



## BUCKINGHAMSHIRE LOCAL ACCESS FORUM

# Report

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Date:

Title: Rights of Way Team update

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### A. DEFINITIVE MAP UPDATE (CLAIRE HUDSON)

#### 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. **Orders confirmed with modifications following 3 day Public Inquiry. Objections received to modifications; awaiting further contact from Secretary of State.**
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. **Orders confirmed with modifications following 3 day Public Inquiry. Objections received to modifications; awaiting further contact from Secretary of State.**
3. **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. **Due to objections to Order, Secretary of State require a Public Inquiry, scheduled for 27 August 2014.**

4. **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. **Following written representations, the Order was subsequently confirmed. Completed.**
5. **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. **Due to objections to Order, Secretary of State require a Public Inquiry, likely to be held 1 October 2014.**
6. **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 4<sup>th</sup> March 2013 and one objection received and not withdrawn – Secretary of State deemed the objection to be irrelevant and confirmed the Order. Completed.**
7. **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, but this decision was rescinded during the Committee meeting of 9 July. Case to be investigated from the start. **Following 12 February 2014 meeting, the Committee determined to ACCEPT the application. Order to be made.**
8. **Radnage** – drafting error of Public Bridleway No. 3 Radnage. **Following 12 February 2014 meeting, the Committee determined to AMEND the Definitive Map. Order to be made.**

#### **DEFINITIVE MAP APPLICATIONS TO BE INVESTIGATED AND REPORTED TO COMMITTEE**

9. **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. **Agency Agreement under discussion. Investigation not started.**
10. **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. **Agency Agreement under discussion. Investigation not started.**
11. **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. **Agency Agreement under discussion. Investigation not started.**

12. **Iver** – application to record various routes across The Fields and The Clump, Iver as Public Footpaths. **Investigation not started.**
13. **Chepping Wycombe** – application to record the route from Elmshott Close to King's Wood as Public Footpath. **Investigation not started.**
14. **Bledlow** – application to record the route from Footpath No 49 to Bridleway No 55 as public footpath. **Investigation not started.**
15. **Edgcott** – application to record Lawn House Lane as a Public Footpath to Public Footpath 11 Edgcott. **Investigation not started.**
16. **Iver** – application to record route from Grange Way to Colne Orchard as a Public Footpath. **Investigation not started.**
17. **Hegerley** – application to upgrade Public Footpath No. 14 to public bridleway status based on historical evidence. **Investigation not started.**
18. **Bledlow** – application to investigate the alignment of Public Footpath No. 52 Bledlow. **Investigation not started.**

#### **PUBLIC PATH ORDERS**

19. **Ashley Green** – Application to divert footpath 2B. **Application received; matter to be started.**
20. **Aylesbury** – Application to extinguish Footpath No 7(part) and Footpath 8 (part). **Written Representations procedure adopted by the Secretary of State.**
21. **Bradenham** – Application to divert Footpath No 7. **No progression therefore case closed.**
22. **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.**
23. **Dinton with Ford and Upton** – Application to divert footpath 16. **Application received; matter to be started.**
24. **Ellesborough** - Application to divert footpaths Nos.3 and 9 Ellesborough. **Order made and open to consultation.**
25. **Great and Little Kimble** – Application to divert footpath 29. **Application received; matter to be started.**
26. **Great Marlow** – Application to divert footpath 21 and bridleway 52. **Application received; matter to be started.**
27. **High Wycombe** – Application to extinguish Footpath No 27. Wycombe District Council planning matter. Order made and confirmed by WDC. **Awaiting developer works.**

28. **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.**
29. **Oving** – Application to divert Footpath No.1 Oving. **Landowner works awaiting completion and then Order will be confirmed.**
30. **Pitchcott** – Application to divert Footpath No 4 (part). Order made and objections received. **Secretary of State to determine matter by Public Hearing scheduled for 11 March 2013.**
31. **Quainton** – Application to divert Bridleway No 21. **Landowner works awaiting completion and then Order will be confirmed.**
32. **Steeple Claydon** – Application to divert Footpath No 6. **Order made but matter on hold.**
33. **Tingewick** – Application to divert Public Footpath No. 25. **Objections received to informal consultation therefore Council refused to make an Order. Matter closed.**
34. **Waddesdon** – Application to divert Public Footpath No 13(part) Waddesdon. **Landowner works awaiting completion and then Order will be confirmed.**
35. **Whitchurch** – Application to extinguish Footpath No 4 (part). **Order confirmed. Completed.**
36. **Winslow** – Application to extinguish Footpath No 5. Order made and no objections received. **Landowner works awaiting completion and then Order will be confirmed.**

#### **PUBLIC PATH CREATION AGREEMENTS**

37. **Edgcott** – Bridleway Creation (BCC Land). **Head of Legal and Democratic Services instructed to complete.**
38. **Edgcott** – Bridleway Creation (ERC Land). **Awaiting go ahead from ERC to proceed.**
39. **Westcott** - Footpath Creation. **Agreement not reached; matter closed.**
40. **Gerrards Cross** – Footpath Creation. **Head of Legal and Democratic Services instructed to complete.**

#### **VILLAGE GREEN APPLICATIONS**

41. **Iver** – land at The Fields and The Clump. **The application is being investigated.**
42. **Hughenden** – land at The Field, Bryants Bottom. **Following legal advice, a Public Inquiry is likely to be held to determine this matter.**
43. **Beaconsfield** – voluntary registration of the land at Hampden Hill. **Awaiting ownership confirmation from Town Council.**
44. **High Wycombe** – land at Meadow Close, Wycombe Marsh. **No objections have been received; aim to present this to the Rights of Way Committee in July.**

45. **Wooburn** – land off Cherwell Road, Bourne End. **Waiting investigation.**

**For further information please contact: Claire Hudson on 01296 383425.**

## **B. STRATEGIC ACCESS UPDATE (JONATHAN CLARK)**

49. A total of 174 planning applications have been commented upon by the Strategic Access Officer in the financial year to date (from 1<sup>st</sup> April 2013), distributed between authorities as follows: Wycombe 39; Aylesbury Vale, 87; South Bucks 13; Chiltern 21; and Bucks County Council 14. By 31<sup>st</sup> March this will be similar to last year (202).

50. The county council's environmental statement (ES) response was submitted to HS2 on 27<sup>th</sup> February 2014 (Appendix 1). In addition, the 2<sup>nd</sup> version of the Bucks Blueprint has been completed which was submitted alongside the ES response. Both documents are available on the county council's website via this link:  
<http://www.transportforbucks.net/High-Speed-2/HS2-Blueprint.aspx>

51. The ES response is the first step in the parliamentary process. Over the next 5-7 weeks the council will be firming up the petitioning points, ensuring the mitigation requests are based on robust evidence to give the best chance of being heard by the select committee in the autumn of 2014. If the LAF have any further points to add with regard the rights of way response please let the Strategic Officer know.

52. The Strategic Officer attended the Winslow Local Area Forum on 12<sup>th</sup> March to provide advice to the town's ambition of creating a new circular walk. This is an evolving project, and will likely lead to another bid to Local Area Forum for funding towards creating new walking routes, guiding the public around sites of historic interest via a leaflet.

53. Five further meetings have taken place with Network Rail to discuss RoW crossings of the East West Rail corridor between Bletchley and Bicester, via Winslow, and between Calvert Green and Aylesbury. It may be possible for officer time to be off-set against the council's contribution to the project (and credited to the Environment Team's budget), which will include these ongoing preliminary meetings to discuss diversion routes and work on the diversion order process itself. There are around 26 path diversions in all.

54. There have been 13 new Donate-a-Gate donors since November 2013, taking the total number of donors to 291. The 300<sup>th</sup> donor will be celebrated in some way.

## **C. RIGHTS OF WAY OPERATIONS UPDATE (JOANNE TAYLOR)**

55. A 'Summary of Works' is attached to this report in Appendix 2, outlining work carried out by the Rights of Way Operations Team between 1st April 2012 and 28<sup>th</sup> February 2014

56. As previously report to the Forum, the Rights of Way Operations team has six members: a Team Leader, three Rights of Way Officers and two FTE Assistant Rights of Way Officers. All officers are employed under TUPE arrangements through Ringway Jacobs the County Council's principle contractor.

57. The team has had a 0.5 FTE vacancy for an Assistant Rights of Way Officer since an officer went on maternity leave last spring. Unfortunately, recruitment for a temporary person to fill her post has been delayed due to the transfer of staff into Ringway Jacobs. I also have to report that Paul Hudson (Assistant Rights of Way Officer) left the team at the end of February 2014. Due to further re-structuring within Transport

for Buckinghamshire it is currently not possible to seek a replacement for Paul. The earliest date for recruitment is likely to be at the end of March 2014.

58. At the last meeting of the Forum in November, it was reported that the interim results for the May 2013 BVPI were available, but they appeared to be slightly down for the time of year, which could mean an overall reduction for the BVPI from 80% to approx. 75% for 2013. The November survey has been complete, but due to shortage of staff it has not been possible to input the results, although I hope to give an update of the final figures for the next LAF meeting.

59. BVPI 2013 – Survey Results 2.5% figure May 2013

80% Paths Easy to use

96% Signs on Roadside

93% Structures Easy to use

60. Parish Paths Clearance Fund Update. Members may recall that funding has been made available by the county council to enable parish councils to benefit from being able to undertake and manage path clearance work. The money is in the form of a grant to parish councils who wish to employ their own contractors to undertake this work themselves.

61. The grant to the parish council will be equivalent to the current annual cost for the county council to cut paths in the participating parishes. It will be paid to any parish council wishing to become involved and who commit to undertaking the annual clearance works usually carried out by the county council. A parish council may also wish to contribute additional money either to cover the cost of clearing additional paths not included on the county council's annual clearance schedule or to increase the frequency of cuts on specific paths, thereby improving the quality of the local path network and encouraging greater use.

62. All parishes with scheduled annual clearance have already been contacted and invited to participate in the scheme. Some early positive feedback has been received, but it is too early to assess the likely take up by parishes.

63. Works carried out this year include two large replacement bridges, four surface repairs and a flight of steps replaced on the Ridgeway in Princes Risborough. Other works planned to be completed within this financial year (to 31<sup>st</sup> March 2014) include seven more bridge replacements and seven surface repair jobs across the county. Some of these works have been delayed by the current ground conditions.

64. At the last meeting I reported on the rather large number of issues reported to us concerned with trees damaged by the storm at the end of October 2013. Since then we have experienced many more storms over this winter and there has been a significant increase in this type of report, with 220 instances of fallen/damaged trees reported to the county council. Clearly this has had a significant effect on the team's work load, and wherever possible issues have been passed onto the landowner involved.