



# Buckinghamshire County Council

## Minutes

## *BUCKINGHAMSHIRE LOCAL ACCESS FORUM*

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**MINUTES OF THE MEETING OF THE BUCKINGHAMSHIRE LOCAL ACCESS FORUM  
HELD ON WEDNESDAY 19 MARCH 2014, IN MEZZANINE ROOM 2, COUNTY HALL,  
AYLESBURY, COMMENCING AT 10.00 AM AND CONCLUDING AT 12.15 PM.**

### **MEMBERS PRESENT**

Mr J Elfes, in the Chair

Mr N Harris, Mr C Hurworth, Mr A T A Lambourne, Mr J Coombe, Mr G Thomas,  
Ms N Glover and Mr R Pushman

### **OFFICERS PRESENT**

Mr J Clark, Mrs H Francis, Ms S Keene, Mrs C Hudson and Ms J Taylor

### **GUESTS PRESENT**

Mr H Hancock

#### **1. APOLOGIES FOR ABSENCE**

Apologies of absence were received from Viv Lynch and Gavin Casperz.

#### **2. DECLARATIONS OF INTEREST**

Mr Alan Lambourne declared an interest in Item 7 as Westcott Parish Council were involved in the Westcott Footpath Creation (point 39).

#### **3. MINUTES OF THE MEETING HELD ON 20 NOVEMBER 2013 TO BE CONFIRMED**

The minutes of the meeting held on 20 November 2013 were confirmed

#### **4. MATTERS ARISING**

Glyn Thomas updated members on the Watermead Footpath/Bridleway. He said that members would be aware that the grant had been returned to Natural England. Subsequently he said that the Forum should be aware that this now means that the Footpath/Bridleway which goes from Berryfields to Buckingham Park is now blocked off as it was planned for it to connect to Watermead. Glyn advised that BCC received £80k in Section 106 monies to use to build a Pegasus crossing across the A413 connecting Buckingham Park and Watermead. He raised concern whether the crossing would now be built and whether the monies would have to be returned to the developer.

Jonathan Clark advised that it was now a Highways issue. He said that if the crossing was built people did not have anywhere to go on the Watermead side unless a path was built. He said that any decision regarding the Section 106 monies and the crossing would be a Cabinet Member decision and that the LAF would need to lobby the Cabinet Member making the decision.

Chris Hurworth said that he believed the LAF should press for the crossing to be built. He said that the crossing would be advantageous at some stage in the future.

Shelia Keene commented that whilst she did not know presently whether the crossing would be built or not she believed there was a need to future proof a connection in due course even though there may not be a clear route at present.

The LAF agreed that BCC should try to retain the Section 106 monies and use the funding to build the crossing.

**ACTION: Jonathan agreed to draft a letter for the Chairman.**

## **5. THE EAST-WEST RAIL PROJECT**

Charles Hurst, Network Rail was welcomed to the meeting.

Charles gave a presentation on the 'East-West Rail Project'. The key points were as follows:

- The project aims to upgrade the rail network between Bicester and Bedford
- There are 103 crossings to be considered across the whole of the route, 60 of which are in Buckinghamshire.
- The strategy for obtaining legal powers is being developed
- The East-West rail works in Claydon/Little Kimble areas are included in the HS2 Hybrid Bill
- Consent applications are to be drafted
- The Consortium can assist with the developing of the strategy and developing powers
- It is hoped that powers can be authorised within 20 months of submission
- It is not planned that the route will be electrified from Bletchley to Bedford due to issues such as:
  - Signalling capacity
  - Level crossings
  - Stations
  - Single Line Sections
  - Bedford Station
- Safety is always a concern and Network Rail has started a campaign with schools. The aim is to make parents and children aware of the dangers of fast crossings and what is involved when they consider crossing the line.
- Network Rail is adamant that the only safe crossings are those which are not at grade
- Vegetation clearance is taking place from Bletchley and Network Rail is trying to make people aware that they are trespassing on the line which

is difficult when they have been using the line for a number of years.

Charles then showed Members diagrams of some footpaths affected by the project and talked through possible solutions. The footpaths discussed included: Swanbourne, Winslow Footpath 17, Verney Junction and Steeple Claydon Road Crossing.

Charles advised that Network Rail had to apply for powers for East-West Rail before HS2 as if it was a stand alone scheme as this was needed before the HS2 Hybrid Bill would be passed.

Charles was congratulated on keeping the LAF informed and it was commented that it felt like genuine consultation.

Glyn asked Charles if the timeframe for the commencement of work was going to slip. Charles said that the timeframe has already slipped and said that the Transport Works Act provides Network Rail with powers such as: Closures, land take stations and road schemes. He said that landowners have the right at that point to have their views taken into account, although the approach of Network Rail has been to undertake negotiations before then. The Transport Works Act is a fallback position should negotiations reach an impasse.

The Chairman asked Charles whether the intention was to have no crossings at grade. Charles advised that Bedford to Bletchley would be within Control Period 6 (CP6) and that Network Rail was of the opinion that no crossings should be at grade where there is electrification. Charles said the CP6 related to the amount of funding provided.

Jonathan Clark provided Members with the plans for a pilot diversion and asked Members to feed back to him any comments.

## **6. THE DEFINITIVE MAP**

Helen Francis and Claire Hudson gave a presentation on the work of the Definitive Map Team and highlighted the following key points:

Helen Francis and Claire Hudson are Senior Definitive Map Officers and deal with the following

- Definitive Map Modification Order Applications
- Complex Public Path Orders
- Town or Village Green Applications
- Complex enquiries

Hazel Rackman is a Definitive Map Officer and deals with the following:

- Public Path Orders
- Temporary Traffic Regulation Orders
- Public / Colleague Enquiries
- Commons and ROW Searches

Claire advised that the team have a statutory duty to maintain and keep up to date the legal record of all Public Rights Of Way in the County. She said that applications for Definitive Map Modification Orders can be made by anyone, applying for the map to be changed i.e. if a route has been used for 20 years or more but is not recorded on the map. The applications are investigated and determined – not establishing 'new' rights, but instead recording those that are alleged to exist.

Claire advised that they were also responsible for Public Path Orders. Helen talked

Members through a case study of a claimed footpath. Richard asked why health and safety was not a consideration when looking at the application. Helen advised that Officers would only look at whether rights existed or not. She said that health and safety is considered once it has been established whether rights existed.

Helen gave an introduction to Common Land and Town & Village Greens and explained the process for claiming a Town or Village Green.

Alan asked how often the Council used Section 26 of the 1980 Act. Claire said that there is a high threshold for proving a need and compensation is to be paid. She said that in most cases the officers would look to come to an agreement with the landowner.

## **7. RIGHTS OF WAY GROUP REPORT**

Members had received the Rights of Way Group Report.

Helen Francis took Members through the Definitive Map Update and the following updates were noted:

- The Secretary of State has decided that the modifications are to be determined by written representation in relation to points 1 and 2.
- Pitchcott – Application to divert Footpath No 4 (part) Public Hearing was heard last week and the Inspectors decision is awaited.
- Iver – land at The Fields and The Clump application has been denied on grounds of estoppel.

John Coombe asked why Footpath No 27 was being extinguished. Claire Hudson explained that it is being transferred from Rights of Way to Highways. Due to the development of the area there is a footpath alongside which is being adopted.

Jonathan Clark took Members through the Strategic Access Update and the following comments were made:

- Jonathan referred to point 51 in the report regarding the HS2 Petitioning process and asked that if any groups wanted to align their Footpaths/Bridleways comments with those of Bucks County Council to let him know.

Joanne Taylor then took Members through the Rights of Way Operations Update and the following updates were provided:

- The outstanding issues were up slightly from last year from 1150 to 1300

Neil Harris commented that it was interesting that the Ploughing/cropping figures had increased. Joanne advised that this year letters had also been sent out to landowners.

John Elfes enquired if the number of outstanding issues would continue to increase. Joanne advised that due to resources the figures were likely to increase if the matrix which was currently in place remained the same. She said that this was an item on the agenda for discussion. Glyn Thomas raised concern that the LAF had previously highlighted concern over the increase in outstanding issues and that BCC had also since reduced the Rights of Way budget.

Alan Lambourne also highlighted that the number of volunteering hours had doubled

since last year. He said that if volunteers did not commit so many hours the number of outstanding issues would be much higher. Joanne said that she suspected that there were some unrecorded volunteer hours from last year's data and said she believed they were only up slightly from last year.

Joanne advised that Parish Councils had been contacted regarding clearance works and said that smaller Parishes could consider creating a cluster with neighbouring Parish Councils. Richard Pushman advised that he was a member of the Bucks Association of Local Councils (BALC) and said that he could draw attention to this offer.

## 8. PRIORITY MATRIX

Members had received the Rights of Way Improvement Plan – Problem Management Matrix report.

Joanne took Members through the report and the following comments were made:

- Alan said that changing the matrix did not appear to change anything on the ground and that the proposed changes would only serve the purpose of making the figures look better.
- Glyn asked for clarification in how the Council reached the figure of £120k in relation to the budget reduction. He said that surely the Council would have decided what priorities they could and couldn't do when arriving at the £120k figure. The Chairman said that he would ask for clarification in how the £120k figure was determined. **ACTION: JE**
- The Chairman said that to change the matrix would not make any difference to the works and would serve no purpose except to hide the effect of the budget cuts.

Members agreed that the Problem Management Matrix targets should remain as they are so that it is possible to benchmark performance in the future.

## 9. LAF MEMBERS REPORT

Members had received the LAF Members report.

The Chairman advised that he had met with the Cabinet Member for Planning and Environment and said that in hindsight perhaps they hadn't pressed hard enough to ascertain who in BCC was responsible for managing and ensuring the contract was delivered. He suggested that perhaps the meeting should be an annual event.

Jonathan advised that he had been in touch with the Highways Department regarding the parcel of common land called Pinner Green, who indicated that the fence may impact on the Highway and that if it is it would be impeding Highway law. The Highways department will look at the barbed wire fencing and make a decision whether it is on the highway or not. Jonathan then asked Members want action if any they wanted to take in relation to the common land. Members agreed that they wanted the barbed wire and fence posts to be removed.

Jonathan asked Members to amend paragraph 8 to read 'A new bridleway' not 'A new cycle route', with regard to a proposed new route creation along the disused railway line between Bourne End to Wooburn. The Chairman suggested that members might like to visit the site. Chris Hurworth said that the LAF should support the route. He highlighted that there was also a proposed housing development being built in the same area.

Glyn Thomas asked if horses could get on and off the route both ends and Jonathan said he would look into this.

Richard Pushman asked about the conflict of pedestrians and cyclists. He said that the proposal was for the route to be a fairly straight run and tarmacked. He asked if it would be possible for the path to be made wider or for bumps to be included as he was worried that pedestrians may get knocked over. The Chairman asked if the path needed to be tarmacked or whether it could be gravel as this would slow down cyclists.

The LAF agreed to support the route taking into account the concerns about horses getting on and off the route safely and the conflict between cyclists and pedestrians.

#### **10. ANY OTHER BUSINESS**

Chris Hurworth advised that there was a proposal for a Solar Farm outside the Thame/Kingsey area. He said that there are a number of dead end footpaths and asked if the LAF wanted to suggest to the landowner that if planning permission is granted the footpaths be extended. Glyn asked if Section 106 monies could be used for footpaths. Jonathan said he would look into this.

#### **11. DATE OF NEXT AND FUTURE MEETINGS**

Mezzanine Room 2, County Hall, Aylesbury, 10am Wednesday 2<sup>nd</sup> July 2014

**Chairman**