to the suggestion that in future any other business would be requested at the start of the meeting.

Emma Message from the Countryside Agency introduced herself and explained that she works for the South East Region and is the London contact for the Rights of Way Improvement Plan. Ms Message agreed to attend future meetings of the Forum if required.

**CHAIRMAN**