



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

**WEDNESDAY 6 JULY 2011 AT 10.00 AM
COMT BOARD ROOM, GROUND FLOOR, COUNTY HALL,
AYLESBURY**

AGENDA

Agenda Item	Page No
1 Apologies for Absence	
2 Declarations of Interest	
3 Minutes of the Meeting held on 09 March 2011 to be confirmed	1 - 8
4 Matters Arising	
5 Local Nature Partnerships Sandy Kidd, County Archaeologist, Acting Historic and Natural Environment Team Leader	9 - 14
6 HS2 Jonathan Clark, Strategic Access Officer	15 - 22
7 Rights of Way Group Report Helen Beevers, Definitive May Officer Joanne Taylor, Operations Team Leader; and Jonathan Clark, Strategic Access Officer	23 - 28
8 LAF Members report	29 - 40
9 Any Other Business	
10 Date of Next and Future Meetings The next meeting is to be held on 2 November 2011, 10am, Mezzanine Room 1, County Hall, Aylesbury.	



Buckinghamshire County Council

Minutes

BUCKINGHAMSHIRE LOCAL ACCESS FORUM

MINUTES OF THE MEETING OF THE BUCKINGHAMSHIRE LOCAL ACCESS FORUM HELD ON WEDNESDAY 9 MARCH 2011, IN MEZZANINE ROOM 1, COUNTY HALL, AYLESBURY, COMMENCING AT 10.02 AM AND CONCLUDING AT 12.38 PM.

MEMBERS PRESENT

Mr J Elfes, in the Chair

Mr D Briggs, Mr N Harris, Mr C Hurworth, Mr A T A Lambourne, Mrs V Lynch,
Mr R Pushman, Mr J Coombe and Mr Caspersz

OFFICERS PRESENT

Mr M Walker, Mr J Clark and Ms H Beevers

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Brenda Jennings and Peter Challis.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE MEETING HELD ON 3 NOVEMBER 2010, TO BE CONFIRMED

The minutes of the meeting held on 3 November 2010 were confirmed.

4. MATTERS ARISING

There were no matters arising.

5. RIGHTS OF WAY GROUP REPORT

Members had received the Rights of Way Group report.

The Officer provided the following update on the 'Definitive Map Update – Rights of Way Applications'

6. Since the report was published the application for the downgrading of a bridleway to a footpath in Ashley Green has been refused.

The Chairman invited questions on the report or Rights of Way issues.

Mr Pushman announced that he understood the County Council did not contest the report in relation to the Appeal of the Special Extinguishment Order – Piper’s Corner School, Hughenden Parish. He said that the public have a right of way to go into the school grounds and that the Police have commented that this breaches the security of pupils. Ofsted had made reference to this point and asked why there couldn’t have been a minor deviation to the path. Ms Beevers said that the County Council had made the Order and having considered all the evidence decided that diverting the route would not have made a difference. Mr Pushman said that the Council should have emphasised *deviation*, not closure of the route. Mr Walker said that the issue was discussed at length, it was a new piece of legislation and Officers were reliant on the tests as set out in legislation. The application had been to Public Inquiry and the Inspector had decided not to confirm the Order. To challenge the decision the Council would have to go to the High Court and contest the legality of the decision.

Mr Briggs said that the feeling of perceived safety of the pupils was an important issue and that Ofsted had taken this point into account. He said if strangers are able to walk around a site they will. Mr Pushman asked if it would have been easier to get the Order granted if the Council had made a diversion order rather than a closure Order. Mr Clark advised that it is not possible to divert a footpath onto an existing public right of way, which would have been the case here. Mr Walker commented that the threshold test for this legislation was high. Mr Briggs said that the Local Access Forum needs to encourage the County Council to look again at the decision and encourage change. Ms Lynch then added that it is a point of law which needs revisiting and that if it has happened at this school it is likely to happen at other schools and institutions. Mr Harris suggested that the school should improve their current security and then make another application. Mr Hurworth said that the Council should learn from the issues raised in this example and perhaps consult with schools before the submission on an application to increase the likelihood of the order succeeding. Mr Hurworth then asked if it was possible to carry out a closure under s118 Highways Act 1980. Mr Walker said that this was s118B of the Act and that Section 118 may be used if it could be shown the path was no longer needed for public use. He commented that Section 118B was designed for crime prevention.

Mr Clark took Members through the Rights of Way Operations Update and the Chairman invited questions.

Mr Pushman asked who was responsible for fallen trees as Appendix 1 mentions removal of 117 fallen trees. Mr Clark said that this was usually the landowner, but if it is on the highway it is the responsibility of the County Council as Highway Authority. He further highlighted that in some cases a balance needs to be struck between whether the Council chases the landowner or whether to carry out the works itself, as it can often be more expensive to chase the landowner.

Mr Pushman then asked who was responsible for maintaining stiles. Mr Clark said it is the landowner, but that the Council has a responsibility to ensure they were properly constructed and accessible.

Mr Lambourne enquired if the Council would be able to respond to matters raised by Parish Councils following the Walk your Local Paths initiative. Mr Clark said that 122 out of 195 issues reported had been processed and resolved. Mr Walker added that it is dependant on the issue raised as to whether it could be resolved, due to finances. Mr Lambourne said the communication regarding the matters raised was not good and asked if Parish Councils would receive a response. Mr Walker advised that all outstanding issues are logged on the Council’s website. These are updated regularly and can be accessed there. He highlighted that Officers are not always able to keep

everyone informed by post as this can be time consuming.

Mr Briggs said he would like to congratulate the team as they have done a fantastic job with the numbers of matters resolved. He also commented that the website was very useful as it made it easier to report problems. He said that it was due to the hard work of the team that whilst it was easier to report problems the Council had the lowest number of outstanding problems recorded.

Mr Clark then took Members through the Strategic Access developments and provided the following updates:

Strategic developments

Wycombe and Winslow Area based staff will be moving back to County Hall, Aylesbury in June. Staff will be issued with laptops and be working more flexibly.

The Cabinet Member for Transport has committed £100k for capital projects and £75k for emergency works.

Mr Clark said that the Council had not been able to obtain certain GIS information from HS2 Ltd, but that the Council would be doing further work on the effects of the new line on footpaths and bridleways.

Mr Walker commented that Ms Taylor was likely to be the only team leader for Rights of Way and that the team had gone from 3 team leader posts to 1. He said that whilst funds are available for capital projects members should bear in mind that the service had lost posts following restructuring. Mr Pushman asked if this would result in more commissioning of work. Mr Walker said that Ringway Jacobs already carry out the work on the ground and highlighted that there will be increased pressure on existing staff.

Ms Lynch said that the BHS had also been trying to obtain the information from HS2 Ltd on the roads, footpaths and bridleways affected and asked whether the Council would be publishing this on the County Council website and when this information would be available. She commented that the consultation was already underway and highlighted the importance of this information to be able to respond to the consultation. Mr Clark said he hoped to publish this information on the website in the next few weeks.

Mr Pushman said that no environmental impact assessment had been carried out by HS2 Ltd., even though it had been promised. He said that the Chilterns' Conservation Board had been querying this. Mr Clark advised that the Natural Environment Team had completed an assessment for Buckinghamshire and that this was available on the website. Mr Elfes asked what input into the Consultation the Forum wanted to make? Mr Pushman suggested that the Forum should comment on the impacts on local access. Mr Clark said that a response from the Forum as an independent body would be good. Mr Walker suggested the possibility of a co-ordinated LAF response along the route. Mr Hurworth commented that agricultural access to various parts of land would be affected and said that some paths would need to be diverted. Ms Lynch said that the BHS will formally respond and each County Bridleway Officer would also be responding. It was also suggested that each individual BHS member responds. Mr Clark said he would provide the information on the effect on access along the route to all Members and asked that Members feed back their views to the Chairman. The response could be reviewed at the next meeting or at a special meeting if necessary.

Action: All Members

Mr Elfes asked whether the better financial position of the Rights of Way team meant the buy-one-get-one-free donate-a-gate scheme could be reinstated? Mr Clark said the Council did not want to commit itself at this stage.

6. LAF MEMBERS' REPORT

Members had received the LAF Members' Report.

Buckinghamshire County Council – Finance and Budgets.

Mr Pushman said that the Council has to make tremendous savings and thanked staff, commenting that Members appreciated that it was not good for staff morale to work under a constant threat of down-sizing.

Local Transport Plan (LTP) 3 consultation.

The Chairman responded to the consultation although there were no comments received from LAF Members.

Members noted the response

Chilterns' Conservation Board Access Conference, 3 March 2011

Mr Harris attended the conference and outlined the National Trust's Outdoors vision for the Chilterns and also presented this to the LAF. The key points highlighted were as follows:

How the National Trust takes forward its vision until 2020 will be done in phases.

Next 3 year vision:-

- People recognise us and join us as much for the work carried out in the countryside as for our houses and built environment
- Change in the way people see and support us both in terms of what we do and our relevance and appeal to a wider range of people.
- A shift from just 'conservation' to 'enabler' provide opportunity for people to experience and enjoy outdoors in way they want to
- A new more sustainable business case for our work at non pay for entry properties.

Why do people come to a NT site?

- Countryside
- Architecture
- Lots of opportunity for access – Bradenham is an ideal site
- Views
- Walks
- Tress – have beautiful woodlands
- New leisure – e.g. snowboarding at sites like Coombe Hill
- Geo-caching
- Den building

The key theme is going local and visiting village fetes to tell people what the NT is doing and what is on offer. It is also a good way to talk to local people.

Visitors are:

- Curious minds
- Explorer families

Walking, cycling and camping will be three areas which the NT will be looking at developing further.

There will be a walking festival in October 2011 and a series of local walks will be developed.

What will we be doing?

- Make the Countryside more accessible
- Provide great walking
- Generate income
- Conservation work

The Chairman thanked Mr Harris for his presentation.

Natural England Countryside Code Review

Members were referred to Appendix 2 and 3 and the Chairman invited comments. The following points were raised;

- It is difficult to know who the code is aimed at
- It does not appear a finished document
- Presentation not effective
- It is not plain English or easy to understand messages
- If it wants to say don't touch nests it should say it instead of a long paragraph about how "eggs and young will die soon without protection from their parents....."
- Birds are not mentioned again until the end of the code
- If want to say don't pick bluebells it should say it
- Litter is not mentioned until the end of the document
- It says to call the police if see a dead bird – why?
- It mentions farm animals – what about non farm animals
- Document says 'be prepared for the unexpected' but it doesn't mention any examples
- There is no structure to the document and it appears to be a series of statements
- The document is badly written on page 40 it says 'we have a duty of care' and on page 41 it changes to 'you have a duty of care'

Mr Briggs agreed to produce a response on behalf of the LAF. This will be sent to the Chairman and Mr Clark.

Action: Mr Briggs

British Horse Society Correspondence

Members discussed Appendix 4. Ms Lynch said that she was not sure what prompted this letter and commented that Bucks are supportive of issues for horse riders. Horse riders in Buckinghamshire have few complaints with the exception of missing links in the network. She said that the letter was just for information for Buckinghamshire.

The LAF was informed that, in Hertfordshire, the Council takes a default position that new Rights of Way would be bridleways rather than restrictive bridleway. Ms Lynch said that this was a good idea and said that she would like Bucks to adopt this approach. Mr Walker said that Buckinghamshire has a less rigid approach but, in practice, the first consideration is that any new route would be bridleway. He highlighted that Bucks had introduced many new bridleways as a result of this.

It was agreed that Bucks would continue operating as presently.

Traffic Regulation Orders on bridleways

Mr Hurworth enquired why the Council make pre-emptive Traffic Regulation Orders (TROs) to ban vehicular use following an order for a new byway being confirmed. He questioned this policy and asked if it sat comfortably with LAF Members, whose role is to encourage the use of countryside, not just to those whom we like to see in the countryside. Mr Walker said this is not Council policy.

The Policy of the County Council reflected a balanced view but, in some circumstances, Members do take a view that a pre-emptive order is something they might wish to pursue.

Mr Walker said that, generally, the making of TROs is not automatic and that it is only considered on the basis of sound and sustained evidence and not as a means to solve a one-off or short term problem.

Open Access – Chorley Manor Farm, near West Wycombe

Natural England is consulting on the restrictions at Chorley Manor Farm, as they expire on 19 May 2011. LAF views were sought to assist in deciding whether the restrictions are still necessary for the original purpose and if so whether the extent and nature of the restrictions are still appropriate for the original purpose.

The LAF were informed that the current restrictions are as follows:

1. Keep dogs on the fenced route; and
2. Walkers to keep to fenced route between 1 July – 1 February

Members were shown photographs and maps of the area. Following discussion Members said that both gates which had been removed should be re-instated and that the fenced-off Rights of Way be maintained at all times as photographic evidence showed this to be very overgrowth and inaccessible; and between February to July there should be access to the access land. It was also suggested that the access land be signposted from the roadside with a map in a clip frame on the entrance gate. It was felt that the landowner had been granted the restrictions, but had not acted in good faith as access appeared to have been restricted and that from the photographic evidence it would seem that there was an attempt to re-claim the land as private land. The general feeling of Members was that the landowner should be informed that the land is access land and that there had been agreement to trial the restrictions. The landowner had not met his obligations and that the LAF was minded to review the restrictions.

Action: Mr Clark to draft a letter on behalf of the Chairman and for the Chairman to sign the letter

7. ANY OTHER BUSINESS

The Chairman invited the Member of Royal Borough of Windsor LAF to comment on his thoughts of the Buckinghamshire LAF. He observed that there appears to be co-operation around the table. He said that it was a return invitation and a Member of Bucks LAF was invited to observe a meeting of Royal Borough of Windsor LAF. Mr Coombe agreed to attend this provided the date was suitable.

Mr Clark highlighted that the South East LAF meeting was to be held on 7 April 2011 at the Friends Meeting House, Euston Road, London. Mr Elfes, Mr Briggs and Ms Lynch will be attending.

Mr Clark provided Members with copies of the Simply Walk leaflet. Mr Caspersz enquired if the project was run by BCC and Mr Clark confirmed that it was. Mr Caspersz enquired about the brief of the group and asked whether it could accommodate disabled users. Mr Clark said he could put Mr Caspersz in touch with Ms Broadbent, the officer responsible.

8. DATE OF NEXT AND FUTURE MEETINGS

The next meeting is to be held on 6 July 2011, 10am, Mezzanine Room 1, County Hall, Aylesbury.

Chairman



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

Date: 6th July 2011

Title: Local Nature Partnerships

Author: Sandy Kidd, County Archaeologist, Acting Historic & Natural Environment Team Leader

Contact Officer: Katy MacDonald (01296 383603)

The establishment of Local Nature Partnerships (LNP) has been proposed in the Government's Natural Environment White Paper (see Appendix 1 Briefing Paper). Local Access Forums are identified as one of the possible members of an LNP. Within Buckinghamshire, discussions are underway between the County Councils, District Councils, Milton Keynes Council, the Bucks Green Infrastructure Consortium and the Bucks & MK Biodiversity Partnership to explore the possible submission of a bid for a Bucks & MK Local Nature Partnership.

Recommendation: Members to consider comments and letter of support.

Appendix 1

Local Nature Partnerships**Background**

In the Natural Environment White Paper, published on 7 June 2011, Defra invited new and existing partnerships to come together to establish Local Nature Partnerships. These partnerships will work at a strategic scale to improve the range of benefits and services we get from a healthy natural environment. Where necessary, they may join up on cross-boundary issues, such as landscape scale action for biodiversity, water management, green infrastructure, air quality and ecosystem services more widely. They will aim to improve the multiple benefits we receive from good management of the land. Partnerships are invited to come forward and submit funding applications for development of LNPs. £1million is available for this and the government envisage around 50 LNPs being set up, resulting in an average of £20,000 available per partnership to support the development phase.

The vision for Local Nature Partnerships is that they will:

- demonstrate local leadership, raise awareness about the vital services and benefits which a healthy natural environment brings for people, communities and the local economy;
- use their knowledge and expertise to develop a shared environmental vision and set of priorities for their area (this could highlight how protection and enhancement of the natural environment can bring economic and social benefits or could include measures to establish and improve local ecological networks at a landscape scale);
- add value to a local area's development through contributing to local authority plans that affect the environment, as well as local plans and local development frameworks;
- help contribute to the Green Economy by, for example, providing relevant information for Local Enterprise Partnerships in development of their plans;
- bring together a range of local stakeholders, which may include people from local authorities, businesses, statutory authorities, civil society organisations, land managers, local record centres, local enterprise partnerships and people from communities themselves who can align efforts and make best use of available resources;
- co-operate with other partnerships where this results in more efficient use of resources and better outcomes. Co-operation can also be with partnerships that share common interests;
- work at a landscape scale to improve the range of benefits and services we get from a healthy natural environment. They will aim to improve the multiple benefits we receive from good management of the land through, for example, constituent members supporting Nature Improvement Areas, biodiversity offsets pilots or similar schemes; and
- form at a level that can take a strategic-enough approach to deliver integrated outcomes with a wide range of benefits. Defra anticipate around 50 Partnerships across England, however it will not prescribe that Partnerships should cover a particular spatial area or administrative boundary, and want to encourage them to form around the places, areas and natural systems that work best locally.

LNP Establishment

It is acknowledged that highly effective partnerships already exist, and may have some of the elements above already in place. However Defra want them to become even better, bringing in

more stakeholders, aligning to the vision and spirit of the Natural Environment White Paper and working to deliver more integrated, cross-cutting outcomes.

Partnerships which fulfill these visions will be invited to submit applications this winter to be recognised by Government and its environmental agencies, and establish their boards. The LNP fund that is on offer will help new and existing partnerships to build capacity and put in better applications. Partnerships who either do not apply for the funding on offer or whose bids are unsuccessful will still be eligible to apply to become a Local Nature Partnership. In spring next year, Defra will host a Ministerial event (to be repeated annually) at which the first recognised partnerships can come together to share best practice, highlight delivery issues and celebrate success. A partnership database will be maintained on the internet.

Suggested membership from among:

- Local Authorities (county and district)
- Areas of Outstanding Natural Beauty
- Parish Councils
- Community Forums
- National Parks
- Arms Length Bodies (Environment Agency, Natural England, Forestry Commission, Marine Management Organisation, English Heritage, British Waterways etc)
- Civil society organisations and Environmental Charities (e.g. Wildlife Trusts, RSPB, National Trust, Butterfly Conservation etc)
- Existing Partnerships (e.g. Coastal Partnerships, Local Biodiversity Action Plan Partnerships, **Local Access Forums**, LEADER Local Action Groups, Rural and Farming Networks, Green Infrastructure Partnerships)
- Land Owners
- Local Businesses
- Local Enterprise Partnerships
- Health and Wellbeing Reps
- Education/Learning organisations
- Community Organisers
- Local Environmental Record Centres
- Local Universities

Relationship with Existing Partnerships

Local Enterprise Partnerships (LEPs) and Local Nature Partnerships have complementary roles both of which will help grow a green economy. They are expected to work in a co-operative and constructive fashion to drive forward green growth locally. LEPs and Local Nature Partnerships are encouraged to work together to forge strong links that capture the value of nature. Existing coverage of LEPs is given in the map at the end of this document.

Reflecting the fact that the natural environment is a significant determinant of health, they have the potential to make a valuable contribution to the role of the new local Health and Wellbeing Boards in assessing local health needs. Local Nature Partnerships and the Health and Wellbeing Boards should therefore actively seek to engage each other in their work. Forthcoming guidance will make clear that the wider determinants of health, including the natural environment, will be a crucial consideration in developing joint strategic needs assessments and joint health and wellbeing strategies. Local Nature Partnerships will have a very important contribution to make in developing these documents. Although Local Nature

Partnerships will not automatically be members of the Health and Wellbeing Boards, the two partnerships could have reciprocal representation, with this being determined locally.

A network of 50 Natural Value Ambassadors will be inaugurated to engage key decision-makers and opinion-formers using the latest evidence and materials available. Local Nature Partnerships will be invited to nominate candidates, as will professional bodies from other sectors such as business, health and education.

Timeline

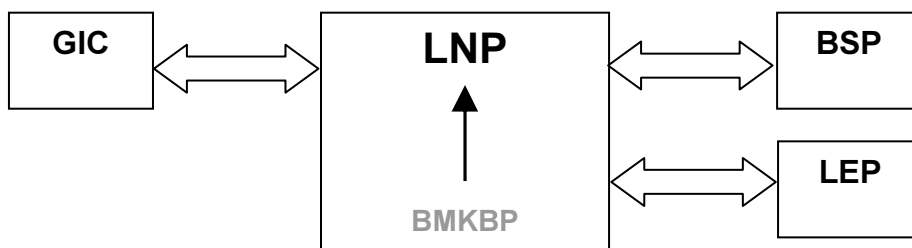
- 31 July 2011: Deadline for application submission to Transition Fund.
- September 2011: Notification of funding allocation.
- Winter 2011: Defra will invite expressions of interest from local partnerships aspiring to be recognised as Local Nature Partnerships.
- Spring 2012: Ministerial event for first tranche of Local Nature Partnerships.

There will be further opportunities to apply to be recognised as a Local Nature Partnership in future. **Once established, Local Nature Partnerships will be expected to fund their own day-to-day running costs.**

Potential Structure

Existing partnerships with affinities with LNPs in Bucks:

- Green Infrastructure Consortium (GIC)
- Bucks and MK Biodiversity Partnership (BMKBP)
- Bucks Strategic Partnership (BSP)

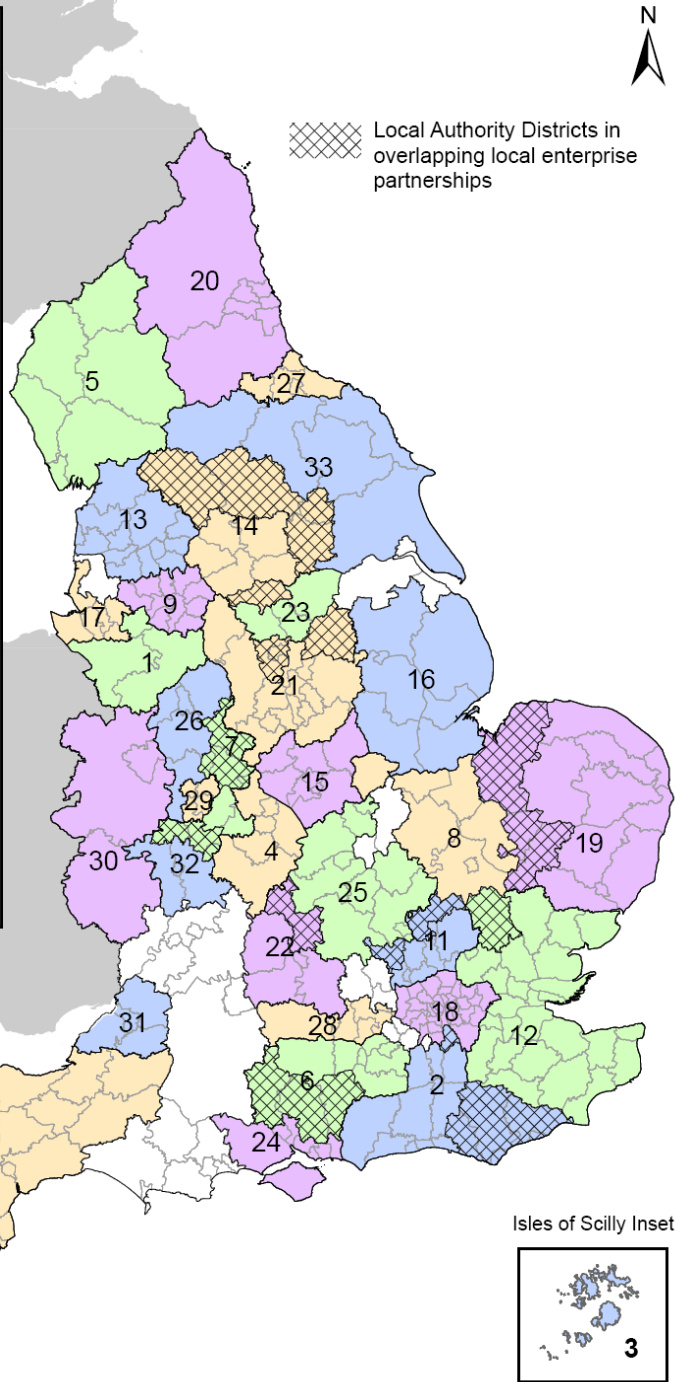


Provisionally the logical way forward appears to be an expansion of the BMKBP in terms of membership and for this grouping to evolve into a Local Nature Partnership with representation from the GIC, BSP and other partnerships where appropriate.

As part of this exercise the purpose and roles of the GIC and an emerging LNP should be examined as there is potential for overlap. It must be ensured these groups compliment each other rather than duplicate - the same is true of elements of the Bucks Strategic Partnership. Equally, a rationalisation of partnerships or reallocation of responsibilities should be investigated.

Local Enterprise Partnerships

- 1 Cheshire and Warrington
- 2 Coast to Capital
- 3 Cornwall and the Isles of Scilly
- 4 Coventry and Warwickshire
- 5 Cumbria
- 6 Enterprise M3
- 7 Greater Birmingham and Solihull
- 8 Greater Cambridge and Greater Peterborough
- 9 Greater Manchester
- 10 Heart of the South West
- 11 Hertfordshire
- 12 Kent, Greater Essex and East Sussex
- 13 Lancashire
- 14 Leeds City Region
- 15 Leicester and Leicestershire
- 16 Lincolnshire
- 17 Liverpool City Region
- 18 London
- 19 New Anglia
- 20 North Eastern Partnership
- 21 Nottingham, Nottinghamshire, Derby, and Derbyshire
- 22 Oxfordshire City Region
- 23 Sheffield City Region
- 24 Solent
- 25 South East Midlands
- 26 Stoke-on-Trent and Staffordshire
- 27 Tees Valley
- 28 Thames Valley and Berkshire
- 29 The Black Country
- 30 The Marches Enterprise Partnership
- 31 West of England
- 32 Worcestershire
- 33 York and North Yorkshire



Produced by the Geographic Analysis Team, ASD
 © Crown Copyright and database right 2010. All rights reserved.
 Ordnance Survey Licence number 100018986 2011 05 002



Data Sources:
 OS Boundary Line

**BUCKINGHAMSHIRE
LOCAL ACCESS FORUM**

Report

Date: 6th July 2011
Title: HS2 update
Author: Jonathan Clark, Strategic Access Officer
Contact Officer: Katy MacDonald (01296 383603)

The updated Baseline Assessment Report on the strategy and likely effects for Buckinghamshire's Rights of Way network along Route 3 has been distributed to members and is available to view on the County Council's website (Appendix 2). Maps will also be available on the Internet, but they will only outline the potential impacts for the network; *not* mitigation, which would be negotiated at a later date.

It is hoped the Rights of Way and access information along the route and the surrounding network will help inform the Local Access Forum when considering their response to the HS2 consultation and provide further information to the public of the requirements to maintain the integrity of the countryside access network if the planned route is given consent.

The closing date for the 5-month HS2 consultation is 29th July 2011.

Recommendation: Members to consider the Forums' response to the consultation.

HS2 – Public Rights of Way report: baseline impacts and associated strategy

Introduction

In response to and in preparation for future consultation on HS2, the Historic & Natural Environment Team at Buckinghamshire County Council here undertakes a 'Rights of Way Assessment' of potential impacts and suggested mitigation for the rights of way network along 'Preferred Route 3'. It is hoped this will inform the public when considering their response to the 5-month HS2 consultation and provide further information of requirements to maintain the integrity of the public's countryside access and sustainable transport network.

Proposals for a high speed railway through Buckinghamshire will, without adequate crossings, have substantial negative impacts on the public rights of way network; affecting route connectivity, public amenity and the quiet enjoyment of the countryside. Each of the three proposed routes will cut-off green, non-vehicular sustainable transport corridors between communities, their services and routes to school and work. The many trails promoted by the County Council and other organizations would be greatly affected; and there will be a knock-on effect to the rural economy.

The 3,300km network of public rights of way in Buckinghamshire is a considerable economic asset, an important part of the county highway infrastructure and a key element within the county's tourism sector. Maintaining a fully integrated network is essential to protect opportunities for the public to both safely enjoy the countryside for recreation and health; and for non-vehicular access to services and between communities.

The council is continually striving to improve the connectivity of the network and to improve accessibility for the less able. These themes are of primary importance when assessing the impacts of development on the network.

Initially this report provides an assessment of the likely impacts on the ROW network. Further it sets out the broad principles that would need to be adopted should the government decide to proceed with HS2.

HS2 Ltd are requested to take on-board this baseline report and to ensure that Buckinghamshire County Council and relevant partners are engaged in the design and implementation of alternatives or mitigation at an early stage of any development for HS2 proceeding.

Route severance

The number of public Rights of Way directly severed is outlined in the Table 1 below. In addition, data is also shown for 200m, 500m and 1000m corridors which may be affected by visual and noise impacts. Please note: a 200m corridor is equal to 100m on either side of the proposed railway line; and 'permissive paths' and unrecorded rights have not been included in this 'buffer analysis'. Each public footpath has a number, recorded on a legal document called the Definitive Map and Statement. In Table 1, 'whole routes' have been counted rather than each footpath 'link'.

Table 1: Severance and impact summary on the Buckinghamshire Rights of Way network along Preferred Route 3.

Corridor	Footpath	Bridleway	Byway or Restricted byway	TOTAL
Directly severed	47	18	1	<u>66</u>
Routes within a 200m corridor	95	21	1	117
Routes within a 500m corridor	145	31	2	178
Routes within a 1000m corridor	236	46	3	285

Impacts to promoted routes and Ridgeway National Trail

Buckinghamshire benefits greatly from The Ridgeway National Trail passing through it. The route is not directly affected by HS2, as it passes over a 'Green Bridge' along Pound Street, Wendover, but there will be noise and visual impacts.

A number of ROW routes, promoted by Buckinghamshire County Council and other organizations, will be directly affected by proposed HS2 lines, potentially having their routes severed. These include the Chiltern Link, South Bucks Way, Cross Bucks Way, Thame Valley Walk and Icknield Way. The Chiltern Way is heavily promoted by the Chiltern Society and the route is directly affected at Wendover Dean.

Tackling routes severed and affected by HS2 proposals

If the HS2 route is given the go-ahead, HS2 Ltd should have an early dialogue with the County Council to discuss underpasses, bridges and proposed diverted routes.

Prior to planning, design and construction, each path should be walked by county officers and HS2 design or structural engineers to imagine the railway line constructed on the ground and how the network will fit with options for crossings and diversions. Following this process, continual dialogue should be maintained during construction, to account for issues such as subsidence, unaccounted springs and drainage problems. The Council would also wish to enter dialogue with local communities on possible local impacts and would look to HS2 to support the necessary processes.

Where it is agreed that the construction of a bridge or underpass is not possible, a diversion should be made to the nearest crossing point. The council would seek diverted routes to be diagonal in order that they are more direct. Consultation with adjoining landowners will be required in such cases. Failing this, it is important that 'L-shaped' diversions are installed, using part of

or an extension along the HS2 corridor leading from the footpath/HS2 junction to the nearest crossing point. The Council would require a minimum specification of 4m width.

The County Council would seek to ensure that any ROW that are proposed to be 'stopped-up' or diverted are done so under Act of Parliament and that this is not left for the County Council to pursue through the Highways Act 1980. It would be a requirement that a County officer be given the opportunity to speak at any parliamentary sub-committee where Buckinghamshire associated Rights of Way are being discussed.

It is recommended that user organizations be consulted at each stage of HS2 planning when path diversions are being proposed. These should include Parish Councils, The Ramblers, Sustrans, the Cyclists Touring Club and British Horse Society. The standard 'test' for diverting ROW should be adopted, that is path diversions should 'not be substantially less convenient to the public'. There will be a requirement on HS2 Ltd to support any such processes that will arise as a result of ROW impacts.

Any structures required as part of permanent diversions, such as pedestrian and kissing gates, should be of British Standard design. Surfaces should be laid in situations of high public use or poor drainage and ramps constructed leading up to all bridges. Paths should be accessible to all-terrain mobility scooters. It is a requirement that a County officer be given suitable opportunity to discuss design and proposals.

Underpasses and bridges

Routes that are an integral part of the local footpath and bridleway network, together with promoted routes, should be given a high priority with options to bridge or cross via an underpass, on or near their current line.

Where pedestrian, cycling and equestrian routes are suggested on road-bridges, an appropriate separated width of footway should be allocated away from motorised traffic.

Underpasses should be lit, with wide entrances and generous headroom, particularly on bridleways where horse riders and cyclists need to be accommodated. They should be wide enough for the public to feel safe and not hemmed-in or intimidated.

Bridges should have the required parapet heights for walkers, cyclists and horse riders, depending on the four types of usage: footpaths, bridleways, restricted byways and byways. It is a requirement that a County officer be given suitable opportunity to discuss design and proposals.

'Dead ends'

It is an aspiration to have no 'dead end' ROW. After the Kent HS1 was constructed a number of paths were deemed 'not needed for public use' and had to be stopped-up under s.118 Highways Act 1980. This left Kent County Council with the financial burden of making the necessary legal orders and publishing them in local newspapers. Following consultation, it is a requirement in Buckinghamshire that all ROW can, at the very least, be diverted along corridors adjacent to the line, which could be screened with native vegetation. If there are instances where paths need to be stopped-up

under s.118 Highways Act, this process should be funded in its entirety by HS2 Ltd.

Temporary diversions during construction

It is assumed that paths closed, as part of temporary diversions, in order that construction can take place, but be reopened post-construction, will be set-out in the Parliamentary Act.

Such diversions will need to take into account public convenience. Any structures required as part of temporary diversions, such as pedestrian and kissing gates, should be of British Standard design and surfaces be laid in situations of high public use or poor drainage. Signposting should be maintained by HS2.

Rights of Way Map Assessment

Content

An assessment has been made of the likely rights of way diversions and new creations, so that HS2 would have minimal impact on the current network and wherever possible, to add to its connectivity. Suggestions for routes under viaducts, bridges over cuttings and tunnels or under embankments will be discussed at a later date for further discussion with HS2 Ltd. On many occasions crossings rely on passing under sections marked 'fill', but it is not currently known if there is headroom available under the rail corridor.

Maps are based at a scale of 1:7,000, detailing all rights of way that cross or fall near to the railway line, to give a more strategic overview of the surrounding rights of way and access network. Open access land has been included, though the line does not directly pass through land designated under the Countryside and Rights of Way Act 2000. In Buckinghamshire this includes chalk grass land, common land and Section 16 land dedicated by the Forestry Commission.

GIS data for Route 3 has been provided by HS2 Ltd which includes rail structures, proposed earthwork boundaries and 'associated structures', such as proposed new road layouts and ventilation shafts. Information on tunnel shafts has been provided, but more substantive GIS data on access roads is not available. In addition, no GIS data has been provided to show 'associated structures' north of the Chilterns AONB, such as new road layouts and bridge crossings, so rights of way impacts can only be assessed by eye from maps available from the Department for Transport website.

Limitations

No assessment can be made here of noise or visual impacts and the resulting loss of tranquillity and public enjoyment of the countryside, but these will be significant in some cases. Unrecorded rights cannot be included as they have not been brought to the County Council's attention through claims under s.53(2) Wildlife & Countryside Act 1981, but a survey, similar to Natural England's Discovering Lost Ways Project, will be necessary. It is not known what permissive paths there may be *en route*. Temporary path closures during construction can be discussed at a later date.

Mitigation will be different for different rights of way users. A bridleway bridge needs higher parapets than a footbridge and the headroom required in a tunnel is greater for equestrians than walkers. In addition, the width required for two horses to pass is greater than for two pedestrians. Bridleways alongside rail corridors will allow cycling, but may be prohibitive to equestrians due to noise impacts disturbing horses.

No assessment has been made of on-road cycle routes, such as the Chiltern's Cycleway or Sustrans' National Cycle Network. Nor has an assessment been made of likely impacts on rural businesses linked to the walking, cycling and horse riding, such as pubs, cafes or bike shops in 'gateway' towns such as Great Missenden or Wendover.

Contact information

This work has been undertaken by the Historic & Natural Environment Team at Buckinghamshire County Council. The Team Manager, Sandy Kidd, can be contacted at: skidd@buckscc.gov.uk or Tel: 01296 382927.



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

Date: 6th July 2011

Title: Rights of Way Group report

Author: Jonathan Clark Strategic Access.

Contact Officer: Katy MacDonald (01296 383604)

A Definitive Map Update (Helen Beevers)

Rights of Way Applications

- 1 A public inquiry was held in August 2009 and October 2010 into an Order to upgrade Public Bridleways Nos. 40 and 40A Great and Little Kimble and No. 62 Ellesborough to Byway Open to All Traffic (BOAT). The Order was confirmed by the Inspector with modifications. Objections to the proposed modifications were received; a third public inquiry is being arranged by the Planning Inspectorate.
- 2 A public inquiry was held in September and October 2010 into an Order to add two footpaths at Amersham College to the Definitive Map and Statement in Amersham. The Inspector confirmed the Order with modifications. The confirmed Order with modifications has recently been advertised and we await further instruction from the Secretary of State.
- 3 The Secretary of State directed us to make Orders upgrading to BOAT status routes at Little Missenden and Stowe/Lillingstone Dayrell. The Orders regarding Holback Lane in Stowe/Lillingstone Dayrell and Mop End Lane in Little Missenden are currently being advertised. The remaining two Orders in Little Missenden are soon to be advertised.
- 4 The Secretary of State directed us to make Orders for BOATs in Great Missenden and Wendover. The Orders have been made and advertised. Objections to the Orders have been received and the matter will be referred to the Secretary of State.
- 5 We are in the process of making an Order to add a Public Footpath to the Definitive Map and Statement in High Wycombe, one Order is currently being advertised in Whitchurch. Orders have been made to add routes to the Definitive Map and Statement in Marlow, High Wycombe, and Great and Little Hampden. Objections to the Orders have been received. The Orders and objections will be sent to the Secretary of State for determination.

- 6 Applications for a downgrading of a bridleway to a footpath in Ashley Green and an extinguishment of footpath in Whitchurch have been rejected and the applicants appealed against these decisions. The appeal into the downgrading of a bridleway to footpath in Ashley Green has been rejected. We are awaiting direction from the Secretary of State for the remaining appeal in Whitchurch.
- 7 Applications for claimed rights of way are currently in progress: claimed footpaths in Fawley, High Wycombe, Lacey Green, Stowe, Aston Clinton, Lower Winchendon, Wendover and Halton, Princes Risborough, Iver, and Westbury; claimed bridleways in Taplow, West Wycombe and Downley; claimed Restricted Byway in Gerrards Cross.
- 8 An application for a Special School Extinguishment Order (Beachborough School, Westbury) has been accepted by the Rights of Way Committee. An Order is in progress.

Village Green Applications

- 9 There are currently four village green applications in progress – part of the former railway line, Quainton; land at Lower Road, Gerrards Cross; land at the Field, Bryants Bottom in Great Missenden; and a second application has been received for land at the Fields and the Clump, Iver. A public inquiry was held for the application along part of the former railway line, Quainton in March 2011, we are currently awaiting the Inspector's recommendation.

B) Rights of Way Operations Update (Joanne Taylor)

- 10 The Team has purchased new power tools for the contracted Ringway Jacobs works teams, with a view to reducing expensive hire costs. They have bought 4 brush cutters, 2 chain saws, 2 long-handled hedge cutters and a high-powered drill. It is thought that costs can be recouped within 4 months.
- 11 This year's mowing season started in May and the first cut on the annual strimming list in the south has been completed. The north tends to run right through until August/September. There will then be a short break for the south teams until August, before the second cut will start. In the meantime they will concentrate on structures and surfacing.
- 12 The Revenue budget is slightly down on last year, but the finances have been boosted by a £100K capital injection, predicated on projects to improve accessibility, to be spent over the next 2 years. The installation and purchase of the 13 gates at Ivinghoe Beacon has been financed in this way.
- 13 A summary of the maintenance carried out between 1/4/201 and 1/4/2011 is attached to the report in Appendix 3. A new figure has been included calculating the number of problems per length of path. This year it is 3.68km, with a national average of one problem very 2km. The BVPI survey, across 5% of the network in May 2010 and November 2010, showed the number of paths 'easy to use' at 80%. The number of issues since March 2011 has been reduced from 928 to 907, but these figures fluctuate daily. A few years ago the figure was 4,000.
- 14 The new problem report form on the website, accessed either from the Rights of Way or Transport for Buckinghamshire pages, is being heavily used.

http://www.buckscc.gov.uk/bcc/transport/ea_report_problem.page. Reports are currently picked up by email, but when our Countryside Access Management System (CAMS GIS system) is upgraded from 5.3 to 5.4, reports logged in the contact centre will be presented to Area Officers for 'approval' then automatically mapped on CAMS. This is the only location where a map of the Rights of Way is currently available on internet.

- 15 Some examples of recent revetment, step and surfacing works include Bledlow Footpath No. 28; Chesham Bois Footpath No. 4; and Bledlow Byway No. 92 respectively.

C) Strategic Access Update (Jonathan Clark)

Strategic developments

- 15 The Rights of Way Team and Historic & Natural Environment Team respectively moved out of Hampden Hall and Annexe A on 31st May to the 6th Floor of the County Hall Tower block. The Area based staff at Wycombe and Winslow remain at their offices on Monday, Wednesday and Friday; and their telephone numbers remain the same.
- 16 The County Council recently elected a new leader, Councillor Martin Tett, who until his election had been Cabinet Member for Planning and Environment, which includes Rights of Way. A number of new Cabinet Members have been appointed and as a consequence the political geography of the County Council looks very different. Cabinet Members for Planning and Environment activities are:
 - Martin Tett (Leader) - HS2, Economic Development;
 - Peter Hardy - Planning & Transport;
 - Steven Adams – Environment (including Rights of Way, replacing Val Letheren); and
 - Peter Cartwright - Finance & Resources
- 17 Heads of Service and senior managers are working to understand what the new Leader and Cabinet Members' priorities are, and the impact upon the Service. This has resulted in the Acting Head of Planning and Environment to reconsider the timetable for restructuring the Planning, Environment & Development Service, so the 3-month consultation period, planned to begin on 1st July 2011, has been postponed.
- 18 Steven Adams, the new Portfolio holder for Environment, (which includes Rights of Way) has been invited to introduce himself to the Local Access Forum.
- 19 A total of 65 planning applications have been commented upon by the Strategic Access Officer since 7th March 2010, distributed between authorities as follows:
 - Aylesbury Vale 23
 - Wycombe 13
 - South Bucks 14
 - Chiltern 7
 - Buckinghamshire County 8

- 20 Reports and maps have been produced to summarise the restoration principles with regard to Rights of Way at six minerals and waste sites in Buckinghamshire. These included High Heavens, Langley, Amersham, Thorney Mill and Richings Park. A strategic overview of each site was included along with the linkages needed into the surrounding network and legal framework. This work reflects how the system may look in the future, whereby planning applications are 'front loaded' with consultations taking place with the planning authority and consultees *before* an application is made.

Donate-a-gate

- 21 There have been 10 new donors since the March 2011 Local Access Forum, taking the total to 215 donors. One particular success has been on National Trust land at Ivinghoe Beacon for a Dunstable Disabled Group who donated 5 gates.
- 22 The project to remove 127 stiles along the Chiltern Way continues, following the route's 10th Anniversary in 2010, using the donate-a-gate tax rebate from the government (Gift Aid). The route is now stile-free from the county boundary with Oxfordshire at North End, through Stokenchurch and on to Bledlow Ridge, except two landowners (and 3 stiles) that have refused to change their structures. 84 stiles remain through Buckinghamshire.

Parish Newsletter

- 23 The 6th edition of the online Rights of Way Parish Council Newsletter will be available on the website in July 2011. Articles from LAF Members are welcome.

D) 'Simply Walk' (Fiona Broadbent)

- 24 The walks programme leaflet is available on the website and gives information on all walks for the county between April and September 2011. [http://www.buckscc.gov.uk/bcc/row/simple_walk.page?](http://www.buckscc.gov.uk/bcc/row/simple_walk.page) The leaflet is now funded and produced by Reactivate Bucks, which has resulted in a saving for Simply Walk programme, replacing the former black and white version.
- 25 Additional funding for Simply Walk has been received this year from Downley Parish Council (£500); Chalfont St Giles Parish Council (£100); Stokenchurch Parish Council (£50); Princes Risborough Town Council (£100); Bucks Sport for the First Footers programme (£2,500); Castlefield and Oakridge (£1075); Gerrards Cross (£500); Burnham Health Promotional Trust (£1000) and donations from walkers (£865).
- 26 One new walk has started since the last LAF meeting:
- Denham village - Tuesday 22nd March, 3pm (weekly).
- 27 One new walk has been agreed since the last LAF meeting and is due to start shortly:
- Iver - Saturday 16th July, 2pm (monthly).

Summary of Rights of Way Maintenance carried out between 1st April 2010 and 31st March 2011; planning applications, 5% survey; and 'issues outstanding'.

Finger or signposts	Installed or repaired	254
Fly Tipping	Fly Tipping - removed	8
Gates	Gate repaired or installed	126
Intimidating animals	Intimidation - resolved	22
Intimidating signs	Misleading Sign - removed	9
Obstructions resolved	Barbed wire	12
Obstructions resolved	Barrier - Fencing, wall or other	122
Obstructions resolved	Building	4
Obstructions resolved	Electric fence	13
Obstructions removed	Fallen Tree	150
Obstructions resolved	Ploughing and Cropping	107
Other	Delivery of materials	35
Other	Miscellaneous issues resolved	61
Stile	Installed or repaired	243
Stile	Stile To Gap	47
Stile	Stile To KG	138
Stile	Stile To PG	51
Terrain	Path Erosion - resolved	64
Terrain	Bank Steps	27
Terrain	Path Surface problem resolved	64
Way-mark Post	Installed/Repaired	230
Consultations	Planning applications assessed	500
Volunteer Hours	Ramblers and Chiltern Society	2800
Improvements	To aid mobility access	362
5% Survey Results	Paths rated easy to use	80%
5% Survey Results	Structures rated easy to use	98%
5% Survey Results	Routes with roadside signs	97%
Number on Database	No. of Job Sheets issued	1905
Number on Database	Average time to solve report	60 days
Number on Database	No. of issues outstanding 31/03/10	1019
Number on Database	No. of Issues outstanding 31/03/11	907
Estimated Number	Of Miles per recorded issue	2.3 miles



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

Date: 6th July 2011

Title: LAF Members' Report

Author: Jonathan Clark, Strategic Access

Contact Officer: Katy MacDonald (01296 383604)

The 2012 Olympics (Peter Challis)

1. Works have started along a number of cross-boundary connections into Buckinghamshire from the Royal Borough Windsor and Maidenhead and Berkshire. Peter Challis, member representing Sustrans, is project managing these walking and cycling improvements and an arts trail around the Eton Rowing Lake.

Recommendation: Members to note.

South East Local Access Forum - Regional Symposium (John Elfes).

2. The South East Local Access Forum Regional Symposium was held on 7th April 2011 at the Friends Meeting House, where Viv Lynch, John Elfes and David Briggs were among the 52 delegates. The keynote speaker was David Williamson (Forest Management Director SE, Forestry Commission), outlining the position on the 'Future of the Public Forest Estate' consultation. Other speakers included Simon Pratt (Regional Direct Sustrans SE) and Patrick Wallace (East Sussex LAF) on multi-user routes; Tom Lord (Natural England) on Coastal Access; Jenny Humphries (Walk England) on the 'Walk4Life' Project; and Dave Waterman (Defra) on the future of Local Access Forums. Topics for the afternoon discussion included the role of LAFs in responding to District Council Local Develop Frameworks and the future of Local Access Forums under the new government. The conference was organised by the Buckinghamshire Strategic Access Officer and the proceedings are attached in Appendix 4.

Recommendation: Members to note.

3. England Access Forum (John Elfes)

Defra and Natural England announced on 14th March 2011 their intension to withdraw funding for the England Access Forum from 31st March 2011 (Appendix 5). The body, intended to represent the LAF community at a national level has therefore ceased without further funding. Richard Benyon, Miniter for Natural Environment and Fisheries, has written to LAF Chairs seeking views to improve the information flow between LAFs and Government. A copy of the letter is enclosed in Appendix 6.

Recommendation: Members to arrange a reply to the Minister.

4. Ivinghoe Disabled Access (Gavin Caspersz)

A survey was undertaken in April 2011 of 8 kissing gates and 5 stiles, around Ivinghoe Beacon and Incombe Hole open access land, using a mobility scooter. All the land is owned by the National Trust. It was found that a new 4km long circular walk could be created for disabled users in mobility scooters, including access to the summit triangulation point, if a scooter has sufficient battery power and wheel grip. Since the survey the National Trust have kindly given permission for us to install 13 new British Standard wooden 'Aston' gates. The routes will be officially launched and a feature provided for the next edition off Chiltern News.

Recommendation: Members to note.

5. Royal Borough Windsor & Maidenhead LAF (John Coombe)

John Coombe attended the neighbouring LAF on 5th July 2011.

Recommendation: Members to note.

■ Welcome

Matthew Balfour welcomed delegates and thanked Sue Batstone for all the work she undertook during her tenure as Natural England's South East LAF Co-ordinator. Her replacement is Kevin Haugh, who takes up his post with immediate effect.

■ Forestry Commission Access

David Williamson, FOREST MANAGEMENT
DIRECTOR, SOUTH EAST ENGLAND

The Forestry Commission manages the Public Forest Estate. There is tremendous public support for the Forestry Commission and this is a reflection of the hard working people in the field; to produce timber and to provide access and recreation.

The recent consultation on the future of the estate provoked a public outcry and was withdrawn after 3 weeks. There was also a proposal to sell 15% (40,000 Ha) of public forest estate and this has also been withdrawn until after the independent panel has reported. It should be emphasized that the sale is *postponed*, not cancelled.

An independent Panel for the future of Forest Policy has now been chosen and it should be noted: the FC didn't have any influence on its membership. The Panel, Chaired by the Right Reverend James Jones, Bishop of Liverpool (highly respected – he also did the Hillsborough inquiry), will hopefully report back in the spring of 2012. They will have a wide remit and the terms of reference are shown on the overhead slides. The Panel has already met and there is the possibility of regional road-shows to obtain the public's views.

15% of sales would have raised around £100 million. However, the vast majority of sites in south east England are ancient woodlands and the decision is still to be made on whether these are to be sold.

The amount the Forestry Commission generates in income from its estates, recreation and access is greater than its income from timber; while the income grant from Defra has kept being cut over recent years. Annual savings will need to be in the region of £11 million to 2014/15; with a 27% reduction in staff (when numbers at present are not heavy) equating to a staff loss of 854 to 617 over the next 4 years, with the majority going in 2011/12. There will be cuts before the Panel reports. The FC 2010–11

financial figures and the Annual savings projection by 2014–15 are summarized on the overheads.

The proposal is to transfer the Chilterns, East Sussex and Kent to Thetford and the rest to the New Forest – 9 districts down to 6.

In the south east only c. 50% of Forestry Commission land is dedicated under CROW as 50% of the Forestry Commission Estate is leasehold; with many owners not keen on allowing access. Others allow access via a permit system. The FC in the south east undertake £100K worth of flailing and mowing in the region, but some woods are going to have to be mothballed, which will reduce the amount of access available. They currently employ one person to manage a permission system for events such as motorcycling, mountain biking and orienteering. These are communicated to the beat forester to make sure there are no clashes with forest operations or other events. Annually, the system manages 30,000 people, 600 events and earns the Commission £51,000. Their horse riding permit system is managed through 'TROT', and the cost equates to only £1 per week for each equestrian.

Would more central guidance on access be welcome? Their access policy currently revolves around safety inspections in car parks, along trails, and of course the trees around the recreation facilities. Local managers apply these inspection and recording regimes. The FC also have standards for things like extreme mountain biking and signage; and there is guidance on regular inspections of play equipment. If guidance is helpful and not bureaucratic, then yes, it would be welcomed.

However, the systems seem to work well at the moment. The public, in general, know they will have a safe experience on Forestry Commission land, with no glass, rubbish or needles, etc.

Should horse riders have equal access? The Forestry Commission have allowed cycling clubs to take on the lease of designated areas of land for mountain biking, the cost of which is passed on to their members or is charged at £5 per day. Examples of good equestrian access were shown at Bramshill and Crowthorne Forest, south of Wokingham, located in north Hampshire and Berkshire, where there are forest rides and jumps provided; and Hodgemoor Wood, in Chalfont St Giles, Buckinghamshire, where the local riding club has organised their own permit scheme and raised money to resurface trails within

the SSSI woodland. In addition, the Shipwrights Way is a new long-distance route which will link villages and towns in east Hampshire from Alice Holt Forest near Farnham across the South Downs to Portsmouth.

■ The Future of Local Access Forums

Dave Waterman, DEFRA

Dave stressed that he ‘walks the walk’ as well as ‘talks the talk’, being a keen walker, whose daily route involves nearly all types of access, including public rights of way, HLS permissive paths and a community woodland. He has been doing this job for around 10 years, and while a colleague now deals with Local Access Forums, he is still closely involved in Rights of Way.

Things have changed radically since the new coalition government came into power in 2010, though it has taken a while for the picture to emerge in terms of access. He wanted to stress that access is important to the government, but there has been a change to the picture from this time last year, for two reasons:

- 1 The government is keen to reduce the size of central government and put more emphasis on local civil society; they want to relinquish power to local government and local communities and relinquish powers from Defra; and
- 2 Financial constraints: the reality of having to manage with less money.

The minister, Richard Benyon MP, wants to improve access. Its value is understood, with the increasing need to get away from car use and enjoy the beauty and tranquility of the countryside. There is now increased involvement from the Department for Health, due to both physical and mental health benefits. Access is highly valued by people; their passion for access can be likened to a sleeping giant in that it often is underestimated until awakened by a threat.

Tourism is also a significant factor in access, particularly in farm diversification. It contributes to sustainable transport aims of carbon reduction, and the positive action to care for the natural environment.

An important part of the Government’s policy on access will be to emphasize local access close to where people live. There are many people that still do not engage with the natural environment and Natural England’s *Monitor of Engagement with the Natural Environment* survey has produced evidence that they would if better access was available on their doorstep. Coastal access will continue, but will progress at a slower pace – it is something which Richard Benyon continues to support.

There will be a Natural Environment White Paper, which will have less emphasis on centralized initiatives. The accent will be on civil society with a trend towards avoiding central government telling local communities how they do things and a shift of emphasis to local decision-making. What will this mean for Local Access Forums? If one were to design an access advisory body it would probably be a Local Access Forum.

There is a continuing and possibly increased role for Local Access Forums to play. They are needed to formulate local solutions to coastal access; implement and review the ROWIP; advise on the Public Forest Estate consultation; the future of our Inland Waterways; and advise what happens to permissive access under HLS when it is discontinued.

Funding is tight in both Natural England and Defra. The value of Local Access Forums is seen as being able to provide local advice; that does not always mean a consensus, but debate and opinion is still important. The Minister is seeking views on these proposals with a view to taking forward the most favoured ones. Natural England will be co-ordinating responses and reporting back to the Minister. Views are sought on:

- 1 a ‘Virtual Forum’ for sharing best practice and exchanging views; a means for Defra and Natural England to provide guidance, training and updates on access, including the possibility of the Minister hosting a ‘hot seat’;
- 2 a memo of understanding to maximize the effectiveness of relationship between Local Access Forums, Defra and Natural England;
- 3 an annual training event, perhaps held regionally rather than nationally; and
- 4 Local Access Forum seat on the ROW Review Committee.

QUESTIONS

- Q1 *Why hit HLS payments when both farmers and users suffer and the treasury saving will be relatively small?*
Because of the way EU funding rules work, the system is 100% Exchequer funded and compared to other uses of HLS funding is not good value for the UK taxpayer. There may well be other ways to maintain these access routes, such as dedication by common law with a one-off payment to the landowner.
- Q2 *Are Local Authorities required to have a Local Access Forum?*
Local Authorities must currently have a Local Access Forum. Defra will argue to retain them.

Q3 *What progress has been made since 'Stepping Forward – working group on unrecorded rights of way: report to Natural England'?*

There will be further investigation of the proposals, together with a cost-benefit analysis. When this work is complete, the findings will be made known, this should be in the summer of 2011 and the Government will share its thinking with the wider stakeholder community. The ROW Review Committee, as a body, will continue.

Q4 *Is one access representative enough on the Independent Forestry Panel?*

The one access member will represent all users (Tom Franklin, Chief Executive of the Ramblers' Association). Tom has undertaken to represent all access interests and groups, other than walkers, and people will be able to feed their views through him.

■ Coastal Access in South East England

Tom Lord, NATURAL ENGLAND

There have been a number of changes in Natural England with around a 33% reduction in staffing levels and a reorganization of the Coastal Access delivery model. Despite this they are entering an exciting phase in the south east.

Natural England advice to Government in 2007 was clear. The legislation should:

- Enable Natural England to align a 'coastal access route' around the coast that people could enjoy with confidence and certainty.
- Allow the route to 'roll back' automatically as erosion occurs.
- Include provision for regular spreading room on areas of beach, dune and headland, where appropriate, allowing people to rest, explore or picnic.

The Marine and Coastal Access Bill received royal assent on 12th November 2009 and Secretary of State approval in March 2010. The first stretch in Weymouth will be ready by Feb 2012 for the Olympic sailing event. Kent is one of 5 lead stretches for coastal access delivery, the others include, Cumbria; Durham, Hartlepool and Sunderland; Somerset, and Norfolk. The route is primarily for pedestrians.

The change of government and economic climate has prompted a review of the previous £50 million model. There will be a revised delivery mechanism, with an ambition to deliver the new right of access over 40% of the coast within 10 years. It is hoped to start work on around 150km of coastal access in each successive year from 2011/12, but activity will be tailored according to available resources.

There are 5 stages in the delivery model:

- **STAGE 1** Data gathering, identifying issues and opportunities – this includes preparation and data collection, such as a landowner database; and investigating heritage assets and environmental designations. This stage also looks at strategic issues, alignment, erosion, land use and the avoidance of sensitive habitats.
- **STAGE 2** Walking the Course – a site meeting with the landowner to walk the route with a 'Trimble' GPS tool, record the spreading room available and any disagreements.
- **STAGE 3** Draft proposals – encompassing a draft report, which includes a 'quality assurance check' ensuring consistency across the country in alignment decisions and projected costs. Pre-consultation checks with the Environment Agency and English Heritage are undertaken in this stage.
- **STAGE 4** Consultation on draft proposals – a 12-week long, primarily web-based consultation. Draft proposals are then amended accordingly.
- **STAGE 5** Final Report published.

All 5 lead stretches in England are at Stage 0/1; while Weymouth is at Stage 4/5.

On reflection, it is thought, there should be an extra stage '0', which internally puts in place a Natural England Delivery Team, establishes a relationship with the access Authority; develops a coastal stretch plan and makes initial contact with stakeholders.

There are principles of alignment: they have the power to create a new access line, either adopting a permissive or de facto walked line or creating a new right of way, with defined 'spreading room'. This is land either side of a path on which the public are allowed to rest or picnic.

In Kent there is already good provision of legal coastal access, with 80% already secure. This is shown as green on their maps; with orange showing existing permissive or *de facto* access; and red with no existing satisfactory access. Kent County Council have agreed the start and end points of their stretch, from Ramsgate Pier in the north to Lower Leas Coastal Park in the south. They took the decision to extend the stretch significantly past the original 30km outline, and are now dealing with over 50km of coast between Ramsgate and Folkestone.

What have we done so far? A non-exhaustive list of Kent stakeholders has been drawn up, including LAFs, who will be consulted at Stage 1. They want to tap into the local knowledge of routes, understand aspirations and hopefully address any concerns. Other

stakeholders to be consulted include the CLA, NFU, Ramblers, BHS, CTC, Sustrans, Environment Agency, English Heritage, Parish Councils, Tourism providers and National Trust.

■ Encouraging people to walk through the 'Walk4Life' Project

Jenny Humphreys,

PROJECT MANAGER, WALK ENGLAND

Walk4Life is a project managed by Walk England, 'a social enterprise dedicated to encouraging more people to walk more often to more places'. All officers work from home on walking related projects with a range of different funding. Walk4Life is part of the 'Change for Life' program, with targets to encourage people to eat more healthily and exercise more, in order to reduce the nation's obesity levels and related illnesses.

They have tried to understand the barriers stopping people walking, such as: perceptions of distance; health ability; safety on the streets; and knowing where to go. Their aim is to counteract these elements.

They have been set the aim by the Department of Health to increase the fitness levels of 30,000 people currently inactive. A website has been set up to inspire people to find or create walks, undertake those walks, challenge themselves, track their own personal progress and join or set up a walking group. The site is free and was demonstrated around the Euston area in London – the conference venue: www.walk4life.info. Their target is to have 1 million website hits and show that people are improving their fitness, as well as to plot 2,012 mile-long routes on the site by 2012. These routes are designed to encourage people new to walking and help them understand how far a mile is to walk.

The site, which has been made as instructive as possible, includes a database of over 9,000 mapped walks (they paid to obtain permission to use the OS map base). All have been user-generated and logged on an OS map base. There are thousands of routes: to school, promoted, rural, urban, in the park, for dog walking, and to the shops, etc. Photos of a walk can be added and walk maps can be printed out on A4.

How can Local Access Forums help? Each member of your LAF is invited to sign-up, contribute one mile long walking routes (or longer), linear or circular and preferably way-marked (waymarks available free through the website). Routes can be, but don't have to be, flat and without barriers. Walks can be designated as suitable for scooters, such as the Trammer. It's possible to walk some routes – mile-long fitness routes – measure your heart rate and time taken, then

plug the figures into the website to track fitness. LAF members are also encouraged to spread the word about the site in order to promote walking in their area and use the 'Event Finder' to publicize other walks and events. Each map will calculate the walk length and you can add links to other websites, attach a download or You-tube video.

They will soon be launching a 'Groups and Challenges' area of the website, showing members events, challenges, discussion boards and fund raising. *NB. Post-Symposium note – this has now been launched.*

What's next? They are developing an 'APP' for an iPhone to be able to use GPS to track your route and to be able to find events. This will be free for users. We are also developing a walk search widget for use on other people's sites (postcode search box which takes the user straight to the walk finder results page on the Walk4Life site).

QUESTIONS

Q1 *Many people don't have internet access – what can they do?*

The site is very easy and intuitive to use, so can be seen as a tool to train people to use the web, perhaps at their local library.

Q2 *Are routes risk assessed?*

No. Walk England don't own the routes and therefore take no responsibility for people's safety. The site has a section to review walks so self-assessment is easy and problems can be highlighted.

Q3 *Will you have to pay for the APP?*

The Walk4Life iPhone APP, when launched, will be free.

Q4 *Do you ask for landowner permission?*

There's no resource to check, so again the user-feedback is important and a route can be deleted if it's not appropriate. Landowner permission is needed if you are putting up waymarkers. Guidance is available on the Walk4Life website.

Q5 *What map scale is used?*

The zoom-in and zoom-out feature was demonstrated.

■ Managing Sustrans Multi-user Routes

Simon Pratt,

REGIONAL DIRECTOR, SUSTRANS SOUTH EAST

The National Cycle Network is aimed at people making short, everyday journeys. They are always talking to landowners looking to create new routes, and in some instances, legislation has been used to secure access, such as the Cycle Tracks Act 1984 and s.16 Highways Act 1980. Sustrans sometimes purchase or lease land in order to allow public access or use a

'license', but this has been found to be a weak method of securing an agreement. It is sometimes not possible to designate a route's status, such as a bridleway, which has been the case on some railway-owned land, where it is held in trust. Some examples:

On the **Phoenix Trail** between Princes Risborough in Buckinghamshire and Thame in Oxfordshire, they bought the land in 1997 for £1, and it is marked on OS maps with orange dots (traffic free cycle routes). It took 4 years to raise money in order to fund resurfacing, which began in February 2001. A 2.5m wide tarmac surface was laid, with grass edges, in Oxfordshire and granite-to-dust in Buckinghamshire. The capital money was spent to build the route, but it does require maintenance of £1.50/linear meter/year to mow the grass verges and clear overgrowing hedgerows. The route is also punctuated with art work and seats. It's a traffic-free route which is very busy in summer where there is some conflict between users.

The **Basingstoke Canal** is a 30-mile traffic-free permissive route providing a 'green lung' through a number of towns in Surrey and Hampshire. The section through Woking was surfaced in July 2009 with 'Fibredeck', a combination of thin bitumen emulsion, chopped glass fibres and aggregate. It's used for both utility and leisure trips along the canal bank, which is a SSSI and part goes through a tree conservation area.

The **Cuckoo Trail** a disused railway line between Eastbourne, Hailsham and Heathfield in East Sussex, which in parts, separates cyclists and horse riders.

QUESTIONS

Q1 *What width of surfaced path do you recommend?*

Sustrans publish guidelines, but 2.5m is their minimum standard, with 3.0m in urban areas.

Q2 *Where do you get your capital funding?*

They go with wherever the funding goes and fill-in the forms – they receive money from supporters, government grants and lottery funding. They use volunteers to sweep up glass or maintain signing.

Q3 *Do Sustrans communicate with Local Access Forums?*

Yes, this is always welcome, and indeed, some Sustrans' Officers sit on Local Access Forums.

Q4 *How are routes maintained?*

It is different between authorities, but they would like to set up a National Agency to maintain the National Cycle Network.

■ Shared use Routes in East Sussex

Patrick Wallace

Patrick enjoys Trail Riding on his motorbike along Byways Open to All traffic.

Highway Authorities have a statutory duty to protect all user rights and maintain the network, including on byway open to all traffic (BOATS). Byway management policies are drawn up to deal with legitimate use, the criminal element being addressed by effective policing, outside the scope of this presentation. The byway management model for vehicles that East Sussex is even-handed for the types of route in the county. A management policy was needed due to the nature of byways in the county, which can be muddy, narrow and easily rutted in wet weather.

In 2004 a muddy route became excessively rutted and muddy and few recreational users were able to pass along it unaided. Repairs were undertaken, then the route was protected with a TRO in 2005, which limited its use to mechanically propelled vehicles (other than motor cycles) to 31st March to 1st October each year, to reduce the heavy weight put upon the surface by 4x4s when wet weather is prevalent. It was a selective and seasonal TRO: selective as to class of vehicle permitted and seasonal in its prohibition period. This byway is now in a much better state and the policy means the route is sustainable, but still allowing use for 4x4s in the summer months.

Attention has been paid to the design of each route and how it's surfaced, for aesthetic and practical reasons. Channels have been cut for drainage and the useable widths have a raised domed centre for water to run-off. Sympathetic surfacing makes routes suitable for wheels, hooves and feet – it is sympathetic to the surroundings and preserves the historic integrity of ancient routes.

Examples were shown of the Old Coach Road, running parallel to the downs and A27, between Comp Barn and New Barn, Berwick, where the East Sussex County Council requested Local Access Forum guidance on a sunken lane section of this ancient road. A member of the Forum undertook a site visit and put forward a rebuttal to the Local Authority suggestion of a TRO and surface upgrade. The member suggested no upgrade and no TRO, in order not to spoil the heritage of that section of the road – there was mud but it wasn't deep and it was solid below the surface with compacted chalk and flint. There was a rooty section (10–15cm high) which would only allow vehicles to pass slowly so no vehicular rat-run was likely. The Forum supported this view and its advice was accepted by the Local Authority cabinet member for transport.

Another route which required Local Access Forum consultation was Hadlow Down Byway No. 24. This contained a narrow section over a culvert, vulnerable to damage by 4x4s and dangerous, which had been rebuilt with concrete-filled sandbags and plastic ducting. The rest of lane repaired to withstand light wheeled traffic. A seasonal, selective TRO was recommended to allow the newly repaired surface to consolidate.

Other examples used from East Sussex included Laughton Byway No. 26, Pevensey Marshes and Colwell Lane, all but one of which were given seasonal selective TROs to prevent damage during the wet season by the passage of heavy 4x4 recreational vehicles.

In summary, blanket TRO's should be seen as a last resort. Seasonal restrictions should be made if the route is passable in summer and consideration given to selective restriction of vehicle class – weight, number of wheels – as not all vehicles cause damage during winter conditions. The Local Access Forum should be consulted in all cases, user input being an important attribute of these statutory consultation bodies. By restricting some vehicular traffic over periods of time, byways can remain open to all vehicular traffic when conditions allow, and maintenance costs can be reduced.

■ Open Floor Discussion

Chaired by Matthew Balfour, KENT COUNTRYSIDE ACCESS FORUM; & MEMBER, TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING AND PUBLIC ACCESS

The Planning and Public Access paper was prepared by Surrey Countryside Access Forum and the Local Development Policy Framework (LDF) summarized by Matthew Balfour. The government has stated to the Chief Planner that Local Access Forums must be consulted when LDFs are being compiled. In all 12, out of 18 authorities represented, had replied to their District Council Local Development Framework consultation. Each LDF should have a section relating to access to the environment. MB suggested that if a Local Access Forum hadn't responded, they should get in touch with the District Council Officer responsible for their core strategy and LDF. Unfortunately, Kent Local Access Forum wrote to each District Council, but only one replied. Sarah Manchester (New Forest Access Forum Secretary) invited their officer to the Forum to discuss as it was such a thick document. Surrey are going to have an extraordinary meeting to address the issue.

MB explained that it is an important document. If it is not written down as a policy that access has to be provided from developments into the local access network, when planners give approval to applications, you will have less success in achieving new paths and developments will become insular. It's a mechanism in which developers are required to pay heed to providing for new access.

The issue of district councils consulting rights of way departments on planning applications was discussed. Unfortunately, in Kent, the Highways Department and Rights of Way Department are in different directorates so there is not always good communication on applications and those received by the roads teams that affect rights of way, are not always referred on.

MB suggested the Penfold Review will help get rights of way issues addressed by planning authorities.

RICHARD BENYAN MP LETTER TO LOCAL ACCESS FORUMS

Dave Waterman, representing Defra, was asked about the Minister's recent letter to all Local Access Forums. He said it should be seen as a consultation and that each Forum should forward their ideas and communicate with Defra. They are genuinely passionate about Local Access Forums, which concur with current political thinking on localism and the big society.

ENGLAND ACCESS FORUM

A replacement is being sought for the England Access Forum and it was discussed how this could be replaced or perhaps continue under another guise, in order to maintain communication and lobby Natural England and Defra. Is the England Access Forum, in its current form, the answer? Defra welcome views on the subject.

Poul Christensen
Chair

poul.christensen@naturalengland.org.uk

Date: 14 March 2011
Our ref: OO CH 0311 0003
Your ref:

Mr Duncan Graham CBE
Chair
England Access Forum
Parkburn
Colby
Appleby
Cumbria
CA16 6BD



1 East Parade
Sheffield
S1 2ET

T: 0300 060 1101
F: 0300 060 1622

www.naturalengland.org.uk

Dear *Duncan,*

RE: Natural England support to the England Access Forum

Natural England, in consultation with Defra, has recently been examining the level and nature of its support to both Local Access Forums and EAF and, as part of our current budget review restructuring process following our CSR settlement, we have made the decision to concentrate available resources on our direct work with LAFs.

I therefore have to advise you that from 31 March 2011, Natural England will cease to fund the operation of, or provide the secretariat for, the England Access Forum.

Natural England recognises the independent status of EAF and also what it has achieved in its two year history as a representative of Local Access Forums. With these achievements in mind we hope that in the future Natural England can continue to work with the forum in support of the wider LAF family.

I would like to take this opportunity to thank you for your continuing voluntary work in support of EAF and wish you the very best for the future.

Yours sincerely

A handwritten signature in black ink that reads "Poul." with a horizontal line underneath.

Poul Christensen
Chair

Nobel House
17 Smith Square
London SW1P 3JR

Telephone 08459 335577
Email helpline@defra.gsi.gov.uk
Website www.defra.gov.uk



All Local Access Forum Chairs

5 April 2011

From Richard Benyon MP
Minister for Natural Environment and Fisheries

Dear LAF Chairs

In writing this letter I want to introduce myself, as the Minister for Natural Environment, and Fisheries, and underline the importance I attach to the dedicated work of Local Access Forums (LAFs) around the country.

I have already had contact with some Forums on specific issues, but I am keen to set out how I see the role of Forums developing in the future. Since their initial establishment Forums have improved and evolved, developing as new challenges arise. Forums continue as statutory consultees on relevant matters, but there is still considerable flexibility and scope for individual Forums to work in ways which are most suited to their specific local and community needs. I know Forums also have a potential to advise, assist and influence the Government on its work on access.

Forums are adapting to the various challenges on access in different ways and I believe it is important that best practice can be shared widely. I am aware that the links between individual Forums and central government, and its agencies, need to be clear and I want to work at improving these links. There is also a need for all bodies receiving advice from Forums to be fully aware of their statutory status and the role of Forums and the value of their advice.

Access is now taking on a central role in achieving many of the Government's targets on health and promoting more sustainable rural communities. It also has a significant importance in helping people engage with the natural environment.

Following on from outlining the importance of access and the key role of LAFs, I am consulting with LAFs on a suite of proposals aimed at improving the information flow between LAFs and Government. I would be grateful for your views on these with a view to taking forward the most popular proposals. Natural England will be co-ordinating the responses and reporting back to me.

- A virtual forum for LAF members for sharing best practise and exchanging views, as well as identifying key LAF issues. A means for Defra and Natural England to provide guidance, training and updates on access, including the possibility of hosting a 'hot seat' where the Minister would do a question and answer session.
- A memorandum of understanding style agreement between LAFs, Natural England and Defra setting out their agreed roles and responsibilities.
- An annual training event probably held regionally rather than nationally, for the exchange of ideas, training and updates on current policy issues.
- A seat on the Rights of Way Review Committee offered to a LAF member at each meeting.

In conclusion I would just like to acknowledge the hard work of all Forums' members. I recognise that you all do this as volunteers, and your commitment and dedication to access work is much appreciated. In the future you will have a key role in not only delivering Government policy to your local communities, but working with Natural England, both nationally and regionally, to raise the access agenda. I am keen to ensure that the good work and knowledge that exists around the country is communicated to Government. This way best practice will be shared and problems addressed.

A handwritten signature in blue ink that reads "Richard Benyon." The signature is written in a cursive, flowing style.

RICHARD BENYON MP