



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

Date: 18th March 2015

Title: Rights of Way Team update

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A. DEFINITIVE MAP UPDATE (CLAIRE HUDSON)

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.

A. MATTERS PREVIOUSLY DETERMINED BY COMMITTEE

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. The Order has subsequently been confirmed with modification - CASE CLOSED.**
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. The Order has subsequently been confirmed with modification - CASE CLOSED.**

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 was held on 27 August 2014; the Order was subsequently confirmed with modifications which didn't need further advertisement - CASE CLOSED.**
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 was held on 1 October 2014; the Order has been confirmed - CASE CLOSED.**
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 has been made and advertised. Objections have been received therefore the matter will now be referred to the Secretary of State for determination.**
6. **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. **This application was accepted by the Committee at its meeting on 9 July 2014; an Order was made; no objections received; Order to be confirmed - CASE CLOSED.**
7. **Westbury (Route 2)** – 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. **This application was accepted by the Committee at its meeting on 9 July 2014. An Order was made; objections received; matter to be referred to the Secretary of State for determination.**
8. **Chepping Wycombe** – application to record the route from Elmshott Close to King's Wood as Public Footpath. **This application was accepted by the Committee at its meeting on 15 October 2014. An Order has been made and advertised.**
9. **Wooburn** – proposal to create a Public Bridleway by Order along the former railway. **This proposal was accepted by the Committee at its meeting on 15 October 2014. An Order has been made and advertised.**

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

10. **Iver** – application to record various routes across The Fields and The Clump, Iver as Public Footpaths. **Investigation continuing following landowner request for additional time.**

11. **Bledlow** – application to record the route from Footpath No 49 to Bridleway No 55 as public footpath. **Investigation started.**
12. **Edgcott** – application to record Lawn House Lane as a Public Footpath to Public Footpath 11 Edgcott. **Investigation not started.**
13. **Iver** – application to record route from Grange Way to Colne Orchard as a Public Footpath. **Investigation not started.**
14. **Hedgerley** – application to upgrade Public Footpath No. 14 to public bridleway status based on historical evidence. **Investigation not started.**
15. **Bledlow** – application to investigate the alignment of Public Footpath 52. **Investigation not started.**
16. **Great Missenden** – application to record route across Widmer Field. **Investigation not started.**
17. **Quanton** – application to upgrade public footpath 4 to bridleway status. **Investigation not started.**

C. PUBLIC PATH ORDERS

18. **Chenies** – Application to divert Footpath No 59 part. **Valid objections received to informal consultation. No further action. CASE CLOSED.**
19. **Coleshill** – Application to divert Footpath No 11(F) part. Order made and no objection received. **Matter with Legal Services to confirm Order.**
20. **Dinton with Ford and Upton** – Application to divert Footpath 15. **Order Confirmed. CASE CLOSED.**
21. **Great and Little Kimble** – Application to divert Footpath 29. **Matter to be determined at Committee meeting 4 March 2015.**
22. **Great Marlow** – Application to divert Footpath No. 21 and Bridleway No. 52. **Order withdrawn. CASE CLOSED.**
23. **Great Marlow** - Application to divert FP2 Great Marlow. **Order made and advertised.**
24. **High Wycombe** – Application to extinguish Footpath No. 27. Wycombe District Council planning matter. Order made and confirmed by WDC. **Awaiting developer works.**
25. **Iver** - Application to Extinguish part of Footpath No.7 Iver. **Valid objections received. No further action. CASE CLOSED.**
26. **Maids Moreton** – Application to divert Footpath No. 3. Order made and objection received. **Order is on hold subject to landowner progressing the matter.**
27. **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.**

28. **Medmenham** – Application to divert Footpath No. 15. **Order confirmed. CASE CLOSED.**
29. **Oakley** – Application to divert Footpath No. 9. **Awaiting landowner works before Confirming Order.**
30. **Oakley** – Application to divert Footpath No. 30. **Matter with Legal Services to make Order.**
31. **Quinton** – Application to divert Bridleway No 21. **Awaiting completion of works before Order can be confirmed.**
32. **Steeple Claydon** – Application to divert Footpath No 6. **Order Made. ON HOLD until further notice.**
33. **Stokenchurch** – Application to divert Footpath No. 28. **Matter with Legal Services to make Order.**
34. **Swanbourne** – Application to divert Footpath No. 12/14. **Awaiting landowner works before Order can be confirmed.**
35. **Tingewick** – Application to divert Footpath No 25. **Valid objections received to informal consultation. No further action. CASE CLOSED.**
36. **Winslow** – Application to extinguish Footpath No 5. Order made and no objections received. **Awaiting landowner works ahead of confirmation.**

D. PUBLIC PATH CREATION AGREEMENTS

37. **Edgcott** – Bridleway Creation (BCC Land). **Creation Agreement completed – awaiting works on the ground.**
38. **Edgcott** – Bridleway Creation (ERC Land). **Awaiting go ahead from ERC to proceed.**
39. **Westcott** - Footpath Creation. **Head of Legal and Democratic Services instructed to complete.**
40. **Chepping Wycombe** – Footpath Creation. **Head of Legal and Democratic Services instructed to complete.**

E. VILLAGE GREEN APPLICATIONS

41. **Hughenden** – land at The Field, Bryants Bottom. Application advertised and objections received. **A Public Inquiry held 4 – 6 August 2014. Matter to be determined at Committee meeting 4 March 2015.**
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: Claire Hudson 01296 383425

B. STRATEGIC ACCESS UPDATE (JONATHAN CLARK)

45. The HS2 parliamentary petitioning process has commenced and the Select Committee is currently hearing evidence. The Select Committee hearings for the Colne Valley started week commencing 9th March 2015. Private petitioners in Buckinghamshire will be heard first. When the committee reforms after the general election the county council will appear first on the Colne Valley, then the AVDC area (around late June 2015) and then the Chilterns (Sept/Oct 2015).
46. Details of the remaining rights of way issues in the county have been discussed with HS2 in a productive meeting on 2nd February 2015 to try and agree a way forward. In general, HS2 are amenable to addressing concerns providing the mitigation or improvement lines occur within the 'limits of deviation'. Outside this area they could be subject to counter petitioning and therefore further delay.
47. 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 new rail services to the county will be available from Milton Keynes, Bicester and Oxford for visitors to stations in Aylesbury, Princes Risborough and Winslow. The final major stakeholder meetings with Network Rail have been completed and the public consultation has commenced.
48. The 16 crossings on the Princes Risborough to Aylesbury branch line, which borders the Chiltern's AONB boundary. There are further public stakeholder meetings taking place for this line shortly and an assessment is being made by Network Rail to increase the tracks to 2 lines, the decision for which will be made in Spring 2015.
49. The Chilterns Conservation Board undertook £2K of surface and step improvements on the footpath through the Chequers Estate on the Box Woodland promoted route around Aston Hill. Works were completed in February 2015 by Mark Nicholson Fencing.
50. The Haddenham and Thame Walking and Cycling Group have completed 25 stile replacements, with new gates, and some surface improvements with a £4k Grant, match-funded with £1.5K from the parish council. A £9K grant from the Wycombe Local Area Forum, with an additional supplement from rights of way, has paid for 8 work parties from the Wycombe Rangers to improve paths in High Wycombe and a 250m length of bridleway has been surfaced.
51. The number of large applications appearing in the Aylesbury Vale District remains high. In the financial year to March 2014, 174 applications required comments relating to rights of way and to date this financial year, with two weeks remaining, applications stand at 207.
52. The number of new donors to the scheme is up to 314 donors. A series of articles appeared in the Winter 2014/15 edition of Chiltern News celebrating the scheme's 8th year, 300th donor, 400th gate and £100, 000 of private investment into the Chiltern's walking network.

C. RIGHTS OF WAY OPERATIONS UPDATE (JOANNE TAYLOR)

53. Regrettably there are still two vacant posts in the Rights of Way Operations team, one for a part time Assistant Officer, but more problematic there is also a vacancy in the north of the county for the Area Rights of Way Officer. Recruitment has commenced and it is anticipated interviews for the two positions will take place week commencing 9th March 2015.

54. A mid-year review of capital funding projects by the county council resulted in the removal of £100,000 of emergency capital budget from rights of way operations. There remained a further £50,000 of capital, which has been allocated to urgent bridge structure works. Discussions are underway to attempt to reinstate the funding as part of the annual Business Planning process.
55. The Rights of Way Operations Business Plan for this financial year (2014-2015) has Key Performance Indicators outlined below; the current performance is indicated alongside.

Title	Lower	Expected	Interim Results Feb 15
Footpaths etc. easy to use by members of public	65%	70%	84%
Structures on rights of way easy to use according to BVPI 178 criteria	80%	88%	94%
Number of structures removed/altered to improve mobility/accessibility	50	70	163
Public RoW signposted in accordance with CA 1968 s27	80%	88%	96%
% of enforcement issues resolved within matrix targets	40%	50%	72%
Volunteering Hours for BCC reporting	0		1470

56. Members of the Forum will recall that a Parish Paths Clearance Fund has been made available by the county council to enable parish councils to benefit from being able to undertake and manage path clearance work over the summer. The money was in the form of a grant to parish councils wishing to employ their own contractors to undertake the work. Over 20 parishes have taken part in the scheme and this amounted to 80 kilometres of clearance in those parishes. Additionally, the operations team carried out summer clearance in a number of other parishes, which added up to a further 120 kilometres of clearance, bringing the total 2014 summer clearance to 200 kilometres. In previous years, summer clearance was undertaken on 330 kilometres of path, but, as the Forum will recall, the ROW operations budget received a significant cut from 2014 that necessitated a reduction in maintenance that could be carried out.

57. A project is underway to devolve further functions to those parishes wishing to take on additional tasks. It looks likely that over 53+ parishes could be taking part in summer clearance in 2015.