

# Oxfordshire Countryside Access Forum

First meeting of 2022/22  
*Remote meeting conducted through MTeams® due to Covid precautions*  
**Wednesday 18 May 2022**  
**9.30am – 11.30am**

## AGENDA

2022 (1)

Time	Item number	Item
09:25	0	<i>Teams® meeting activated. Please test your connection and video/call settings</i>
<b>9.30</b>	1	Welcome from Secretary and declarations of interest
	2	Annual re-election/election of Chair and Vice-chair
	3	Brief member introductions
<b>9.45</b>	4	Confirm the minutes of 17 <sup>th</sup> November 2021
	5	Matters Arising from minutes and related updates
<b>10.00</b>	6	Feedback and follow up from informal working group meeting February 2022
<b>10.15</b>	7	Update about path quality monitoring iphone application - Richard Fairhurst
<b>10.30</b>	8	Local Transport & Connectivity Plan – additional PRoW policy
<b>10.45</b>	9	Towards 2025 and RoWIP3 – presentation and discussion by Paul Harris, OCC lead on countryside access strategy
<b>11.15</b>	10	Space for AOB Future meetings, plans and agenda – what do members want?
<b>11.20</b>	11	Confirm date, time and location of future meetings  <b>16 November 2022</b> <b>15 May 2023</b>  All usually 9.45 for 10am location hopefully County Hall or Sutton Farm

*n.b. all times are indicative only*

This meeting is currently open to OCAF Members, supporting officers and invited observers only, for meeting management reasons. The meeting will be recorded for minute taking purposes only. No recording will be retained or published.

Oxfordshire Countryside Access Forum is a Local Access Forum – a statutory independent advisory body, established and administered by Oxfordshire County Council to assist with improving access to Oxfordshire's countryside under s94 of the Countryside and Rights of Way Act 2000.

Contact any member via the OCAF Secretariat: Oxfordshire County Council, PRoW Access Strategy, Sutton Farm, Sutton Lane, Sutton, Witney OX29 5DG. Email: [paul.harris@oxfordshire.gov.uk](mailto:paul.harris@oxfordshire.gov.uk) or visit

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## OXFORDSHIRE COUNTRYSIDE ACCESS FORUM

MINUTES OF THE SECOND MEETING OF 2021/22  
Wednesday 17 November 2021, online Teams® meeting

2021 (2)

### Attending: Members

Mathew Judson (Chair)	Philip Chamberlain (PC)	Dave Cavanagh (DC)
Cllr Andrew Coles (AC)	Richard Fairhurst (RF)	Ilse Lambert (IL)
Rachel Livingstone (RL)	Anne Luttmann-Johnson (ALJ)	Sarah Martin (SM)

### Oxfordshire County Council Officers attending to support OCAF:

Paul Harris (PH) - OCAF Secretary/Principal Officer Public Rights of Way Access Strategy  
Hugh Potter (HP) - Group Manager Countryside Operations and Volunteer Coordination  
Steve Tabbitt (ST) – Principal Officer Countryside Access  
Mike Walker (MW) – Principal Officer Countryside Records

- 1. Welcome, and declarations.** Chair welcomed existing and new members and officers, No declarations of interest. Apologies from John Griffin and Gordon Garraway
- 2. Introductions and member focus areas.** Attending members and officers gave a brief introduction to themselves and their interest areas. Items of discussion are included under any other business. Key points of interest for future action or discussions included:
  - Consideration of wheelchair uses needs for new developments
  - Increase in waymarking across the county to help users navigate
  - Encourage landowners to remove redundant stiles
  - Build on the 'how to' leaflet to get more communities involved in their priority paths
  - Getting more people outdoors so there is more connections and more chance to protect paths for the future
  - Keeping byways open for motor traffic and how to better share access for all
  - Keeping all rights of way open for all users
  - Dog management, biodiversity and keeping people on the legal route of paths
  - More access for horseriders and increasing routes on the definitive map before 2026
  - Helping OCC establish more greenways and creating safe places for families to walk, ride and cycle
- 3. Confirm minutes from meeting 50 – 24<sup>th</sup> June 2021.** Confirmed as correct
- 4. Matters arising.**

IL asked about the increase in electric-assisted bikes and if RF had any experience from his cycling point of view. RF responded that pedal assisted cycles increased options and accessibility for older age groups and for those where access to the countryside would be a physical barrier. There was a particular challenge of the legal 15mph speed limit and there was increasing reports of conversion of bikes for increased speed especially for off-road use with some abuse of the law. RF advised that a bike travelling at almost 30mph is a motorcycle in everything but name, but without insurance, build standards and protective equipment. He suggested that this is something to be watched out for

ALJ asked if anyone had an update on the poor lady and the kissing gate issue. RL noted that nothing had changed, the gate wasn't there for livestock control and the structure was there to help address landowners concerns about motorcycle and cyclist misuse. RL added that this route was

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a route for wheelchair user but also could be a safer route to school as the road included a blind bend. ALJ asked what OCAF can do to assist. HP informed the group that he had discussed with team members and although he agreed with the sentiments it was not a straightforward issue, but he wasn't offering excuses. The landowner was resisting all efforts to increase accessibility which was his right but there were questions about the location of the original structure. HP noted that advice from OCC legal had been sought to get the situation moving forward as OCC were happy to underwrite the costs of accessibility improvements. He advised that ST would be following this up. ALJ thanked HP and RL for the update and efforts.

Action 2021(1) MJ questioned if all national groups were on the consultation list for traffic regulation orders as the Green lane Association didn't get consultations. MJ to send contact details for them to MW.

Action 2021(2) PH gave an update about traffic regulation orders on the website. He said that discussions had been had with computer and website people. He added that some link buttons may be able to be added to the interactive map which then links through to a single list. There were still challenges of data management and location of information, but it looked like a solution was on its way, albeit without a target date possible just yet. ST noted that the two officers were moving forward with a process for collating and publicising traffic regulation orders. There was a challenge when some orders could last for a few hours whilst others could be in place for many months. It was important to have accurate information to inspire confidence. Current system uses one network mapping which didn't include public rights of way and this would mean another dataset to onto the street gazetteer by access officers who are not data managers. IL responded that it looks like it would have to be a two-map approach, ST noted that there needs to be a single publish point on the website. IL noted that it seems like it is pot-luck if an order is able to be found on the system, as an example the East Hanney order can't be seen anywhere on the OCC site. ST undertook to chase this up. IL added that once she knows about an order she uploads it to the Trail Riders Fellowship mapping system. MJ noted that this is something that the Green Lanes Association also does. He stressed that it needs a one-click approach without gaps in orders or coverage. PC identified road closures as providing a bigger problem with diversion signage failing when it is needed. To a question by MJ, HP confirmed that when provided alternative routes are signed on the ground and shown on the order plans. He noted that utility companies should be signing their own diversions and it wasn't rare for diversion signs to be moved or altered by third parties.

**Action 1: ST:** chase up orders data management and how they are publicised on OCC's website

### 5. **Access Strategy & Development report:** PH introduced and summarised his update report and invited questions and comments.

AC noted the rights of way improvement planning (RoWIP) review process and asked how the forum was involved or if this was just an internal process. PH responded that OCAF had been fully involved all the time from the development of the first RoWIP from 2004 and this would be the third or fourth iteration of the plan. RoWIPs are statutory and there is a requirement to assess needs and make a plan of action. He added that the current version wasn't as delivery focused as the first one nor as aspirational and he hoped this would change in the next one. PH confirmed that OCAF input was really valued by officers and that this would be expanded on with early and continuing involvement in the next one.

RF noted the proposal for the Cherwell Valley Greenway between Heyford and Bicester and said it was an exciting scheme. He welcomed the possibility of OCC working with Sustrans on developing the route as greenways offered the possibility of integration with the National Cycling Network. He added that many minor roads used for the national cycle network are less safe or quiet than 20 years ago due to web maps encouraging rat running and there needed to be wider integration.

MJ noted that paths that were enclosed by double fences tended to get narrower over time as vegetation grew up and people kept to a narrow walked or ridden line. This was made worse when farmers couldn't trim paths back from their fields. PH agreed and said this is why Heyford paths were dedicated as wider corridors with the expectation that some vegetation would grow back over time and enhance their role as green landscape and wildlife corridors. MJ referred to paths in the

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Lower Windrush Valley which started out as 5m wide but are not almost impassable because of encroaching vegetation. PH acknowledged this point and said that the aim of engaging with developments was to integrate and upgrade access where at all possible.

RF welcomed the money that had been secured from s106 agreements and questioned the process for managing expectations and asked if more ideas on where to spend it were needed. PH thanked him for the suggestion and explained that most contributions were based on a limited set of paths in the vicinity of the development – as contributions had to be justified and couldn't just be a pot for the parish to dip into. This meant that most funds were allocated already, with negotiations then necessary with landowners to secure the agreement for works on the ground to take place. RF referred to the Saltway on the south edge of Banbury and the large amount of development taking place there. PH confirmed that mitigation measures had been sought and that some improvement works would be taking place there. He added that OCC Countryside Access could probably do more to identify potential larger scale infrastructure schemes and then request contributions towards it from a number of developments. This had been the approach for the emerging Earth Trust greenway between Didcot and Little Wittenham and more suggestions for routes were welcomed.

### 6. AOB – including discussions from the introductory section

#### Crossfield arable paths

PC asked if OCC knew what proportion of the network was unsurfaced and noted that wet weather really affected the usability of cross-field paths. DC noted that many walkers prefer to walk around the edge of fields to avoid ploughed fields and asked what OCAF's farming interests think. PC replied that he would love some cross field paths extinguished but couldn't support both cross field and field edge being retained. There was a problem of some user groups objecting despite most users acting reasonably and accepting a degree of *quid pro quo*. There was also a requirement on farmers to pay for diversions. PH added that it was down to the occupier to apply and pay for diversions and if older maps were looked at it was easy to spot the historical 'farming convenience' divisions had been made – often adding some distance for A to B routes and with headlands often becoming overgrown by hedging, nettles/brambles and trees. It was often worth a householders while paying the £3000 or so for a diversion as it improved their property's value and privacy, but the benefits were less clear for cross-field routes. The duty to avoid disturbance was quite clear, along with the requirement to make the path level and distinct from the rest of the field in a set time period. PC noted that local users and pressure groups were normally fine but he found it harder the further up the chain things went to get a reasonable agreed solution. MJ expressed his hope that OCC could assist with costs support when parties were in agreement.

MW stated that this was not an administrative process but a legal one. Ideally there could be scenarios where a round table discussion could take place, but these can be lengthy and contentious processes that must address the legal tests contained in the legislation. The truth was that only one objection was needed to affect the progress of an order. The statutory test hinged on whether an alternative route was substantially less convenient, and this could be argued quite easily when a less direct path was proposed. Some go through and some don't, but it was good practice for landowners to engage local people more and earlier on in the process to avoid sudden shocks.

PH later referred to developer contributions and improvements to public rights of way. He expressed the view that when undertaking improvements that would benefit from diversions alongside widening or upgrades to surface etc. he wanted to include the landowner's costs of the diversion as part of the overall scheme as it was all about achieving more public benefit. MW confirmed that this was possible and that OCC did already help defray landowner costs if the change was in the public interest.

#### Climate change and public rights of way

PH introduced and summarised his paper and invited comments and questions.

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HP referred to the increasing impact of flooding on public rights of way network which has been compounded by the lack of land drain management on private land over very many years. There have been many cases where surface water runoff should have been held and transported in ditches but has stayed on the public path, flooding the surface and causing scour and debris deposition. HP acknowledged that drain management is a huge maintenance liability for landowners which can't be underestimated but this does cause a problem for paths and users. Despite the lack of drain management this type of impact wasn't common until nearly a decade ago, but since then there are regular instances across low lying areas of the network where paths can be inundated for weeks or months. Repairs have to be cost effective and also meet the Environment Agency's rules and restrictions and have approval which costs £1000 each time. The issues are made worse when landowners deny contractors access in wet conditions because of fears over land damage. HP noted that OCC and the district councils were actively looking at trying to get better land drainage management by landowners as well as upstream water catchment management.

ST repeated that climate change is impacting on access management already. He noted that he had seen three years of flooding on the Thames Path, 46 percent of which is in Oxfordshire including the biggest catchment area. The wet weather impacts are exacerbated by heavy winds with many large trees coming down. With very limited resources the team struggle to deal with these. It also means that staff and volunteers are pulled away from improvement schemes to try and deal with urgent and emergency issues. Trees down on the network create other issues too as the vegetation then grows up making the path inaccessible so people then use arable fields to follow a path which brings them into conflict with landowners. The highest priority is given to keeping the network open but it does impact on planned work which delivers longer term benefits. He noted that it would be valuable to put together data as evidence of the impact on Oxfordshire's rights of way as well as across the country.

### West Oxfordshire Land Management

AC referred to the work by his district council which has looked at land management plans for twelve of its sites across the district. As this includes public open space it might be useful for members to have a look at proposes and comment on them. One of the sites includes North Leigh Common. The aim is to try and manage the spaces a little better. He encourages members living in West Oxfordshire to have a look as these are good pieces of work.

The link is here [Enhancing our natural capital - West Oxfordshire District Council \(westoxon.gov.uk\)](https://www.westoxon.gov.uk) and the consultation closes end December

### 2026 cut-off date

RL highlighted the 2026 cut-off date for amendments to the Definitive Map and said she was seriously worried that a lot of routes were not going to be upgraded or added to the maps just because people don't know how to apply for these or they are not signposted to the Ramblers or British Horse Society for support and guidance, MW replied that nearly every day he and his team helped people with evidence or making applications. It was a very complex process that involved much more than collating a few maps and making an application and then leaving this to the authority to process. The authority was required to undertake research when proper applications were made but it couldn't do this for applicants as there are so many other competing priorities. MW reiterated that he and his team always referred casual enquiries on to the appropriate user groups as well as providing guidance on the website. MW noted the Ramblers mapping project and commented that the group didn't seem focused on making applications. RL noted the reply and highlighted her struggle to research areas outside her local area and queried whether OCC staff identify potential other routes when they are looking at other matters. MW replied that that this kind of opportunistic investigation did not normally happen, mainly because of the pressure on staff time with existing workloads and demands.

HP referred to the last meeting of the OCC Monitoring Group where the Ramblers and British Horse Society had a fairly productive discussion about their various initiatives - with both groups working in similar areas of researching routes and compiling lists and evidence. He understood

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that there had been encouragement to work more closely together to share expertise and knowledge in order to get the best range of outcomes. This was felt to be very encouraging. PH added that for improvement schemes using developer funding this can be one of the fastest ways to secure additional and new rights of way. As part of making the case and looking at opportunities the landscape and historical context was often taken into account. DC gave an update about the network of parish path wardens looking at potential old ways that are not on the definitive maps. He said that not all were worth saving and their focus was on linking paths and other ones that would serve a useful purpose

### **7. Date and time of next meetings**

PH noted future dates were on the agenda but members might like some options. He proposed that the dates 18<sup>th</sup> May and 18<sup>th</sup> November are fixed at this stage but that he'd send round a poll to see if other dates were preferred or if Wednesdays caused a problem. Another matter was that the draft Local Transport and Connectivity Plan was expected in January and OCAF may want to schedule a meeting in February to consider a response to this

Chair ended the meeting and thank members and officers for participating

Meeting ended 12.11pm

# Oxfordshire Countryside Access Forum

Agenda item 8

Date: 18<sup>th</sup> May 2022

Title: Additional policy for Local Transport & Connectivity Plan

## Introduction

As members will know, there are currently three policies relating to public rights of way in the emerging Local Transport and Connectivity Plan (LTCP) covering equestrians, green infrastructure and greenways.

There's no plan to change or remove these policies but following on from feedback to the draft LTCP consultation it has been suggested that an additional public rights of way (PRoW) policy may be needed.

Consideration has been given to the best use of the space and context of the LTCP. It is felt that there isn't enough room for a complete set of policies for PRoW and also it is the Rights of Way Improvement Plan (RoWIP) that is the place for detailed policy breakdown and associated actions. With this in mind a summary policy wording was selected.

Given the importance of the Climate Emergency and the lack of inclusion in the RoWIP the new policy wording aims to include this alongside existing vision and aims of the RoWIP. By including these within the LTCP it gives them additional weight as well as moving policy wording along to reflect changes and priorities.

The proposed wording in the LTCP then allows the next version of the RoWIP to build on this.

## OCAF Action

Members are asked to read and consider the proposed policy, suggest any amendments or otherwise indicate their support for it.

## DRAFT

# Public Rights of Way, LTCP and Climate Change

### Overview

There are nearly 4,000 kilometres of Public Rights of Way (PRoW) throughout Oxfordshire comprising Footpaths, Bridleways, Restricted Byways and Byways. These routes are highways and have evolved over many years to reflect historical and cultural changes in the county. Unlike the roads network many of them pass over and through farmed land where livestock is grazed, crops are grown, and through areas kept for wildlife. Most in the wider countryside provide leisure routes for walkers, cyclists and horseriders and a number provide essential linking walking and riding routes between or within settlements. A smaller number give access for horse-drawn carriages and an even smaller number of byways give access for all users including mechanically propelled vehicles.

These PRoW interact with the roads network and non-motorised users often have to use roads to make a joined-up route which brings them into contact with faster moving motor traffic. Most PRoW outside of built-up areas are unsealed with a natural or stoned surface which can be uneven and subject to natural vegetation and arable crop growth. Stiles and gates are common on the PRoW network and they have the primary purpose of controlling the movement of livestock whilst enabling access. The condition and accessibility of many of these structures is variable between landholdings and in different areas of the county – sometimes reflecting local distinctiveness, particularly in areas of outstanding natural beauty.

The adopted statutory [Oxfordshire Rights of Way Improvement Plan](#) sets out the detail of the assessment of user needs and the council's strategy for the protection, maintenance, management, improvement and extension of the PRoW network. This Plan is reviewed and republished every ten years and is integrated with the Local Transport and Connectivity Plan. By far the biggest area of change since the last plan was produced in 2014 outside of the pandemic is climate change and adaptation to this will be better taken account of in this policy.

### Extending Public rights of way policy to include climate change

Although a relatively insignificant area, public rights of way experience the impacts of climate change through increased extremes of weather, especially rainfall/flooding, stronger winds and fire/overheating and disturbances to the timing and duration of 'normal' seasons. This makes adaptation and mitigation necessary to consider and then implement. PRoW can also offer opportunities for increasing active travel as an alternative to using vehicles for some journeys.

Public rights of way are mostly negatively affected by increased strength and duration of rainfall, with associated runoff, flooding, and extended inundation of soil water (bogginess). For the network and users this can mean unusable or unsafe flooded routes where the disturbance happens more often, for longer periods of time, and extends to a wider area. Heavy river flows can cause structural damage to bridges and surfaces as well as danger and inconvenience to users. Increased runoff causes erosion and gulying issues, with scouring of path surfaces or deposition of material obstructing or polluting paths. The accumulation of soil water and debris can make unsurfaced paths muddier, harder and more unpleasant to use and the duration of these impacts can extend far beyond the weather event. Increased rainfall combined with elevated temperatures can cause vegetation to grow faster causing physical access and maintenance challenges.



## DRAFT

Increased temperatures and extended periods of dry and hot weather increase the vulnerability of paths to fire events – through wild and human causes and can cause shrink/expansion of path surfaces and structures like gate and stile posts to weaken and loosen as soils contract. In Oxfordshire these heat and fire impacts are currently less of an issue than in other counties, but they still need to be considered. Stronger wind events linked to climate change mean more risk of tree fall and limb drop which can affect safety of users as well as obstructing routes for longer until they are cleared. On remote paths away from roads this can take some time.

Although predominantly used for leisure, some PRoW are used or could be used for active travel as an alternative to using motor vehicles. Appropriate upgrades to surfaces and status (e.g. changing footpaths to bridleways in order to facilitate cycling) and creating entirely new routes can help contribute to reducing vehicle use for some journeys.

Assessment of public rights of way will be undertaken using developing best practice from other authorities and emerging government guidance. Possible interventions across the network or in priority areas might then include:

- Choice of materials and processes used for construction and maintenance
- Locations for structures and how far they extend e.g. bridges and boardwalks
- Surfacing choices for upgrades and active travel routes
- Maintenance, management and repair programmes
- Temporary and/or permanent diversions or other route restrictions/changes
- Prioritising paths/areas or zones for defensive activities
- Land management support
- Approaches to vegetation and habitat/wildlife management & enhancement
- People engagement, especially in vulnerable locations

**Policy XX** – The overarching policy for public rights of way is to protect and maintain the existing public rights of way and countryside access network for all users and would-be users, and where possible improve the quality, resilience, accessibility and connectivity of the network so that public rights of way fulfil their potential role as a vital part of life in the county.

- a) The public rights of way network will adapt to current and future climate change by being assessed and being made more resilient in ways that involve communities, users, farmers and landowners alongside respecting the natural and historic environment.
- b) The rights of access for the public will be protected by working closely with farmers, landowners, developers and householders to ensure the line, width, surface, vegetation and furniture is appropriate to the path and user.
- c) Maintenance, management and improvement/extension of the public rights of way network will reflect the route and landscape characteristics and respond to the needs of users.
- d) Whenever possible public rights of way will be made more accessible to those with limited mobility, vision or confidence.
- e) Public rights of way will be extended and improved by securing on and offsite mitigation measures from developments and resources and capacity increased by partnership working with government, other authorities, councils, groups and organisations to achieve shared outcomes.

# Oxfordshire Countryside Access Forum

Agenda item 9

Date: 18<sup>th</sup> May 2022  
Title: Towards 2025 and RoWIP3

## **Introduction**

Paul Harris, as lead for Countryside Access Strategy and Development will give a Powerpoint update on changes, issues and opportunities.

## **OCAF Action**

Members are asked to receive and discuss any aspects of the presentation