



Buckinghamshire County Council

Minutes

BUCKINGHAMSHIRE LOCAL ACCESS FORUM

MINUTES OF THE MEETING OF THE BUCKINGHAMSHIRE LOCAL ACCESS FORUM HELD ON WEDNESDAY 1 JULY 2015, IN MEZZANINE ROOM 1, COUNTY HALL, AYLESBURY, COMMENCING AT 10.00 AM AND CONCLUDING AT 12.20 PM.

MEMBERS PRESENT

Mr J Elfes, in the Chair

Mr N Harris, Mr C Hurworth, Mr Caspersz, Mr G Thomas, Ms N Glover, Mr R Pushman, Ms S Randle, Ms A Heath and Mr A Clark

OFFICERS PRESENT

Mr J Clark, Mrs C Hudson, Ms J Taylor, Ms H Rackham and Mr P Turner

OTHERS PRESENT

Mr C Hurst, Dr P Wadey, Mr R Hunter and Mr B Worrell

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from David Briggs and Alan Lambourne.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE MEETING HELD ON 18 MARCH 2015, TO BE CONFIRMED

The minutes of the meeting of the 18 March 2015 were agreed as a correct record.

4. MATTERS ARISING

Item 8 – Any Other Business

Clay Pigeon Shooting

Mr Hunter, CPSA Safety Officer and Captain of Cold Shoulder Gun Club provided members with clarification of the incident that took place on the 28 December 2014. A copy of the letter circulated to members is attached for information. Members noted the following key points:

'The Cold Shoulder Gun Club follows the guidelines in every aspect of the law when holding a shoot. This includes observing the 300 yard rule. When a horse/rider approaches the areas where a shoot in progress, the shoot is stopped until they have passed. This system works very well.'

Walkers and riders are not hindered from using the footpaths and bridleways at any time while shooting is in progress.

The law states 'clay target shooting sites must have permissions to shoot for a minimum safety zone of 275 metres (300 yards) in front of the shooting stands in the general direction in which shooting takes place.

Shooting is allowed over footpaths and bridleways so long as no clay pigeons or shots are dropped on them.

In terms of the incident in question on the 28 December 2014, when the two horses entered from the other shooting field, the shoot being held by the Cold Shoulder Gun Club had finished. The shoot being held by the neighbouring gun club was still taking place. Members of the Cold Shoulder Gun Club assisted the injured lady in every way they could.

At no time have there been any incidences or accidents caused by the Cold Shoulder Gun Club.

The Cold Shoulder Gun Club has signs on all of the posts on the entrance to the field. There are also special measures of red and yellow signs to indicate shooting is in progress.

Discussions have taken place with the Rights of Way Officer about the problem of horse-riders wandering off the track and trespassing. Contact details have also been requested for Highways and Bridleways officers, but not yet sent.

The Cold Shoulder Gun Club received a map asking for the location of guiding sticks to be plotted out. It is impossible to do this on a map which is almost blank'.

5. EAST WEST RAIL PROJECT

Charles Hurst, Network Rail's Delivery Manager, for East West Rail was welcomed to the meeting.

Members were shown a PowerPoint presentation, during which the following key points were highlighted.

There are two particular points of interest for members of the LAF; the consequence of the process and the environmental impact.

Phase 1 of the project from Oxford to Bicester is currently under construction. There is some learning to take away from some of the issues that have arisen. The project originally started as Chiltern Rail; Network Rail subsequently inherited the Transport and Works Order when it was signed and agreed.

Phase 1

The aim is for Phase 1 to be nearing completion and for passenger services to be running by 26 October 2016. Work will continue on the Oxford parkway for approximately a year after the completion date of Phase 1.

- Noise and vibration are two of the biggest issues to address. Condition 19 specifies what has to be achieved in terms of acceptable noise and vibration levels. There are still some local issues to address as the request has been received for further noise attenuation to take place.

- In terms of land take, there needs to be a realisation of what is required land-wise for the project to be constructed.
- Several sub agreements to the initial agreement. This includes amendments to the loss of compulsory rights which are now negotiated in an open market situation i.e. the landowner can ask the price they want for the land.
- The training of signallers has been delayed
- There will be a new station at Oxford Parkway. The platform lengths at Islip station will be renewed.
- The new lines which form part of the Oxford Core enable passengers to travel directly from Oxford to Marylebone instead of having to go to Reading.
- Bicester town centre – work is being carried out under the Transport and Works Act which means that the crossing doesn't need to be closed in phase 1. Discussions are taking place with Cherwell District Council and Oxfordshire Highways about the proposals for the road and ridge schemes. The barrier downtime of 35/45 minutes in the hour during Phase 2 is unacceptable.

Phase 2

- It is hoped that the required works can be carried out under Permitted Development.
- A Transport and Works Order will be in place for 18 months/2 years. This will go via the various channels of consultation and be submitted for approval from the Secretary of State.
- Some informal consultation about the scheme has taken place with local residents and stakeholders. An official consultation will take place in September 2015. Further consultation will take place in March 2016, during which any additional information will be evaluated.
- The impact of the construction traffic and sites during the programme has been recognised. All issues are being considered.

Project timeline

- If the work is to be completed over a period of two years, this is a very tight timescale in terms of subsequent works taking place and services being up and running by March 2017.
- There are regulations to conform around environmental impact.
- Baseline surveys will take place to scope the measures that need to be taken.
- The recommendations on the extent and scope of the report enable the formulation of the impact assessment and allow the design to be completed.
- The draft Environmental statement is consulted upon before the final statement is produced.

Progress on the scheme

- De-vegetation works and spraying have taken place to kill off any regrowth to reveal the structure of the track
- Ground investigations work includes taking ground samples for culverts and bridges to enable the structural integrity of the access to be seen.
- Ecology surveys will also take place which includes taking samples and counts of species are taking place until spring 2016
- One of the biggest issues is still the level crossing and ongoing closure of the road in Bicester.
- The work from Bicester to Bletchley is on track.
- 6 of the 8 crossings between Bletchley to Bedford need to be closed. 2 have half barriers which need to be upgraded. The cost to carry out this work is approximately £12m.

During discussions, the following questions were asked and comments made.

Does the Equality Impact Assessment include the effect on the Rights of Way?

Yes the EIA includes the effect on the Rights of Way.

In terms of the Bicester crossing being shut for 35 minutes in the hour, is there not an alternative route for traffic via the ring road? This is a question that Highways needs to address. One possibility might be to restrict access to the crossing to delivery hours both morning and evening.

It has been mentioned that some bridges which are electrified may be unsuitable. How many bridges will have to be replaced? This information will be known when the track design has been completed. It might not be viable to change the gradient of some of the bridges to an acceptable level for freight; these bridges would therefore have to be replaced. One of the options being considered is taking the top off bridges which have a sound structure and adding a deck. The option of disconnecting the arch and raising the bridge by 1 metre is being carried out by a French company.

Concern was expressed about the route of EWR which crosses two bridleways in Quinton. The HS2 route is also on the same crossing. When the application was made for a Transport Work Order, this had to be on the basis that EWR was a standalone project and HS2 did not exist. If HS2 didn't go ahead, the proposal would be to close the bridle-path and divert to a nearby bridge. If HS2 does prevail, it is in their powers to find a resolution to the bridle-path. Clearer information is needed about HS2.

The Chairman thanked Mr Hurst for the very informative update.

6. 2026 CUT-OFF DATE

Dr Phil Wadey was welcomed to the meeting.

Dr Wadey took Member through a Powerpoint presentation giving details about Systematic Research needed to meet the '2026 cut-off date' that would extinguish highway rights over any rights of way that existed prior to 1949, if those rights have not been recorded.

The following key points were made.

- There are 10 years and 6 months left until the cut-off date.
- There are certain exceptions to this under the CROW provision although the draft regulations have not been received.
- There are literally hundreds of unrecorded public rights of way in most counties.
- From June 2012 – June 2013, Sport England (via the British Equestrian Federation) funded a BHS project to look at how to speed up path recording. Hertfordshire and Somerset were the two pilot counties.
- The suggested method for Systematic Research is; A. Build a List of Routes; B. Build the Research Library; C. Make DMMO Applications, but these phases are best conducted in parallel.
- Potential routes can be located using a route-led approach such as looking at routes suspected as having higher rights; routes that look 'suspicious', routes remembered by older people in the area or missing current links shown on old maps, or
- Selecting an area of interest such as a County, District, Parish, dividing the area and working through each area one at a time, looking for potential routes (the 1st

- edition 25" OS County Series grid works well) or
- Systematic methodology. Documents to check include;
 - old maps sold to the travelling public
 - Cassini reprints
 - Inland Revenue Valuation Maps
 - Ordnance Survey
 - Boundary records, object name books, 1st edition County series
 - Tithe Maps, Inclosure Awards
 - Railway, Canal, Major Road Records

During discussions, the following questions were asked and comments made.

On average, how many man hours would it take to carry out this work? In terms of the timescale for the work carried out in Hertfordshire, 25 days were spent in the National Archive office as well as several evenings typing up applications. During this time half of the county was covered and 50 applications were submitted, although the evidence was collected for another 100 routes for which application was made later on. A template can be used to record the areas covered and information found and therefore the documents would only have to be written about once.

Was there anything useful ascertained or areas of good practice identified from the work carried out during the Hampshire project? The reports from the Hampshire pilot are published on <http://pathh.hwtma.org.uk/>. There was good cross sector involvement in the pilot. Priority setting took place in terms of submitting applications for paths that were the most useful.

There are some routes in Buckinghamshire which are across borders into neighbouring counties. It is important to pass on details of such routes to volunteers and LAFs in the neighbouring areas, to make sure they do the work needed there too.

How are the different categorisations of roads and bridleways etc. in different counties taken into account when research is carried out? This varies from county to county. The important thing is to collect the evidence for a route and see what status the evidence, as a whole, points to.

If a path is officially extinguished, can it be re-established? Official extinguishment means that only evidence post-dating the stopping is relevant. It is possible that although a route was stopped, use continued. In this case, later evidence may have caused the route to be re-established.

How confident are you that parish councils are fully aware of the cut-off date? Parish councils need to be reminded of the cut-off date. They have a lot of information that could be valuable.

Carrying out the research is not a 5 minute job – it can take years of research to look at a particular route. Getting into the Archives is the most time consuming part of the research. The main point to make is whatever method of research is used should be done in a systematic way.

Archives are set out in a way which favours the parish by parish method of research.

What approach is the Hertfordshire Local Area Forum taking? The move is towards a multi user working party in conjunction with Rights of Way and the County Council. Concern has been expressed about the amount of County Council officer time this will require in terms of co-ordinating volunteer work.

How much input has the Hertfordshire Local Access Forum had with Hertfordshire County Council officers? Herts County Council has been contacted to clarify county boundaries and responsibilities. Apart from this, officers have only to process applications received. The ROW team have also been helpful in terms of allowing access to any relevant maps they have.

Does training need to be arranged on the options and methods of research? Yes, training will be important.

What progress has Buckinghamshire made with this project? None so far, though applications are made on an ad hoc basis. Two applications have been received from Alison Heath, BHS.

The Chairman thanked Dr Wadey for the very informative update.

Members of the Forum AGREED the following:

- A letter will be sent to user groups asking them to nominate a representative to attend a meeting to discuss what work can be done
- A letter is to be sent to parish councils advising them of the cut-off date for extinguishing rights of way.

Action: Jonathan Clark

7. RIGHTS OF WAY GROUP REPORT

Phil Turner, Rights of Way Officer took Members through the Definitive Map update which detailed matters determined by the Rights of Way Committee. No questions were asked.

Joanne Taylor, Operations Team Leader took Members through the Rights of Way Operations update, during which the following key points were highlighted.

- A new Assistant Rights of Way Officer was appointed and started the post in May 2015. A new Area Rights of Way Officer is due to start in August 2015.
- 133km of clearance was carried out between April to March 2015. A further 80km of clearance was carried out by parish councils under the devolvement scheme.
- There has been a drop in numbers compared to the previous year which is due to resource issues. Budgetary cuts are reflected in the figures for path and surface problems and access work.
- Additional revenue money has been secured for the post of a Rights of Way Bridge Inspection Officer. Over the next 4 years, every known bridge structure on the network in Buckinghamshire will be inspected, recorded and assessed for condition.
- The number of parishes involved in surface clearance as part of the devolved services has increased from approximately 20 to around 55.
- 290km of surface path clearance has taken place this year.

During the update, the following questions were asked.

In terms of the 600 structures per annum to be inspected, does this figure include those bridges inspected by Network Rail and could BCC and Network Rail work jointly in the inspections? This figure could include some bridges that BCC are responsible for. Information required for an insurance claim might mean that an inspection needs to be carried out twice.

Is carrying out an inspection of bridges a new process? Bridge inspections were

identified under the Rights of Way Improvement Plan. Carrying out the inspections has now become critical.

Could the point be reached where a report identifies multiple bridge repairs are required and there are no funds to carry out the repair? A pot of money has been identified to carry out 600 inspections annually. If the structure poses a danger to members of the public, the possibility of closing it would have to be looked at.

If a bridge, structure or footpath is unsuitable in terms of safety, does the County Council have a statutory duty to close/suspend use? There is the issue of liability if a bridge or structure isn't closed and there is an accident. The bridge/structure could be closed until a funding source is identified and a programme of repairs is put in place.

How many repairs were carried out last year? About 8/9 bridges were repaired last year. The project has not started as the Bridge Inspection Officer is not currently in post. We will have a better idea of the project once the inspections have started.

Surface repairs are needed on some of the bridleways as gullies are appearing. There is not an identified budget to carry out these repairs. The possibility of sourcing single bids for capital money is being looked into.

8. LAF MEMBERS REPORT

Jonathan Clark, Strategic Access Advisor, gave the following update.

Open Access

A letter has been received this morning advising that it is still the intention of Chiltern District Council to remove the barbed wire fencing, whilst leaving the posts at Pinner Green. An instruction has been placed with their contractor to carry out this work within the month. The Forum will be advised once the work has been completed.

Joint LAF meeting

The Royal Borough of Windsor and Maidenhead Council hosted another joint meeting between Buckinghamshire, Surrey, Mid & West Berks, Bracknell Forest and Slough LAF chairs/officers.

A letter has been received from the Royal Borough of Windsor and Maidenhead and Slough LAFs proposing that work takes place with the Bucks LAF to establish dedicated bridleways along existing multi-use routes for walkers, cyclists and horse riders along the Jubilee River between Eton Wick, Dorney and Maidenhead. The blue routes on the map enclosed with the agenda pack indicate the proposed routes.

Members of the LAF **AGREED** with the proposal of the Gold route. A letter of response will be drafted.

Action: Jonathan Clark

9. ANY OTHER BUSINESS

John Elfes advised that he would like to step down from the role of Chairman of the LAF.

An email will be sent to LAF members asking for nominations for Chairman.

Action: Jonathan Clark

10. DATE OF NEXT AND FUTURE MEETINGS

The next meeting will take place on Wednesday 4 November 2015, 10am, Mezzanine 2, County Hall, Aylesbury.

Chairman