

LOCAL COUNTRYSIDE ACCESS FORUM
27 MARCH 2003
(7.00 pm – 8.20 pm)

Present: Diana Pidgeon (Chairman), NFU, RSPB and NT
David Bertie, CLA
Celia Blay, BDS
Robert Bonnie, CPRE
Sue Cload, BVCV
Michael Dyer, All Wheel Drive Club
Anne Haydon, Bracknell Forest Borough Councillor
Michael Hutson, Bracknell FOE
Mark Osman, Farm Manager
Peter Radband, BOB and H&BROC
Derek Stickler, Crown Estate Manager
Stuart Tarrant, NFU, BBONT and RSPB
Caroline Tomalin, Horse Owner
Simon Weeks, User and Manager of Countryside

Apologies for absence were received from:
Chris Garnder

Also Present: Councillor Iain McCracken

In attendance: Helen Tranter, Head of Countryside, Open Spaces and Heritage
Heather White, Countryside Officer
James Dymond, Countryside Research Assistant
Andrea Carr, Committee Administrator

1. Welcome

In welcoming all to the first meeting of the Local Countryside Access Forum, the Head of Countryside, Open Spaces and Heritage explained the background to the establishment of the Forum and its purpose.

2. Introductions

Members introduced themselves and described their interests in, and links with, countryside matters.

3. Election of Chairman and Vice Chairman

A previously circulated paper setting out the Forum's terms of reference, including its constitution, membership and procedures, was tabled at the meeting for members' formal agreement.

With regard to membership, it was noted that this represented a mixed balance of land interest and user groups together with Borough councillors. Members were reminded that they were not representative of any body or organisation and must act in a non-partisan manner. Meetings of the Forum would be open to the press and public and representatives of other local authorities and local countryside access forums were welcome to attend. Liaison with the latter would be undertaken and it

was noted that one forum had been established to represent the Wokingham, Reading and West Berkshire Unitary Authorities, whilst the Royal Borough of Windsor and Maidenhead had formed a forum and another was being formed to serve the County of Surrey. The need for representation of disabled people was raised and, although one member had gained experience in this area through links with associated groups, it was suggested that flexible provision be made for co-opting to the Forum a representative of the disabled.

The Forum was advised that it was an advisory body and had no decision-making powers. Although the Borough Council would have regard to any advice the Forum offered, it was not obliged to comply with such advice.

Attention was drawn to particular aspects of the procedures and members noted that the Forum was required to meet at least twice per annum at six monthly intervals and that they would be reimbursed for reasonable expenses incurred in relation to travelling and child/dependant care through attendance at Forum meetings or other activities associated with the discharge of its functions. Claims forms would be circulated for this purpose. Although the procedures specified that the Forum would elect at its first meeting a chairman and vice chairman from amongst its membership, the related terms of office were not specified and therefore the Forum was invited to agree this. The requirement for the Council to support and fund appropriate training or development programmes for members, as identified by the Forum, was highlighted and members were invited to notify the Head of Countryside, Open Spaces and Heritage in the event that they wished to undertake such programmes. This matter would be given further consideration at the Forum's next meeting. Further to the procedural point requiring Forum meetings to be open to the public, a member suggested that future meeting commence with a public question time to receive questions and comments from the public.

With regard to the budgetary provision for rights of way, the Forum noted that there was discretion in expenditure.

RESOLVED that

(a) subject to the following amendments, the Forum's Terms of Reference/Procedures be agreed:

- (i) provision be made for the co-option of an additional member to represent the related interests of the disabled of the Borough;**
- (ii) the chairman and vice chairman each be elected for a period of three years; and**
- (iii) Forum meetings commence with a public question time facility.**

(b) Diana Pidgeon be elected as Chairman of the Forum for a period of three years; and

(c) Stuart Tarrant be elected as Vice Chairman of the Forum for a period of three years.

4. **Rights of Way and Access Progress Report**

A report summarising the management of the rights of way network in Bracknell Forest was tabled at the meeting. The report advised that the 144 individual public rights of way in the Borough, which collectively totalled approximately 80km in length, comprised:

- Footpaths which conferred a right of access on foot;
- Bridleways which conferred a right of access on foot or leading or riding a horse or bicycle;
- Roads used as public paths (RUPPs) which conferred rights of access on foot, horse and bicycle although the associated right to drive motorised vehicles was ambiguous; and
- Byways open to all traffic (BOATs) which conferred rights of access on foot, horse, bicycle and motorised vehicle.

RUPPs were due to be replaced in 2003 by a new status to be known as a Restricted Byway which would confer rights of access on foot, horse, cycle and horse drawn vehicle. This had been introduced to remove the previous ambiguity concerning use of motorised vehicles on RUPPs. It was noted that five RUPPs and four Byways across the Borough were subject to Traffic Regulation Orders restricting or preventing use by motorised vehicles.

The report also addressed definitive map work, outlined annual maintenance and inspection works, described promotions and events, referred to projects to be undertaken and set out new responsibilities under the Countryside and Rights of Way Act 2000.

It was suggested that the Rights of Way booklet produced by the Council, which included the definitive map, be circulated to members together with details of the proposed new bridleways.

With regard to prioritised maintenance work, a member advised that road planings were considered to be unattractive and their use presented difficulties for some categories of users. Although there was limited scope for use of alternative maintenance materials owing to financial constraints, the Head of Countryside, Open Spaces and Heritage noted this view.

5. **Rights of Way Improvement Plans (ROWIPs)**

The Forum received a paper concerning ROWIPs, which local highway authorities (LHAs) were required under the provisions of the Countryside and Rights of Way Act 2000 to prepare and publish for improving rights of way in their areas in the light of the needs of the public, including disabled people. These provisions came into effect on 21 November 2002 and required the first ROWIPs to be prepared within five years of that date and to be assessed and reviewed within ten years of publication and at maximum intervals of ten years thereafter.

The role of ROWIPs was to be the primary framework by which LHAs would identify the changes to be made, through management and improvement, to their local rights of way network in order to meet the Government's aim of better provision for walkers, cyclists, equestrians and people with mobility problems.

ROWIPs, which would include a statement of the action proposed for the management and improvement of local rights of way networks, were to take account of:

- The extent to which local rights of way met the present and likely future needs of the public;
- The opportunities provided by local rights of way for exercise and other forms of open-air recreation and the enjoyment of their area;
- The accessibility of local rights of way to blind or partially sighted persons and those with mobility problems.

Arrangements for monitoring and reporting on progress achieved in relation to implementation of ROWIPs were to be established.

Having noted that the Bracknell Forest ROWIP would include improvements to the Ramblers' Route and bridleways in general, the Forum considered other issues for inclusion. The provision of carriage gates was welcomed to facilitate access by horse drawn carriages and it was noted that the introduction of Restricted Byways in place of RUPPs were unlikely to cause a significant change in related use by vehicles. It was suggested that members gather, and report back on, the views of the local user groups which they represented in order to inform the preparation of the Improvement Plan. A member indicated that receipt of a copy of the Borough's Transport Plan would be beneficial in this regard. Reference was made to the funds available from the Highways Agency to assist vulnerable users by improving safety and it was suggested that the Agency be approached in this regard.

6. Devil's Highway (Crowthorne RUPP 12) Traffic Regulation Order Review

A report relating to a five year review of the above Traffic Regulation Order (TRO) was circulated at the meeting. The report provided the background to and justification for the TRO, identified the options and associated costs relating to its future treatment and considered the way forward. The Forum was advised that the review consultation period extended to July 2003 when comments received would be utilised to inform the preparation of a related report to enable the Borough Council to determine the course of action to be taken in this regard. The Forum's comments on the report were sought.

Although the report stated that a reduction in the number of abandoned vehicles and amount of fly tipping had been achieved as a result of the introduction of the TRO, some members felt that this reduction was minimal and indicated that these problems had merely been displaced. They felt that it was unfortunate that legitimate users were denied access owing to a small number who misused the RUPP.

Whilst the TRO aimed to prevent use of the Devil's Highway by all motorised vehicles, many two wheeled vehicles were able to overcome the physical barriers and gain illegal access to the RUPP, the surface of which could be damaged by their tyres. A member was of the opinion that the Crown Estate sought complete closure of the RUPP to vehicular access under the relevant legislation. Modifications to the TRO to allow motorcycle use on the Devil's Highway at times other than weekends was suggested as an alternative way forward. Although new powers conferred under the Police Reform Act 2002 allowed the Police to confiscate vehicles driven dangerously on a public right of way or other open space, Members felt that

insufficient weight was attached to related complaints to the local Police Station and asked that the Police be encouraged to act on such complaints.

Reference was made to the motorcycle event held at Butter Hill. Although this had offered a valued recreational opportunity, it was felt to have encouraged unlawful motorcycle use of land in the area and the benefit of increasing public awareness of the areas where such activity was permitted was highlighted. The Forum recognised the merits of designating a site for motorcycle use in order to promote the Borough's recreational resources and discourage such unlawful use of other areas of land.

7. Items for Next Meeting Agenda

The following matters were identified for inclusion on the agenda in respect of the Forum's next meeting:

- Rights of Way Improvement Plan – feed back from user groups (regular item) and system of safe links between bridleways for horseriders;
- Devil's Highway (Crowthorne RUPP 12) – Police Perspective on trespassers;
- Public Crossing on Nile Mile Ride to Caesar's Camp;
- Presentation on Borough Transport Plan; and
- Training / development programmes.

In this connection it was agreed that:

- A contact list be circulated amongst members of the Forum; and
- Provision of a dedicated webpage within the Council's website in respect of this Forum.

8. Any Other Business

There was no other business.

9. Date of Next Meeting

The Forum agreed that its next meeting would be held at 7.00 pm on Tuesday 7 October 2003.

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