

RIGHTS OF WAY LIAISON GROUP

MINUTES OF THE MEETING OF THE RIGHTS OF WAY LIAISON GROUP HELD ON THURSDAY, 9 NOVEMBER 2000, IN MEZZANINE ROOMS 1 AND 2, COUNTY HALL, AYLESBURY, COMMENCING AT 10.35 AM AND CONCLUDING AT 12.35 PM

MEMBERS PRESENT

Buckinghamshire County Council

Mr M Walker (in the Chair);

Mr I Burgess, Ms H M Chamberlain, Ms M Freeman, Mr P Prigg and Ms J Taylor

British Horse Society

Mrs A Strangman

Bux 4 x 4

Mr G Dawson

Chiltern District Council

Mr D Stowe

Chiltern Society

Mr R Boas, Mr D Millar and Mr C Peters

LARA and TRF

Mr C Hurworth

Ramblers' Association

Mr T Berry, Mr D Bradnack, Mr M Roe and Mr B Shelley

APOLOGIES/CHANGES IN MEMBERSHIP

Buckinghamshire County Council

Mr T Jones

Bux 4 x 4

Mr R Hartley

Country Landowners' Association

Sir H Aubrey-Fletcher, Mr A Davies, Sir L Figg

Countryside Agency

Miss H Flemming

Cyclists' Touring Club

Mrs A Hughes

National Trails

Ms J Joslin

National Trust

Mr A Roach

Ramblers Association

Mr B Totterdell

Wycombe District Council

Mr Roberts

1 MINUTES

The minutes of the meeting held on 7 June 2000, copies of which had been circulated, were confirmed subject to the following changes being made: That Mr D Millar be shown as representing The Chiltern Society, not Mr D Taylor; That Mrs J Jeffcoate be correctly addressed as Ms J Jefcoate of the Ramblers' Association; That the second item raised by the Ramblers' Association on page 6 of the minutes be corrected to read "Promoted Routes".

2 MATTERS ARISING

Members were informed that Ms J Jefcoate, a previous representative of the Ramblers' Association, was very ill. The Group asked that its best wishes be passed on to Ms Jefcoate. Mr C Hurworth informed the Group that he was replacing Mr R Llewellyn as the permanent representative of LARA.

A representative of the Ramblers' Association requested clarification on the availability to the public of up to date Definitive Maps for the County, commenting that the edition available in Aylesbury Library was only accurate up to 1995. In response, the Definitive Map Officer informed members that each District Office had a map relevant to their District and that the County Council held maps for all four Districts. Members were also informed that the maps accurate for 1995 were the most up to date versions currently available having been published in 1997. However, officers agreed that an updated version was needed and reported that an edition accurate to 1999 was currently under preparation. The Group noted that updates of the map would hopefully be much easier and more frequent following the digitisation of the Definitive Map through the GIS system.

Members went on to discuss the best way for the public and interested parties to be notified of changes to the Definitive Map, noting that the maps available to the public were not amended until new editions were published. The Group therefore suggested that when notifications of changes were sent to all holders of the Definitive Map, these should be attached to the map as an appendix to be cross-referenced. Officers acknowledged the suggestion.

A representative of the Ramblers' Association also asked for clarification on any developments made with regard to the issue of "Promoted Routes". In response, the Chairman informed the Group that a number of bids had been put in place in order to secure capital funding to link the issue of Promoted Routes to related areas of County policy. Such areas included the promotion of cycling routes, Safer Routes to School and schemes for paths to link towns and villages. Members noted that these bids included one for an additional member of staff to take forward these ideas.

In discussion of this issue, the Group acknowledged the success of organisations such as the Ramblers' Association and The Chiltern Society in reviewing routes and helping in their maintenance. Officers welcomed the continued support of such groups, although acknowledged the need for an agreed structure for such co-operation to operate within.

3 RIGHT OF WAY PROGRESS REPORT

The Group received the report of the Head of Spatial Planning, which advised members of the work undertaken by the Rights of Way Team during the first six months of the 2000/2001 financial year.

Members were introduced to and welcomed the appointment of Ms H Chamberlain as Assistant Definitive Map Officer. The Group noted that Ms Chamberlain's appointment was for a period of two years.

Rights of Way Work

Northern Area

Members noted that much clearance work had taken place over the summer period helped considerably from September when the Team had acquired two new mowing machines.

Officers further reported that a number of stiles and steps had been improved and that around 3 kilometres of surfacing improvements had been completed. Members noted that this surfacing work was limited by the extremely high £25 per metre cost involved. The Group was informed that a total of 66 miles of routes had been improved but noted that this was below the 80 miles that would have been hoped for. This, officers explained, was partly due to the above average level of clearance required on some routes and the late arrival of the two new pieces of machinery.

Southern Area

Officers reported that the abnormal weather conditions over the summer had led to exaggerated growth of vegetation on some routes resulting in the need for clearance two or three times over the six month period. Members noted that much work had been undertaken by voluntary organisations in clearing shorter routes, leaving Buckinghamshire County Council staff more time to address the longer, more complex routes. Officers reported that 115 miles of clearance work had been completed in the southern area. A representative of The Chiltern Society informed the Group that a second-hand tractor may be made available to their Group in the near future which could be utilised in this southern area. The Chiltern Society representative agreed to keep officers updated on this matter. Members welcomed this news, officers commenting that the lack of suitably robust equipment was often the reason for delays in clearance work.

In discussion of the report, members suggested the use of wood chippings as an alternative, cheaper option for re-surfacing purposes. In response, officers explained that only in limited circumstances were such chippings a good alternative. However, members were asked to note that such chippings were not always suitable for routes provided for pedestrians, those in wheelchairs, pushchairs or cyclists and that consideration of route users was therefore essential when determining the surface material to be used. Officers further commented on the high maintenance level of such chippings, which decompose, become trodden into the ground and could be blown away in strong winds.

A representative of the Ramblers' Association requested that a system be put in place for both the northern and southern areas to guarantee that a formal acknowledgement be sent when voluntary organisations submit reports to officers. Officers acknowledged the request and agreed to look at establishing such a system.

Definitive Map Progress Report

The Definitive Map Officer reported that over the six month period, there had been two public inquiries regarding the Hazlemere/Hughenden and The Lee applications. Consequently, members were informed that the Order for the Hazlemere/Hughenden application had been confirmed. With regard to The Lee, members noted that the Order had been confirmed as Byway following modifications by the Inspector. Details of each Order were attached to the report.

The Group was informed that at its 12 April meeting, the Rights of Way Sub-Committee had determined three applications, as set out in the report, and that work was ongoing with regard to a number of other applications. The Definitive Map Officer also

commented on the rise in the number of applications received over the past year from six to eight, noting that this was partly due to an increase in the number of claims raised as a result of planning applications. However, members noted that this figure was still well below the 24 applications per year received 10 years ago.

In discussion of the report, a representative of The Chiltern Society asked for clarification on the length of time it required to process an application, diversion or modification. In response, the Definitive Map Officer informed the Group that a target of 12 months was set for completion of all applications. However, in reality, members noted that due to the complex nature of many claims and the number of variables over which officers had no control, the average time was currently around 18 months. Officers explained that further delays could result from appeals, public inquiries and the involvement of the Secretary of State. Members noted that a similar timescale was involved in the processing of diversions and modifications, largely due to the detailed legal work involved. The report was noted.

4 PLOUGHING AND CROPPING LEAFLET

The Group received the report of the Head of Spatial Planning, which advised members of the completion of work undertaken by the Council in conjunction with the Ramblers' Association, The Chiltern Society, The Country Landowners Association and the National Farmers' Union in the production of a new leaflet to advise farmers in respect of the maintenance and restoration of paths on arable land. Copies of the completed leaflet were circulated to members present at the meeting.

Introducing the report, officers informed members that special thanks should be given to Mr P Turner for his work in the production of this leaflet, as well as to the Country Landowners Association (CLA) and the National Farms Union (NFU) for their assistance in the distribution of the leaflet to their members. Members present endorsed these thanks.

In the discussion that followed, members welcomed the production of the leaflet and acknowledged the increased credence the document carried through its support by both the CLA and the NFU. However, some concern was expressed over the layout of the document and various typographical errors contained within. Officers requested that members provide more detailed feedback on these concerns so that they may be addressed in subsequent print-runs. The Group was informed that an original run of 2,000 leaflets had been made, the vast majority of which the CLA and NFU were distributing. Officers agreed to a request by the Ramblers' Association and Chiltern Society to provide them with a number of copies to circulate to their own memberships. The report was noted.

5 RE-ORGANISATION OF THE COUNCIL

The Group received the oral report of the Head of Spatial Planning, which informed members of developments in regard to the re-organisation of the Council structure.

Members were informed that subject to agreement by Council on 23 November 2000, the current Committee Structure will be replaced by an Executive in the form of an eight

member Cabinet and a system of five Select Committees to scrutinise the actions and decisions of the Executive. The Group was informed that this would be for a trial period leading up to the Council's submission of its preferred structure to the DETR, probably in June 2001, when the Local Government Act 2000 would come into force. Members noted that until the Act was enforced, the Cabinet, consisting of a Leader, Deputy Leader and six specific Portfolio Holders, would liaise with Senior Officers to whom powers would be delegated to take executive decisions. Once the Act comes into force, Cabinet members themselves will take such decisions.

The Group was further informed that a number of Statutory Committees would however be retained under the new structure, including a Rights of Way Committee. It was also reported that "goodwill" groups such as the Right of Way Liaison Group would also be retained. However, members noted that this would be subject to developments resulting from the Countryside and Rights of Way (CROW) Bill and the possible formation of Local Countryside Access Forums. For more detailed information on the re-organisation process, members were advised to examine the reports on modernisation presented to the Council's Policy and Resources Committee on 28 September 2000 and 2 November 2000, papers for which were available on the Council's internet site.

6 COUNTRYSIDE AND RIGHTS OF WAY (CROW) BILL – LOCAL COUNTRYSIDE ACCESS FORUMS

The Group received the report of the Head of Spatial Planning which updated members on the proposals for the creation of a Local Countryside Access Forum.

Introducing the report, the Chairman informed members that advice now coming from Government suggested that the creation of such forums would be a statutory requirement rather than their being optional advisory groups as had originally been anticipated. Consequently, the Group was informed that the funding for such Forums remained unclear posing problems in the planning of their formation. Officers expressed concern that if funding was to come to the Council direct from Central Government, it needed to be ring-fenced for the Forum's use. If funding was to come from the Government by way of the Countryside Agency, officers expressed concern that the Council would have to continually make bids for grant funding. This, it was reported, would have a detrimental impact on the Forum's ability to forward plan, recruit and retain the additional staff that may be required. Members noted that due to delays in the passage of the CROW Bill through Parliament, it was now envisaged that such Forums would be established in the spring of 2001.

A detailed explanation of the structure and draft terms of reference for the Forum and its relationship to national and local partnership organisations was provided in the report. This informed members that the existing Liaison Group role would be split at a sub-County level to two new groups in the north and south of the County. A breakdown of the proposed membership structure for the Forum was also included in the report.

The Group noted that within the proposed structure, Forum members themselves would be expected to contribute more to meetings by way of their preparing and presenting reports. Officers commented that they were aware of the limited staff and resources of a number of voluntary organisations, which may make up the membership of the Forum,

and therefore recognised the need for some form of officer support. To this end, members noted that funding would be sought for the new post of a Strategic Access Officer, a draft job specification for which was attached to the report.

In the discussion that followed, members thanked the Chairman for the proposals contained in the report and agreed to take the details of the proposed structure to their own Group meetings and to report comments back to officers.

RECOMMENDED

That subject to the enactment of the CROW Bill and subsequent guidance from Government:

1 That the relevant Cabinet Member AGREES that the Rights of Way Liaison Group ceases to operate in its current format.

2 That the Council pursues the setting up of a Local Countryside Access Forum which may include some of the present membership of the Liaison Group;

and

3 That the Council sets up localised Rights of Way Liaison Groups in Winslow and Wycombe for discussion of local Rights of Way issues.

7 DIVERSION OF PATHS UNDER THE TOWN AND COUNTY PLANNING ACT 1990 WITHIN AYLESBURY VALE DISTRICT

The Group received the report of the Head of Spatial Planning which advised members of the pilot scheme whereby the County Council will undertake work in respect of the diversion of paths affected by developments on behalf of Aylesbury Vale District Council.

Members were informed that this followed the resignation of the relevant Aylesbury Vale District Council Officer. Officers reported that it was hoped that such an arrangement would allow the County Council to give priority to some of this work and integrate it into other rights of way work. The Group noted that an agreement over the funding of the Council's adoption of this role had been reached with the District Council.

In discussion of the report, members welcomed the pilot scheme and a representative of The Chiltern Society enquired if there were plans to extend the scheme to the other districts of the County. Officers replied that at present there were no such plans. However, if the scheme proved successful consideration to its expansion would be made but members were asked to note that this would be heavily dependent upon the views of each District Council. The report was noted.

8 ITEMS PUT FORWARD BY CONSTITUTENT BODIES

The Ramblers' Association put forward the following two items for consideration:

1 Clearance of Headland Paths.

2 Provision for the Disabled.

Clearance of Headland Paths:

The Group was informed that in a number of areas, particularly at Kimble and Shabbington, the state of access to headland paths was worse than at many cross field sites and that more attention needed to be given to such pathways. In response, officers reported that such paths were difficult to maintain, particularly due to the problem of gaining sufficient access for the machinery required to undertake the clearance work. Officers agreed that extra attention would be given to these paths when preparing the work programme for the coming year.

Provision for the Disabled

A representative of the Ramblers' Association informed members of the need to consider the impact on and requirements of the disabled when dealing with rights of way issues. The Group was informed that the Ramblers' Association was carrying out research into the needs of the disabled within the County and enquired if there were any other groups carrying out such research. An update was also requested on what developments there had been in the provision of access to rights of way for the disabled. In reply, the Chairman reported that the Countryside Agency had recently published advice on how the proposed Local Countryside Access Forums could be used to enhance access for the disabled and explained that this could be used as a basis for current work in this area. Members were also asked to note that under the CROW Bill, the Council would be required to be proactive in enhancing access for those with disabilities, both physical and mental. Officers further reported that a County Surveyor's Society Rights of Way Group Conference was planned for late November to consider issues relating to disabilities specifically.

In discussion of this item, it was noted that the draft terms of reference for the proposed Local Countryside Access Forum made no reference to provision for the disabled. It was therefore suggested that such a reference be added, possibly as a new point 6.4.3. Officers noted the suggestion. The Ramblers' Association was also informed of an Aylesbury based group which was carrying out similar research into the needs of the disabled. Officers agreed to pass relevant contact details on to them. Members went on to discuss the need to keep up to date information on the condition of paths to enable disabled user groups to have accurate information on those paths which are suitable for their use. Officers reported that a database to hold exactly this type of information was currently under construction. The issuing of the signing of routes was also considered, members noting the need for such signs to be clear for those with mental disability. A representative of The Chiltern Society drew members' attention to the successful installation of a 500 metre loop suitable for wheelchair users at Penn Wood.

9 ANY OTHER BUSINESS

Representatives of both the British Horse Society and the Ramblers' Association commented on the need for the re-waymarking of some routes within the County where signs had been damaged or lost. Officers reported that if individual members informed them of the type of signs required they would provide spares which members could, if

willing, install. Both representatives agreed to this suggestion.

10 DATE OF NEXT MEETING

It was agreed that the next meeting of the Liaison Group should take place on Thursday, 26 April 2001.

CHAIRMAN