

Buckinghamshire Local Access Forum agenda

Date: Wednesday 6 March 2024

Time: 10.00 am

Venue: Jubilee Room, Gatehouse Way, Aylesbury HP19 8FF

Membership:

Mr D Briggs (NFU, CLA, farming, Chairman of the Bucks CLA, Chairman of the Chilterns LEADER) (Vice-Chairman), S Broadbent, Mr G Casperz (Disabled Ramblers), Mr A Clark (Chiltern Society), K Haining (Walkers, Cyclists, and Horse Riders), Mr N Harris (National Trust) (Chairman), Mr C Hurworth (Trail Riders' Fellowship and MPV users), Mr R Jennings (Cycling UK), R Johnson (Ramblers Association), M Rose (Parish Councils), Mr G Thomas (Independent), A Turner and Mr B Worrell (British Driving Society Beds, Bucks and Herts)

• Officers may attend remotely

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4	Chess Smarter Catchment Project <i>Steph Horn, Smarter Water Catchment Project Coordinator, Chilterns</i> <i>AONB.</i>	11 - 12
5	Active Travel and Local Cycling and Walking Infrastructure Plans (LCWIP) Jonathan Fuller, Principal Transport Strategy Officer, Buckinghamshire Council.	13 - 14
6	Definitive Map Applications - Statement of Priorities 2024 <i>Claire Hudson, Definitive Map and Highway Searches Team Leader,</i> <i>Buckinghamshire Council.</i>	15 - 18

7 Rights of Way Group Update

Claire Hudson, Definitive Map and Highways Searches Team Leader; Jonathan Clark, James Spratley Strategic Access Officers; and Joanne Taylor, Rights of Way Operations Team Leader.

8 LAF members' report

9 Dates & venue of the next meetings

- 10am 10th July 2024 (Paralympic Room, The Gateway, Aylesbury, HP19 8FF)
- 10am 6th November 2024 (Paralympic Room, The Gateway, Aylesbury, HP19 8FF)

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 via <u>democracy@buckinghamshire.gov.uk</u>.

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Buckinghamshire Local Access Forum minutes

Minutes of the meeting of the Buckinghamshire Local Access Forum held on Wednesday 1 November 2023 in The Paralympic Room, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 10am and concluding at 11:46am.

Members present

Mr D Briggs (Vice-Chairman), Mr G Casperz, Mr A Clark, Mr N Harris (Chairman), Ms K Haining, Ms A Heath, Mr C Hurworth, Mr R Jennings, R Johnson, P Martin, Mr G Thomas, A Turner and Mr B Worrell

Others in attendance

Cll P Martin

Agenda Item

1 Apologies for Absence

Apologies were heard from Councillor Steve Broadbent. Councillor Peter Martin attended as a substitute in his place, as his Deputy Cabinet Member.

2 Declarations of Interest

There were none.

3 Minutes / Matters Arising

RESOLVED: That the minutes of the meeting held on 19th July 2023 be agreed as a correct record, pending the addition of apologies not recorded from Karen Haining (representing walkers, cyclists, and horse riders).

4 Definitive Map Modification Order Priorities

The LAF received a presentation from Claire Hudson (Definitive Map and Highway Searches Team Leader) and Helen Francis (Senior Definitive Map Officer) which gave an overview of the work undertaken by the Highways and Technical Service (HTS), which was comprised of two separate teams, the ROW Ops who oversaw maintenance and enforcement tasks, and the Definitive Map and Highway Searches Team (DM&HS) who were responsible for the legal aspects of Rights of Way and strategic work. A copy of the slides would be appended to the minutes of the meeting. The following key points were raised:

The Definitive Map and Highway Searches Team was comprised of seven full time

posts and two part time posts. These were as follows:

- 1x Team Leader
- 3x Definitive Map Officers (inc. 1 Snr)
- 2x Strategic Access Officers (inc. 1 Snr)
- 1x Team Assistant
- 2x Highway Searches Officers (both part time)

One of the definitive map positions was vacant, and a recruitment process was underway. Seven applications had been received for the post as of the date of the meeting. It was hoped that the position would be filled by the end of the year.

The equivalent of 3.6 full time officers were allocated to definitive map work, which demanded the most officer resource within the DM&HS team. Other officers prioritised highway searches, property searches, highway searches and strategic access.

The key activities of the Service included:

- **definitive map modification orders (DMMOs):** claims to make changes to legal records based on historic and user evidence. It was explained that each investigation required a significant amount of officer time and could take months or years to conclude.
- **public path orders (PPOs):** applications seeking to change the existing network in the interests of the landowner and/or the public. They ran alongside DMMOs (being of equal priority within the service) and could take less time to complete.
- village green applications (TVGs): applications to register village greens, often on private land. These could be complex, lengthy, and expensive, and often resulted in non-statutory public inquiries.
- commons applications: applications to deregister part of the common lands under certain circumstances.

Other responsibilities included dealing with landowner statements, temporary traffic regulation orders, public right of way enquiries, anomalies, and working on major projects like East West Rail (EWR) and HS2.

The DM&HS team had been working on the hand back of Twyford Footpath 2, and Little Horwood Footpath 20 following EWR works ensuring that they were not a cost to the council.

Two TVGs, (Stoke Hammond and Shootacre Lane), have been concluded and were going to inquiry next year.

The DM&HS team was facing several challenges, including a high workload, several difficult and contentious cases, financial pressures due to budget constraints and expensive village green applications. Future pressures were also expected from the implementation of the Deregulation Act and the 'Lost Ways' extension to 2031. Further rights of way closures were expected owing to an anticipated influx of applications from the National Grid.

Despite the challenges, the DM&HS team remained in control of the workload, shifting the distribution of officer hours across different activities in accordance with the pressures being experienced in different areas.

An overview of the DMMO process was shown to the LAF as follows:

- **Stage 1:** application received, checked, recorded and acknowledged.
- Stage 2: application investigated.
- Stage 3: report written.
- Stage 4: decision made.
- Stage 5: if the application is accepted the Order is made and advertised.
- **Stage 6:** objections are received.
- **Stage 7:** the Planning Inspectorate [PINS] process the Order and make a determination.

It was explained that stages 1-4 could take between nine months and two years, with stages 5-7 taking between one and a half to two and a half years. DMMOs therefore took between eighteen months to over four and a half years to be completed.

Currently, the DM&HS team had ten active DMMO applications, two of which had been prioritised due to a threat of development. There were twenty-seven user evidence applications and nineteen documentary evidence applications waiting to be investigated.

The process for processing PPOs varies between DMMOs and was often considerably shorter, taking six to twelve months, depending on the responses received from formal consultations and the need to speak to different user groups. There had been a reduction in the number of PPOs received by the DM&HS team. Of the seventeen active applications, twelve were related to development or bringing improvements to the network. There were also twelve applications awaiting works.

In the last nine months the DM&HS team had undertaken two public inquiries for village greens and were preparing for another inquiry in January 2024.

In the past six months, the DM&HS team had processed thirty-six applications for

temporary traffic regulation orders, these were either emergency closures or planned closures to allow works to take place.

Attention was drawn to the Statement of Priorities (SoP), which served as the DM&HS team's default position on applications and helped them to manage their workload in a fair and efficient way. The document had been written in 2020 and now needed to be updated. The LAF was approached for comment in relation to the SoP.

Under the existing SoP, DMMOs were processed chronologically, but certain applications were prioritised under specific circumstances such as submitted evidence in support being partially or wholly user evidence, if there was a threat of development, or if it was efficient to process multiple applications at the same time due to shared evidence. It was suggested that in a revised version, at least one historical evidence-based application per year would be brought forward alongside the user evidence ones, to prevent historical evidence applications from continually falling behind.

User evidence-based applications were often prioritised because witnesses may be elderly, may move from the area, or may get ill. Documentary evidence, on the other hand, was always there to refer to. This is consistent with the SoPs used by other authorities.

The following was confirmed after LAF member questions:

- If a DMMO application was a documentary one with some user evidence, it would be moved into the user evidence list priority pile.
- Threats of development were identified through planning consultations, and sometimes by the applicants if they were aware. The DM&HS team has a direct link with the planning authority.
- Buckinghamshire council seeks payment for both HS2 and East-West Rail work where council officers are directly involved in those projects. However, there was difficulty when it comes to work that isn't directly involved with the projects. It was also possible for the team to charge for PPOs and planning-related Town & Country Planning Act 1990 [TCPA] applications to divert, but not for DMMOs or TVGs due as these are a statutory responsibility. As HS2 work continued to increase, the DM&HS team would consider the need to source extra help from within the council.

Concerns were raised regarding the decision taken by the Secretary of State for Environment, Food and Rural Affairs [Defra] not to adopt the recommendations listed in 'Stepping Forward', a report by the Stakeholder Working Group on Unrecorded Rights of Way for Natural England, which proposed a set of measures to improve the complex recording process for public access routes on the definitive map, including the exemption of unrecorded historic paths. It was explained that the refusal to adopt the proposals could see many pre-1949 public rights of way erased, should they not be listed by the 2031 deadline.

An attempt to lobby against this decision was expected to be forthcoming, which if unsuccessful, could see an overwhelming influx of DMMO applications to register unrecorded historic paths to local authorities. The LAF was encouraged to read the report 'Stepping Forward' and consider making a joint statement back to the Secretary of State for Environment, Food and Rural Affairs.

The LAF was informed that the DM&HS team had not been given guidance on the incoming Deregulation Act, although several working groups were assessing the potential implications on resources, and an update would be provided at a future LAF meetings once these became clear.

Claire and Helen thanked members for their discussion and thoughts on their ongoing work, and agreed to write a revised Statement of Priorities, which would be brought to the March 2024 LAF for further comment and approval at a future meeting.

5 ROWIP Year 1 Review

Jonathan Clark (Senior Strategic Access Officer) gave an overview of the Rights of Way Improvement Plan (ROWIP) report, which had largely been largely completed in 2021. The ROWIP spanned from 2020 to 2030, and Jonathan apologized for the delay in presenting the first year's report to the LAF.

The report was structured around six chapters of the ROWIP plan:

- 1. Mapping the network: Involves the Definitive Map team.
- 2. Maintenance team: led by Joanne Taylor (Highways & Technical Services Team Leader).
- **3.** Evolving network and improvements: the planning work done by the Strategic Access Officers.
- 4. Knowing where to go: management of promoted routes, national trails, and sensitive sites.
- 5. Access for everyone: Promotes healthy communities, disabled access to the countryside, and encourages underrepresented groups to feel welcome.
- 6. Effective delivery: Discusses how the rights of way improvement plan is delivered, the partnerships, managing the Local Access Forum, pre-application comments for developers, working with parish councils, and website presentation.

Feedback was sought from the LAF on the presentation, structure, and substance of the report, and whether more statistics should be included, though graphs and tables would be difficult to include due to website accessibility. It was noted that the Highways & Technical Services Team Leader's Maintenance report for the year was missing but could be found in minutes of the LAF from 2021. It was hoped that the year 2 to 4 report would be presented to the LAF in November 2024.

Following feedback, the following key points were made:

- A list of current map anomalies was kept, and it was estimated that there were around eighty.
- The responsibility of enforcement fell under the jurisdiction of the Area Officers within Highways & Technical Services Team. Most enforcement cases involved minor issues and were usually resolved without enforcement action and legal services. The number of formal enforcement notices ranged from between 0 and 5 per-year.
- The management matrix was the system used to manage maintenance issues based on their priority level. It was agreed to ask if figures related to the number of issues resolved against each priority level could be extracted and reported to the LAF.

ACTION: Team Leader Enforcement & Maintenance

The website showed a working copy of the definitive map, and any changes made were reflected on the website, usually within a week or even overnight. The definitive map had last been printed in 2006, and a new print remained a priority but had been delayed due to significant changes made regularly by ongoing projects like HS2 and East West Rail.

Changes to the Definitive Map were communicated to the Ordinance Survey as they happened, but there was no ability for the DM&HS Team to police how quickly these were update by the OS.

6 Rights of Way Group Update

Attention was drawn to the attached report, detailing current and upcoming DMMO work, divided into:

Section A: covering applications currently under active investigation.

Section B: covering applications that will begin investigations in the next twelve months.

Sections C & D: covering the remaining backlog of applications.

Members of the LAF were invited to ask any questions they had regarding specific applications. The following was discussed:

- There were ongoing complexities around south-west Aylesbury, including the HS2 plans, the south-west Aylesbury link road, and a major housing development allocated in the Local Plan [Aylesbury Garden Town AGT-2].
- The Little Missenden sinkhole had been repaired by Align, a HS2 contractor. They were expected to revisit the site in the spring of 2024 to add topsoil and seed it back to grass. The situation was currently stable, and there were no reports of other sinkholes or issues.

The Chiltern Society 'Donate a Gate' scheme had been relaunched and has to-date received between 14 donations equating to 21 gates. The price had risen from £250 to £500 per gate, which was encouraging considering the increased cost.

There had been another round of Local Transport Plan consultations, reiterating the LAF's comments from the July 2023 meeting concerning road safety for equestrians and the

sustainable transport element that the rights of way network provides.

The Google Street View GoPro project was ongoing. 'Filming' had taken place in Ivinghoe, Pitstone Hill, and most of Coombe Hill, with Whiteleaf planned next. The process from filming to uploading on Google took approximately two weeks, depending on the length of the route scanned and corresponding electronic file size.

DEFRA was reopening applications for their Access for All fund with a deadline of January 2024. The council was considering ideas for funding applications.

Joanne Taylor from the operations team had provided an updated within Appendix 2 of her team's performance figures between 1st April 2023 to 23rd October 2023. Two area rights of way assistants had been recruited and were providing more work for the Chiltern Society's volunteers. BVPI figures were also listed alongside a capital projects update, and a revenue projects update.

Following questions, it was confirmed that there would likely be another BVPI check this in the winter/spring of 2023/24.

It was also clarified by Councillor P Martin that the section of the Missenden Valley greenway from The Firecrest Pub [Dunsmore] to The Black Horse, Great Missenden had been delayed. It was expected to be completed and have an opening ceremony in spring 2024. He agreed to find out the exact status of the section from Wendover to the Firecrest Pub and report back to the LAF.

ACTION: Cllr Peter Martin

7 LAF Members' Report

Jonathan Clark gave an overview of the report, highlighting the following points:

- An update to the Buckinghamshire local walking, cycling, and infrastructure plan [LCWIP] was expected in 2024 with a more meaningful draft report available for comment at the March 2024 LAF meeting.
- The 50th anniversary of the Ridgeway was celebrated on the 29th of October 2023. The event was well-attended by LAF members and included speeches, photos, press coverage and thoughts for the next fifty years of the Ridgeway.
- Natural England's online information database, previously known as the Huddle, has been replaced by Sharepoint. Members would be registered on the directory unless they said otherwise.
- It was suggested that the LAF have a morning training session at the Centre for Outdoor Accessibility Training (COAT) in Aston Rowant, Oxfordshire, which included a display area of gaps, gates, and stiles. The Chairman agreed this would be good training for everyone.
- A Chiltern Society meeting was held where the new donate a gate organiser, area secretaries, and volunteers met some of the rights of way team. There was a request for more work from the path maintenance volunteers and a request for officer to consider giving them work normally given landowners, in order simply to get the work done quicker. There was also a request by the council for the PMVs to report online issues that were no longer a problem to clear the backlog on the

system.

- A 'Widening the welcome' workshop was held by the Chilterns Conservation Board, which was well-received by LAF member and officer attending. The workshop focused on including more diverse communities across the walking network. An informative talk was given by Professor Ghurch Randhawa from the University of Bedfordshire, and a presentation was also made by the Chairman of the LAF on welcoming visitors to the National Trust's countryside sites in the Chilterns.
- An update on the East-West Rail was included for LAF Members. It was still unconfirmed whether there would be a rail passenger link south to Aylesbury, but an economic argument was being made, supported by Aylesbury MP, Rob Butler, who had asked questions in the House of Commons, and Buckingham MP, Greg Smith, through his role on the Transport Select Committee. Funding of £30,000 had been put forward to support the economic case for the link.

8 Dates & Venue of the Next Meeting

10am 6th March 2024 (Jubilee Room, The Gateway); 10am 10th July 2024 (Paralympic Room); and 10am 6th November 2024 (Paralympic Room).

Agenda Item 4



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

AGENDA ITEM 4

Date: 6th March 2024

Title: River Chess Valley Smarter Water Catchment

Author: Steph Horn, Smarter Water Catchment Project Coordinator – Chilterns Conservation Board

Chess 'Smarter Water Catchments Pilot' www.chesssmarterwatercatchment.org

The Chess is one of 9 chalk streams in the Chilterns AONB, supporting a unique and diverse habitat. Our collective vision is that the Chess catchment is a jewel in the heart of the Chilterns landscape. We want to create a place where people are working together to protect and improve the water environment for everyone, from the headwaters above Chesham to its confluence with the River Colne in Rickmansworth. A catchment includes both the river and all the land around it, from which the river is formed. The approach encompasses 6 themes: 1] water quality; 2] managing flow; 3] wildlife corridors, 4] preventing the introduction and spread of invasive non-native species [INNS]; 5] involving people; & 6] working together.

The partnership is a collaboration between Affinity Water, Buckinghamshire Council, Chilterns Conservation Board, Chiltern Society, Environment Agency, Hertfordshire & Middlesex Wildlife Trust, Thames Water and The River Chess Association. This mixed group from different sectors provides a steering group and governance for the direction to which the Smarter Water Catchments will take. Commencing in 2021 and funded until March 2025, a £3 million of investment has been provided by Thames Water. [NB Jed Ramsay from the council's flood team is a steering group member, looking at water quality and flow issues in Chesham, in Partnership with the Bucks-led 'Project Groundwater'].

Under the theme of involving people, the project has worked with Sustrans to develop a strategy to address access in the Chess Catchment. The Partnership felt that the Chess Valley Walk was a popular and well-used walk, renowned by the walking community. Therefore, work has been undertaken to scope additional footpaths and walking routes that will provide alternative routes and access for all within the catchment area of the Chess. Working with stakeholders has been critical.

Steph Horn Project Coordinator from the Chilterns Conservation Board will update the LAF on the current work on access undertaken by the project.

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Agenda Item 5



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

AGENDA ITEM 4

Date: 6th March 2024

Title: Active Travel and Local Cycling and Walking Infrastructure Plans (LCWIPs)

Author: Jonathan Fuller, Principal Transport Strategy Officer, Buckinghamshire Council.

An overview will be provided on progress towards developing an overarching Local Cycling and Walking Infrastructure Plan (LCWIP) for Buckinghamshire. LCWIPs are strategic documents aiming to outline the shape of future cycling, walking, and wheeling networks. 'Wheeling' includes wheeled mobilities such as wheelchairs, mobility scooters and adapted cycles. LCWIPs commonly contain:

- a proposed network of walking, cycling and wheeling infrastructure for further investigation and development;
- a prioritised programme of infrastructure improvements; &
- a report explaining the process to be followed and analysis underpinning the LCWIP.

In Buckinghamshire, town-level LCWIPs have been, or are being, developed for Aylesbury Garden Town, Buckingham and High Wycombe. A Chesham LCWIP is being developed locally. An outline of the overarching Buckinghamshire LCWIP, currently in development, will be provided. The Buckinghamshire LCWIP will identify a network of priority inter-settlement links [shown as indicative 'straight lines'] and will provide an evidence base to support the emerging Local Transport Plan 5 and Local Plan.

Central government have encouraged local authorities to increase walking and cycling infrastructure and participation. Local authorities are asked to follow national infrastructure design guidance to access national government funding, [including Local Transport Note 1/20], now administered by a new national inspectorate and funding body, Active Travel England (ATE). The Council is reliant on securing external funding and has successfully secured funding through Active Travel England in recent years.

The Forum will be aware from previous presentations that the Council, in partnership with bodies such as Sustrans, the Chiltern Society and Greenways & Cycleroutes, has been successful in delivering the Waddesdon Greenway and Waddesdon School link. The Misbourne Greenway [Wendover Dean to Great Missenden] is being delivered by Sustrans and is nearing completion. These Greenways form phases 1 and 2 of the Buckinghamshire Greenway, a flagship vision for a north to south active travel spine that follows the general alignment of HS2 between the Colne Valley and Silverstone. This page is intentionally left blank

Agenda Item 6



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

AGENDA ITEM 1

Date: 6th March 2024

Title: Definitive Map Modification Orders – Statement of Priorities

Author: Helen Francis, Senior Definitive Map Officer & Claire Hudson, Definitive Map & Highway Searches Team Leader.

Contact Officer: Harry Thomas [01296 585234]

Claire Hudson and Helen Francis presented the Statement of Priorities 2020 on 1st November 2023 to the Local Access Forum. It was agreed that a revised statement [Appendix 1] would be presented to Members at the March 2024 meeting before final publication on the website.

There are two changes proposed from the 2020 statement: 1] to update the current version with the corporate plan vision: *"Improving our environment – Promote the benefits & improve the attractiveness of walking, cycling & wheeling"; while 2]* adding a paragraph stating the council's intension to investigate and make an order for at least one 'documentary evidence only' based DMMO, otherwise these are unlikely to reach the top of the list.

Background: the council's priorities when determining DMMOs are publicly available on the website and sent to DMMO applicants at the time of their application, providing information on the reasons why there is a queue. DMMOs cannot be investigated immediately on receipt due to available staff resources, so a backlog develops. The current Buckinghamshire backlog is between 2 - 10 years, depending on the circumstances of the application.

The order of priorities is based on applications fitting into three categories: 1] those containing documentary evidence only; 2] those containing user evidence only; and 3] those containing a combination of documentary and user evidence.

Generally, user evidence comes before documentary evidence, but both sit behind applications impacted by development, which are brought towards the top of the list. An application with documentary *and* user evidence are moved up into the user evidence list.

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Buckinghamshire Council Definitive Map Application - Statement of Priorities 2024

"Improving our environment – Promote the benefits & improve the attractiveness of walking, cycling & wheeling"

The Definitive Map and Highway Searches Team process applications to both modify the Definitive Map and Statement upon the discovery of evidence that it requires modification (these are called Definitive Map Modification Orders – "DMMOs"), and also to change the Public Rights of Way network upon an external event or application made by a landowner (these are called Public Path Orders – "PPOs"). The team also processes Creation Agreements to create new public rights of way and also Town or Village Green Applications and Common Land Deregistration Applications.

The Council, in achieving its strategic outcome, seeks to prioritise these applications to achieve the best possible outcome for the people of Buckinghamshire.

DMMOs

Applications of this nature are seeking to amend the Definitive Map and Statement upon discovery that the records may require amendment i.e. additional routes have been used and should be added, routes should be removed or diverted, or the status of the route needs changing. This is a statutory function of the Council. These applications are based upon either documentary evidence or user evidence from witnesses or a combination of both. Applications will be investigated in date of chronological Order of receipt subject to a suitably experienced Officer being available. The Council will however prioritise certain applications under the following circumstances:

- 1. The evidence in support (either fully or in part) of the application is that of User Evidence
- 2. There is a threat of development affecting the claimed route
- 3. 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

Given the above prioritising of applications, it is acknowledged that the sole documentary / historical evidence-based applications will fall behind. It is therefore intended for the Council to seek to investigate at least one application per year alongside the priorities set out above.

PPOs

Applications of this nature are seeking to amend the Public Rights of Way Network by diverting, extinguishing or creating public rights by Order. These applications are made by landowners in the interests of land use, privacy and security; or may be made by Developers to realign routes or supersede routes through development sites by adopted roads / footways; or through the Council exercising its compulsory Creation Order powers. Processing these applications is a power of the Council and not a duty and as such will be accepted at Officer discretion; applications can be refused if they are not expedient or if they fail to meet the criteria outlined below. Applications will be investigated in date of chronological order of receipt subject to a suitably experienced Officer being available. The Council will however prioritise certain applications under the following circumstances:

- 1. Changes to the network are needed to facilitate development
- 2. Where the change to the network would save costs in the wider Rights of Way service provision i.e. by avoiding enforcement action
- 3. Where an application is made for a School's Special Order
- 4. Where an application seeks a betterment to the network
- 5. Where an application improves or enhances public safety

Creation Agreements

Creation Agreements are a discretionary power of the Council which will only be exercised in certain circumstances:

- 1. Where little or no maintenance work is required to bring the route up to an acceptable standard for public use
- 2. If the Council is satisfied it is prepared to take on the ongoing future maintenance liability of the route to be created; all surface works must be to the Council's required standard before an agreement is entered
- 3. Where a route has been dedicated by the landowner, subject to points 1 and 2 above, and/or where it would make efficiency savings by avoiding a DMMO
- 4. Where a route forms part of a s106 agreement

Town or Village Green and Common Land Deregistration Applications

Applications of this nature are processed as a statutory function of the Council. Applications to register new Town or Village Greens will be dealt with in chronological order of receipt unless the land is affected by development, in which case that application would be prioritised.

Applications to deregister Common Land pursuant to the implemented sections of Part 1 Commons Act 2006 in Buckinghamshire will also be processed in chronological order of receipt unless an application land is affected by development, in which case that application would be prioritised.

Agenda Item 7



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

AGENDA ITEM 5

Date: 6th March 2023

Title: Rights of Way Group update

1. DEFINITIVE MAP

All Definitive Map Modification applications are dealt with in chronological order of receipt. However, we will prioritise certain applications as per Statement of Priority under the following circumstances:

- 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

A. DMMO MATTERS PREVIOUSLY DETERMINED AND UNDER INVESTIGATION

- High Wycombe Application to add a Public Footpath to the Definitive Map between Pinewood Road and Public Footpath No. 93. Order made; objections received; to be submitted to PINS.
- Marlow application to record a public footpath from Cromwell Gardens to New Court. Order made; objections received; awaiting Legal Services for letter requested by objectors.
- 3. Bledlow-cum-Saunderton (North Mill Road) investigation clarifying the status of the disputed route. Order made; objections received; to be submitted to PINS.
- Chepping Wycombe application to record route between public footpath No. 14 and No. 15 Parish of Chepping Wycombe. Footpath has been created by a Deed of Dedication; application to be rejected.
- Wooburn application to upgrade Public Footpath No. 3 between Princes Road Groves Close to byway open to all traffic. Application received 26 February 2016 and investigated by external consultant; decision report being prepared.

- 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 received 23 April 2016 and investigated by external consultant; application rejected; applicant has appealed the decision to PINS; Statement of Case being drafted.
- 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 received 21 June 2016 and investigated by external consultant; decision report drafted and waiting to checked.
- 8. Stokenchurch Application to add routes to the Definitive Map at East Wood. Application received 12 December 2017; decision report drafted and waiting to be checked.
- 9. **Penn** Application to add a route to the Definitive Map between Public Footpath No. 36 and No. 44. **Application received 19 December 2017; under investigation.**
- 10. Little Missenden application to register circular footpath off Stoney Lane. Application received 25 March 2022; threat of development; decision report being drafted.
- 11. Little Marlow and Marlow application to add public footpath along A404. Application received on 2 December 2021; threat of development; under investigation.
- 12. Little Marlow application to add public footpath around Roach Lane. Application received on 2 December 2021; to be investigated with No.11 (above).
- 13. Little Marlow/Marlow application to add public footpath along Crowne Plaza. Application received on 2 December 2021; to be investigated with No.11 (above).
- 14. Little Marlow/Marlow application to add public footpaths, west of Westhorpe. Application received on 2 December 2021; to be investigated with No.11 (above).
- 15. Dinton with Ford and Upton. Claimed Restricted Byway and Upgrading to a Restricted Byway, Moreton Road to Moreton Lane. Application received 1 August 2021; threat of development; under investigation.

B. DEFINITIVE MAP APPLICATIONS TO BE INVESTIGATED WITHIN NEXT 12 MONTHS.

- 16. Whitchurch 3 new applications received to add footpaths to the Definitive Map and Statement. Applications received 9 July 2018.
- 17. Whaddon application to add a Public Footpath to the Definitive Map between Whaddon Hall and Public Footpath No.6. Application received 21 December 2018.

 Buckingham – application to add a Public Bridleway to the Definitive Map following the dismantled railway walk from the A421 to Tingewick Road. Application received 14 May 2019.

C. DEFINITIVE MAP APPLICATIONS WAITING TO BE INVESTIGATED AS PER STATEMENT OF PRIORITY - <u>USER EVIDENCE</u>

- 19. 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 received 17 July 2019.
- Chesham application to add various routes south of Nashleigh Hill to the Definitive Map connecting with Public Footpath nos. 117, 37 and 67. Application received 27 August 2019.
- 21. **Chesham** application to add two routes to the Definitive Map from Lye Green Road connecting with footpath 37. **Application received 27 August 2019.**
- 22. **Chesham** application to add a footpath between Hill Farm Road and Pump Lane to the Definitive Map and Statement. **Application received 27 January 2020.**
- 23. **Denham** application to add public footpath from Priory Close to Alderbourne Field. **Application received 23 October 2019.**
- 24. Waddesdon application to upgrade a footpath and claim public bridleway through Eythrope Park. Application received 7 December 2020.
- 25. **Dinton with Ford and Upton** application to add public footpath between Burgess Lane and footpath No. 53. **Application received 21 December 2020.**
- 26. **Dinton with Ford and Upton** application to add footpath between Watery Lane and Moreton. **Application received 21 December 2020.**
- 27. **Great Marlow** application to add public footpath around perimeter of Wycombe Air Park. **Application received 21 December 2020.**
- 28. Little Missenden application to add public footpath from Parish Piece to Watchet Late. Application received 3 March 2021.
- 29. **Radnage** Application to add Public Bridleway from Bottle Square Lane to Bowers Lane. **Application received 17 May 2021.**
- 30. Chesham Claimed Footpath off Pednor Road. Application received 21 June 2021.
- 31. Little Marlow application to upgrade footpath no. 20 to public bridleway. Application received on 2 December 2021.
- 32. Weedon application to add public footpath along Northcroft. Application received on 9 March 2022.

- 33. Latimer application to add Restricted Byway from Kiln Lane to Tylers Hill Road. Application received 22 March 2022.
- 34. North Marston application to add public footpath off Quainton Road. Application received on 19 July 2022.
- 35. Wooburn application to add public footpath along River Wye. Application received on 23 August 2022.
- 36. **Penn** application to add Public Footpaths off Footpaths Nos. 36 and 40. **Application received 28 March 2023.**
- Dinton with Ford and Upton application to add Public Bridleway between Lower Road and Footpath No. 10 and upgrade part of Footpath no. 10 to bridleway status. Application received 18 April 2023.
- 38. Lacey Green Application to upgrade Public Footpath No.15 to Bridleway. Application received 24 October 2023.
- 39. Wingrave with Rowsham Application to Add Public Footpaths North of Manor Farm. Checking if application is duly made.

DEFINITIVE MAP APPLICATIONS WAITING TO BE INVESTIGATED AS PER STATEMENT OF PRIORITY - <u>HISTORIC EVIDENCE</u>

- 40. **Quainton** application to upgrade public footpath No. 4 to public bridleway status. **Application received 21 October 2014.**
- 41. **Bledlow** application to investigate the alignment of public footpath No. 52. **Application received 19 December 2013.**
- 42. **Hedgerley** application to upgrade public footpath No. 11 and No. 12 to public bridleway status. **Application received 25 June 2015.**
- 43. Whaddon application to modify the alignment of Public Footpath No. 6. Application received 4 February 2016.
- 44. Lillingstone Dayrell application to upgrade Public Footpath No.1 to restricted byway status. Application received 15 February 2016.
- 45. Lillingstone Dayrell application to upgrade Public Footpath No. 2 to public bridleway status. Application received 15 February 2016.
- 46. **Chenies** application to add Hollaway Road to the Definitive Map and Statement as a byway open to all traffic. **Application received 29 February 2016**.
- 47. Leckhampstead application to upgrade Public Footpath No. 13 and 18 to Public Bridleway and add a route as Public Bridleway. Application received 26 May 2016. Page 22

- 48. Water Stratford application to add a claimed bridleway to the Definitive Map and Statement, Parish of Water Stratford Application received 27 March 2017.
- 49. Little Missenden application to upgrade bridleway No. 42 and bridleway No. 29 to restricted byway. Application received 17 January 2020.
- 50. Little Missenden application to upgrade bridleway No. 26 to restricted byway. Application received 19 February 2020.
- 51. Little Missenden application to upgrade bridleway No. 24 to restricted byway. Application received 7 March 2020.
- 52. Little Missenden application to upgrade bridleway No. 25 to restricted byway. Application received 15 March 2020.
- 53. Water Stratford application to add a claimed bridleway to the Definitive Map and Statement. Application received 1 May 2020.
- 54. **Dinton with Ford and Upton.** Upgrading to a restricted Byway, Water Lane to Marsh Hill Lane. **Application received 1 August 2021.**
- 55. Stone with Bishopstone and Hartwell and Great and Little Kimble application to add public bridleway from Moreton Lane, Bishopstone to Marsh Hill Lane, Great Kimble. Application received 14 September 2021.
- 56. **Stone with Bishopstone and Hartwell** application to upgrade part of footpath no. 28 to public bridleway. **Application received 14 September 2021.**
- 57. Longwick-cum-Ilmer application to add Public Bridleway from Stockwell Lane to Bridleway No. 14. Application received on 21 September 2022.
- 58. Longwick-cum-Ilmer application to upgrade Public Bridleway No. 14 to restricted byway. Application received on 21 September 2022.

D. PUBLIC PATH ORDERS (PPO) – decisions made by Officers through their delegated powers:

Summary:

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24
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11

- 1. Weston Turville Application to divert Footpath No. 33 Cycle Track Order Made; Awaiting Confirmation.
- 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.
- 3. Stoke Mandeville Application to divert Footpaths Nos. 3 and 14 Order confirmed; awaiting works.
- 4. Hambleden Application to divert Footpath No. 44. Order made; awaiting works.
- 5. Buckingham Application to divert Footpath No. 36. Order to be confirmed; awaiting works.
- 6. Waddesdon Application to divert Footpath No. 18. Order confirmed; to be brought into effect.
- 7. Cuddington Application to divert footpath no 13. Order made objections received; referred to PINs; Order confirmed; to be brought into effect.
- 8. Great Missenden Application to divert footpath No. 70. Confirmed by Secretary of State; awaiting works.
- 9. Chalfont St Giles/Chenies application to divert bridleway No.43 and 5. Order made; awaiting works.
- 10. Chalfont St Peter diversion of footpath No. 14. Order made; objections received; referred to PINs; Public Hearing 25 June 2024.
- 11. Steeple Claydon diversion of footpath No. 6. Order confirmed; awaiting works.
- 12. Stoke Mandeville Extinguishment of Footpath No.8 & 10. Order confirmed; Order to be brought into effect once works completed.
- 13. Kingsbrook Diversion of Footpath No.1. Order to be revoked; new alignment agreed; process to start again.
- 14. Worminghall Diversion of Footpath No.2. Order made; objections received; to be submitted to PINs.
- 15. High Wycombe footpath creation off Abbey Barn Lane with Berkeley homes. Creation agreement signed; awaiting works.
- 16. Stoke Mandeville Diversion of Public Footpath No. 16. Order confirmed but to be abandoned.

- 17. Wexham Diversion of Public Footpath No. 7. Order to be confirmed; Legal team instructed.
- 18. Worminghall Diversion of Public Bridleways 6 and 7 and Bridleway 38 and 39, Oakley. Order to be Made
- 19. Swanbourne East West Rail creation of public footpath No. 17. Under investigation.
- 20. Radnage Diversion of Public Footpath no. 5. Order made; objection withdrawn; awaiting works to be completed.
- 21. Whitchurch Diversion of Footpath no. 47. Order made; objections received; to be referred to PINs.
- 22. Westbury Diversion of Footpath no. 11. Order made; awaiting works.
- 23. Waddesdon Diversion of Footpath no. 7. Order to be confirmed.
- 24. Waddesdon Diversion of Footpath no. 7A. Order to be made; objections received.
- 25. Berryfields Diversion of Footpath no. 2. Order to be made.
- 26. Akeley Diversion of Footpath no. 6. Order made; in objection period.
- 27. Chesham Extinguishment of part of the width of Footpath no. 114. Order to be abandoned.
- 28. Winslow Diversion of Footpath No. 1. Investigation not started.
- 29. Denham Footpath to be created over Denham Quarry land. Footpath to be created over Council land via a Deed of Dedication.
- 30. Wexham Diversion of Footpath No. 6. Under investigation.
- 31. Buckingham Diversion of Footpath No. 36. Order to be made.
- 32. Haddenham Creation Agreement to Upgrade Footpath No.19 to Bridleway. Agreement drafted.
- 33. Wendover Diversion of Footpath No.42. Order to be made.
- 34. Buckingham Diversion of Footpath No. 27. Investigation not started.
- 35. Kingsbrook Diversion of Footpath No.1. Order to be made.
- 36. Chepping Wycombe Diversion of Footpath No. 74. Order to be advertised.
- 37. Ibstone Diversion of Footpath No.3B. In consultation.

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- 38. Waddesdon Diversion of Footpath No.18 Investigation not started.
- 39. Stokenchurch and Ibstone Diversion of Bridleway No.95 and Bridleway No.16. In consultation.
- 40. Little Chalfont Diversion of Footpath No.16. Investigation not started.

E. VILLAGE GREEN APPLICATIONS

- 1. Wooburn land off Cherwell Road, Bourne End. Investigation not started; voluntary registration received.
- 2. High Wycombe land off Warren Wood Drive. Objection withdrawn; awaiting advice from Legal.
- 3. Princes Risborough land at corner of Shootacre Lane and Picts Lane. Applicant withdrawn application. CASE CLOSED.
- 4. Stoke Hammond land at Layton Road. Application rejected following Public Inquiry; CASE CLOSED.
- 5. Longwick-cum-Illmer Land at Owlswick Green. Awaiting PINS for potential trigger events.

2. STRATEGIC ACCESS

HS2

1. We continue to work with HS2 on numerous issues. After a second sinkhole appeared above the Chiltern Tunnel on the line of Great Missenden Parish Footpath No. 27 (GMI/27/1), Counsellor Broadbent and the leader responded quickly to the news, met HS2 officials and the path was closed for public safety and repairs. This has now been repaired and reopened to the public.

Rosefield Solar Farm

2. This is a proposed new solar farm near Botolph Claydon, with battery storage, claiming to provide energy to power a quarter of all homes in Buckinghamshire. Due to the amount of energy generated the development is classed as a Nationally Significant Infrastructure Project and therefore requires a Development Consent Order (DCO) to build and operate. Buckinghamshire Council were consulted in November 2023 for a Scoping Opinion relating to their Environmental Statement. The proposal would have an impact upon a total of 25 Public Rights of Way across 7 separate parishes. The Strategic Access team were a consultee, which gave us an opportunity to scrutinise the project at an early stage. They have pledged to provide an 'Outline Public Rights of Way Management Plan' which will be open to wider scrutiny in due course, on which we will endeavour to consult the LAF for further feedback and advice.

Donate-a-Gate

3. Eighteen new donors have now come forward following the relaunch of the scheme in the summer of 2023, sponsoring 24 gates. The Chiltern Society's Path maintenance volunteers have organised an installation schedule between January and March 2024. The first invoice for £3,000 has been raised to the Chiltern Society, covering the precise cost of each gate.

3. OPERATIONS

1. The current staff structure

The structure allows for 8.5 FTE staff: 1 Rights of Way Team Leader, 3 Area ROW Officers, 3 Assistant ROW Officers and 1.5 Bridge Structure Inspectors. At the time of the July meeting the forum were advised that recruitment was on going but proving difficult as few suitable applicants were coming forward. Over the last few months, it has been possible to recruit 2 Assistant Rights of Way Officers, Oliver Dawes and Harry Leach. There are still 1.5 vacant posts, but there are plans for further recruitment.

2. BVPI Rights of Way Condition Survey 2022/23

The results of the last survey are as follows.

 Percentage of paths rated 'Easy to Use' 	73.1%
 Percentage of structures rated 'Easy to Use' 	89.8%
 Percentage of paths signed from the road 	91.6%

The survey of routes in 2023/24 has not yet been carried out due to resource issues. However, it is intended to undertake a 5% condition survey in 2024.

3. Capital projects update

The Rights of Way Team have completed or will hopefully be completing the following capital projects before the end of March 2024; BW51 Denham surface works, FP66 Penn surface works, BW54 Chalfont St Giles (Wilton Lane) surface works, BW79 Bledlow Cum Saunderton clearance and surface works (part of a two year project), FP14 Stewkley clearance, surface and drainage works, BW14 Beachampton surface works, and FP4 Marlow bridge works, FP1 Hedsor bridge works.

Berry Hill Footbridge Taplow FP14. This project has now been allocated to a contractor and consultant for delivery in spring 2024. Fabrication of the bridge has started. Denham BW52 new bridge: following return of tenders, the appointment of a contractor will be undertaken shortly.

The intended surface works on the Thames Path and Ridgeway will be pushed back into this coming financial year due to resources.

The winter storms and flash floods have had an impact on rights of way across the county, but particularly in the Chilterns where we have seen routes quite badly eroded due to heavy waterflow. There are concerns that this type of damage will become more common with climate change. When it is not possible to carry out repairs to damaged routes, either due to ground conditions preventing access or funding constraints, then it may be necessary to close some routes in the interest of safety.

4. Rights of Way revenue works 2023/24

Revenue projects include replacement of a bridge structure in Chenies, clearance and surface improvement work on BW14 Aylesbury, and larger winter clearance works in Brill, High Wycombe and Hambleden. It has also been necessary to commission ecological assessments on several trees – this work must be undertaken to check for bats prior to removal of part or all of the trees identified. Revenue money has also been allocated to commission a bridge engineer consultant to undergo a condition survey on another timber bridge which crosses the Jubilee River.

5. Summary of Maintenance

Please see APPENDIX 2.

Appendix Appendix B

Buckinghamshire Council - Rights of Way Summary of Maintenance Carried Out Between 1/04/21 and 20/02/24

ТҮРЕ	DESCRIPTION			
		Aprl 21- Mar22	LAprl22-Mar23	1 Aprl23-20/2/24
Alignment	Path Off Line - resolved issue	33	21	16
Clearance	Clearance - carried out-jobs/km	120km/450	100km/360	125k/(403int)
Bridge	Installed or repaired	65	74	57
Finger/post	Installed or repaired	187	176	120
Fly Tipping	Fly Tipping - removed	47	37	24
Gate	Gate repaired or installed	163	95	92
Intimidation+animal/per	Intimidation - resolved	25	26	25
Intimidating sign	Misleading Sign - removed	26	10	9
Obstruction - resolved	Barbed wire	36	17	20
Obstruction - resolved	Barrier - Fencing, wall or other	154	116	99
Obstruction - resolved	Electric fence	26	16	28
Obstruction - removed	Fallen Tree	316	345	265
Obstruction - resolved	Locked Gate	4		4
Obstruction - resolved	Ploughing and Cropping	77	79	45
Other	Delivery of materials	29	27	8
Other	Miscellaneous issues resolved	155	119	105
Gap	structure removed To Gap	13	26	14
Stile	Installed or repaired	216	162	121
Stile	Stile To KG	48	25	28
Stile	Stile To PG	55	15	13
Terrain	Bank Steps	6	2	11
Terrain	Path Surface problem resolved	88	71	98
Waymark Post	Installed/Repaired	230	186	90
Issues Signed off		2451	2008	1695
Improvements	To aid mobility access	279	161	147
5% Survey Results	Paths Rated easy to use	74%	74%	73%
5% Survey Results	Structures rated easy to use	93%	93%	92%
5% Survey Results	Routes with Roadside Signs	93%	93%	90%
Number on Database	No. of issues os 31/03/12	799		
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 31/03/2022	3199		
Number on Database	No. of Issues os 31/03/2023		3350	
Number on Database	No. of Issues os 23/10/23			3667
Priority A issues	No of Issues recd/dealt with	187/184	174/188	218/170
Priority B/C issues	No of Issues recd/dealt with	2104/2076	1760/1638	1680/1341
Priority D (low)	No of Issues recd/dealt with	168/110	187/127	155/125

Above includes	Volunteer Jobs Completed			
Clearance direct from BCC		137/10.3km	93/12.1km	62/4.4km
Miscellaneous Jobs		16	15	12
Waymarking and signs		222	181	69
Bank Steps Installed/Repair	red		1	7
Gates Repaired and installe	d	77	43	40
Bridge replaced			1	
Stiles replaced and repaired	1	21	15	10
Trees removed		13	15	14
Total Jobs		486	364	214

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Agenda Item 8



BUCKINGHAMSHIRE LOCAL ACCESS FORUM

Report

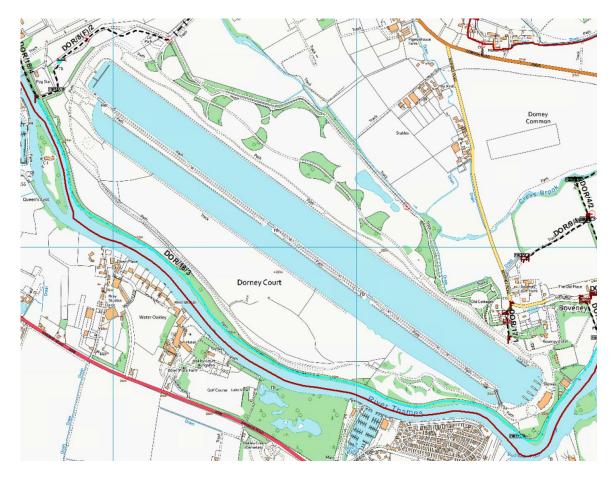
AGENDA ITEM 6

Date:	6 th March 2024
Title:	LAF members' report
Author:	Jonathan Clark and James Spratley, Strategic Access Officers
Contact Officer:	Harry Thomas [01296 585234]

1. Eton Rowing Lake Public Access

Royal Borough of Windsor and Maidenhead [RBWM] Local Access Forum have approached the Buckinghamshire Local Access Forum via the ROW team regarding a matter their members have been raising at their meetings.

The issue relates to permissive footpaths that allow the public access around Eton Rowing Lake, in the vicinity of Dorney Parish Footpath No. 18 (DOR/18/3). These permissive paths – and DOR/18/3 - were closed over the COVID-19 period due to antisocial behaviour; a practice that appears to have continued around the permissive paths during the rowing season (spring/summer each year). Currently, access is only available along DOR/18/3 for pedestrians and with permissive access for cyclists all year round, restricted along the permissive paths during the autumn and winter.



The RBWM LAF raises concerns that closing these links during busy periods and organised events discourages people from recreational walking choices, but also walking and cycling to the rowing lake which then leads to increased traffic on local roads affecting both Dorney and Eton Wick residents. This traffic issue appears to be further impacted by the presence of vehicles bringing boats to the lake for their meetings.

The RBWM LAF requests Buckinghashire's Local Access Forum support them in advocating for the paths to remain open all year for the benefit of public access and reducing road congestion. These paths are on private land, so there is nothing that can be done in the manner the council might act if these were recorded public righst of way.

2. Centre for Outdoor Accessibility Training [COAT]

This is specialist access centre, enabling countryside access managers to test a wide range of accessible gates and mobility equipment.

The COAT team at Aston Rowant have offered the Buckinghamshire LAF an 'away day' and suggested four dates in April 2024 to guide members around.

The visit would be free of charge, unless extras, like mobility scooters, are needed [Buckinghamshire Council can't contribute to the cost at present]. Gavin from the Disabled Ramblers may be able to attend to demonstrate the challenges of passing through gates on his scooter, such as those operated by a RADAR key.

3. Ridgeway Partnership

Ridgeway Officer, Sarah Wright, moved onto pastures new on 29th February 2024. She has been in post for some 8 years and has made a great contribution to the trail, culminating in the 50th Anniversary celebration which did so much to raise the profile of the Ridgeway. I am sure everyone at the Bucks LAF will join the rights of way team passing on our thanks for her hard work taking care of one of Buckinghamshire's most treasured assets. No doubt her successor will brief the LAF regularly on work surrounding the Ridgeway.

4. British Horse Society membership

Following Alison's retirement from the Forum in November 2023, she has been seeking a local BHS member to put forward for the council to consider recruiting as her replacement. We are waiting to hear.

5. Venue and dates of next meetings

Venue: Paralympic Room, The Gateway, Gatehouse Rd, AYLESBURY HP19 8FF.

Dates: 10th July 2024 & 6th November 2024.

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