



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

Date: 2 July 2014
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 apprise 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 was made and advertised. Objections to the Order were received and the matter was referred back to the Secretary of State for determination. The County Council did not support the confirmation of the Orders. Public Inquiry held; Orders subsequently confirmed with modifications which were advertised between 15 January and 12 February 2014. **Written representations were requested in relation to the objections to the modifications. We await further instruction from the 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 was made and advertised. Objections to the Order were received and the matter referred back to the Secretary of State for determination. The County Council did not support the confirmation of the Orders. Public Inquiry held; Orders subsequently confirmed with modifications (including bridleway 45 Wendover being excluded) which were advertised between 15 January and 12 February 2014. **Written representations were requested in relation to the objections to the modifications. We await further instruction from the 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 subsequently made on 18 June 2012; objections received and Order referred to Secretary of State but it was deemed to be flawed. A new Order was made and advertised. **Objections to the Order have been received and the matter has been referred to the Secretary of State for determination. A public inquiry will be held on 27 August 2014.**
4. **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 the matter has been referred to the Secretary of State for determination. **A public inquiry will be held on 1 October 2014.**
5. **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 12 February 2014. An Order is in the process of being made and advertised.**
6. **Radnage** – drafting error of Public Bridleway No. 3. Committee are requested to decide whether on the balance of probabilities, whether there is sufficient evidence to suggest that bridleway 3 is shown incorrectly on the Definitive Map and should be modified so that it continues along an enclosed track to the County Boundary with Oxfordshire. **This application was accepted by the Committee at its meeting on 12 February 2014. An Order has been made and was advertised until 13 June. No objections have been received therefore the Order will be confirmed.**

B. DEFINITIVE MAP APPLICATIONS TO BE INVESTIGATED AND REPORTED TO COMMITTEE

7. **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. Discussions were 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 to enable us to undertake investigations on their behalf. **An Agency Agreement could not be agreed. Buckinghamshire officers are therefore only investigating the section within Buckinghamshire's boundary. Committee to make a decision on this case during its meeting of 9 July 2014.**
8. **Westbury (Route 2)** – application to record the route from Footpath No 14, Westbury (at the Oxfordshire county boundary) to the route referred to in (9) below as Public Footpath. This route is entirely in Oxfordshire. Discussions were 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 to enable us to undertake investigations on their behalf. **An Agency Agreement could not be agreed. This application will be investigated by Oxfordshire County Council.**
9. **Westbury (Route 3)** – application to record the route from the junctions of Footpath No 303, Mixbury, Oxfordshire to Fulwell Road, Westbury as Public Bridleway. Discussions were 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 to enable us to undertake investigations on their behalf. **An Agency Agreement could not be agreed. Buckinghamshire officers are therefore only investigating the section within Buckinghamshire's boundary. Committee to make a decision on this case during its meeting of 9 July 2014.**

10. **Iver** – application to record various routes across The Fields and The Clump, Iver as Public Footpaths. **Committee to make a decision on this case during its meeting of 9 July 2014.**
11. **Chepping Wycombe** – application to record the route from Elmshott Close to King's Wood as Public Footpath. **Investigation not started.**
12. **Bledlow** – application to record the route from Footpath No 49 to Bridleway No 55 as public footpath. **Investigation not started.**
13. **Edgcott** – application to record Lawn House Lane as a Public Footpath to Public Footpath 11 Edgcott. **Investigation not started.**
14. **Iver** – application to record route from Grange Way to Colne Orchard as a Public Footpath. **Investigation not started.**
15. **Hedgerley** – application to upgrade Public Footpath No. 14 to public bridleway status based on historical evidence. **Investigation not started.**
16. **Bledlow** – application to investigate the alignment of Public Footpath 52. **Investigation not started.**

C. PUBLIC PATH ORDERS

17. **Ashley Green** – Application to divert Footpath No 2B Ashley Green. **Informal consultation currently being carried out.**
18. **Aylesbury** – Application to extinguish Footpath No 7(part) and Footpath 8 (part). Objections have been received to the Order. Referred to the Secretary of State for determination. **To be determined by written representations, currently awaiting further direction from the Secretary of State.**
19. **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.
20. **Dinton with Ford and Upton** – Application to divert Footpath 15. **Awaiting made Order from Legal Services.**
21. **Ellesborough** - Application to divert footpaths Nos.3 and 9 Ellesborough. **Order made and confirmed. CASE CLOSED.**
22. **Gawcott with Lenborough** – Diversion of Footpath No. 12. **Made Order is currently being advertised.**
23. **Great Marlow** – Application to divert Footpath No. 21 and Bridleway No. 52. **Informal consultation currently being carried out.**
24. **High Wycombe** – Application to extinguish Footpath No. 27. Wycombe District Council planning matter. Order made and confirmed by WDC. Awaiting developer works.
25. **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.
26. **Medmenham** – Application to divert Footpath No. 15. **Informal consultation carried out, landowner to advise whether they would like to proceed.**

27. **Oving** – Application to divert Footpath No.1 Oving. Informal consultation completed. No objections. Order to be made. **Order confirmed. CASE CLOSED.**
28. **Pitchcott** – Application to divert Footpath No 4 (part). Order made and objections received. **Secretary of State confirmed Order following a Public Hearing. Awaiting completion of works before Order can be certified.**
29. **Quainton** – Application to divert Bridleway No 21. **Awaiting completion of works before Order can be confirmed.**
30. **Steeple Claydon** – Application to divert Footpath No 6. **Order Made. ON HOLD until further notice.**
31. **Stokenchurch** – Application to divert Footpath No. 28. **Investigations not started.**
32. **Swanbourne** – Application to divert Footpath No. 12. **Awaiting approval of route from Area Rights of Way Officer.**
33. **Waddesdon** – Application to divert Public Footpath No 13(part) Waddesdon. Order made and in formal objection period. No objections received. **Order confirmed. CASE CLOSED.**
34. **Whitchurch** – Application to extinguish Footpath No 4 (part). **Order made and confirmed. CASE CLOSED.**
35. **Winslow** – Application to extinguish Footpath No 5. Order made and no objections received. **Awaiting landowner works ahead of confirmation.**

D. PUBLIC PATH CREATION AGREEMENTS

36. **Edgcott** – Bridleway Creation (BCC Land). **Creation Agreement completed – awaiting works on the ground.**
37. **Edgcott** – Bridleway Creation (ERC Land). **Awaiting go ahead from ERC to proceed.**
38. **Westcott** - Footpath Creation. **Landowner has decided not to dedicate. CASE CLOSED.**
39. **Gerrards Cross** – Footpath Creation. **Creation Agreement signed. CASE CLOSED.**

E. VILLAGE GREEN APPLICATIONS

40. **Iver** – land at The Fields and The Clump. **The application was refused on the basis of estoppel. CASE CLOSED.**
41. **Hughenden** – land at The Field, Bryants Bottom. Application advertised and objections received. **A Public Inquiry has been organised for 4 – 6 August 2014.**
42. **Beaconsfield** – voluntary registration of the land at Hampden Hill. **Awaiting ownership confirmation from Town Council.**
43. **High Wycombe** – land at Meadow Close, Wycombe Marsh. **The application is currently being investigated.**
44. **Wooburn** – land off Cherwell Road, Bourne End. **Waiting investigation.**

For further information please contact: Helen Francis on 01296 387123.

B. STRATEGIC ACCESS UPDATE (JONATHAN CLARK)

45. The planning process is one lever through which the integrity of rights of way and access networks can be protected and maintained, but also enhanced and upgraded through private developer funding. Opportunities in this area can only increase against the background of an economic recovery and increasing development pressure in the county, so successfully shaping planning policy and influencing individual applications is becoming important. A total of 174 planning applications affecting rights of way were commented upon in the financial year to 1st April 2014.
46. We are now in the preliminary stages of parliamentary petitioning and a total of 1,925 representations are available to view online. The Select Committee opens in July 2014 to hear open statements from HS2 and will start to hear from petitioners in Birmingham, working in a southerly direction towards London.
<http://www.publications.parliament.uk/pa/cmhs2/petitions/petcontents.htm>
47. Petitions include papers from the Ramblers (No. 5), Chilterns Conservation Board (No. 415) and Buckinghamshire county council (No. 520). Rights of way are mentioned in only one general paragraph of the county response, but more details have been tabulated and sent to HS2 prior to a further meeting on 3rd June 2014 aiming to resolve outstanding issues. For example, much of the strategic network needs further links beyond bridge crossings, and we have included several general principles, including on highlighted by the LAF, to construct footways alongside roads forming rights of way diversion routes. A number of points re-iterate crossings already agreed in order that other petitions do not trump an agreed crossing and result in their subsequent removal.
48. The East West Rail Project aims to re-establish rail passenger services between Oxford, Bletchley and Bicester, then south to Aylesbury, introducing a new station at Winslow. Services are planned to start in March 2019. It means that sustainable transport access will be available from Milton Keynes, Bicester and Oxford for visitors to access stations between Aylesbury and Denham and will open up more possibilities of walking between stations. For example, on the Ridgeway between Tring and Princes Risborough, returning north home by train.
49. Three further meetings with Network Rail have taken place since March 2014 to discuss their ambition of transferring the 26 'at grade' crossings to nearby existing bridges or underpass crossings (or new structures) in order to improve safety. A community consultation will commence this year and a preliminary meeting has taken place between Network Rail and the Ramblers. There is a stakeholders meeting to which the LAF chairman is invited on 2nd July 2014 and subsequent meetings will take place on 16th July 2014, 20th Aug 2014 15th Oct 2014, 12th Nov 2014 and 17th Dec 2014 at Network Rail's office in Milton Keynes.
50. We have also been approached to look at 16 crossings on the Princes Risborough to Aylesbury branch line, which borders the Chiltern's AONB boundary. This is also part of the East West Rail project with the aim of increasing passenger services and using the route for freight (of around 18 trains per day) during HS2's construction.
51. There have been 9 new Donate-a-Gate since March 2014. The scheme, is in its 8th year, has reached the 300th donor and shortly the 400th gate will be installed. This equates to private funding of £100, 000 into the Chiltern's walking network and has contributed greatly to improving access for the less mobile and supporting the stile-free walks initiative. The only barrier to the project would appear to be the lack of stiles to replace in some areas, such as Amersham and the Chess Valley, an indication in itself of the scheme's success.

52. One source of local funding for rights of way projects can be obtained through respective Local Area Forums (LAFs) across the county. These bodies aim to strengthen local democratic accountability by empowering elected councillors to take decisions, and shape service delivery and council priorities in local community areas. Each LAF has a set of priorities, outlined within Local Area Plans, some of which include improving rights of way and promoting cycling and walking. The Haddenham Walking Group used their successful £10K bid to replace 28 stiles on the Wychert Way (and Outer Aylesbury Ring with additional funding from the Ramblers), and this will be launched with a celebratory walk on the evening of 27th June 2014 from Haddenham (Church End) village green at 5.45pm. Further information, and to download your Local Area Plan, is on the county website: <http://www.bucksc.gov.uk/community/local-areas/>

C. RIGHTS OF WAY OPERATIONS UPDATE (JOANNE TAYLOR)

53. A '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 2014.

54. The team currently has 1.4 FTE vacancies for Assistant Rights of Way Officers. Unfortunately, recruitment for these posts has been delayed by a number of factors, including a re-organisation of the group and the transfer of staff into Ringway Jacobs. I also have to report that Phil Turner (Area Rights of Way Officer) will be leaving the Rights of Way Operations Team at the beginning of July 2014 to join the Definitive Map Team. Phil's vacant post is currently being circulated for recruitment within the Ringway Jacobs Group, and if there are no applications internally then both the Assistant and the Area Posts will be advertised externally. I hope that by the time of the next meeting the team will be settled with all posts filled.

55. At the last meeting of the Forum in March 2014, it was reported that the interim results for the May 2013 BVPI survey were available and we were waiting to input the results of the November 2013 data. This has now been completed and the results are below, indicating the overall paths 'easy to use' is better than expected from the assessment of the earlier May results.

56. BVPI 2013 – Survey Results 5% figure May/November 2013

80% Paths Easy to use	Expected Target 2013	76 – 84%
96% Signs on Roadside	Expected Target 2013	94 – 98%
92% Structures Easy to use	Expected Target 2013	90 – 95%

57. The Rights of Way Operations Business Plan for this financial year (2014-2015) has Key Performance Indicators outlined below (yet to be agreed by the client).

Title	Lower	Expected
Footpaths etc. easy to use by members of public	65%	70%
Structures on rights of way easy to use according to BVPI 178 criteria	80%	88%
Number of structures removed/altered to improve mobility/accessibility	50	70
Public RoW signposted in accordance with CA 1968 s27	80%	88%
% of enforcement issues resolved within matrix targets	40%	50%
Volunteering Hours for Place reporting	0	1800

- 58 Parish Paths Clearance Fund Update. Members of the Forum will 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.
- 59 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 commits 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 of it.
- 60 All parishes with scheduled annual clearance were notified of the scheme in February and March 2014, and most participating parishes have now signed agreements. I can confirm 22 parishes will have signed up to the scheme.
- 61 A number of surface repair works have been identified, hopefully to be done this financial year using capital funding, and I will have some feedback on specifics and any completed projects for the next meeting.