



# Buckinghamshire County Council

## Minutes

## *BUCKINGHAMSHIRE LOCAL ACCESS FORUM*

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### **AGENDA ITEM:**

**MINUTES OF THE MEETING OF THE BUCKINGHAMSHIRE LOCAL ACCESS FORUM HELD ON WEDNESDAY, 5 MARCH 2003, IN THE BAKER ROOM, COUNTY MUSEUM, AYLESBURY, COMMENCING AT 10.03 AM AND CONCLUDING AT 12.47 PM**

### **MEMBERS PRESENT**

Mr C Ashendon, Mrs J Ashton, Mrs C M Ashton, M R Boas,  
Mr D Briggs (Vice-Chairman) Mr J Elfes (Chairman), Mr F Gomme, Mrs B Harris,  
Mr R Haines, Mr C Hurworth, Mr N Jeffery, Mr A Lambourne, Miss C Limond,  
Ms V Lynch, Mr S Pratt

### **OFFICERS PRESENT**

Mr I Burgess, Mrs M Freeman, Mrs K Jones, Mr M Walker, Mr M Woods

### **ELECTION OF CHAIRMAN**

It was resolved that Mr J Elfes be elected Chairman of the Forum for the coming year.

### **ELECTION OF VICE-CHAIRMAN**

It was resolved that Mr D Briggs be appointed Chairman of the Forum for the coming year.

### **APOLOGIES FOR ABSENCE**

There had been no apologies.

## **DECLARATIONS OF INTEREST**

None were received.

### **1 CONFIRMATION OF VOTING RIGHTS**

It was agreed that members would be entitled to vote and that the Chairman would have a casting vote. Members agreed that the positions of Chairman and Vice-Chairman be subject to election or re-election annually.

An officer congratulated the Chairman on his appointment to the Forum. The officer welcomed the discussions and hoped that they would be open and transparent. He suggested that future meetings of the Forum could be advertised as this was an open meeting. The officer noted that meetings of the Shadow Chilterns Area of Outstanding Natural Beauty allowed a period of about 15 minutes at the start of each meeting for the public to speak. He suggested that this could be considered for future meetings of the Forum.

The officer reported that between 21 to 27 June 2003 it would be Footpaths Week and suggested that a meeting of the Forum be held during that week at which representatives from the public/the Countryside Agency and the Ramblers Association be invited to attend.

### **2 TERMS OF REFERENCE**

Members discussed the draft terms of reference in detail and made the following amendments:

- 5.3 Members will act in the best interest of the residents and visitors of Buckinghamshire and not through individual interest agendas.
- 5.6 Delete the quotes around work to produce outputs.
- 6.12 Ensures provision is made for all users, and reflect the needs of the local people and visitors;
- 6.15 Respects local circumstances and different interests while taking account of National Guidance;
- 6.51 Identify any local issues that need to be taken into account in deciding how best to implement any advice received from English Nature and English Heritage, and in considering applications made on land management grounds, delete where consultant
- 6.61 Develop a constructive and inclusive approach to the improvement of recreational access to replace the Buckinghamshire Countryside with Chilterns, Hertfordshire, Oxfordshire, Bedfordshire and Buckinghamshire; a member suggested replacing the Buckinghamshire Countryside with the definition above because an estimated 50% of the Chilterns Area of Outstanding Natural Beauty is in Buckinghamshire.

Members were advised that the Rights of Way Improvement Plan could be segmented, this would help Buckinghamshire County Council, Colne Valley and the Chilterns Area of Outstanding Natural Beauty to operate separately and would assist them in approaching a Grant Aided Body.

- 7.1 The LAF will meet four times a year as necessary. The frequency of the meetings can be reviewed by the LAF; a member noted that it may become apparent that Sub Groups of the Forum will be required to meet on occasions to discuss specific issues.
- 7.4 Delete passed, replacing Agendas, papers and minutes of the meetings will be available to the public; under 7.9 an officer suggested that the first annual report be prepared in March 2004.

A member suggested that consideration be given to holding evening meetings of the Forum. Following a discussion, it was agreed that an early evening meeting be held during the summer months as a pilot and that consideration be given to moving the venue of future meetings of the Forum.

### **3 ACCESS LAND MAPPING**

An officer tabled a map of England prepared by the Countryside Agency outlining the mapping areas. The map showed that Buckinghamshire was located in Area 7. Members were advised that in July 2003 the Countryside Agency would begin mapping areas of open access.

Members were advised that the Forum would have the opportunity to comment on areas that have been missed during this exercise. There will be a 3 month consultation period following the mapping process. It was suggested that a meeting takes place around this time in order for the Forum to make any comments on areas that have been missed.

A member asked about why the consultation process will be extended. The officer replied it will include the general public, Parish Councils and User Groups. Draft maps will be available in libraries for the public to view them.

A member suggested that consideration be given to appointing a Sub-Committee for this exercise. Another member supported this proposal because she felt it was vital to ensure that the Forum makes all efforts to assist the consultation process. The Chairman agreed that a Sub-Committee should be appointed at the next meeting.

A member expressed concern that there was a danger of duplication and she asked who would be responsible for publishing details of the consultation. An officer replied that this was the responsibility of the Countryside Agency who will be placing advertisements and hosting public meetings and displaying information in libraries. He suggested that a representative of the Countryside Agency be invited to attend the next meeting and this was agreed.

An officer explained that the Countryside Agency will produce a provisional map based on the consultation exercise. He noted that there would be Appeals and that in order for them to be successful, it would be necessary to justify the reasons for making an objection.

Following discussion it was agreed that at the next meeting, representatives from other Forums be invited to attend.

#### **4 THE RIGHTS OF WAY IMPROVEMENT PLAN**

A member explained that in future the Rights of Way Improvement Plan will embrace all the work of the Forum. Members were advised that Rights of Way includes the Countryside, Recreation and Tourism.

The Aim of the Rights of Way Improvement Plan is to assess the need of the public, he suggested that the Forum should agree how to achieve realistic targets. For example, equestrians do not currently have a joined up network of routes. Furthermore, conflict is introduced into the countryside by the different demands of cyclists and motorised users. It was noted that there are also issues with conflict over areas not open to vehicular users, for example, access to the public who have mobility problems or mothers with pushchairs. The officer suggested that consideration be given to possibly removing stiles from public rights of way. He noted that there was a need to be more proactive in making the countryside more accessible for all sections of the community. Another officer noted that 2003 is disabled year and he explained that Buckinghamshire County Council were keen to encourage opportunities for the disabled to access the countryside.

Members were advised that it was the intention of officers that the Forum was not reactive but moreover proactive in encouraging access to the countryside. A member asked how the work would be developed. An officer replied that a desktop exchange has been commissioned to establish what is being delivered currently.

A member asked if reference will be made to milestone statements in the Rights of Way Improvement Plan. The officer replied that this provides an ideal opportunity to start again from the beginning.

A member reported that she had recently been contacted by Babtie. She asked if the results of the Babtie survey would be considered. An officer welcomed the opportunity to receive these results.

A member noted that many permissive routes are appearing on the map. It was noted that the grey area is defining responsibility for them. An officer suggested that the Government missed an opportunity to put cyclists on the Definition Map and that a complication has arisen when a road is not a public highway but a missing route. He noted that the decision was whether or not to retain these.

The Chairman suggested that a work programme be prepared for the next meeting and he asked members to submit their views to the officer.

A member suggested that consideration be given to the Community Appraisal process. A member supported this suggestion and explained that she felt this was an opportunity because of the fragmentation of villages and their differing needs.

## **5 RIGHTS OF WAY LIAISON GROUP – FORTHCOMING MEETING**

An officer reported that two groups were being formed in both the north and south of the County to discuss issues on a more local basis. Members were advised that the frequency of the meetings of the Rights of Way Liaison Group had not yet been agreed although it was suggested that they take place before meetings of the Forum.

Members were advised that the function of the Local Access Forum will be ?

The first meeting of the Rights of Way Liaison Group will be held in Winslow Area Office on 30 April 2003.

## **6 DESIGNATION OF AREAS FOR CRIME PREVENTION**

Members were advised that the previous week DEFRA had introduced Diversion/Closure for the purpose of crime prevention. He explained that Closure/Diversion was to prevent crime, anti-social behaviour, fly tipping and drug taking. This had been introduced on school sites with immediate effect although it can only be applied to close a footpath if it is in a designated area. There is therefore a need to designate specific areas. Members were advised that there is an opportunity until 6 May 2003 to recommend areas to be designated for Buckinghamshire.

A member asked if when nominating an area there would be a requirement to provide reasons for doing so. This was confirmed. In addition, members were advised that it will be necessary to provide a history of problems associated with a specific plan path. A member expressed concern because once an area has been designated, this will have an immediate impact on the insurance premiums.

A member asked if other agencies, for example, the Police had been consulted. The officer was unable to confirm whether or not this was correct. A member suggested that consideration be given to recommending solutions before identifying areas that should be closed. For example in Chesham, work has taken place to reduce the risk before closing the path. Members were advised that it is possible to make recommendations to DEFRA at any point in time although there will be specific criteria that will need addressing. A member asked for an update on the position regarding fly tipping because he was concerned that if cycle paths were opened to vehicles there would be an increase in incidences of fly tipping. The officer replied that this problem was greatest in the south of the county although it was not necessarily connected to vehicular access. Members were advised that the problem arises primarily due to taxation on fly tipping. The officer reported that work is continuing with farmers to try to resolve these issues.

In response to a question, the officer clarified the position as follows:

If a footpath is on a rights of way, it is the responsibility of the local council. However, if the footpath is on private land and is accessed and used for fly tipping it would be the responsibility of the local farmer.

An officer reported that both farmers and BCC were working together to try to reduce fly tipping within the County.

Members were advised that whilst there is an opportunity until 6 May to recommend designated areas, it will be possible to make late declarations.

## **7 CROP OBSTRUCTIONS ON PUBLIC RIGHTS OF WAY**

An officer explained that if a path were cultivated in August and not reinstated until the following June, there would be a period of approximately 10 months when the footpath would be not available to the public. As a consequence, it has become necessary for BCC to carry out more direct enforcement action and prosecution. A member replied that the majority of the farmers were aware of their responsibilities and they disliked the practices of the minority prejudicing the perception of the majority.

A member noted that before the second world war, ploughing footpaths was forbidden, but during the war a licence was required and that it has only been at the passage of time that ploughing footpaths has become permissible. He supported the Rights of Way Team in enforcing Good Practice. The member proposed submitting a paper to a future meeting of the Forum.

Another member noted that ploughing around a headland was good practice however, in fields if there are extra headlands needed, a metre of water around each side of the footpath would result in bogs being created and this was not good husbandry or promoting wildlife. A member suggested that farmers should only plough footpaths if it was inconvenient not to do so. Another member concluded that the general opinion was that farmers would like more flexibility regarding the rules relating to ploughing footpaths.

## **8 TRAINING OF MEMBERS**

An officer explained that it had been proposed at each meeting members receive training on specific areas relating to the countryside, amongst the areas suggested were training on disabled access, country safety and that it was also suggested that the Countryside Agency be invited to attend the next meeting. Other suggestions included the Definition Map applications and the British Standard on G . The officer reported that this training would also be provided by two officers. Members were invited to make suggestions.

## **9 ANY OTHER BUSINESS**

An officer suggested that information be obtained on the dates and venues for meetings of other Local Forums. Members were also advised that they would

be able to claim expenses for attending the meeting if they were not doing so from other Agencies.

**10 FREQUENCY, DATES AND VENUES OF FUTURE MEETINGS**

It was agreed that the date of the next and future meetings be as follows:

11 June 2003 at 4 pm in Mezzanine Room 2.

9 September 2003 at 10 am in Committee Room 1, Aylesbury Vale District Council Offices, Exchange Street.

3 December 2003 at 10 am in Mezzanine Room 2.

**CHAIRMAN**