



Buckinghamshire Local Access Forum agenda

Date: Wednesday 14 July 2021

Time: 10.00 am

Venue: The Oculus, Buckinghamshire Council, Gatehouse Road, HP19 8FF -
Aylesbury

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Agenda Item	Page No
1 Apologies for absence	
2 Declarations of interest To disclose any Personal or Disclosable Pecuniary Interests	
3 Minutes of the previous meeting / Matters arising To confirm the minutes from the meeting held on 3 March 2021	3 - 10
4 Byway Prohibition Order Permit Scheme To be presented by Helen Francis, Interim Definitive Map and Highways Searches Team Leader	11 - 20
5 Rights of Way Enforcement Policy 2021	21 - 36

To be presented by Joanne Taylor, Rights of Way Operations Team Leader

- | | | |
|-----------|--|----------------|
| 6 | Ridgeway Riding Route: draft Wendover audit report, off-road cycling
To be presented by Sarah Wright, Ridgeway National Trail Officer | 37 - 40 |
| 7 | Rights of Way Improvement Plan: Year 1 Action Plan report (Chapters 1 and 2)
To be presented by Jonathan Clark, Strategic Access Officer | 41 - 50 |
| 8 | Rights of way group report
To be presented by Helen Francis, Interim Definitive Map and Highways Searches Team Leader; Jonathan Clark, Strategic Access Officer; and Joanne Taylor, Rights of Way Operations Team Leader | 51 - 64 |
| 9 | LAF members' report | 65 - 66 |
| 10 | Any other business | |
| 11 | Date of next meeting
Wednesday 3 rd November 2021 | |

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Rebecca Binstead by email democracy@buckinghamshire.gov.uk.



Buckinghamshire Local Access Forum minutes

Minutes of the meeting of the Buckinghamshire Local Access Forum held on Wednesday 3 March 2021 in MS Teams Virtual Meeting, commencing at 10am and concluding at 11:30am.

Members present

Cllr A Turner, Mr D Briggs, Mr A Clark, Mr P Fox, Mr N Harris, Ms A Heath, Mr R Jennings & Mr B Worrell

Others in attendance

Mr P Fox, Ms S Fradley, Mrs E Hackling, Ms J Taylor, Mrs H Francis & Mr J Clark

Apologies

Cllr N Naylor

Agenda Item

1 Apologies for Absence

Members heard formal apologies from Councillor Nick Naylor.

David Briggs (Vice Chairman) would act as Chairman for the meeting.

2 Declarations of Interest

There were none.

3 Minutes of the Last Meeting/ Matters Arising

RESOLVED:-

That the minutes of the meeting held on 23rd September 2020 be approved as a correct record.

4 Definitive Map Modification Order Targets

Richard Jennings (Cycling UK) informed Members that he had raised concerns regarding delays to the processing of Definitive Map Modification Order (DMMO) applications by Buckinghamshire Council, with some applications dated 2016. He had requested information on the status of current DMMO applications, what had caused the backlog and how future progress on applications would be reported

against targets.

Helen Francis (Interim Definitive Map Team Leader) explained that her team had recently taken on two new staff who were beginning work on the existing DMMOs to reduce the backlog. This had come in the wake of a member of staff going on maternity leave which had temporarily reduced capacity. In addition, Helen confirmed that an advertisement had been posted to recruit a new Senior Definitive Map Officer. These expansions to the team were being made in anticipation of an increase in DMMO applications due to the Ramblers', 'Don't Lose Your Way' campaign and to ensure that progress on reducing the existing backlog could continue as more applications came in.

Helen also stressed that structural changes following the move to the new Unitary Authority had disrupted work the processing of applications in addition to the COVID-19 pandemic, which had reduced access to the Records Office and restricted opportunities for wider public consultation on applications. It was however hoped that between six and eight applications could be processed per year once the team was fully staffed and the working and social restrictions associated with the pandemic had begun to ease.

It was suggested to Members that the discussion regarding meeting DMMO targets in response to Richard Jennings' request could be better addressed in Phil Fox's outline of the Rights of Way Improvement Plan 2020 – 2030 in the subsequent agenda item. Members were agreeable to this suggestion.

5 **Rights Of Way Improvement Plan 2020 – 2030: Action Plan**

Phil Fox (Rights of Way Structures Inspector) updated Members that the Rights of Way Improvement Plan (ROWIP) to improve public rights of way had been approved by the Highways Board and published on the council's website, detailing a ten-year Delivery Plan between 2020 and 2030. The plan was broken down into four sections, outlining the timescales to which the Communities, and Planning, Growth and Sustainability Directorates would operate to achieve their targets. These were as follows:

Year 1	1st April 2020 – 31st March 2021
Years 2-4	2021 – 2024
Years 5-7	2024 – 2027
Years 8-10	2027 – 2030

Phil explained that the first year had been separated due to Covid-19 disruption, and would be used to address less-complicated actions and achieve initial targets before the situation eased. Thereafter, three-year sections would be used to move through the remaining programme of work. Members were reminded that regular reviews would take place to examine progress, in which the Forum would play a part, and that a regular agenda item to discuss ROWIP developments might be considered for future meetings. The first review would be discussed at either the July or November meeting of the Forum dependent on Members' preference.

Jon Clark asked for a suitable feedback window from the Forum on the progress of ROWIP. Following discussion with Members it was agreed that if the July 2021 meeting of the Forum was held in person, that the updates would be held there, if not, it would be taken at the November 2021 meeting. Phil confirmed that once Members had held the first review after the end of 'Year 1', that the Forum could decide to proceed with annual or triennial reviews as necessary.

6 Rights of Way Group Report

Helen Francis drew Members' attention to the list of ongoing work in the Rights of Way Group Report and asked for any questions on specific items of interest for discussion at the meeting. Neil Harris (National Trust) sought clarification on the point of contact for people seeking licences in relation to the Great and Little Kimble and Ellesborough – Prohibition Order along BOAT Nos. 40, 40A and 62. Ela Hackling (Definitive Map Officer) confirmed that application forms could be found on the Buckinghamshire Council Website, or people could email the Definitive Map Team's mailbox at: row@buckinghamshire.gov.uk

David Briggs (NFU, CLA) requested that a greater distinction was made on future lists between those matters that had been resolved and those that were not, so as to enable a clearer understanding of progress being made. Helen Francis confirmed that she was happy to add a table to future reports outlining the number of new applications received and completed in the past year.

Jon Clark gave an overview of the Strategic Access Update in the report, which detailed increasing numbers of path closures due to construction work as part of the HS2 railway project. A full list of closures and diversions was published to the Buckinghamshire Council website. Following discussions with HS2 contractors at pre-application meetings, it was expected that by 1st April, this would amount to most of the network, with only one footpath – the Waddesdon Greenway – remaining open on its existing alignment while construction takes place. Discussions would also be held with Andrew Clark (Chilterns Society) about proposed closures between Great Missenden and Wendover, including the Chiltern Way, which would close for four years.

Jon outlined some concerns he had over changes to the proposed diversions as initially agreed by Parliament in the HS2 Bill, which had been the cause of the extensive network closures. Under initial plans, much of the network would remain open through the construction of bridges along diversion routes, which would enable continued public access, while construction commenced underneath and along the original right of way. This had since been abandoned to 'compress the construction period'. Jon had made contact to seek clarification on the legality of this change and would update the Forum when further information became available.

Jon confirmed that a new Access for All route would be created between Frith Hill in Great Missenden and Nash Lee lane in Wendover as part of the landscape mitigation

works undertaken as part of HS2 construction. This would be done in collaboration with the Chilterns Conservation Board. Jon confirmed that the route could be shared with Members, should the confidentiality clause with HS2 allow for this. Equestrian access to this route was also being sought.

Richard Jennings asked that where HS2-related closures to rights of way were to occur, signage made the estimated reopening date clear to the public, so that overall use of the route did not decrease when construction was completed due to lack of public awareness. In addition, Richard requested that contact be made with the Ordnance Survey to prioritise updating their maps to include the proposed HS2 route so that people have an up-to-date knowledge of where HS2 was running and the status of the footpaths. Neil Harris suggested that this may be quicker to achieve on the OS app than physical maps. Jon Clark confirmed that the questions could be asked.

Alison Heath (British Horse Society) informed Members that she had held meetings with HS2 representatives regarding the plans to downgrade to footpath the bridleway running parallel with the railway between Grendon Underwood and Steeple Claydon and upgrade the footpaths between Grendon Underwood and Charndon to bridleways. Members were informed that conversations were ongoing, but that not all of the proposed footpath upgrades would now take place. In addition, a new bridleway would be created linking Calvert Green and Grendon Underwood around the existing landfill site. Discussions were being held concerning the width and surfacing of the new bridleways and alterations to the design of bridges along the routes, which would now have lower solid parapets either side (1.5m) and a mesh framework above. Alison raised specific concerns about the possibility of horses being frightened by oncoming trains. Members thanked Alison for her update and Jon requested that the Forum be kept regularly updated on developments in the discussions to ensure that lobbying efforts were consistent and could better influence the production of the final detailed designs.

David Briggs informed Members that he had attended a Thames Valley Police meeting in which it was expressed that a team of 25 Police Officers would be dedicated to Policing HS2-related protests, which could occur on public rights of way. Jon Clark explained that the enforcement team had found themselves in difficult situations where local Farmers had closed rights of way near to proposed HS2 construction sites at the advice of the Police to prevent protestors entering their property, despite this action blocking a public right of way.

Jon Clark concluded his update by informing Members that rights of way disruption caused by East-West Rail would continue for around three years along the new railway line between Oxford and Milton Keynes. In addition, the Chiltern's Donate-a-Gate and the Ramblers Donate-a-Gate projects were ongoing, though progress had been slowed due to the Covid-19 pandemic preventing much of the required volunteer work from taking place for the majority of 2020. Finally, Jon confirmed that the Misbourne Greenway cycle path had received

planning permission. It would require the closure of an at-grade railway crossing, and the subsequent diversion order was being processed. Jon would send copies of the relevant planning applications and details of the proposed route to Andrew Clark.

Jon Clark confirmed to Richard Jennings that the East-West Rail and HS2 enquiries mailbox would be more carefully monitored after Richard raised queries about a lack of response or acknowledgement of emails he had previously sent to the address. Anyone wanting to send enquiries regarding East-West Rail or HS2 should email: ewrandhs2enquiries@buckinghamshire.gov.uk

The Chairman then invited Joanne Taylor (Team Leader - Communities - Highways & Technical Services) to give Members an overview of the Rights of Way Operations Update.

Joanne confirmed that the BVPI Rights of Way Conditions Survey carried out between November 2020 and February 2021 provided the following results:

Paths Rated Easy to Use	75%
Structures Rated Easy to Use	94%
Routes with Roadside Signs	94%

Joanne also drew Member's attention to the table of ongoing Capital Projects. It was hoped that they would be achieved within the financial year, but it was possible that some may slip into the next financial year. Completed projects included the Buckland Bridleway 3 resurfacing works, the Amersham FP17 bridge replacement and the Chartridge – Buslins Lane BW7A resurfacing works. Discussions with the landowner were ongoing in relation to replacing the Fawley Bridge with a larger structure.

Joanne informed Members that two additional clearance crews were purchased by the council for ten weeks to work on the rights of way annual clearance schedule. All scheduled clearance jobs were completed by mid-August 2020, but additional clearance works reported by the public including winter clearance works were ongoing.

Following the Better Buckinghamshire Review of Services, the Rights of Way Operations Team and the Definitive Map and Highway Searches Team would fall under Highways and Technical Services from the week beginning 8th March, 2021. Rob Smith would be the Service Director, and Councillor Nick Naylor the relevant Cabinet Member.

Finally, Joanne reported that due to Covid-19 disruption causing a reduction in volunteer numbers, there had been an increase of outstanding maintenance-related issues registered on the Highways & Technical Services database. It was suggested however that some of this increase was due in part to the ease of reporting issues using the CAMSWeb system.

It was confirmed for Richard Jennings that future breakdowns of the Summary of Maintenance reports would include information on priority issues, as judged against the 'Severity Matrix' to give Members a better understanding of how the number of outstanding issues was made up. Non-priority cases could either be responded to by the Highways & Technical Services team directly, or the person could be signposted to a more appropriate service to address their issue.

Jon Clark confirmed for David Briggs that he would consult the Ecology Team regarding the publication and promotion of advice for landowners unsure about their responsibilities concerning Ash Tree felling. Neil Harris explained that the National Trust were concentrating primarily on high usage areas, especially near footpaths and bridleways. Neil informed Members that around £180,000 had so far been spent on Ash Tree removal.

7 LAF Members' Report

Jon Clark reminded Members that the Garden Way (part of the Aylesbury Garden Town initiative) was in its consultation stage, and encouraged Members to attend the design workshops on the proposed form and alignment of the project if they had not already done so. To express an interest or for further information, Members could contact Ulrika Diallo at: ulrika.diallo@buckinghamshire.gov.uk

Jon invited Members to consider the responses issued by the Forum to the Department of Transport and the Localities & Strategic Partnerships Service concerning the review of the Highway Code and the Proposed Public Spaces Protection Order respectively. The Chairman's comments regarding the latter followed the Forum's 7-1 vote in support of the 3-year renewal of the PSPO for Footpath 40 High Wycombe (HWU/80/1).

Brian Worrell (British Driving Society Beds, Bucks and Herts) provided an update from his attendance at the virtual Ridgeway Delivery Group meeting on 14th December 2020 with partners from neighbouring authorities and Ridgeway National Trail. Brian reported that a Ridgeway motorised driving leaflet is being drafted by the Ridgeway Officer and will liaise with carriage drivers.

Finally, Jon informed Members that, pending Member approval, the Local Access Forum Annual report - 1st April 2019 to 31st March 2020 would be published to the Buckinghamshire Council Website and Natural England's Huddle page. Members were invited to give comments on the report's accuracy to Jon before publication later in the week.

8 Any Other Business

David Briggs communicated some information he had received from the Chairman of the NFU regarding the use of a wide range of signage to ensure that as many people as possible were kept informed about the use of public rights of way.

Neil Harris highlighted the greatly increased numbers of visitors to sites such as

Coombe Hill which was up by 300% and the concerns over damaged to rights of way and parking issues that accompanied the higher footfall. It was hoped that as the social restrictions eased and more public spaces began to re-open later in the year, the concentration of people visiting those sites would decrease, allowing well-worn pathways to recover.

9 Date of Next Meetings

14th July, 2021

3rd November, 2021

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**BUCKINGHAMSHIRE
LOCAL ACCESS FORUM**

Report

AGENDA ITEM 4

Date: 14th July 2021

Title: Byway Prohibition Order Permit Scheme 2021

Author: Helen Francis, Interim Definitive Map and Land Charges Team Leader

Contact Officer: Rebecca Binstead (01296 585244)

The rights of way team invite comments and feedback from the Local Access Forum on the council's Prohibition of Motor Vehicles Order 2020 (Appendix 1) operational on byways open to all traffic Nos 40 and 40A, Parish of Great and Little Kimble and No. 62, Parish of Ellesborough. Photos in Appendix 2 illustrate the original need for restrictions.

The effect of the Order is to prohibit all types and levels of motor vehicles throughout the year. Exemptions are provided in the Order in relation to:

1. use by the owners and occupiers of the premises adjacent to or which are accessed via by the specified byways;
2. persons who on application have been issued with a permit by Buckinghamshire Council to access the specified byways;
3. the maintenance, improvement or reconstruction of the specified byways;
4. use by emergency services or by the local authority or by a statutory undertaker for access; and
5. the removal of any obstruction to traffic.

The permits issued are due to expire on 1st August 2021. We are therefore particularly interested in comments on whether:

1. the permits have been effective in helping to address the previous damage caused to the surface of the routes and encouraged responsible use of the routes;
2. it is recommended to continue with the permit scheme as it is; and
3. the scheme should be kept under review.

A copy of the permit request form, the permit, terms and conditions is enclosed for information. The current register lists 67 permit holders. Users have to register at: row@buckinghamshire.gov.uk;

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THE BUCKINGHAMSHIRE COUNCIL
(BYWAY OPEN TO ALL TRAFFIC NOS. 40 AND 40A GREAT AND LITTLE
KIMBLE AND BYWAY OPEN TO ALL TRAFFIC NO. 62 ELLESBOROUGH)
(PROHIBITION OF MOTOR VEHICLES) ORDER 2020

ROAD TRAFFIC REGULATION ACT 1984

BUCKINGHAMSHIRE COUNCIL (hereinafter referred to as “the Council”) in exercise of the powers under Sections 1(1)(b), 2(1), 2(2) and 92 of the Road Traffic Regulation Act 1984 (“the Act”), and of all other enabling powers, and having regard to Section 122 of the Act and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:-

1. In this Order

“motor vehicle” has the same meaning as in Section 136 of the Act.

2. Save as provided in Article 3 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer cause or permit any motor vehicle to proceed along any of the lengths of public byway open to all traffic as specified in the Schedule to this Order.
3. Nothing in Article 2 of this Order shall prevent any person from causing or permitting any motor vehicle to proceed along any of the lengths of public byway open to all traffic referred to in that Article (“the specified byways”) if the motor vehicle is used:-
 - (a) by owners or occupiers of premises adjacent to or which are accessed via the specified byways;
 - (b) by a person who on application has been issued with a permit by the Council to access the specified byways;
 - (c) for the maintenance, improvement or reconstruction of the specified byways;

- (d) for the laying, erection, alteration or repair in or on land adjacent to the specified byways of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system as defined in the Telecommunication Act 1984;
 - (e) by a local authority or statutory undertaker in pursuance of statutory powers or duties;
 - (f) in any emergency for fire brigade, ambulance or police purposes; or
 - (g) the removal of any obstruction to traffic.
4. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
5. This Order shall come into force on 3 July 2020 and may be cited as The Buckinghamshire Council (Byway Open to All Traffic Nos. 40 and 40A Great and Little Kimble and Byway Open to All Traffic No. 62 Ellesborough) (Prohibition of Motor Vehicles) Order 2020.

SCHEDULE

(Prohibition of all types and levels of motor vehicles)

Description of route affected

Entire length of Public Byway Open to All Traffic Nos. 40 and 40A Great and Little Kimble and Public Byway Open to All Traffic No. 62 Ellesborough from the junction with the Risborough Road for approximately 1971 metres south east to the junction with Longdown Hill.

THE COMMON SEAL of
BUCKINGHAMSHIRE COUNCIL

was hereunto affixed

this 24 day of June 2020

in the presence of:-


.....

Authorised Signatory



AJ11/237/4



APPLICATION FOR PERMIT TO USE BYWAYS OPEN TO ALL TRAFFIC:

**Nos.40 and 40A Parish of Great and Little Kimble
No.62 Parish of Ellesborough**

Name	
Address	
Mobile Telephone Number	
Telephone Number	
Email	
Driving Licence Number	
Vehicle make, type & registration number	
Are you a member of a club, organisation or company?	
If yes, please state which:	

I HAVE READ AND AGREE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE PERMIT SYSTEM

Signature of applicant	
Date of application	

Please return to row@buckinghamshire.gov.uk

For office use only

Date received		Date permit sent		Permit number	
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Terms and conditions

1. The use of the BOATs by permit scheme holders is permissible under the Road Traffic Regulation Order which is regulated by the Road Traffic Regulation Act 1984. Contravention of a Traffic Regulation Order is an offence punishable by fine and/or penalty points.
2. The rider and vehicle must be fully road legal i.e. taxed, insured, licensed and holding a current MOT certificate.
3. Both the permit and identification must be carried when using the BOATs as covered by the permit scheme.
4. Public vehicle access is strictly limited to the routes of the BOATs only.
5. If permit holders are seen off the route of the BOAT, their permit will be withdrawn. Additionally the police will be notified.
6. Permit holder co-operation is requested in preventing deliberate acts of trespass into areas beside the BOATs, irresponsible vehicle use and antisocial behaviour. Please report the details of vehicles seen being driven irresponsibly off the route of the BOATs to the police.

Permit No: GLK/ELL/

Name:

This permit is issued in accordance with the terms and conditions of the Buckinghamshire Byways Open to All Traffic Permit Scheme. Failure to comply with the terms of the scheme will lead to this permit being revoked.

Identification should be carried with this permit.

Signature:

This permit is not transferable and remains the property of Buckinghamshire Council.

If found, please return to Buckinghamshire Council (Definitive Map & Highway Searches Team) or hand in at the nearest police station. **PERMIT EXPIRY 1st AUGUST 2021**

APPENDIX 2

2016/17



APRIL 2021





BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

AGENDA ITEM 5

Date: 14th July 2021

Title: Rights of Way Enforcement Policy 2021

Author: Joanne Taylor, Rights of Way Operations Team Leader

Contact Officer: Rebecca Binstead (01296 585244)

The rights of way operations team invite comments on the council's enforcement policy, shown in Appendix 3 and available via the link at the end of this report. The policy has been approved by the council's leader, Cllr Martin Tett.

Reason for Report

While the strategy must comply with corporate council policy and existing legislation, the document is fluid and open to changes. The paper is therefore presented today to the Local Access Forum for comments and feedback.

A. Summary

- 1 The previous Rights of Way Enforcement Policy was over 15 years old, and there have been significant changes in procedure, including the addition of a Rights of Way Scheme of Delegations, over the intervening years.
- 2 It was therefore necessary to review and update the existing Rights of Way Enforcement Policy – providing a document to be viewed by officers, customers and stakeholders. The document outlines the legislative powers available to the authority regarding enforcement and gives details of what action our customers may expect the authority to take on illegalities found on the rights of way network.
- 3 The enforcement policy is required to:
 - clarify the circumstances in which Buckinghamshire Council's enforcement powers, primarily under the Highways Act 1980, will be implemented;
 - ensure that enforcement decisions are transparent; and
 - ensure that enforcement procedure is consistent.

B Content

4 The policy is comprised of 3 parts:

- The Rights of Way Enforcement Document
- Appendix 1 – showing the procedure typically followed by officers dealing with an enforcement issue
- Appendix 2 – showing the list of delegated functions within the Scheme of Delegations

C Next steps and review

5 The Policy will be made available on Buckinghamshire Council's web pages and will be reviewed whenever there is a significant change in procedure or legislation.

D Background papers

Link to the Rights of Way Improvement Plan for Buckinghamshire

www.buckscc.gov.uk/services/environment/public-rights-of-way/improving-our-rights-of-way/rights-of-way-improvement-plan/



**Buckinghamshire
Council
Rights of Way
Enforcement Policy**

TABLE OF CONTENTS

1.0 INTRODUCTION	3
2.0 PURPOSE OF POLICY.....	3
2.1 Enforcement Principles	3
3.0 RIGHTS OF WAY ENFORCEMENT - LEGISLATION	4
3.1 Applicable legislation	4
3.2 Additional Legal Powers.....	4
3.3 Guidance Documents.....	4
4.0 THE POLICY.....	5
5.0 THE ACTION.....	5
5.1 To Give Advice.....	5
5.2 Enforcement Notice.....	5
5.3 Prosecution	5
6.0 PROCEDURE FOR ENFORCEMENT	6
6.1 Enforcement Procedure.....	6
6.2 Delegated Powers	6
6.3 Decision Making.....	6
7.0 REVIEW.....	6
8.0 DIRECT ACTION	6
9.0 REGULATORS' CODE.....	6

LIST OF APPENDICES

APPENDIX 1 Procedure: Enforcement – Rights of Way.....	1 - 5
APPENDIX 2 Enforcement Functions within the Scheme of Delegations	1

1.0 INTRODUCTION

Buckinghamshire Council has a duty under section 130 of the Highways Act 1980 to assert and protect the rights of the public to the use and enjoyment of, and to prevent so far as possible, the unauthorised stopping up or obstruction of, all public rights of way and unsurfaced roads in the County of Buckinghamshire (BC).

2.0 PURPOSE OF POLICY The aim of the Highways and Technical Service (HT Service) is to ensure that all the highways within the area of BC remain in a condition that is safe and easy for use by the public; to carry out practical works in order to maintain the highways; advise and negotiate and, where necessary, take direct enforcement action or prosecute individuals or organisations in breach of the law.

The HT Service provides information, education and advice to all those who use or wish to use the public rights of way network in Buckinghamshire. The HT Service also gives advice, practical assistance and guidance to help farmers and landowners comply with the law. This document sets out BC's Rights of Way enforcement policy: its purpose; legal powers; the details of the policy; and how it should be interpreted and implemented. The enforcement policy is required to:

- clarify the circumstances in which BC's enforcement powers, (primarily under the Highways Act 1980 but also in consideration of all other enforcement powers available to BC) will be implemented;
- ensure that enforcement decisions are transparent; and
- ensure that enforcement procedure is consistent.

Enforcement action is a general term used within this document to cover the range of options, including negotiation and advice, direct action by the Council to remove obstructions and the decision to implement legal action up to and including prosecution where necessary.

Enforcement will be considered wherever appropriate powers exist to deal with actions or inactions that may lead to risks to the health and safety of the public or when highway rights are infringed.

2.1 Enforcement Principles There are four basic principles which underpin this policy:

- i. **Proportionality** - relating the enforcement action to the seriousness of the contravention. Some incidents may have the potential to place the public's health and safety at risk, whilst others interfere with people's enjoyment, their rights and HT Service's ability to carry out its activities. Enforcement action will be proportionate to the risks posed and to the seriousness of any breach of the law.
- ii. **Consistency** - undertaking a similar approach in similar circumstances. This does not necessarily mean 'uniformity' of action. When assessing a breach, Officers will need to exercise their professional discretion by taking into account all the relevant factors of the case. Cases must be dealt with by their own merits on a case-by-case analysis. Such relevant factors may include the severity of the breach, the impact or potential impact on the public, the behaviours of those responsible for the breach and the history of previous breaches.
- iii. **Transparency** - ensures that those against whom enforcement action is taken are aware of the legislative requirements and equally of the likely consequences of non-compliance. Distinction will need to be made between statutory requirements and what is good practice or desirable, but not compulsory. Transparency should aid those being regulated in complying with statutory requirements and minimise the need for further or continued enforcement action. It also helps maintain public confidence in the ability of the HT Service to fulfil its statutory duties. Where enforcement action is required an explanation will be documented (in writing) rationalising why action is proportionate, necessary and legally required. Unless urgent action is required, an opportunity will be provided to discuss what is necessary to comply with the law. Urgent action will

be taken where the safety of the public is paramount due to the circumstances. The enforcement policy must not fetter the Council's ability to take immediate action where and when required.

- iv. **Targeted** – ensuring that enforcement action is directed primarily to where the risks or impact on the public is greatest. Action will be focused on those directly responsible for the breach and who are best placed to control it. Prioritisation will be based on a number of factors including assessment of threat, risk, harm and impact on the public.

3.0 RIGHTS OF WAY ENFORCEMENT -

3.1 All legislation and common law powers and duties available to the Council for the enforcement of the Council's duties in relation to Public Rights of Way

[Examples of the applicable legislation/common law provisions] [the most common used provisions are] but are not limited to:

Highways Act 1980

- Section 130 – Protection of public rights
- Section 130A- Notices to enforce duty regarding public paths
- Section 131 – Penalty for damaging the highway etc.
- Section 132 – Unauthorised marking on the highway
- Section 134 – Ploughing etc. of Footpath or Bridleway
- Section 135 – Power to authorise works which may disturb a footpath or bridleway or restricted byway
- Section 137 – Penalty for wilful obstruction of the highway
- Section 137ZA – Power to order offender to remove obstructions
- Section 137A – Interference by crops
- Section 143 – Power to remove structures from the highway
- Section 145 – Powers as to gates across the highway
- Section 146 – Duty to maintain stiles and gates across the highway
- Section 147 – Power to authorise erection of stiles etc. on footpath or bridleway
- Section 148 – Penalty for depositing things or pitching booths etc. on the highway
- Section 149 – Removal of things so deposited on the highway as to be a nuisance
- Section 154 – Cutting or felling etc. of trees that overhang or are a danger to highway users
- Section 161 – Penalties for causing certain kinds of danger or an annoyance
- Section 161A – Danger or annoyance caused by fires lit otherwise than on highways
- Section 162 – Penalty for placing ropes etc. across a highway 3
- Section 164 – Power to require removal of barbed wire
- Section 165 – Dangerous land adjoining street
- Schedule 12A – Further powers in relation to interfering with highways

Additional Legislation

- Wildlife and Countryside Act 1981
- Public Order Act 1986
- National Park and Access to the Countryside Act 1949
- Local Government Act 1972
- Common law provisions in relation to nuisance and/or negligence

Future Legislation

Any legislation that is enacted subsequent to the publication of this policy, which either imposes a duty or a power on the authority to take enforcement action in regards to Public Rights of Way.

3.2 Guidance Documents

- DEFRA Rights of Way Circular (1/09)
- Gaps Gates and Stiles BS5709:2006
- Rights of Way Improvement Plan for Buckinghamshire
- The Code for Crown Prosecutors issued by the DPP under the Prosecution of Offenders Act 1985
- Central and Local Government Enforcement Concordat, March 1998

4.0 THE POLICY

Enforcement is directed towards (but not limited to) the following areas:

- Obstruction or unauthorised stopping up of the highway
- Restoration of highways lawfully ploughed
- Unlawful ploughing or disturbance of the highway
- Crops inconveniencing use of the highway
- Unlawful deposit of materials or structures in the highway
- Misleading notices on or near to a highway
- Overgrown hedges next to a highway
- Barbed wire next to a highway
- Enlargement of or removal of gates on footpaths or bridleways
- Other miscellaneous nuisances and obstructions

We The H T Service aims to:

- Take positive action to address problems as we the Service becomes aware of them
- Attach a timescale to resolution of an enforcement issue in line with those published in the Buckinghamshire Rights of Way Improvement Plan
- Ensure there is consistency and uniformity in our approach to enforcement and
- Prevent continuing or re-occurring offences as far as reasonably practicable.
- Assist, advise and provide practical assistance wherever possible to help farmers and landowners stay within the law.

5.0 THE ACTION

There are several possible courses of action available to us:

5.1 To Give Advice - Advice may be given when it is determined that the infringement is of a minor nature, and there is an agreement that the owner or occupier involved will take the required corrective action. The owner or occupier will be requested to take appropriate remedial action.

5.2 Enforcement Notices - A formal Notice may be served, dependant on the statutory/common law provisions used. If an offence has been committed (which will be decided on the facts) and where a request to take remedial action has failed, provided it is deemed that there is sufficient evidence to serve an enforcement notice. Such Notice will include provision for the Council to take direct action to remove obstructions or nuisances or to deal with the appropriate restoration of paths and to recover its costs as provided by the relevant legislation.

5.3 Prosecution - In some circumstances the Council will prosecute if it believes it to be in the public interest to do so and this may be undertaken in tandem with the service of Notices (as above). Prosecutions are an important part of our enforcement process. The Council will prosecute to provide a deterrent against offences being committed, but such action will only be taken when other attempts to secure compliance have failed., The decision to prosecute will be taken in accordance with legal advice regarding the facts of the case, the evidence available and with regard to whether there is sufficient admissible evidence to obtain a conviction.

Each case is considered on its merits. The appropriate authorised officer(s) of the HT Service will decide if the facts fall into one of the categories listed under the “The Policy” and also take into account additional factors which reflect the Code of Practice for the Crown Prosecution Service including “the full code test”.

At all stages when considering enforcement action, the Council will take full consideration of all aspects of the Human Rights Act 1998.

Prosecution will be considered when:

- There is a significant risk to public safety – (which may or may not be possible for the Council to abate using direct powers)
- There is a flagrant breach of the law, or if notice has been given that legal proceedings will be considered for future breaches.
- There has been a failure to heed advice or instructions or take corrective action, or act on an enforcement Notice.
- There is a history of similar infringements.
- If the prosecution is in the public interest.
- Sufficient evidence to provide a realistic prospect of conviction.

Additional Considerations for prosecution:

- Is a conviction likely to result in a fine?
- What is the previous behaviour and/or record of the defendant?
- Is the Offence widespread?

Each case will be subjected to an ongoing process of review to ensure the level of enforcement action continues to be appropriate. Once the decision to prosecute has been made, enforcement action will be commenced without unnecessary delay.

6.0 PROCEDURE FOR ENFORCEMENT

6.1 Enforcement Procedure - As well as providing details of the policy to external partners it is also designed to be used by Officers of the Council when they have become aware of issues that fall within the scope, and to inform and guide when considering appropriate enforcement action.

Appendix 1 attached is an outline of the procedure followed by officer when considering proceeding to enforcement action.

6.2 Delegated Powers – All decisions pertaining to the authorisation of actions under this enforcement policy are set out in the Scheme of Delegations to officers, from the Service Director which gives a number of enforcement functions to officers as outlined in the table attached in Appendix 2.

6.3 Decision Making

All decisions pertaining to the authorisation of legal action under this enforcement policy are set out in the document, Enforcement Functions within the Scheme of Delegations (Rights of Way), abridged table in Appendix 2.

7.0 REVIEW

This policy will be reviewed whenever there is a significant change in legislation, national or local policy, or otherwise when deemed necessary. The contents of the policy may not definitively detail all courses of action available to the Council.

8.0 DIRECT ACTION

Nothing in this Policy does in any way effect the powers available to the Council to take direct action to remove unsafe or unauthorised obstructions or deposits in the highway.

9.0 REGULATORS' CODE

The Legislative and Regulatory Reform Act 2006 requires local authorities exercising regulatory functions to exercise these in accordance with statutory principles and in accordance with the Regulators' Code 2014. Highway enforcement functions are included within the regulatory functions covered by this legislation.

The regulatory principles state:

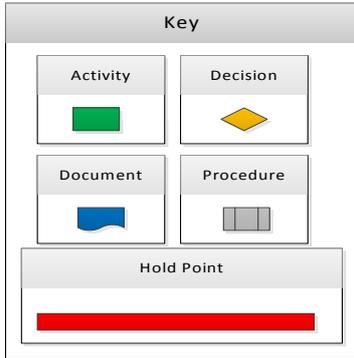
- Regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent;
- Regulatory activities should be targeted only at cases in which action is needed.

The Regulators' Code requires that local authorities consider the following principles when setting policy and operational procedures:

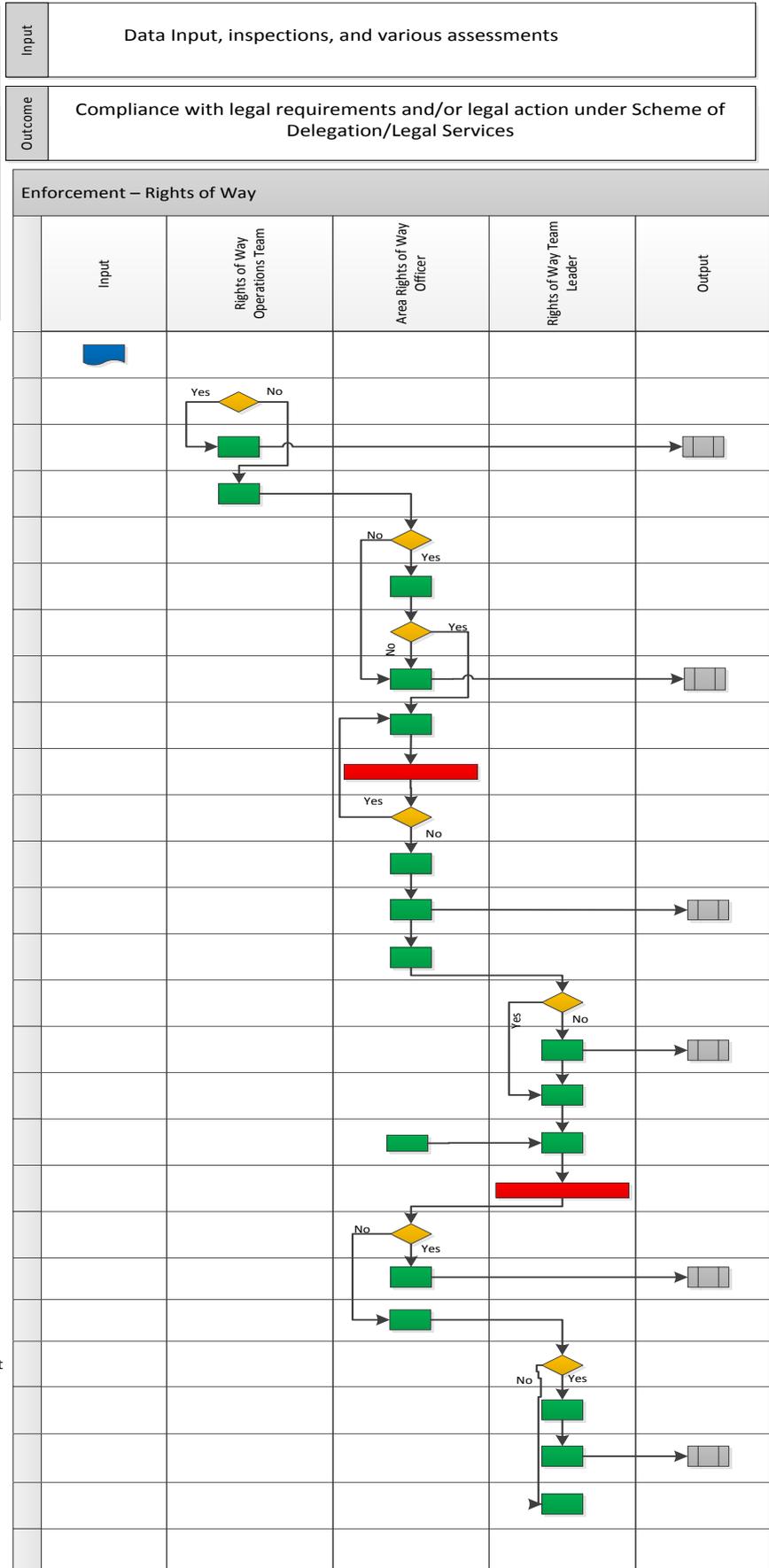
- Regulators should carry out their activities in a way that supports those they regulate to comply and grow
- Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
- Regulators should base their regulatory activities on risk
- Regulators should share information about compliance and risk
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- Regulators should ensure that their approach to their regulatory activities is transparent

The Council has taken account of these principles when formulating its policy.

Procedure: Enforcement – Rights of Way



1. Customer Report in CAMS
2. Can issue be dealt with via standard letter?
3. Find owner or responsible person and write letter
4. Pass to AROWO
5. Does it need inspection?
6. Fit in site inspection/raise inspection sheet
7. Carry out site inspection is there illegality
8. Sign off/MONITOR CAMS/ ALERT CUSTOMER TO FINDINGS
9. Make contact with person responsible and advise of offence and actions required
- Hold for legal time limits up to 28 DAYS
10. Has person responsible responded
11. Carry out a site inspection is illegality still present?
12. NO – SIGN OFF ISSUE
13. Yes – Escalate to Team Leader
14. Is issue actionable under the highways Act 80
15. IF MAINTENANCE ISSUE or RoW gang can resolve
16. Advise AROWO on correct legislation review evidence
17. Raise Notice and Serve
- Hold for legal time limits up to 28 DAYS
18. Carry out site inspection is issue resolved
19. Sign off CAMS/Alert customer to findings
20. Issue still O/S advise Team Leader
21. Can issue be resolved by work in default
22. Issue work instruction to RoW gang and attend site
23. On Completion of work close CAMS/alert customer
24. No Advise Legal Services of inaction - proceed to prosecution





Procedure: Enforcement – Rights of Way

Objective	Provide a streamline process for RoW Ops Team to observe, ensuring that issues are uniformly and consistently processed as far as practicable, in order to comply with duties under the Highways Act 1980.
Input	Data Input, inspections, and various assessments operate in parameters of Scheme of Delegation
Output	Compliance with legal requirements and/or legal action under Scheme of Delegation
Procedure Owner	Rights of Way Operations Team – Team Leader

1. Procedure	Customer Report in CAMS
Assume that the issue in CAMS has already been assessed through the Customer Reports Procedure, and that it is an issue RoW Ops has responsibility for, that the customer has been acknowledged and advised of procedure.	
2. Decision	Can issue be dealt with via standard letter
Either using templates, eg. Ploughing and Cropping or another standard obstruction letter, if yes go to 3. If no go to 4.	
3. Procedure	Find owner or responsible person and write letter
Find landowner using the Landownership process, then using the correct template write letter to the person responsible	
4. Activity	Pass to AROWO
Escalate Enforcement issue to the Area Rights of Way officer provide the relevant information	
5. Decision	Does it need inspection?
From the information within the report and reviewing the information contained in the database does this issue need inspection or has it already been assessed and found not to be an issue, or is it already a matter on 'monitor', if yes go to 6. If no go to 8.	
6. Activity	Fit in site inspection/raise inspection sheet
Raise an inspection sheet, including map etc	
7. Decision	Carry out site inspection, and assess compliance/continued presence of illegality
Attend the site, assess if the issue reported is the responsibility of the landowner and is the problem an offence. Would it be possible to resolve easily using in house RoW gangs. If on illegality go to 9 – If not go to 8	
8. Procedure	Sign off/MONITOR CAMS/ALERT CUSTOMER TO FINDINGS
Sign off the issue, and alert the customer to the findings and/or likely actions.	
9. Activity	Make contact with person responsible and advise of offence and actions required
Refer to point 3. Finding the landowner. Write to the person likely to be responsible, using an appropriate template if available, and advise them of the offence – ALERT them to the actual sections of the relevant Act, ensure that a time scale/limit is indicated in the letter, ensure that they are advised if relevant to RPA Area Payment Scheme.	
Hold Point	Hold for legal time limits up to 28 DAYS hold point
Hold for the period of time outlined in the letter up to 28 days	
10. Decision	Has person responsible responded
Has the owner responded, confirmed that the issue is resolved does it need a further inspection, go to 11. If they have NOT responded also go to 11. If they have responded but the issue is not their responsibility go back to 9 .	
11. Activity	Carry out a site inspection is illegality still present?



Procedure: Enforcement – Rights of Way

Carry out a site inspection to assess if the issue is still a matter to resolve, if there is still an issue go to 13, if there is no longer an issue go to 12.	
12. Activity	NO – SIGN OFF ISSUE NFA
Sign off the issue as resolved and follow procedure for 19.	
13. Activity	Escalate to Team Leader
Brief TL, provide relevant information, including history, photos, AMIAP!	
14. Decision	Is issue actionable under the highways Act 80
Review relevant information and assess if issue is an offence that is actionable. If No and it may be resolved using the maintenance gangs go to 15. If Yes go to 16.	
15. Procedure	IF MAINTENANCE ISSUE or RoW gang can resolve
Issue an instruction to the RoW Gang to carry out works – NB only use this as an option following an assessment, is this the quickest cheapest option – It must not be setting a precedent, it must not resolve an unlawful structure.	
16. Activity	Advise AROWO on correct legislation review evidence for Notice
Review the evidence ensure sufficient to prove the offence and that it is complete. Advise Area Rights of Way Officer of legal action and relevant acts.	
17. Activity	Raise Notice and Serve by recorded delivery post.
AROWO to raise relevant Notice (Refer to Scheme of Delegation) - checked by Team Leader and signed, post notice to responsible owner – send by recorded delivery	
Hold Point	Hold for legal time limits up to 28 DAYS hold point
Ensure that time limit is observed – in accordance with the correspondence/legal notice	
18. Decision	Carry out site inspection is issue resolved
On expiry of time in legal notice carry out a site inspection, gather evidence, take photos, is the issue resolved satisfactorily, Yes go to 19 if No go to 20.	
19. Procedure	Sign off CAMS/Alert customer to findings
Sign off the issue, and alert the customer.	
20. Activity	Issue still O/S advise Team Leader
Advise TL of current situation, brief on any other information pertaining since 17 if any, provide new photos or evidence if available.	
21. Decision	Can issue be resolved by work in default
NB only use this as an option following an assessment, (is it necessary to delay work in default because of ground conditions, or crop rotation), if it is achievable go to 22. If it is not achievable or it is necessary to seek further legal advice go to 24.	
22. Activity	Issue work instruction to RoW gang and attend site
Raise the works instruction, and arrange with the gang to attend the site, ensure that a risk assessment of the site is completed, does it require a police presence, is owner likely to commit a breach of the peace or is there any possibility of an actual assault or verbal assault. On completion of the job go to 23.	
23. Procedure	On Completion of work close CAMS/alert customer
Sign off the issue, and alert the customer	
24. Activity	No Advise Legal Services of inaction - proceed to prosecution

Highways and Technical Services,
Communities

Procedure: Enforcement – Rights of Way

Review the case with legal services. Is further evidence required - (NB evidence should be gathered through all relevant steps, copies of letters and correspondence recorded both from the public and to and from the responsible person, photos taken during site visits and officer and file notes recorded). If it is not possible to carry out work in default through a legal notice, would prosecution resolve the issue. Consider calling person in for interview under PACE. AROWO to compile a report containing all evidence, photos, history of issue and actions taken. Send to Legal Services for review. Head of Legal Services to determine sufficient evidence to apply to Magistrates Court for prosecution.

Allocation of Roles and Responsibilities by Activity			Responsibilities							
			Assistant RoW Off.	Area RoW Officer	Team Leader	Legal Services				
1	Procedure	Customer Report in CAMS	R							
2	Decision	Can issue be dealt with by Standard Letter	R							
3	Procedure	Write letter to responsible person	R							
4	Decision	Pass to AROWO	R							
5	Decision	Does it need inspection		R						
6	Activity	Fit in site inspection/raise inspection sheet		R						
7	Decision	Carry out site inspection is there illegality?		R						
8	Procedure	Sign of/monitor CAMs/Alert Customer to result	R	R						
9	Activity	Contact responsible person and advise of offence		R						
	Hold Point	Hold for legal time limits up to 28 days								
10	Decision	Has person responsible responded		R						
11	Activity	Carry out site inspection is illegality still present?	R	R						
12	Activity	Sign off issue NFA		R						
13	Activity	Escalate to Team Leader		R	R					
14	Decision	Is issue actionable under legislation		R	R					
15	Procedure	If maintenance issue or RoW gang can resolve	R	R						
16	Activity	Advise on correct Legislation-review evidence		R	R					
17	Activity	Raise Notice and Serve by recorded delivery post		R	A	C				
	Hold Point	Hold for legal time limits up to 28 days								
18	Activity	Carry out site inspection is issue resolved		R						
19	Procedure	Sign of CAMs/Alert customer to findings		R						
20	Activity	Issue still o/s advise Team Leader		R	A					
21	Decision	Can issue be resolved by work in default?			R					
22	Activity	Issue work instruction to gang and attend site		R	A					
23	Procedure	Completion of work close CAMs/alert customer		R						
24	Activity	Advise legal services – prosecution		R		C				



Procedure: Enforcement – Rights of Way

Key:

- R** = Responsible (person who owns the task and does the activity)
- A** = Accountable (person who is accountable for making sure the activity is done, often the person R reports to)
- C** = Consulted (person who should be consulted and/or has information or capability required for the completion of the task)
- I** = Informed (person should be informed / notified of results but does not need to be consulted)

Enforcement Functions within the Scheme of Delegations

Function delegated to Head of Service and/or Team Leader	Act
Duty to assert and protect the rights of the public to use and enjoyment of highways	Section 130 of the Highways Act 1980
Duty to serve notice of proposed action in relation to obstruction	Section 130A of the Highways Act 1980
Power to authorise temporary disturbance of surface of [footpath, bridleway or restricted byway]	Section 135 of the Highways Act 1980.
Functions relating to the making good of damage and the removal of obstructions	Section 135B of the Highways Act 1980
Powers relating to the removal of things so deposited on highways as to be a nuisance	Section 149 of the Highways Act 1980.
Power to Apply for an enforcement notice order against works on common land	Section 41 of the Commons Act 2006
Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference	Section 45(2)(a) of the Commons Act 2006
Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens	Section 45(2)(b) of the Commons Act 2006
Grant of an extension to the disturbance of highway	Section 34(8) of the Highways Act 1980
Service of enforcement notice to secure cutting of hedgerow	Section 154 of the Highways Act 1980
Service of enforcement notice on landowner for structures out of repair	Section 146 of the Highways Act 1980
Service of notice to secure removal of obstructions on highway	Section 143 of the Highways Act 1980
Service of notice to secure removal of crops on [footpath, bridleway, restricted byway] and carry out works to make good the route	Schedule 12A of the Highways Act 1980

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BUCKINGHAMSHIRE
LOCAL ACCESS FORUM

Report

AGENDA ITEM 6

Date: 14th July 2021

Title: Ridgeway Riding Route: off-road cycling - draft Wendover audit report

Author: Sarah Wright

Contact Officer: Rebecca Binstead (01296 585244)

As part of the Ridgeway Riding Route project, the Ridgeway Trail Officer has worked with a tourism consultant to carry out an audit of Wendover in order to inform future work around off-road cycling in the area. The draft report: '*An Audit to Assess Wendover's Provision for Off Road Cyclists and Recommendations for Improvements*' can be viewed using the link below:

<https://drive.google.com/file/d/15KevkhLm9e-ieNeyOpBD5szRovRmiO-G/view?usp=sharing>

The Ridgeway Partnership would welcome comments from the Local Access Forum regarding this report and cycling in the Wendover area. The LAF member for cycling, Richard Jennings, has provided feedback on behalf of British Cycling (APPENDIX 2).

The Ridgeway Partnership welcomes support from the Buckinghamshire Local Access Forum in improving provision for off-road cycling in Wendover and pursuing delivery of the report's recommendations, particularly those beyond the scope of the Ridgeway Partnership's remit.

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APPENDIX 4

'An Audit to Assess Wendover's Provision for Off Road Cyclists and Recommendations for Improvements'

Cycling UK comments - we have just a few concerns that the whole area might become like Wendover Woods, which has its downsides, with over-use, litter, etc. But overall very supportive.

Specifics - p47 Clock Tower is a currently a meeting point for CUK riders. Coming back onto the road can be dangerous being so close to the busy roundabout. Some signage warning drivers of possible cyclists opposite the Menswear Shop could be a good idea.

p54 The Shoulder of Mutton. This has an excellent large garden with seating and will be on the Wendover Cycleway Scheme. Really worth pushing this for cyclists.

p52 It would be good to use the draw of visiting Chequers, not really mentioned, and include Buckmoorend Farm Shop as a coffee stop *en route*, i.e. add to the list of cafes.

Wendover Cycleway Scheme (WCS) - would be good to request that the ramp up to the station from Coombe Avenue is max 5%. This is the LTN standard (Cycle infrastructure design (LTN 1/20) and would benefit less experienced cyclists.

It would be good to extend the WCS to get to the High Street, via Dobbins Lane, or the commercial benefits mentioned. Is it too late to add to the consultation?

No mention of Halton Housing Redevelopment. Once the base has moved, next year (?), it would be good to open up access to McEween Road (currently RAF access only at the back of Halton House) so as to exit near The Forestry Commission office on the B4009. This avoids slowing all the traffic heading up to the Aston Hill Down Hill Trail using the direct route to/from the station

General comment - I know some less experienced off roaders prefer the flatter routes in the Vale. There could be an excellent alternative route that links Aylesbury - Marsh - Longwick - Phoenix Trail - Emmington - Sydenham - Aston Rowant - Ridgeway, all quiet lanes / off road. This is different to the Icknield Way Riders route which is pretty tough from Princes Risborough to Wendover, but that's probably outside the scope of the brief for Wendover.

Specific Outside Scope - p11 has a diagram "Propensity To Cycle - Census 2011". I have seen this used in the Aylesbury Garden Town project as well. It is very misleading with regard to the RADIAL ROUTES OUT OF AYLESBURY. I would be concerned if there was another version in the pipeline after this year's census. There should be some sense checking, or context setting, before use in council planning decisions. Ideally including cycling representation.

Main comment

Good work!"

Regards,

Richard

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BUCKINGHAMSHIRE
LOCAL ACCESS FORUM

Report

AGENDA ITEM 7

Date: 14th July 2021

Title: Rights of Way Improvement Plan: Year 1 Action Plan report (Chapters 1 and 2)

Author: Jonathan Clark – Strategic Access Officer

Contact Officer: Rebecca Binstead (01296 585244)

The Year 1 Action Plan report report in Appendix 2 has been produced to demonstrate progress delivering the outcomes of the Buckinghamshire Rights of Way Improvement Plan 2020 – 2030 between 1st April 2020 and 31st March 2021 (Year 1).

The six ROWIP themes are headed by an itemised summary of the stated aims in the ROWIP and Delivery Plan report respectively, followed by a summary of performance.

Members scrutiny and feedback is requested before the report is finalised and published. Does the paper accurately reflect performance?

Themes 3 – 6 will be reported upon formally at the 3rd November 2021 LAF meeting.

For further information please contact Jonathan Clark 01296 387695

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YEAR 1 REVIEW

Introduction

This report aims to demonstrate progress to deliver the outcomes of the Buckinghamshire Rights of Way Improvement Plan 2020 – 2030 in Year 1: between 1st April 2020 to 31st March 2021. There are six themes to the ROWIP which will be reflected in this report, with each section headed by an itemised copy of the stated aims in the ROWIP and Delivery Plan report respectively. The report starts by updating the estimated cost symbols in the Action Plan.

Estimated costs

The Local Access Forum requested provision of a key of the ‘crystal balls’ and ‘walker’ symbols (financial estimates) in the Action Plan to aid public interpretation. How much money does one walker symbol represent?



This information now needs updating on the document itself.

Theme 1 Mapping the network

The ROWIP states...

Ref	Objectives	Ref	Actions
MN1	To uphold our duties to provide an up-to-date Definitive Map and Statement.	MN1.1	Consolidate the Definitive Map and Statement by 2025.
		MN1.2	Reduce the number of map anomalies.
		MN1.3	Improve our online, publicly viewable, registers for DMMOs, PPOs and Landowner Deposits.
		MN1.4	Consider all applications for Public Path Orders, Definitive Map Modification Orders and Cycle Track Orders and determine these in line with any statutory timescales.
MN2	Keep an up-to-date register for Common Land and Town and Village Greens.	MN2.1	Consider all applications for Common Land and Village Green registrations in line with any statutory timescales.

The Year 1 Action Plan states...

Ref	Objectives	Ref	Actions	Actions 2020 – 2021	Estimated Cost	Funded	PROW Team	Partner Organisations
MN1	To uphold our duties to provide an up-to-date Definitive Map and Statement.	MN1.3	Improve our online, publicly viewable mapping, registers for DMMOs, PPOs, TTROs, HS2 and EW Rail updates and Landowner Deposits.	Build upon Unitary “frontline” service provision and review public information provision.		Existing budgets	DM	Parish Councils LAF
				More time investment on making better use of CAMS web for Definitive Map matters.				
MN1.4			Consider all applications for Public Path Orders, Definitive Map Modification Orders and Cycle Track Orders and determine these in line with any statutory timescales.	Time track and programme process work.		Existing budgets	DM	Parish Councils Archives Ramblers BHS Chiltern Society
				Keep under regular review and set targets. Upskill both junior Definitive Map Officers to increase capability.				

MN.1

The stated aim is to consolidate the definitive map by 2025 following the previous update in 2006. With staff resource returning to normal in 2022 this target should still be realistic.

MN1.2

The aim is to reduce the number of map anomalies. A map anomaly is an incorrect recording on the definitive map based on historical evidence and/or information on the ground. A quick initial investigation is made of anomalies as they arise. If it is clear the map is correct these are not logged. Any initial evidence suggesting further work is required, for example, in the record centre archives, the case is logged on a spreadsheet. None of these cases were resolved in Year 1, so this will need to be reviewed in Years 2-5 (2022-2025).

MN1.3

CAMS (Countryside Access Management System) is the GIS mapping and database software used by rights of way officers daily to receive and manage issues and reports or job sheets, and through which the public gain access to information. This was brought on-stream in March 2019 prior to publication of the ROWIP. Reference MN1.3 aims to build on the existing information available to the public with the additional tools and information provided by this software, but which are not currently in use on the website. Staff resource needed is to input and 'cleanse' and check the data is correct before appearing on the public-facing area of the website.

There was no staff time to invest in CAMS in Year 1, mainly as time was lost through staff redeployment on Covid-19-related work and managing existing PPO workloads. With an easing of staff pressures in 2022 this aim is predicted to be addressed in years 2-5.

Website information on 1. landowner deposits; 2. modification orders; 3. public path orders (diversions); 4. temporary traffic regulation orders; and 5. traffic prohibition orders; are updated on a weekly basis, with accompanying maps and provided via this web link:

<https://www.buckscc.gov.uk/services/environment/public-rights-of-way/changes-to-public-rights-of-way/>

Extra data additional to 1-5 above could include access to historical PPO's and historical landowner deposits. The ambition for year 2-5 is to make these publicly available with maps.

Existing legislative obligations require us to provide 1-5 above and it is considered this is being provided successfully. However, in light of the major railway in Buckinghamshire having a widespread and significant negative impact on the ROW users in Years 1-6 of the ROWIP. Therefore, we've allocated an area of the website providing information on East West Rail (EWR) and High Speed 2 (HS2) temporary closures as these are not always easily available on either EWR or HS2 websites in a clear and concise manner. Two additional items are therefore listed: 6. East West Rail closures; and 7. HS2 closures.

Existing landowner statements deposited under s31(6) are provided and updated on the website.

MN1.4

Public Path Orders (PPO's) were delayed with staff re-deployed on Covid-19-related work, but the backlog is now up to date – meaning any application received is considered without

undue delay. During the first Covid-19 lockdown, between 24th March and 31st July 2020, all PPO's were put on hold. There are currently 53 PPO's being progressed.

There is currently a backlog of Definitive Map Modification Orders (DMMO's). At 31st March 2021 there were 6 ongoing determined cases with 34 to be investigated. Work is taking place to reduce delay between receiving the application and either rejecting or determining applications. Covid-19 reduced access to the Records Office and restricted opportunities for wider public consultation on applications.

It's difficult to predict how many DMMOs can be determined per year as they vary significantly in complexity, but if fully staffed in 2022, it is hoped to increase the rate at which applications are brought forward for determination, perhaps around 8-10 per year.

With this in mind, staff training has been targeted to consider and research existing DMMO's. In Year-1 the LAF requested more condensed DMMO information to be presented at their meetings, providing more useful information to judge progress on dealing with DMMOs. This will be provided in July 2021.

MN.2 Common land and Village Greens

MN 2.1

This area of work has low caseload numbers, but applications are complex, costly and time consuming. With all existing cases having undergone some investigation work in Year 1, there is no backlog between receiving the application and starting investigations. At March 2021 there were 4 live cases with one having been rejected in Year 1.

THEME 2 – Looking after the network - maintenance & enforcement

The ROWIP states...

Ref	Objectives	Ref	Actions
LN1	To protect the network and maintain it in the best condition possible, prioritising safety and areas of greatest need and seeking improvements where possible.	LN1.1	Review the management matrix so that it aligns more closely with Buckinghamshire's priorities, helps target resources more effectively and provides the public with realistic timescales to resolve issues.
		LN1.2	Adhere to and monitor performance against the timescales set out in the management matrix, reviewing outstanding issues on an annual basis. Periodically publish performance figures to the Local Access Forum.
		LN1.3	Publish the council Enforcement Policy, take enforcement action against illegal actions, work with enforcement partners and recover costs.
		LN1.4	Ensure effective and efficient working through delegating powers to officers to deliver functions, including serving enforcement notices.
		LN1.5	Support landowners through providing advice and information, waymarking materials and assistance for materials for removing structures.
		LN1.6	Work with National Trail Partnerships to ensure high quality maintenance.
		LN1.7	Ensure high standards of environmental protection in carrying out maintenance work.
LN2	To improve understanding of the network, its assets and its condition.	LN2.1	Carry out an annual survey of the condition of 5% the public rights of way network.
		LN2.2	Improve understanding of the condition and value of the assets on the network, update the record of assets in the CAMS database and work towards implementing an asset management system to forward plan budget requirements.
		LN2.3	Work with partners and volunteers to survey the condition of promoted routes.

The Year 1 Action Plan states...

Ref	Objectives	Ref	Actions	Actions 2021 – 2024	Estimated Cost	Funded	PROW Team	Partner Organisations
LN1	To protect the network and maintain it in the best condition possible, prioritising safety and areas of greatest need and seeking improvements where possible.	LN1.1	Consult LAF, ROW Liaison Group BHS and Management team annually to take advice on the effectiveness of the management matrix and annual capital programme so that it aligns more closely with Buckinghamshire's priorities, helps target resources more effectively and provides the public with realistic timescales to resolve issues.	Review effectiveness of current management matrix. (Project move to orange next phase)		Existing budgets	ROW OPS	Parish Councils Ramblers Chiltern Society BHS LAF TRF
LN2	To improve understanding of the network, its assets and its condition.	LN2.2	Improve understanding of the condition and value of the assets on the network, update the record of assets in the CAMS database and work towards implementing an asset management system to forward plan budget requirements.	Continue to carry out 6 year programme of inspections on known bridge structures an update details on CAMS. Move forward inspection programme and design new report outputs which reflect what is needed for any ROW Asset Management Plans (inc costs, replacement, life span/cycle etc)	 	Existing budgets	ROW OPS DM	Parish Councils Ramblers Chiltern Society BHS LAF TRF NFU CLBA

LN 1.1

This aim seeks to consult widely with partners on the effectiveness of the Management Matrix. <https://www.buckscc.gov.uk/services/environment/public-rights-of-way/maintaining-public-rights-of-way/>

The Matrix table allows officers to prioritise reported issues between routes with high, medium or low use, against promoted route and the type of issues reported: from missing signposts, to enforcement issues or problems that are risks to the public. These set timescales which the team are expected to meet, and the matrix allows performance to be measured, for example, '75% of Priority 1 issues were met in the required timescale' and so on. The matrix originated in the 2008 ROWIP and reviewed by the Local Access Forum in 2016. Members requested that nothing was changed, to ensure consistency of long-term data that enabled accurate performance trends over many years.

A review of the matrix's effectiveness and opportunities for improvement were due for review in Year 1, but this wasn't achieved, in part because due to Covid-19 the LAF didn't meet in July 2020 and the Rights of Way Liaison Group hasn't met since January 2020. Also, the greatest need in 2020 was to maintain and keep the network open, with an increased number of enforcement issues, when use of the network was high, so other consultation work had to be pushed back. However, a review is proposed to be undertaken in the latter part of 2021 for consultation with the Local Access Forum and Rights of Way Liaison Group in 2022.

The annual capital programme is added to every liaison group and LAF agendas, outlining intended expenditure, accompanied by a summary of works completed. This was presented at September 2020 and March 2021 LAF meetings, but both ROWLG meetings were cancelled in Year 1.

LN.1.2.

The figures will be available to be presented to the LAF for Year 1 in November 2021. Performance for enforcement and maintenance are based around the Matrix, with two elements normally reported to LAF and ROWLG: Category C (maintenance) and how were we're meeting our enforcement across categories A, B and C. This provides a snapshot to reflect the general pictures. The Year-1 figures will be available at the 3rd November 2021 LAF.

It is likely that the figures would have been poor against other years, as the works team were stood down, then on returning were restricted to reduced hours for some weeks. Site inspections were suspended and team members were redeployed to the Covid-19 response. Volunteer teams were also stood down. Anecdotally, response rates to reported issues were much slower than in previous years.

LN.1.3

A new enforcement policy has been completed and is shortly to be available on the website. It will be presented to the Local Access Forum on 14th July 2021.

The majority of enforcement in 2020 revolved around unlawful obstructions in the first Covid-19 lockdown. Rights of way remained open, but some landowners chose to lock gates or erect barriers. A request was made to close a footpath in Chalfont St Peter through the grounds of a care home, which was refused.

Five enforcement notices were served in Year 1, including one case requiring Police attendance. Examples include two panels of Heras fencing removed in Hazlemere; boards removed against a kissing gate in Great Missenden; removal of several "Covid-19 KEEP OUT" signs, taking issue with landowners threatening people; and removing wooden pallets blocking two stiles in Stoke Mandeville. Most obstructions are removed pre-enforcement through negotiation.

Officers worked with Chiltern Area planning enforcement partners in Year 1, for example, a bridleway along Dibden Hill, Chalfont St Giles needed reinstating after construction traffic damage. A 'construction traffic management plan' ensured the condition was returned to the original, pre-construction state, and the planning condition secured traffic routes to avoid vulnerable sections of bridleway.

LN1.4

Following the council becoming unitary on 1st April 2020, delegated powers were granted to senior officers to serve notice on owners that obstruct footpaths. The updated Rights of Way Enforcement policy explains the delegated powers, which includes a typical work-flow process. The policy was presented to the LAF in July 2021 and will be available on the website in Year 2.

LN 1.5

Advice to landowners from Area Officers continues daily through phone conversations, meetings and letters. The main route for distributing waymark discs is through volunteers, such as the Chiltern Society Area Secretaries and Path Checkers, but the council continues to support landowners with other signs to help manage access, for example, waymark discs, no cycling signs and no dog mess signs. An area of the website is devoted to advising landowners.

The council continues to provide gates to the Ramblers (RIPPLE) volunteers to install at the rate of 1 per week; mainly in north to replace stiles. In the south the council supports the Donate-a-Gate scheme and (also in the north) offers gates free to landowners willing to install them and when replacing stiles to improve access. While the RIIPPLE team normally installs around 52 gates per year, this was reduced in Year 1 to 32 due to Covid-19 working restrictions.

LN 1.6

The team maintain good relations with and support from the Ridgeway and Thames Path National Trails teams and are guided by national trail standards. In Year 1 there was no staff capacity to attend Ridgeway Board or Delivery meetings or any Thames Path meetings. However, the Ridgeway officer benefits from attendance by the south Area Officer and LAF member for the British Driving Society at Delivery Group meetings. The council and LAF's comments on the Wendover cycling audit, related to the Ridgeway Riding Route, has been useful.

Larger works by the Ridgeway team in Year-1 have generally been in the planning stages, including surfacing at Bacombe Hill and Coombe Hill SSSI's. New pedestrian gates were completed by the council to support the Ridgeway team at Chequers (Ellesborough), Lodge Hill (Bledlow) and Whiteleaf (Princes Risborough) in Year-1. The Ridgeway and Thames path volunteers undertake annual summer strimming and mowing to keep paths clear.

On the Thames Path one bridge structure was re-decked along Marlow Footpath 1 (MAW/1/1) to be compliant with disabled and Environment Agency standards. An additional surface repair in Little Marlow will be joint funded by Thames Path and council in Year 2.

LN 1.7

Ensuring high standards of environmental protection remains integral to daily work. Officers benefit from electronic mapping (GIS) layers to indicate sensitive wildlife and archaeology sites. Permission was obtained from Natural England in Year 1 to work on two Ridgeway sites: at Bacombe Hill (Wendover) and Lodge Hill (Bledlow). Two officers received training on ROW works requiring Environment Agency consent, which is sought for bridges across main rivers.

LN 2.1

In a normal year and with the help of volunteers from the Chiltern Society, the team would survey 5% of the network twice a year in May and November. Covid-19 restricted the May 2020 survey, but the November 2020 was completed and the results reported to the March 2021 LAF meeting.

LN 2.2

This aims to gather information onto a database of structures for which the council are responsible: an asset management system. Armed with this information, and the predicted lifespan of each structure, the team can forward-plan costs more accurately to future demands, then bid for funding.

Bridge inspections were undertaken in Year 1, recording the type of bridge and condition. This a bridge inspection regime has continued for a number of years, similar to inspecting vehicular highway structures for insurance purposes, and started when ROW maintenance fell under the Ringway Jacobs contract.

To survey the whole network of bridge structures takes around 7 years. We don't currently have the technical engineering expertise to assess and price it up larger bridge structures but can estimate.

The council's online mapping software (CAMS) provides a full inventory of every structure and intelligence is gathered and edited daily by officers. To this extent, the team are meeting the Action Plan target.

We should be able to price each bridge, signpost and waymark according to that inventory, together with contractor costs for replacement. Surfaces could also be included so we can evaluate depreciation, but much private work happens on the network to which the council is unaware. We should also include stiles and gates as the council sometimes repairs these structures on a de facto basis and funds replacement of stiles with gates to improve access.

At present there is no staff resource to compile an asset management system or make active decisions on prices.

Maintaining up-to-date information on CAMS that accurately reflects the situation on the ground is an issue. Surveys indicate out-of-date content including furniture, path issues and signage. While there will inevitably be changes on the ground to which the council are not always made aware, advice will be sought from the LAF in Year 2 seeking solutions to remedy the problem.

LN.2.3

The LAF member for the Chiltern Society, Andrew Clark, has offered to start by surveying 'The Chiltern Link' promoted route in Year 2. The ROWIP suggests reviewing which routes should continue to be formally promoted and this will lead future survey programmes.

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**BUCKINGHAMSHIRE
LOCAL ACCESS FORUM**

Report

AGENDA ITEM 8

Date: 14th July 2021

Title: Rights of Way group update

A. MATTERS PREVIOUSLY DETERMINED

1. **Hedgerley** – application to upgrade public footpath No. 14 to public bridleway status based on historical evidence. **Order made. Objection received, referred to the Secretary of State for determination.**

2. **Little Chalfont** - application to record a public footpath around Statters Field off Burton Lane. **Application dated 13 January 2016. Application presented to Committee and accepted. Order made and advertised. Referred to Secretary of state for determination.**

B. DEFINITIVE MAP APPLICATIONS TO BE INVESTIGATED (DMMO)

All definitive map modification applications are dealt with in chronological order of receipt. However, we will prioritize certain applications under the following circumstances:

SUMMARY

	2016	2017	2018	2019	2020	2021
Applications received for Definitive Map Modification Orders	13	2	0	0	5	0

Applications for Definitive Map Modification Orders	
Apps. waiting to be investigated	28
Apps. under investigation	7
Orders waiting to be determined by PINS	2

- I. the evidence in support (either fully or in part) of the application is that of user evidence;
 - II. there is a threat of development affecting the claimed route;
 - III. if the evidence in support of the application is shared with another application within the chronological list and it would be efficient to investigate the applications concurrently.
1. **Chepping Wycombe** – application to record route between public footpath No. 14 and No. 15 Parish of Chepping Wycombe. **Application dated 14 September 2015. Investigation not started; discussions are ongoing with developer regarding a potential Creation Agreement.**
 2. **Marlow** – application to record a public footpath from Cromwell Gardens to New Court. **Application dated 15 January 2016. Under investigation.**
 3. **Wooburn** – application to upgrade Public Footpath No. 3 between Princes Road Groves Close to byway open to all traffic. **Application dated 26 February 2016. Decision report being prepared.**
 4. **Hazlemere** - application to record various routes in the field adjacent to Public Footpath No. 8 and Public Bridleway No. 6, Parish of Hazlemere as Public Footpaths. **Application dated 23 April 2016. Decision report being prepared.**
 5. **Leckhampstead** - Application to upgrade Public Footpath No. 5 (part) to Public Bridleway and add a route which connects with No.5 as Public Bridleway. **Application dated 21 June 2016. Decision report being prepared.**
 6. **Chesham** – Application to add a Public Footpath to the Definitive Map between Fair Leas and Asheridge Road. **Application received 20 December 2016. Decision report being prepared.**
 7. **High Wycombe** – Application to add a Public Footpath to the Definitive Map between Pinewood Road and Public Footpath No. 93. **Application received 3 October 2017. Under investigation.**
 8. **Stokenchurch** - Application to add routes to the Definitive Map at East Wood, Stokenchurch. **Application received 9 October 2017.**

9. **Penn** – Application to add a route to the Definitive Map between Public Footpath No. 36 and No. 44. **Application received 19 December 2017.**
10. **Whitchurch** – 3 new applications received to add footpaths to the Definitive Map and Statement – Awaiting acknowledgement and addition to the register of applications.
11. **Whaddon** – application to add a Public Footpath to the Definitive Map between Whaddon Hall and Public Footpath No.6. **Application received 21 December 2018.**
12. **Buckingham** – application to add a Public Bridleway to the Definitive Map following the dismantled railway walk from the A421 to Tingewick Road. **Application dated 14 May 2019.**
13. **Chalfont St Peter** – application to add a Public Footpath to the Definitive Map at Windmill Farm connecting Public Footpath No 19 with Footpath no 55. **Application dated 17 July 2019.**
14. **Chesham** – application to add various routes south of Nashleigh Hill to the Definitive Map connecting with Public Footpath nos. 117, 37 and 67. **Application dated 27 August 2019.**
15. **Chesham** – application to add two routes to the Definitive Map from Lye Green Road connecting with footpath 37. **Application dated 27 August 2019.**
16. **Quainton** – application to upgrade public footpath No. 4 to public bridleway status. **Application dated 21 October 2014. Investigation not started.**
17. **Bledlow** – application to investigate the alignment of public footpath No. 52. **Application dated 19 December 2013. Investigation not started.**
18. **Hedgerley** – application to upgrade public footpath No. 11 and No. 12 to public bridleway status. **Application dated 25 June 2015. Investigation not started.**
19. **Whaddon** – application to modify the alignment of Public Footpath No. 6. **Application dated 4 February 2016. Investigation not started.**
20. **Lillingstone Dayrell** – application to upgrade Public Footpath No.1 to restricted byway status. **Application dated 15 February 2016.**
21. **Lillingstone Dayrell** – application to upgrade Public Footpath No. 2 to public bridleway status. **Application dated 15 February 2016.**
22. **Chenies** application to add Hollaway Road to the Definitive Map and Statement as a byway open to all traffic. **Application dated 29 February 2016.**
23. **Leckhampstead** – application to upgrade Public Footpath No. 13 and 18 to Public Bridleway and add a route as Public Bridleway. **Application dated 26 May 2016.**

24. **Water Stratford** – application to add a claimed bridleway to the Definitive Map and Statement, Parish of Water Stratford **Application received 27 March 2017.**
25. **Little Missenden** - application to upgrade bridleway No. 42 and bridleway No. 29 to restricted byway. **Application received 17 January 2020.**
26. **Little Missenden** - application to upgrade bridleway No. 26 to restricted byway. **Application received 19 February 2020.**
27. **Little Missenden** - application to upgrade bridleway No. 24 to restricted byway. **Application received 07 March 2020.**
28. **Little Missenden** – application to upgrade bridleway No. 25 to restricted byway. **Application received 15 March 2020.**
29. **Water Stratford** – application to add a claimed bridleway to the Definitive Map and Statement. **Application received 1 May 2020.**
30. **Chesham** – application to add a footpath between Hill Farm Road and Pump Lane to the Definitive Map and Statement. **Application received 27 January 2020.**
31. **Denham** – application to add public footpath from Priory Close to Alderbourne Field. **Application received 23 October 2019.**
32. **Waddesdon** – application to upgrade a footpath and claim public bridleway through Eythrope Park. **Application received 7 December 2020.**
33. **Dinton with Ford and Upton** – application to add public footpath between Burgess Lane and footpath No. 53. **Application received 21 December 2020.**
34. **Dinton with Ford and Upton** – application to add footpath between Watery Lane and Moreton. **Application received 21 December 2020.**
35. **Great Marlow** – application to add public footpath around perimeter of Wycombe Air Park – **Application received 21 December 2020.**
36. **Marlow** – application to add public footpath off Liston Road. **Application received 20 December 2020.**
37. **Little Missenden** – application to add public footpath from Parish Piece to Watchet Lane, Little Kingshill. **Application received 03 March 2021.**

C. PUBLIC PATH ORDERS (PPO) – decisions made by officers through their delegated powers.

SUMMARY

Applications for Public Path Orders	
Apps. waiting to be investigated	1
Apps. under investigation/Orders made	31
Orders waiting to be determined by PINS	3
Awaiting works by applicant	8

1. **Quarrendon** – Application to divert Footpath No. 2. **Order Made; awaiting completion of works.**
2. **Dorney** – Creation of footpath. **Awaiting signed creation agreement.**
3. **Tingewick** – Application to divert Footpaths Nos. 29 (part) and 31 and Stop-Up Footpath No. 30(part) and create new Footpath and Bridleway – **Order confirmed. Creation order to be made.**
4. **Weston Turville** – Application to divert Footpath No. 33 – **Order confirmed. Cycle Track Order Made.**
5. **High Wycombe** – Application to extinguish Footpath No. 27. Wycombe District Council planning matter. Order made and confirmed by WDC. **Awaiting developer works before bringing Order into effect.**
6. **Mursley, Swanbourne and Little Horwood** – Application to divert Public Footpaths No. 19, 20 and 27. **Awaiting completion of works on site.**
7. **Shabbington** – Application to divert Footpath No. 5 – **Confirmed Order advertised. Awaiting works.**
8. **Quarrendon** – Application to divert Footpath No. 3 & 4 – **Order to be made.**
9. **Chesham** – Application to extinguish part of the width of Footpath No. 114 – **Order made and objection received and being considered. CASE ON HOLD.**
10. **Aston Clinton** – Application to divert Footpaths Nos. 3, 4 and 6 under the Town and Country Planning Act – **Order made, confirmed awaiting works to bring into effect.**
11. **Stoke Mandeville** – Application to divert Footpaths Nos. 3 and 14 – **Order confirmed. Awaiting works.**

12. **Weston Turville** – Application to divert Footpath No. 21. **Order confirmed. Works Complete. Order brought into effect.**
13. **Stewkley** – Application to divert Footpath No. 19. **Order confirmed. Awaiting works to be completed.**
14. **Thornborough** – Application to divert Footpath No. 6. **Order confirmed. CASE CLOSED.**
15. **Beachampton** – Application to divert Footpath No. 12. **Order made and advertised.**
16. **Tingewick** – Application to divert Footpath No. 25. **Order Made. Objections received. Submitted to the Secretary of State for determination.**
17. **Hambleton** – Application to divert Footpath No. 44. **Under investigation.**
18. **Waddesdon** – Application to divert Footpath No. 7A. **Order to be made.**
19. **Buckingham** – Application to divert Footpath No. 36. **Order to be confirmed. Awaiting works**
20. **Aston Abbot** – Application to divert Footpath No. 1. **Order confirmed. To be advertised.**
21. **Waddesdon** - Application to divert Footpath No. 18. **Order confirmed, awaiting works.**
22. **Wexham** - Application to divert Footpath No. 2. **Under investigation.**
23. **Westcott** - Application to divert Footpath No. 30. **Order made and objections received. Submitted to Secretary of State.**
24. **Bierton** - Application to divert Footpath No. 3. **Order confirmed. To be advertised.**
25. **Fulmer** - Application to divert Footpath No. 2. **Under investigation.**
26. **Stone with Bishopstone and Hartwell** – Application to divert Footpath No.23. **Order to be confirmed**
27. **Stoke Mandeville** – Application to divert Footpath No.3. **Order made. Awaiting works.**
28. **Princes Risborough** – Application to divert footpath No.26. **Order confirmed. CASE CLOSED.**
29. **Buckland** – Application to divert footpath No. 7 – **Order made.**
30. **Cuddington** – Application to divert footpath no 13 – **Order to be made.**

31. **Wingrave** – Application to divert footpath No. 11 – **Order Made. To be confirmed.**
32. **Great Missenden** – Application to divert footpath No. 70 – **Order to be made. Objections received. To be referred to Secretary of State.**
33. **Stone with Bishopstone and Hartwell** – Application to divert footpath No. 23-2 – **Order made.**
34. **Little Horwood** – application to divert footpath No.4 – **Order Made.**
35. **Chalfont St Giles/Chenies** – application to divert bridleway No.43 and 5 – **Under investigation.**
36. **High Wycombe** – application to divert footpath No. 59 – **Order made.**
37. **Oakley** – application to divert footpath No. 29 – **Order to be made.**
38. **Dinton with Ford and Upton** – diversion of footpath No. 3 – **Order Made. Awaiting Works.**
39. **Winslow** – cycle track order to be made – **Order to be made.**
40. **Chalfont St Peter** – diversion of footpath No. 14 – **Rejected.**
41. **Kingsey** – diversion of footpath No. 1 – **Order to be Made.**
42. **Ashley Green** – diversion of footpath No. 5B – **Application rejected.**
43. **Steeple Claydon** – creation agreement connecting existing footpath with Queen Catherine Road – **Creation Agreement completed. Awaiting works.**
44. **Steeple Claydon** – diversion of footpath No. 6 - **Under investigation.**
45. **Stoke Mandeville** – Extinguishment of Footpath No.8 & 10 – **Under investigation.**
46. **Cholesbury-cum- St Leonard** – creation and extinguishment of footpath no. 48A – **Order to be made.**
47. **High Wycombe/Hughenden** – creation agreement off Brands Hill Avenue – **Under investigation.**

D. VILLAGE GREEN APPLICATIONS

SUMMARY

Applications for Village Greens	
Investigation on hold	1
Under investigation	4

1. **Wooburn** – land off Cherwell Road, Bourne End. **Investigation not started. On Hold.**
2. **High Wycombe** – land off Warren Wood Drive. **Under investigation.**
3. **Princes Risborough** – land at corner of Shootacre Lane and Picts Lane. **Under investigation.**
4. **Chesham** – land in Lye Green. **Under investigation.**
5. **Stoke Hammond** – land at Layton Road. **Under investigation.**

To note

As part of the transition to the new Buckinghamshire Council, the Rights of Way Committee has been discontinued. Officers now have delegated powers to determine applications which would have previously been determined by the Rights of Way Committee i.e. definitive map modification order applications and village green applications.

E. Strategic Access Update

1. Councillor Peter Martin has been appointed Deputy Cabinet Member for Transport with responsibility for HS2 and EWR.
2. The number of rights of way closures and diversions as a result of HS2 is now significant and being felt more widely, most keenly around Wendover, Stoke Mandeville, Aylesbury, Waddesdon, Calvert and Twyford; the latter two coinciding with East West Rail crossing closures. Some crossings have been negotiated, for example, across haul roads or along quiet lanes, but we are approaching almost blanket closures along the remaining crossings of HS2 between Great Missenden and Twyford. It's been difficult to achieve good access as HS2 is a major construction site with often unarguable safety requirements, for example, 30m deep cuttings.
3. There was a change of HS2 strategy nationally in 2020, shortening the overall construction period to reduce costs, but that has impacted negatively on early provision of rights of way bridges; hence, closures for many years, up to 2025 in most cases. Nevertheless, it is hoped to put in place a 6-month review of rights of way closures to avoid unnecessary disruption. Stoke Mandeville and Aylesbury

will be particularly hard-hit, where construction of both South East Aylesbury Link Road and Stoke Mandeville Relief road will coincide.

4. A list of major HS2 closures and diversions are on the website: <https://www.buckscc.gov.uk/services/environment/public-rights-of-way/changes-to-public-rights-of-way/>
5. Buckinghamshire Council will be developing a countywide Local Cycling and Walking Infrastructure Plan (LCWIP) over the coming year. This will be a separate to the LCWIP that has been developed for Aylesbury Garden Town and High Wycombe. The countywide LCWIP will identify and assess priority strategic and aspirational walking and cycling routes across the county. This plan will help to guide future investment decisions and ensure that a co-ordinated approach is taken to the promotion of active travel across the county. It will help to focus priorities for funding while ensuring that it contributes to wider objectives of increasing accessibility, reducing carbon, improving health, and supporting town centre regeneration. The project is at early stages. It's not anticipated to be at the consultation stage by the November 2021 LAF meeting, but perhaps more of an introduction to the LCWIP.
6. The High Wycombe LCWIP is still being developed by the Transport Strategy Team. Once reviewed by elected members it will be consulted upon before being adopted as policy. It is envisaged a consultation paper will be available by November 2021 so an update to the LAF should be available, depending on timings.
7. The Chiltern Society's Donate-a-Gate partnership scheme with the council has seen 5 new donors since the 3rd March 2021 LAF meeting, totalling 460 donors and 6 proposed new gates. Due to the easing of restrictions the Chiltern Society volunteer work parties have resumed and are progressing well with the backlog.
8. The Ramblers Donate-a-Gate project (North Bucks RIPPLE) also restarted in early 2021, resuming installation of at least one new gate a week.

F. ROW OPERATIONS UPDATE (Joanne Taylor)

- 1 **The current staff structure** is 6.4 FTE staff: 1 Rights of Way Team Leader, 2 Area RoW Officers, 1.6 Assistant RoW Officers and 1.4 Bridge Structure Inspectors. At this current time Sophie David is on maternity leave, and Savannah Fradley will be acting-up in the post of Rights of Way Officer (South).
- 2 **BVPI Rights of Way Condition Survey** – results for the 5% network survey, carried out between November 2020 and February 2021 are as follows:

Paths rated easy to use	75%
Structures rated easy to use	94%
Routes with roadside signs	94%

- 3 **Autumn Survey** – It is hoped that a 5% survey of the condition of the network will be carried out later this year.
- 4 **Capital projects update: List of current Rights of Way capital projects**

Route No. & Parish	Works	Stage
Middle Claydon Bridleways	6 plastic Bridges	Completed
Denham Bridleway number 52	Large equestrian bridge replacement	Design Engineer engaged
Fawley Footpath No 12 Bridge Replacement	Accessible bridge to replace landowner's structure	Ongoing
Waddesdon Footpath 10	Sluice bridge renovation	Completed
Marlow - Thames Path	Surface works and bridge renovation	Works Ordered Bridge works completed
Wendover Ridgeway	Clearance and resurface works	Site assessed - ongoing
Chesham FP114	Resurface 60 M	Site to be assessed
Chartridge BOAT 38A	Resurface 100 M	Site to be assessed
Chartridge BW 20A	Level and resurface 150 M	Site to be assessed
Cholesbury-cum-St Leonards BW51	Insert Channel Drains	Site to be assessed
Gt Marlow BW23	Level and resurface 150M	Site to be assessed
Pitstone FP2	Adjust surface levels 60M	Ordered
Westcott BW26	Level and resurface 90M	Ordered
Halton FP8A	Adjust surface levels install handrail 150M	Out for pricing
Taplow BW2	200-400M of clearance and surface works	Site to be assessed
Hambleden FP28	Approx. 200M missing handrail	Site to be assessed
Wing FP19	9.5 M footbridge replacement	Out for pricing
Vale Bridges	3 x larger footbridges to replace in AV area	Out for pricing
Chalfont St Giles BW60	Resurface works	Site to be assessed
Denham BW46	Resurface works	Held
Marsworth FP8	Resurface works	Held

Stokenchurch BW7A	Resurface works	Held
Little Missenden - Featherbed Lane BW24	Resurface works	Held

- 5 **Fawley Bridge** - in December 2019 the landowner installed a temporary replacement structure. Discussions are still ongoing regarding replacement of this bridge with a wider structure.
- 6 **Annual Clearance** - the Council has commissioned two extra clearance crews for 10 weeks for summer 2021 to work on the rights of way annual clearance schedule. All scheduled clearance jobs should be completed by the end of August 2021, but additional clearance works reported by the public including winter clearance works will continue over the autumn and winter.
- 7 **Summary of Maintenance** – see APPENDIX 6

For further information please contact Joanne Taylor 01296 383410

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**Buckinghamshire Council - Rights of Way
Summary of Maintenance Carried Out
Between 1/04/19 and 25/06/21**

TYPE	DESCRIPTION	Aprl 19- Mar 20	Aprl 20- Mar21	1 Aprl21-Jun21
Alignment	Path Off Line - resolved issue	31	19	7
Clearance	Clearance - carried out-jobs/km	149/361	120km/345	5km/71interim
Bridge	Installed or repaired	78	81	17
Finger/post	Installed or repaired	163	119	21
Fly Tipping	Fly Tipping - removed	49	38	14
Gate	Gate repaired or installed	104	79	47
Intimidation + animal	Intimidation - resolved	16	21	6
Intimidating sign/per	Misleading Sign - removed	14	42	11
Obstruction - resolved	Barbed wire	16	22	8
Obstruction - resolved	Barrier - Fencing, wall or other	115	143	56
Obstruction - resolved	Electric fence	15	44	7
Obstruction - removed	Fallen Tree	276	269	80
Obstruction - resolved	Locked Gate	6	6	1
Obstruction - resolved	Ploughing and Cropping	129	113	15
Other	Delivery of materials	43	20	2
Other	Miscellaneous issues resolved	103	163	39
Stile	Installed or repaired	177	177	53
Stile	Stile To Gap	16	22	2
Stile	Stile To KG	50	39	15
Stile	Stile To PG	52	62	14
Terrain	Bank Steps	9	12	15
Terrain	Path Surface problem resolved	57	55	23
Waymark Post	Installed/Repaired	167	167	27
Issues Signed off		2047	2071	540
Volunteer Hours	The Chiltern Society	1305	TBC	TBC
Volunteer Hours	Iver Volunteers	38	TBC	TBC
Volunteer Hours	RA Only	1160	TBC	TBC
Improvements	To aid mobility access	222	202	78
5% Survey Results	Paths Rated easy to use	65%	75%	75%
5% Survey Results	Structures rated easy to use	88%	94%	94%
5% Survey Results	Routes with Roadside Signs	94%	94%	94%
Number on Database	No. of issues os 31/03/12	799		
Number on Database	No. of Issues os 31/03/16	1531		
Number on Database	No. of Issues os 31/03/17	1114		
Number on Database	No. of Issues os 31/03/18	1498		
Number on Database	No. of Issues os 31/03/19	1740		
Number on Database	No. of Issues os 31/03/2020	2450		
Number on Database	No. of Issues os 31/03/2021		3100	
Number on Database	No. of Issues os 25/06/2021			3147
Priority A issues	No of Issues recd/dealt with		212/182	
Priority B/C issues	No of Issues recd/dealt with		2337/1709	
Priority D (low)	No of Issues recd/dealt with		142/107	
% of issues in targ time	Category C issues on Matrix	74%	tbc	tbc
% of issues in targ ave.	% Enf issues in targ time in mth	74%	tbc	tbc

Above includes

Clearance direct from BCC	85/15km	61/20km	8 jobs
Miscellaneous Jobs	24	9	1
Waymarking and signs	78	59	18
Gates Repaired and installed	105	4	17
Bank Steps			
Stiles replaced and repaired	16	18	3
Trees removed	17	17	1
Total Jobs	325	168	48
Hours	2472	tbc hours	tbc hours

Volunteer Jobs Completed

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BUCKINGHAMSHIRE
LOCAL ACCESS FORUM

Report

AGENDA ITEM 9

Date: 14th July 2021

Title: LAF members' report

Author: Jonathan Clark, Strategic Access Officer

Contact Officer: Rebecca Binstead (01296 585244)

Chiltern Walking Festival

Numerous walks took place this spring across the Chilterns, but member Andrew Clark was unable to lead due to injury. The next festival takes place: 16th to 21st October 2021.

HS2

The Chiltern Society have been in talks with HS2's contractors regarding diversions for the Chiltern Way crossing at The Lee/Wendover and have waymarked a diversion for the Chiltern Heritage Trail, to be included in Chiltern News as an additional promotion.

Team structure change

The Definitive Map team have moved from Planning Growth and Sustainability to join the maintenance and enforcement team within the Transport & Technical Services, with Rob Smith as Service Director. Richard Barker is Corporate Director of the Communities Directorate.

New council

Following the 6th May 2021 local elections and AGM on 26th May 2021 which announced the cabinet for the 147-seat council, rights of way are now the responsibility of Steve Broadbent as Cabinet member for Transportation, with Peter Martin his deputy.

Natural England

The Huddle pages, which provided a national online forum for LAF members and a library of information, have been discontinued.

Since Buckinghamshire LAF members' submitted comments, Natural England published the new countryside code on 1st April 2020...

<https://www.gov.uk/government/publications/the-countryside-code/the-countryside-code-advice-for-countryside-visitors>

Natural England are encouraging ongoing communication if anything needs amending or updating: countryside.code@naturalengland.org.uk; Brian Worrell wrote independently to Natural England congratulating them on a much improved code and made the suggestion that it should form part of the National Curriculum so that school children grow up with greater knowledge and a lifetime of respect of the countryside.

Venue and dates of next meetings

Paralympic Room, The Gateway, Gatehouse Rd, AYLESBURY HP19 8FF

10am 3rd November 2021; 2nd March 2022; 13th July 2022; and 2nd November 2022