



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

Date: 5th November 2014

Title: LAF Members' Report

Author: Jonathan Clark, Strategic Access

Contact Officer: Sharon Griffin (01296 383691)

Membership

- 1 Peter Challis' membership has been discontinued and cycling interests are now represented by Sara Randle. Sara is Senior Development Officer for the Cycle Chilterns Project, employed by CTC, the national cycling charity, and is based at the Chilterns Conservation Board office in Chinnor.

Open Access

- 2 A parcel of common land called Pinner Green (HP5 1UL) has been fenced off along the west side of Blackwell Hall Lane, Latimer. Appendix 1 outlines the extent of the common land in pink and fencing in bold red. Pinner Green was part of the Ley Hill Common exemption order. The land was exempt from registration under the Commons Registration Act 1965 because it was regulated by schemes under the Commons Act 1899. Section 38 of the 2006 Act as well as applying to all land registered as common under the 1965 Commons Registration Act also covered land subject to a scheme of management under the Metropolitan Commons Act 1866 or the Commons Act 1899.
- 3 There has been a legal requirement to obtain Secretary of State consent to carry out fencing or other works that prevent or impede access on common land since 1925 (Law of Property Act section 194). This requirement was a response to pressure from the Commons Preservation Society (now the Open Spaces Society) to prevent the continuing loss of common land through inclosure and extinguishment of common rights. This was strengthened by section 38 Commons Act 2006. In 1966 the land was owned by Amersham Rural District Council which is now Chiltern District Council.
- 4 We contacted Chiltern district council on 13th June 2014 to seek removal of the fencing on their land, erected by a neighbouring local landowner. After some chasing we received a response on 10th October 2014, stating Chiltern district council do not intend to take any action. The neighbour has responded stating the fence was erected to prevent fly tipping and Chiltern district council have historic records indicating this taking place in this area (though they didn't state it

was on this specific piece of land). Their stated legal opinion is that because pedestrian access is available from the other side of the common, the fencing doesn't actually stop people taking access to the land for open access and is therefore not unlawful.

- 5 While the county council has not sought legal advice on the matter to date, the fencing appears to remain unlawful because it prevents access from the road and should have been legitimised by consent under section 38 of the Commons Act 2006.
- 6 It has been suggested that Chiltern district council or the neighbour are made to remove the fence and install 200 metres of obstacles (bollards or large stone) to prevent vehicular access, as works exempt from requiring permission from the Secretary of State as stated under the Commons Act 2006 section 43 and PINS Common Land Guidance sheet 1c. Alternatively, the fencing should receive Secretary of State permission.
- 7 The Local Access Forum's advice is sought.

Ridgeway & Thames Path National Trails

- 8 Natural England have agreed to provide a grant of 75% towards the management and promotional costs for national trails, with a condition that management arrangements are reviewed and a new membership is created with a broader range of partners. Each trail is to be managed by a Trail Partnership forming a group of partners that take responsibility for achieving a revised set of quality standards.
- 9 Following a consultation process earlier in the year, managed through the Chilterns Conservation Board, consultants recommended management of the Thames Path and Ridgeway be split into two. The inaugural meeting of the Ridgeway Shadow Partnership took place on 3rd November 2014 at Streatley, Oxfordshire. A similar process is being followed for the Thames Path, where a final Delivery Framework needs to be agreed by the existing National Trails management Group in early January 2015.

Disabled Access

Gavin has been active promoting and reviewing disabled access since the last meeting, including:

- work on the Wingrave to Rowsham route and a possible Local Area Forum funding application;
- disabled rambles – Ashridge / Ivinghoe Beacon & Wendover / Chequers; and
- route testing at Penn Wood, near Amersham.

Joint LAF Chairs meeting

A useful meeting was held on 24th September 2014 with Slough and Royal Borough of Windsor and Maidenhead LAF chairman, attended by Gavin Caspersz in John Elfes' absence. Much joint working was identified including site visits, cross-boundary issues (Slough Arm of the Grand Union Canal and the Jubilee River walking and cycling network) and LAF working groups to develop cross boundary links. A further meeting is planned for the new year: TBC.

Conferences

- 10 The Annual Chiltern's Forum will be held this year on Friday 7th November 2014, 9.30am at Kings Church, Raans Rd, Amersham, HP6 6LX. This annual event provides an opportunity to hear the latest about the work of the Chiltern's Conservation Board and discuss current issues, such as new housing, HS2, river conservation, tourism and cycling. There is an optional afternoon walk is planned to hear about the River Chess conservation.
- 11 A member of the Local Access Forum is invited to the first Bucks and Milton Keynes Natural Environment Partnership conference, a joint event to be held with the Bucks Rural Affairs Group (BRAG) at Quainton Memorial Hall on 14th November 2014 (lunch provided). The Local Access Forum and Natural Environment Partnership share objectives in promoting greater access to enjoy the natural environment, so it would be good to open up channels of communication. The invitation is summarised in Appendix 2.
- 12 A South East LAF chair's meeting is likely to be held in late January 2015. Date and venue in London to be confirmed.
- 13 The National LAF conference is likely to be held again this year, hosted by Natural England in Late February 2015. Date and venue to be confirmed.
- 14 The South East Local Access Forum Conference will be held next year on Tuesday 19th May 2014 at the Friends Meeting House, 173 Euston Road, London, NW1 2BJ. Speakers to be arranged.

Correspondence

- 15 The chairman wrote to Ruth Vigor-Hedderly on 2nd July 2015 regarding section 106 money the county council holds for a crossing of the A413 between Watermead and Buckingham Park (see Appendix 3). We are awaiting a reply.
- 16 The chairman wrote to Ruth Vigor-Hedderly on 29th July 2015 regarding concerns over the Ringway Jacobs contract (see Appendix 4). We are awaiting a reply.
- 17 The Buckinghamshire LAF Annual Report for 2013/14 was submitted to Natural England on 30th June 2014 and a copy is enclosed in Appendix 5.

LAF dates for 2014

- 1 The dates of the meetings in 2015 are;
Wednesday 18th March
Wednesday 1st July
Wednesday 4th Nov