



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

AGENDA ITEM 5

Date: 17th July 2013

Title: Rights of Way Team update

Authors: Mike Walker, Jonathan Clark, Joanne Taylor

Contact Officer: Katy MacDonald (01296 383603)

A. DEFINITIVE MAP UPDATE (MIKE WALKER)

Resources Appraisal

Definitive Map investigations are statutory duties for the Council, funded through Place Service revenue budgets. Costs associated with Public Path Orders are, for the most part, recovered from applicants.

The Purpose of the Report

The purpose of this report is to appraise LAF Members of the outstanding Definitive Map caseload undertaken by the Definitive Map Team and provide an update for matters previously considered by the Rights of Way Committee.

DEFINITIVE MAP APPLICATIONS DETERMINED BY COMMITTEE / ORDERS MADE

1. **Great Missenden** – upgrading of Public Bridleways Nos. 52 and 55 (part) to Public Byways Open to All Traffic. The application was rejected by the Committee on 14 July 2006. The applicant appealed the decision and the Council was directed by the Secretary of State to make an Order for Byway status. An Order has been made and advertised. Objections to the Order have been received and the matter referred back to the Secretary of State for determination. **A public Inquiry is now fixed for 1st and 2nd October 2013.**
2. **Great Missenden/Wendover** – upgrading Public Bridleways No. 1 Great Missenden and Nos. 45 and 61 Wendover to Public Byways Open to All Traffic. The application was rejected by the Committee on 14 July 2006. The applicant appealed the decision and the Council was directed by the Secretary of State to make an Order for Byway status. An Order has been made and advertised. Objections to the Order have been received and the matter referred back to the Secretary of State for determination. **A public Inquiry is now fixed for 1st and 2nd October 2013.**
3. **Little Missenden** – upgrading Public Bridleway No. 24 (Featherbed Lane) to Public Byway Open to All Traffic. The application was rejected by the Committee on 2 March 2006. The applicant appealed the decision and the Council was directed by

the Secretary of State to make an Order for Byway status. An Order was made and advertised on 20 September 2011. Objections have been received and the matter referred back to the Secretary of State for determination. **A public Inquiry is now fixed for 6th – 8th August 2013.**

4. **Little Missenden** – upgrading Public Bridleway No. 25 (Kingstreet Lane) to Public Byway Open to All Traffic. The application was rejected by the Committee on 2 March 2006. The applicant appealed the decision and we were directed by the Secretary of State to make an Order for Byway status. An Order was made and advertised on 20 September 2011. Objections have been received and the matter referred back to the Secretary of State for determination. **A public Inquiry is now fixed for 6th – 8th August 2013.**
5. **Little Missenden** – upgrading Public Bridleway Nos. 29/42 (Mop End Lane) to Public Byway Open to All Traffic. The application was rejected by the Committee on 2 March 2006. The applicant appealed the decision and the Council was directed by the Secretary of State to make an Order for Byway status. An Order was made on 21 June 2011. Objections have been received and the matter referred back to the Secretary of State for determination. **A public Inquiry is now fixed for 6th – 8th August 2013.**
6. **Stowe and Lillingstone Dayrell** – upgrading Public Bridleways No. 6 Stowe and Nos. 11 (part) and 12 Lillingstone Dayrell to Public Byways Open to All Traffic. The application was partly rejected by the Committee on 2 March 2006. The applicant appealed the decision and the Council was directed by the Secretary of State to make an Order. An Order was made on 10 May 2011. Objections were received and the matter referred back to the Secretary of State for determination. **A public Inquiry was held on 14 May 2013. The Inspector determined that the Order be not confirmed.**
7. **High Wycombe** – claimed public footpath between Sheraton Drive and Windsor Drive. The Committee accepted the application on 10 November 2010. An Order was made on 25 October 2011. Objections were received and the matter has been referred to the Secretary of State for determination. **A public Inquiry was held on 16 April 2013. The Inspector determined that the Order be confirmed.**
8. **Taplow** – application to record the route from River Road to Amerden Lane as Public Bridleway. The application was accepted by the Committee at its meeting on 7 December 2011. An Order was made on 18 June 2012. **Objections have been received and the matter is to be referred to the Secretary of State for determination, possibly by public inquiry.**
9. **Aston Clinton** - application to record the route from Weston Road to Public Footpath No. 28 as Public Footpath. The application was accepted by Committee at its meeting on 30th May 2012. An Order was made on 22nd October 2012 and one objection received. **The matter has been referred to the Secretary of State for determination, possibly by written representation procedure.**
10. **West Wycombe / Downley** – application to record Cookshall Lane as part Public Bridleway, part Restricted Byway. This application was rejected by the Committee at its meeting on 21 January 2013, although public footpath rights were accepted. **A meeting was held with the landowner, Sir Edward Dashwood, with a view to completing the matter by Public Path Creation Agreement. This is now completed.**
11. **Lower Winchendon** – application to record the route from Public Footpath No 10b to Public Footpath No. 3, Cuddington as Public Footpath. This application was

accepted by the Committee at its meeting on 21 January 2013. **This decision is under threat of challenge by the landowner.**

12. **Wendover & Halton** – application to record the route from Public Footpath No. 24, Wendover to Public Footpath No. 13, Halton as Public Footpath. **This application was rejected by the Committee at its meeting on 21st January 2013 and has not been appealed. Completed.**
13. **High Wycombe** – application to record the route from Burnham Close to Whitelands Road, High Wycombe as Public Footpath. This application was accepted by the Committee at its meeting on 21 January 2013. **An Order was made on 15th April 2013. Objections have been received and it is likely the matter will be referred to the Secretary of State to determine, probably at public inquiry.**
14. **Princes Risborough** – application to record the route from Elm Road to Bell Street, Princes Risborough as Public Footpath. **This application was rejected by the Committee at its meeting on 21st January 2013 and has not been appealed. Completed.**
15. **Lane End – drafting error of Public Footpath No 25.** This matter was accepted by the Committee at its meeting on 21 January 2013. **An Order was made on 4th March 2013 and is through its objection period. A representation has been made which we are seeking to clarify so that the Order can be confirmed.**
16. **Beaconsfield** – application to record the route from Minerva Way to the junction with Public Footpath No. 15 and No. 16 as a Public Footpath. **This application was rejected by the Committee at its last meeting and has not been appealed. Completed.**

Definitive Map Applications to be Investigated and Reported to the Committee

17. **Westbury (Route 1)** – application to record the route from Footpath No 14, Westbury (at the Oxfordshire county boundary) to Public Footpath No 11, Westbury as Public Footpath. The route is 90% in Oxfordshire. Investigation not started. **Discussions have been held with Oxfordshire County Council with a view to their entering into an Agency Agreement with us in accordance with section 101 of the Local Government Act 1972 and to pay us, pro-rata, to undertake and complete the necessary investigations. It is likely, therefore, that we would be looking to bring this claim – and the others in Westbury/Mixbury (Oxfordshire) – to a future meeting of the Committee.**
18. **Westbury (Route 2)** – application to record the route from Footpath No 14, Westbury (at the Oxfordshire county boundary) to the route referred to in (19) below as Public Footpath. This route is entirely in Oxfordshire. Investigation not started. **Discussions have been held with Oxfordshire County Council with a view to their entering into an Agency Agreement with us in accordance with section 101 of the Local Government Act 1972 and to pay us to undertake and complete the necessary investigations. It is likely, therefore, that we would be looking to bring this claim – and the others in Westbury/Mixbury (Oxfordshire) – to a future meeting of the Committee.**
19. **Westbury (Route 3)** – application to record the route from the junctions of Footpath No 303, Mixbury, Oxfordshire to Fulwell Road, Westbury as Public Footpath. Investigation not started. **Discussions have been held with Oxfordshire County Council with a view to their entering into an Agency Agreement with us in accordance with section 101 of the Local Government Act 1972 and to pay us, pro-rata, to undertake and complete the necessary investigations. It is likely,**

therefore, that we would be looking to bring this claim – and the others in Westbury / Mixbury (Oxfordshire) – to a future meeting of the Committee.

20. **Iver** – application to record various routes across The Fields and The Clump, Iver as Public Footpaths. **Investigation not yet started.**
21. **Chepping Wycombe** – application to record the route from Elmshott Close to King's Wood as Public Footpath. **Investigation not started.**
22. **Bledlow** – application to record the route from Footpath No 49 to Bridleway No 55 as public footpath. **Investigation not started.**

Public Path Orders

23. **Aylesbury** – Application to divert Footpath No 7. **Some objection received to consultation but Head of Legal Services has been instructed to make an Order.**
24. **Bradenham** – Application to divert Footpath No 7. **Not started.**
25. **Coleshill** – Application to divert Footpath No 11(F) part. **Order made and no objection received. Landowner works awaiting completion and then Order will be confirmed.**
26. **Gerrards Cross** – Application to temporarily divert Footpath No 11. **Order made and confirmed.**
27. **Hambleton** – Application to divert Footpath No 24 (part). **Order made and no objection received. Landowner works awaiting completion and then Order will be confirmed.**
28. **High Wycombe** – Application to extinguish Footpath No 27. Wycombe District Council planning matter. **Order made and confirmed by WDC. Awaiting developer works.**
29. **Leckhampstead** – Application to divert Footpath No 34. **Order made and no objection received. Awaiting landowner works before confirming Order.**
30. **Marsworth** – Application to divert Footpath No 3. **Order made on behalf of Aylesbury Vale District Council and no objections received. Awaiting landowner works and then Order will be confirmed.**
31. **Pitchcott** – Application to divert Footpath No 4 (part). Order made and objections received. **Referred to the Secretary of State for determination.**
32. **Quinton** – Application to divert Bridleway Nos 17 & 17a. **Order made and confirmed. Completed.**
33. **Quinton** – Application to divert Bridleway No 21. **Head of Legal Services instructed to make Order.**
34. **Quarrendon** – Application to extinguish Footpath No 2. **Order made and confirmed. Completed.**
35. **Steeple Claydon** – Application to divert Footpath No 6. **Not started.**
36. **Thornborough** – Proposal to divert Public Footpath No 9. **Order made and confirmed. Completed.**

37. **Tingewick** – Application to divert Footpaths Nos 10, 11 and Bridleway No 13. Order made and objections received. **Referred to Secretary of State who confirmed the Order. Completed.**
38. **Westbury** – Application to extinguish Footpath No 14 (Special Schools). Order made. Objections received. **Committee to consider its position and is the subject of a separate report on today's agenda.**
39. **Winslow** – Application to extinguish Footpath No 5. **Order made and no objections received. Awaiting landowner works ahead of confirmation.**

Public Path Creation Agreements

40. **Edgcott** – Bridleway Creation (BCC Land). **Head of Legal and Democratic Services instructed to complete.**
41. **Edgcott** – Bridleway Creation (ERC Land). **Awaiting go ahead from ERC to proceed.**
42. **Westcott** - Footpath Creation. **Head of Legal and Democratic Services instructed to complete.**

Village Green Applications

43. **Gerrards Cross** – land at Lower Road. **A Public Inquiry was held 3rd – 5th April 2013 and is the subject of a separate report on today's agenda.**
44. **Iver** – land at The Fields and The Clump. **The application is being investigated.**
45. **Great Missenden** – land at The Field, Bryants Bottom. **Application advertised and objections received. Likely to need public inquiry before referral to Committee.**
46. **Beaconsfield** – voluntary registration of the land at Hampden Hill. **Awaiting ownership confirmation from Town Council.**
47. **Penn** – land at Coppice Farm Road, Tylers Green, Penn. **Waiting investigation.**
48. **High Wycombe** – land at Meadow Close, Wycombe Marsh. **Waiting investigation.**
49. **Wooburn** – land off Cherwell Road, Bourne End. **Waiting investigation.**

For further information please contact: Mike Walker on 01296 382642

B. STRATEGIC ACCESS UPDATE (JONATHAN CLARK)

50. A total of 40 planning applications have been commented upon by the Strategic Access Officer since the last meeting, distributed between authorities as follows: Wycombe 12; Aylesbury Vale, 19; South Bucks 1; Chiltern 3; and Bucks County Council 5.
51. The Strategic Access Officer has not had any further bilateral meetings with HS2 consultants, except the Wendover Access Forum on 20th June 2013. Plans continue to indicate an attempt to accommodate most paths across the HS2 footprint by bridge, underpass or diverting under viaducts. Agreement was reached on nearly all

access crossings over the line and minutes of the Wendover meeting are being drawn up by HS2.

52. The Council has made its response to the Draft Environmental Statement. The overall access themes mentioned in the response included: the need for: 1. some extra attempt to take pedestrians off country roads onto 'footways' where paths are diverted along the nearest roads. 2. longer diversions, taking paths several fields away along more direct routes to crossing points rather than diverting paths that run parallel, and next to, the HS2 line; 3. maintaining a balance between access across the line and the impact that bridges might have on the landscape; 4. the need to deliver rights of way improvements, such as improving surfaces and upgrading footpaths to bridleways; 5. the need for more green bridges to combine pedestrian crossings with wildlife crossings; and 6. arguing the need for new structures to apply the principles and design of British Standard BS 5709: 2006, for gaps, gates and stiles.
53. The Strategic Access Advisor visited Calvert Green and Twyford Parish Councils to identify demand for pedestrian, cycling and horse riding access links. Calvert Parish were especially keen to progress a link between their village and the services in Steeple Claydon, and to connect with residents in Charndon. New non-vehicular links out from Twyford seemed less important to the Chairman of the Parish Council than other mitigation being proposed. The impact of HS2 and its Infrastructure Maintenance Depot on the area will be significant and there is a strong case to lobby for extra strategic links.
54. A meeting took place on 9th July 2013 to discuss RoW crossing of the East West Rail corridor between Bletchley and Bicester, via Winslow. An update can be provided to the meeting, but the general themes from HS2 will apply.
55. There have been 10 new Donate-a-gate donors since March 2013, taking the total number of donors to 271.

C. RIGHTS OF WAY OPERATIONS UPDATE (JOANNE TAYLOR)

56. The 'Summary of Works' is attached to this report in Appendix 1, outlining work carried out by the Rights of Way Operations Team between 1st April 2012 and 31st March 2013. A verbal update will be provided.