



Buckinghamshire County Council

Minutes

LOCAL ACCESS FORUM

AGENDA ITEM: 3

MINUTES OF THE MEETING OF THE BUCKINGHAMSHIRE LOCAL ACCESS FORUM HELD ON THURSDAY, 17 JUNE 2004 IN COMMITTEE ROOM 2, AYLESBURY VALE DISTRICT COUNCIL OFFICES, COMMENCING AT 10.02AM AND CONCLUDING AT 1.08PM.

MEMBERS PRESENT

Mrs C M Aston, Mr D Briggs (Vice Chairman), Mr R Boas, Mr J M Elfes (Chairman), Mrs B Harris, Mr C Hurworth, Mr A Lambourne, Mr S Pratt,

OFFICERS PRESENT

Mr I Burgess, Mr J Horwood, Mrs M Freeman, Mrs M Keyworth, Mr M Walker,

1. APOLOGIES FOR ABSENCE

Apologies were received from Mr F Gomme, Mr N Jeffery and Mrs V Lynch

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The minutes of the meeting held on 17 March 2004, copies of which had been circulated previously, were confirmed.

4. MATTERS ARISING

4.1 The Chairman read out a letter from Mrs Margaret Dewar in which she thanked the Forum for the work it had done. The letter is attached to the minutes as appendix 1. The Chairman informed the Forum that he had replied to Mrs Dewar thanking her for her comments and informing her that he was aware of the extra workload for officers and valued their contribution. He had also suggested that the Forum have a budget of its own.

4.2 The Chairman also informed the Forum that with regard to the consultation on Vehicles in the Countryside he had written to DEFRA conveying the decisions made at the last meeting.

5. TRAINING PLAN

IB informed the Forum that contact had been made with Moulton College in Northants, which would run one-day courses on farming practice, including crop identification. Rights of Way officers would attend the first course to assess the content, after which members of LAF would be invited to the next course. IB asked members to notify him if they had anything in particular they wished to see covered on the course. The course for officers would include crop identification and the basics of dealing with farm animals.

6. OPEN ACCESS

6.1 IB informed members that the Countryside Agency had now issued Provisional Maps of Access Land, which were available should members wish to inspect them. The Agency had replied with separate letters for each individual area on the Draft maps that the Forum asked the Agency to consider. In general, the areas referred to by the Forum have not been included on the Provisional Maps. There were also a number of new areas included that were not on the draft maps. However, the only people who could now raise concerns were those with an interest in the land.

6.2 With regard to the Integrated Access Project, IB had attended a conference in Hampshire and informed members that if areas did remain on maps, there would be considerable work involved in providing access to these sites and looking after them to ensure nature conservation and landowners' interests.

6.3 DB commented on the need to make boundaries clear, although this would be difficult. He asked how the Forum would be kept informed about these areas and why they were included. IB replied that no reason was given as to why areas of land were included or not. The Chairman stated that the areas of land in question had not in general been visited by the Countryside Agency.

6.4 DB asked if owners of the land received copies of any correspondence because some may not have even looked at the new map. IB was not sure whether those with a direct interest in the land were informed. The Chairman commented that they had been contacted regarding the draft map and thought they would have been at this time too.

7. POLICY FOR MANAGEMENT OF VEHICLES IN THE COUNTRYSIDE

This item was covered under Matters Arising.

8. RIGHTS OF WAY IMPROVEMENT PLAN

9. ROWIP – DISCUSSION

9.1 IB outlined to the Forum the actions that had been taken since the last meeting. An article had been placed in the Buckinghamshire times and a new website had been set up, which included a questionnaire which could be completed on line. Displays had been sent to libraries as well as one in County Hall.

9.2 Consultation letters and plans had been sent to all Parish Councils, with 20 responses so far received out of 170 Parishes. IB was also investigating making use of the Citizens Panel, which comprised of 1,000 residents and which could provide a general feel for what people want, in a cost-effective way. The draft letter attached to the agenda would now be sent out to partners and stakeholders by way of consultation. IB asked for comments from the Forum on the contents of the letter.

- 9.3 The next step was for the Forum to discuss how the process should move forward. Time was short for getting a draft framework included into the Local Transport Plan (LTP) in August, although no guidance had yet been issued on how the Rights of Way Improvement Plan (ROWIP) would fit into the LTP.
- 9.4 IB stated that the more thorough and professional our document, the more chance we would have of obtaining funding from Government. At this stage, with the ROWIP being a 10 year plan, for which the Authority was at the very beginning of a wholly new process it was difficult to envisage what funding opportunities there might be. In putting it into the LTP there was a need to fit in with that timetable too. Therefore, the draft of a Plan must be ready by August. It was not possible to have a properly costed plan, but year on year we would be bidding internally with Transportation Services to highlight the type of schemes we wished to take forward for the following year. An action plan would then be produced.
- 9.5 MW commented that the Head of Transportation was responsible for the LTP and its delivery, but not for the ROWIP, but he would be keen to see that ROW targets, contained within an LTP, were met.
- 9.6 Concern was expressed over the short time limit for input. However, members noted that only a draft needed to be completed by August. The Plan would evolve and develop through consultation and comments from those involved. The final LTP had to be with Government by July 2005. CA commented that the discussion at this meeting would be an initial one. There would time for further input to be made. The points made in IB's letter were the type of items that needed to be discussed. CA stressed the importance of the LTP to the ROWIP. The problem was that Rights of Way was in a different Portfolio to that of Transportation and needed to be championed by the Portfolio Holder. Therefore, members needed to be made aware of the importance of their response to the draft.
- 9.7 Discussion took place on the ROWIP taking into account the headings suggested in IB's letter, which were:
- Access for All – what does it mean / how can we improve it?
 - Tourism, Rural Economy and Farm Diversification – how does this fit into a ROWIP?
 - Network Changes and Statutory v Permissive and other Access – can we or should we do it?
- 9.8 The Chairman commented that he would like to add a more direct reference to disabled access, with family friendly access as a separate heading.
- 9.9 The Chairman invited each member to express a view on the issues raised.
- 9.10 AL expressed concern regarding the 20 responses so far received from Parish Councils. He felt that those who had already sent in responses may not have taken sufficient time to think through the Plan carefully and that responses not yet received would be from those who were taking more time to consider their response.
- 9.11 CA suggested asking Buckinghamshire Association of Local Councils (BALC) to put it on their Agenda as an item to stress the importance that parishes do respond. However, AL informed the meeting that their had just published their newsletter. BH agreed with CA regarding support from BALC, as a timely reminder to parish councils to respond.

- 9.12 CH expressed concern about how the Council was going to gather information by the deadline. IB reported that the level of detail needed could not be provided immediately. However, considerable work had already been completed but needed to be fleshed out. The addition of further detail would come later in the process.
- 9.13 MW commented that one further aspect would be to look at the whole ROW network in order for the Council to address issues regarding any missing links.
- 9.14 SP felt that the discussion should fall into three distinct areas. Firstly, the question of improving existing Rights of Way; secondly there is the question of creating additions to the ROW network, either by using compulsory powers or by agreement, and thirdly, he considered there to be a blurred area with regard to permissive paths which, in many cases were the only way to create new access, because landowners in the current climate were wary of new potential rights of way.
- 9.15 DB commented that from the viewpoint of farmers there were some very attractive incentives through countryside stewardship, to achieve permissive access. He was not aware what influence the Forum could have on this. More work also needed to be done on the impact of cul de sac paths. He considered that most people using rights of way took relatively short walks and the majority of users were those who walked once or twice a week. DB felt that the Forum should emphasise concentration on providing short circular routes.
- 9.16 RB agreed with the comments from SP and expressed concern regarding the maintenance of existing networks and any additional paths created. He would wish to see more landowners and farmers being persuaded to take on more responsibility for paths around their land in terms of cutting back overgrowth. IB considered that some farmers were doing this and accepted the need to work with landowners on this point.
- 9.17 With regard to 'definitive' as opposed to 'permissive' paths, RB was aware of resource implications in maintaining them. However, landowners should be made aware of the responsibilities they had in keeping them clear. MF commented that if it was part of a permissive agreement there could be a case for stipulating it was the responsibility of landowners, but they had little powers to enforce this. SP raised the issue of countryside stewardship payments again, which were becoming popular. The Chairman wondered whether bids could be made for revenue for extra maintenance from other sources.
- 9.18 MW informed the Forum that bidding documents, such as the LTP might provide capital funding and this did present problems as future maintenance would have to be funded from revenue budgets. He was involved in discussions with Transportation colleagues to see if ways could be identified to bring in more revenue for maintenance. From a LAF perspective this was a key point. If the role of the Forum was to advise the Council, or act as a pressure group, this was something it might wish to consider in order for paths to be properly maintained and signposted. However, this was not the full extent of the Forum's remit. So far there had been no discussion regarding economic development, tourism or the benefits to farmers, landowners and the community if more people visited the area, making use of the Rights of Way network and providing a boost to local rural economies, as well as on their own health.
- 9.19 CA reported that the sub-regional strategy was currently being written and it was important to link this with tourism and the local access process. She expressed concern about how the Common Agricultural Policy (CAP) would affect the countryside. The rural economy was very important and CA acknowledged the work

done by Shaun Pope in Transportation, and others, which needed to be linked in. CA also agreed that fairly short walks were needed and they should be linked to local amenities.

- 9.20 Links were important, particularly for horseriders as well as cyclists and work to develop this should be undertaken in conjunction with the Tourist Board.
- 9.21 MW considered the need to ensure that people were more confident about using the ROW network and the possibility that we were not doing enough to inform and educate with regard to the use of the network. He asked what more needed to be done to attract people. IB suggested the health agenda was an important arena. RB commented that circular walks would help in this case, however, MW asked whether the Forum wished to see the whole network set out as a series of circular walks.
- 9.22 In this connection, AL stated the possible need for a more modern approach which might consider rationalisation of the network. The majority of routes were historical and he suggested that consideration of rationalisation of the network could feature in the ROWIP. The Chairman suggested that improvements such as extending or linking cul de sacs could also be regarded as rationalisation.
- 9.23 With regard to new paths, AL commented that in the consultation letter sent to parish councils, they were asked if they knew of any rights of way not on the definitive map. He was sure there would be some positive response to that and asked whether those responses would be taken on board as a comment or considered as a formal claim under the definitive map procedures. MW responded that if there was a positive response, parish councils would need to provide evidence, at which point it would be considered as a claim.
- 9.24 MW was not sure how many paths being used were not registered and there was a need for local people to provide information about this. However, evidence was needed, which could be co-ordinated locally. MF agreed that any claims sent in would need evidence from local people and, therefore, would be sent back to parish councils for more information. In this connection AL asked that if a parish council confirmed a particular path had been used for some time, was that sufficient to trigger a claim for the route's inclusion on the definitive map? MF replied that it would be more appropriate for formal claims to be made using existing application forms, which would then help the parish council to notify landowners. It would also be appropriate that, if on a local level, parishes could contact the landowner to see if he or she would be prepared to dedicate it as a footpath, this would be a far more straightforward process. AL felt these were the kind of issues that should be followed up. If not, a change of landowner could make a difference.
- 9.25 MW felt that modernisation was a good way forward in some cases, but that others might see it as a threat. Other organisations also needed to embrace the principle of the idea. Chairman felt we had to convince people that whatever was proposed was for the better.
- 9.26 IB asked whether the LAF saw itself as having a role in supporting the Council with schemes such as rationalisation in the ROWIP, with specific schemes brought to the Forum for comments so that other organisations were aware that their comments were taken on board.
- 9.27 MW commented that some routes were strategically important in that they linked villages and amenities and should be protected and improved upon. However, at the other end of the scale were a number of routes which did not serve a particular

purpose. IB told the Forum that this was the message which had come through from his visit to Hants. If landowners were approached with a request to alter paths, they needed to be offered something in return.

9.28 AL said he did not think that Buckinghamshire had been involved in many rationalisation schemes. Other Councils had and he wondered what the view of Planning Inspector was on this issue where cases had gone to Public Inquiry. MW commented that it was not easy to provide a general reply as an Inspector at an Inquiry must look at the merits of an individual path's diversion. In that sense any 'rationalisation' scheme would be broken down into constituent parts and considered in accordance with the law, rather than the whole package being considered as one entity.

9.29 CH made the following comments:

Access for all should be considered as well as countryside furniture. He liked to see stiles but accepts that they were not always practical for families with prams etc. With regard to short walks, he felt that people did not go for longer walks because they were uncertain about distances. It would be helpful to have signs with destinations and distances marked on them. Tourism could be encouraged through use of footpaths which went past heritage sites and other places of interest. If tourists were aware of this, they may walk further. Priority should be given to circular routes and possibly routes to schools. With regard to permissive routes, he was aware that some parents wished to use the Phoenix Trail but they had to cross the Chinnor to Thame Road to gain access. He felt the title ROWIP was fine but there was a need to generate more public interest and more publicity, including involvement of the local press. Press releases after each LAF meeting may be a way forward.

9.30 BH commented as follows:

Linking footpaths as much as possible to create circular routes was good. With regard to the Thames Path, which she knew well, maintenance was not good in some places and it was also narrow in parts. With regard to access for people with disabilities, she commented that she belonged to an organisation for disabled ramblers whose walks were often 8 – 10 miles in distance. Obstacles such as stiles were unfriendly. With regard to publicity, the press, local radio and TV could be used – all publicity was good publicity. Linking footpaths, particularly between communities, was a key safety aspect.

9.31 With regard to routes for schools MW informed the Forum that they were currently under pressure to close two footpaths which linked schools, which had been the subject of anti-social activities. The footpaths in question could not be improved any further than what had already been done. The perception was that because of their location they caused problems.

9.32 With regard to dog walking, DB stated that some farmers whose land adjoined a village, designed a dogwalk field. Although, if there was the slightest rumour that rights were being given away by allowing people to exercise their dogs on this understanding, these fields would be closed.

9.33 IB commented that no discussion had taken place about mobility in its widest sense and also, when a structure on a footpath needed repairing, whether it should be repaired or removed. He did not want to see every stile replaced. He asked members whether there was anything else which had not been considered and made the following comments:

- 9.34 Tourism: statutory and permissive access and, with regard to diversification, permitted access i.e. offering to work with the farming community by providing a network of access that people have to pay for. Strengthening links with transportation could be done through the LTP. Land managers and landowners should be included in the consultation process from the beginning. Working with the NFU and CLA from an early stage was vital.
- 9.35 Network changes: Should we be considering paying farmers to provide access? Should we form and negotiate a diversion protocol with national user groups? Should we be more pragmatic in ignoring some problems in exchange for additional access elsewhere?
- 9.36 DB commented that in the context of Buckinghamshire fragmentation was a problem inasmuch as changes of ownership of land being bought up by non farmers resulted in land being broken into tiny areas. Negotiation regarding routing was virtually impossible. MW suggested that if non-farmers were moving in, their first thoughts could be to move any footpath. This could be a way of triggering negotiations being dealt with in a localised, neighbourly way.
- 9.37 AL was concerned that access by permit could be a problem if landowners decided to give permission to horseriders and felt the Council should be involved in these arrangements. With regard to consultation with parishes there may be an impression that there were consultation processes for some items but not for others. Parishes would want feedback on the information they are being asked to provide.
- 9.38 IB commented that access by permit could provide a means of additional income by attracting people into the area, and the possibility of landowners setting up, for example, stabling facilities.
- 9.39 With regard to rationalisation and modernisation SP commented that some schemes in Oxfordshire had encountered objections because paths crossed a busy road. However, in one instance the landowner offered extra land to widen the path for access to cyclists. SP said he would like to see this included in the ROWIP as a key issue.
- 9.40 CA stated that Routes for Schools was a very important issue and was covered in the LTP. IB commented that this could be a further source of funding and also needed to be specified in the ROWIP.
- 9.41 The Chairman summarised the discussion as follows:
- Shorter routes based around economic centres were of priority and would attract more people to the countryside and could be easier to achieve than longer routes.
 - Safety on roads. The Chairman asked about the possibilities of improving highway verges. MW commented that it could be an important point particularly if it came to light as a result of consultation with the parishes. There is a duty placed on highway authorities to provide horse margins at the side of roads.
 - Safer routes to school. Because of parental concerns, we should ensure that paths were safe for children.
 - Rationalisation could be interpreted in many ways but improvement could come through this.
 - Cul de sacs were possibly the most difficult area to deal with.
 - No one had mentioned resurrecting lost ways. MW commented that AL had touched on this regarding paths in use that were not recognised. IB reported that the Countryside Agency was running a pilot in Northants with regard to updating their definitive maps.

- Safe crossings are vital, but could be expensive
- Generation of public interest is a priority
- Publicity needed to be improved
- Strong financial commitment from the Council had not been mentioned. The Chairman asked how much extra money was available for the ROWIP. Legislation seemed to indicate that maintenance could not be regarded as improvement, but he felt that maintaining any additions to the network must be included in the RoWIP

9.42 The Chairman asked how we could keep all on board and pulling in the right direction. IB replied that LAF needed to persuade public that it and the Council were acting in their best interests. In theory, members were not representing their individual groups, but came to the meeting to give their expertise, knowledge and understanding. How did we encourage people such as farmers? Were these issues being discussed within the NFU and CLA? To what extent were issues being discussed at individual meetings?

9.43 The Chairman commented that although not everyone could be contacted, sending information to organisations was the first step. It would be helpful to get a clear view from organisations, which may be different to the views of the Forum. He agreed that user groups could contribute detail when asking for updates for a plan. It was whether they could contribute strategically and tactically.

9.44 In answer to the question about who would receive the stakeholder letters, MW replied that it was intended for all user and partner organisations encouraging them to embrace the new thinking and, hopefully, instilling an element of trust. All comments that they wished to bring forward would be welcomed.

9.45 CA mentioned the presentations by Shaun Pope on “Have your Say days” and it was agreed that the information from that presentation should be used.

9.46 It was agreed that the stakeholder letter also needed to use more plain language.

10. LOCAL ACCESS FORUM – PUBLICITY

10.1 Much of the discussion on publicity had taken place as part of the previous item. The Chairman referred to Hampshire’s Local Access Forum Annual Report and asked the Forum whether future publications should take the same format, and that there should be better use made of an improved County website. MW agreed that the website needed better style and layout, but the current layout was dictated by BCC. However, enquiries would be made into whether any alterations to the design and style of the website could be achieved. A higher public profile was needed, especially with imminent production of the ROWIP.

10.2 Members of the Forum agreed with RB that the Forum should be publicised in the local newspapers.

10.3 MW stated that he considered he and his officers had not been able to contribute as much support to the Forum as they would have liked. It had been a difficult 12 months supporting the Forum whilst dealing with an increased workload. He hoped this would improve in the near future.

11. ANY OTHER BUSINESS

- 11.1 CH asked about news on the Phoenix Triangle Project. IB replied that there had not been any movement. He still considered that it was a good concept and would push to have it included as part of the ROWIP. Events may change over the coming months with workloads, currently it did not form part of his work. However, the issue of cross boundary working was being looked at.
- 11.2 In answer to AL's question as to whether there was any reference in the Plan to National Trails, MW responded that the ROWIP encompassed them in the widest context but they would be mentioned in the Plan.

12. DATE OF NEXT MEETING

The next meeting will be held at 10.00am on Wednesday 15 September 2004 in Mezzanine Room 1, County Hall, Aylesbury.

CHAIRMAN