

Oxfordshire Countryside Access Forum

Second meeting of 2018/19
Ground Floor Meeting Room 2a-c,
Speedwell House, Speedwell Street Oxford OX1 1NE
Wednesday 21st November 2018
10am – 12.30pm

AGENDA 2018(2)

	Item	<i>Coffee available from 9.45am. Please aim to be seated by 9.55</i>
10.00	1	Welcome by the Chair
	2	Apologies for absence and declarations of interest - to declare any personal or prejudicial interests
	3	Confirm the minutes of 16 th May 2018 (2018/1)
	4	Matters arising from minutes
10.20	5	Publicising permissive access
10.35	6	Contributing to the design of the new Environmental Land Management System <i>Comfort/coffee break</i>
11.10	7	Strategic/national development issues and countryside access
11.30	8	Draft revised statement of priorities for Definitive Map functions, following on from the Oxfordshire Rights of Way Monitoring Group 12 th October
12.10	9	Space for questions from members of public/observers or AOB
12.25	10	Confirm date, time and location of future meetings Proposed fixed dates - 3 rd Wednesday in May and November and optional 3 rd Wednesday in February. (27 Feb 2019), 15 th May 2019 All 9.45 for 10am location probably County Hall or Speedwell House

n.b. all times are indicative only

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, Countryside Area, 3rd Floor Speedwell House, Speedwell Street, Oxford OX1 1NE Tel 01865 810226, email: paul.harris@oxfordshire.gov.uk or visit

www.oxfordshire.gov.uk/ocaf

OXFORDSHIRE COUNTRYSIDE ACCESS FORUM

MINUTES OF THE FIRST MEETING OF 2018/19 Wednesday 16 May 2018 Speedwell House, Oxford

2018 (1)

Attending:

Members and their interest areas:

Stuart McGinness, **Chair** (SMG) - User - off-road cycling and leading youth cycle training
Matthew Judson, **Vice-chair** (MJ) - User- 4x4 use and leading youth outdoor hiking training
Gordon Garraway (GG) - Other – green space protection and recreational trails
Andrew Hawkins (AH) - Landmanaging – woodland owner and ecologist
Ilse Lambert (IL) -User-Trail riding (motorcycling)
Sarah Martin (SM) - User - walking and botany, permissive access
Harry St John (HSJ) - Landmanaging – land agent and district councillor

Observers/Guests:

Tom Bindoff (TB) – Update on BS5709:2018 and accessibility
Adrian Tremlett (AT) – Lost ways/DMMOs and legal processes
Rachel Livingstone (RL) – Lost ways/DMMOs and equestrian users
Beth Rutherford (BR) – OCC Rights of Way Officer

Oxfordshire County Council Officers attending to support OCAF:

Tom Scholes (TS) - Team Leader Technical Intelligence
James Blockley (JB) - Principal Officer Trees & Countryside Access
Adam McQueem (AMQ) – Officer Infrastructure Information Management
Lisa Gray (LG) – Acting Senior Rights of Way Officer
Paul Harris (PH) - OCAF Secretary/Countryside Access Strategy & Development Officer

1. Welcome and election/re-election of Chair and Vice-chair

Secretary opened the meeting and invited nominations. Stuart McGinness was elected Chair and Mathew Judson elected Vice-chair.

2. Welcome and Introductions

Members, guests, officers and observers gave brief introductions

3. Apologies for absence and declarations of interest

Apologies had been received from Philip, Dave, Troth, John and OCC officer Hugh Potter

Amend page 6 para 3 to “GG added that at Monitoring Group all were concerned that skilled field officers would have to go and look at potholes instead of as well as rights of way issues. He asked how staff can be expected to balance rights of way and road issues when it was likely that road inspections would have to take over more priority. Minor changes for two abbreviations. Signed as a correct record.

5. Matters arising

2018 (1) Action 1: (*JB to supply group with examples of cost recovery or repairs to address extraordinary use and damage*). JB reported that he had some work on this but pressures meant this needed to be deferred to a future meeting

2018 (1) Action 2: (*HP to look at how TRO and other closure information is made available and how this could be improved*). JB reported that Hugh Potter had not been able to update the meeting

about this

2018 (1) Action 3: (*Secretary to work with TW and YC and staff to set up a DMMO working group*). On the agenda

2018 (1) Action 4: (*JB to supply OCAF with contact list of volunteer groups*). JB reported that he needed to check permissions for sending out contact details

Action 1: James Blockley and Hugh Potter to supply information/undertake actions 1, 2 and 4 to next OCAF meeting or provide a progress update

2018(1) 7 - Restructure

In response to a question on restructure impact by AH, JB reported that the team were settling down and contributing to the review of the first restructure phase – and it was hoped that stakeholders' views could be included. AH stated that it was unsatisfactory that skilled staff were looking at potholes which wasn't a good use of time. GG said there was a need to record time spent on pothole inspections as otherwise senior management would not be able to consider the impact. JB said he wasn't aware of records but that the 'Fix My Street' system may have this function. TS confirmed that some records are kept but that it was the intention of this approach that it would be an efficiency saving as potholes can be looked at whilst staff are in the area on rights of way assessments in that area – and staff can update records in the field. RL asked if parish contacts could do this. TS said that it was about minimising additional travel time and pothole inspection takes training – as well as highways safety issues. The added value of such a volunteer system 'superuser' including sending fix requests direct to contractor would have to be assessed for cost/risk benefits. JB recognised the good points made about community engagement and informed the group that a new post for community and volunteer engagement would be appointed to lead on other highways areas of operations. IL questioned the assumption that pothole inspections were opportunistic as some out of office messages indicated that officers were only focused on this and couldn't attend to rights of way issues.

RL asked whether the county had considered using college students such as Common Leys College as it could be beneficial to students as well as to the authority/public. JB acknowledged the value of this but as capacity in the team was down this active engagement with volunteers and groups could not be explored further yet. PH said that the team had used West Oxfordshire Training Service for many years but this and any scheme relies on committed staff/coordinators and other resources to support groups and this is why that scheme had stopped. It was acknowledged that Oxfordshire had restrictions on resources and that it should be a priority to work with community and volunteer groups – such as in Hampshire where community engagement officers had been appointed. BR said that from her time working recently for Hampshire the three officers for the area had made a real difference but there were still areas without any kind of community action. Some groups had access to additional matched funding sources.

6. Demonstration of the new CAMSWeb system by Adam McQueen

Adam showed attendees the new and improved CAMSWeb system including the means to report and track issues. The system was compatible with smartphones for use in the field. IL said that the new mapping system was a bit less functional than the old one as it didn't allow rights of way to be shown by use type and there was no provision to show restrictions and changes to the network on the web which should be used alongside on-ground signage. The Chair thanked AMQ for his presentation.

7. Update about Definitive Map related issues by Tom Scholes, Group Manager Asset Data & Systems

TS said that backlogs and team capacity were the main issue. The second phase of the departmental restructure had proposed half the numbers for team functions but this was successfully reversed thanks to making extremely detailed description of processes and the resources needed. The outcome of this was that most team members would be transferred into new roles without having to reapply for their jobs. The exception was for the replacement of Anita

Coghlan's permanent lead role and interviews were being held in June with a very strong internal and external applicant pool so hopefully the person would start soon. The new lead role would help to bring the team up to speed and build in succession planning, confidence and stability. A focus needed to be made on priorities up to 2026 especially as there are 105 applications for modification orders on the system.

RL asked about the 63 pages of anomaly reports and how they would be addressed including when they were OCC errors between different definitive maps. TS responded that he thought these needed prioritising in line with OCC's vision and values. LG added that when regulations were enacted the Deregulation Act could simplify some of these types of errors. RL and SMG said that the pressure for application processes is only going to increase so were resources going to be allocated to this. RL gave the example of the 63 cases in Shropshire with the Secretary of State (SoS) for an Article 14 direction (failure to determine an application within 12 months). TS said that pressures were being used to justify maintaining and increasing capacity and any directions by SoS would end up in a queue that could ultimately lead to a contempt of court situation but he wasn't aware of any authority that had been impacted in this way. SMG questioned if authorities had to stay within the law. TS confirmed that they do but there's no precedent of what happens if directions can't be complied with in the time period as there's no case law nationally yet. TS raised the learning and 'leaning' processes being undertaken by Gwen Harris that were looking at processes to check on efficiencies. Definitive map procedures need regular evaluating -just like motor racing where pit stops are essential to keep cars up to speed. From work done so far he said that some of the personal contact may have to drop away to make the application process more of a production line.

AT highlighted an issue he had been involved in and referred to text books on rights of way law which state that authorities should add claimed routes and upgrades under their own volition using the list of streets and inclosure awards as evidence of legal events meaning they could change the Definitive Map using a Legal Event Order. AT said that OCC rights of way officers would not look at the same evidence and hadn't given good reasons for this. He added that it is understood that resources are limited so the process should be streamlined. LG replied that they want to consider this but advice from OCC legal was that this was not the correct way to do this and meet the criteria for consideration as a qualifying legal event. She added that OCC can initiate the modification order process without an application but chooses to prioritise applications over anomaly investigations. TS added that some more thinking was needed about this based on legal opinion. AT said that he would like to challenge this advice but this had not been shared with him. He did not understand why OCC officers and processes seemed set up to obstruct. TB added that some years ago OCC seemed proud of its waiting list which effectively meant people had to go away and he felt it was used as a device to keep things ticking along as they were without changing ways of working. TS acknowledged that the list may have seemed like a brick wall and that the directorate need to improve as it was not acceptable to use the backlog to put people off. PH referred to the ambition set out in the Rights of Way Improvement Plan as well as to the corporate complaints process.

Working Group: TS said that the remit of this needs to be rethought with regard to how it fits into 2026 (cut-off date for DMMO cases based on pre 1949 documentary evidence) and the order of dealing with the outstanding modification order applications. SMG pointed out that it was still handy and necessary to have the working group meeting to understand priority setting and then bring to a future OCAF meeting. TS acknowledged this point and stated that the council was becoming less risk averse and so they will not write off any other approach including that undertaken by other authorities. The research into other authorities' work had been postponed due to the restructure case but this needed to be revised.

AT referred to Secretary of State's examination of backlogs and priority lists and how this can affect 'directions to determine' and said that where landowners could be persuaded to agree a dedication this should be prioritised. He gave the example where this had not happened in 15 years and he felt that OCC should pressurise and encourage landowners to dedicate in order to secure links without going through DMMO process. LG and TS jointly explained that this could end up with determinations being rushed in order to meet the 12-month target with later stages parked. This could be less efficient but this is the only current performance measure so may well be preferable to having directions imposed and subsequent disruptions to progressing workloads. In terms of dedication, OCC does prioritise these, but does not pressurise landowners.

Action 2: Tom Scholes to share legal advice on existing evidence and processing constituting a legal event

Action 3: Tom Scholes and OCAF Secretary to set up DMMO priority working group

8. Space for discussion following on from the Oxfordshire Rights of Way Monitoring Group
6th April: Nothing raised

9. British Standard 5709:2018 An update from Tom Bindoff

Tom gave the background to the development of the 2018 revisions to the standard and highlighted Natural England's significant role in bringing negotiations to a conclusion and enabling an agreed position to be reached amongst stakeholders. The standard should apply where an authority has the right to specify structures (e.g. public path orders and newly authorised structures). The guidance is non-statutory but as it included best practice it was a good aiming point for when public money was being spent on upgrading structures. The guidance doesn't go to the detail of specifying materials or suppliers and instead specifies the functions which can bring about new designs and/or modifications to suit local vernacular.

Bridleway gate changes had been brought about following extensive trials in York which influenced the development of the guide by field-based evaluation of what works and doesn't work. Minimum closing speed is now specified as well as the latching standard. Another new development is that all handles are to be coloured yellow so as benefit all types of user and make the gate operation more intuitive. Tom offered a more detailed presentation at a future meeting and undertook to circulate the 'understanding the new standard' summary. The Secretary agreed to circulate this with the minutes.

Tom highlighted the new National Land Access Centre opening at Aston Rowant. Until now there was nowhere where access practitioners, LAFs, farmers and councils could see all of the gates in place and working so Natural England made space at Aston Rowant to show best practice. Once the new standard-compliant structures are manufactured they would be installed. The site was being developed by volunteers and supported by Centrewire Ltd and there may have to be a charge for use and visits to offset some of the costs. The centre is intended to raise standards and encourage other manufacturers to innovate and produce more compliant structures.

The Chair thanked Tom for his informative presentation and the work he had done over the years to improve access.

Action 4: Secretary to circulate explanatory note about the new standard to members

10. Space for questions from members of public/observers or AOB

AT suggested that photos etc could benefit from a sense of scale using a pound coin or similar

The Chair reported that he had sent the managing vehicles letter to Councillor Constance on 2nd March but hadn't heard anything back. Secretary to follow up.

RL said that signatures were still visible on old DMMO applications. LG responded that the team were working to redact older files as a priority. SM requested meetings to be held in County Hall.

11. Next meeting

As per agenda item - fixed as far as possible for the 3rd Wednesday in May and November and optional 3rd Wednesday in February -**21 Nov 2018**, (27 Feb 2019) 15^t May 2019, venue normally County Hall

Oxfordshire Countryside Access Forum

Agenda item 4

Date: 21 November 2018

Title: Matters Arising

Introduction

A number of actions have been incomplete for a period of time and this note and attachments aims to update the group on all of them and close as many as possible.

Actions from 1st November 2017 meeting

Action 1: James Blockley to supply group with examples of cost recovery or repair work to address extraordinary use and damage at a future OCAF meeting Update to be supplied to November 21 meeting

Action 2: Hugh Potter to look at how permanent and temporary TRO and other closure information is made available and how this could be improved and report back to a future OCAF meeting – Update to be supplied to November 21 meeting

Action 3: The Secretary to work with TW and YC and staff to set up a DMMO [prioritisation] working group meeting. Now not needed – see agenda item 8

Action 4: James Blockley to supply OCAF with contact list of volunteer groups Paper copy to be circulated to members 21st November

Actions from 16th May 2018 meeting

Action 1: James Blockley and Hugh Potter to supply information/undertake actions 1, 2 and 4 to next OCAF meeting or provide a progress update [as above] Actions will be completed 21 November

Action 2: Tom Scholes to share legal advice on existing evidence and processing constituting a legal event Complete - see attached note from Mike Walker (annex 1)

Action 3: Tom Scholes and OCAF Secretary to set up DMMO priority working group Now not needed – see agenda item 8

Action 4: Secretary to circulate explanatory note about the new [British] standard [5709:2018] to members Completed as included in email to OCAF members on 22 October 2018

Action for OCAF members

To note the completion of actions

**Oxfordshire Countryside Access Forum
21 November 2018**

Definitive Map Modification Orders: The Use of Inclosure Awards as Legal Events

Report by Principal Officer, Countryside Records

Introduction

A question has been raised as to whether Inclosure Awards can be considered as Legal Events for the purposes of updating the Definitive Map and Statement (DMS).

Recommendation

The Forum is invited to Note this report

The Council's duty to keep the DMS up to date includes within the Wildlife and Countryside Act 1981 a specific duty to update it in respect of any 'event' that has taken place. Section 53(2) states: -

The surveying authority shall: -

- (a) as soon as reasonably practicable after the commencement date, by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence, before that date, of any of the events specified in subsection (3); and
- (b) as from that date, keep the map and statement under continuous review and as soon as reasonably practicable after the occurrence, on or after that date, of any of those events, by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence of that event.

The relevant part of section 53(3) states: -

The events referred to in subsection (2) are as follows: -

- (a) the coming into operation of any enactment or instrument, or any other event, whereby
 - (i) a highway shown or required to be shown in the map and statement has been authorised to be stopped up, diverted, widened or extended;
 - (ii) a highway shown or required to be shown in the map and statement as a highway of a particular description has ceased to be a highway of that description; or
 - (iii) a new right of way has been created over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path or a restricted byway

These are normally ‘events’ that would require a ‘Legal Event Modification Order’ (LEMO); for example, where a Diversion Order has been confirmed since the DMS was last updated. A LEMO does not require advertising and neither is it subject to objection.

Section 53(3)(c)(i) refers to the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic

So, in essence, section 53(2) relates to those events (such as Creation Agreements, Diversion orders, etc), made by the Council and, possibly, others, designed to be an administrative process that Modifies the DMS in respect of that event, with no further scrutiny being applied to it. It is these that are interpreted as meaning ‘events’ and satisfy the criteria that the DMS be modified ‘as soon as reasonably practicable’.

Section 53(3) is normally the area that covers the ‘applications’ made to modify the DMS and based on the production of evidence, whether documentary or user or a combination of both. This is where the Council is required to investigate the application and the evidence in support of it, together with all other relevant, available evidence.

In principle an Inclosure Award is a ‘legal event’ that created and set out highways. It is common practice that an Award, its Map and the relevant legislation it was derived from, will require scrutiny as would any documentation giving authority to the Inclosure Commissioners to set out the highways, and that they did so. It cannot be assumed that the Award was implemented, and the additional evidence might take it outside the scope of a LEMO and depend on the facts of the individual case.

The Council would have to consider whether there had been a second subsequent legal event that altered the first legal event and whether or not the route was actually and correctly set out on the ground under the powers of the Award at the stated width. This is a much more difficult question that mixes both evidence and law.

It is also the combination of ‘as soon as reasonably practicable’ after the ‘coming into operation’ phrases in the Wildlife and Countryside Act s53 that make it questionable whether an LEMO is appropriate in circumstances where the ‘event’ was over 200 years ago.

There are many compelling reasons why a LEMO is not the appropriate route namely, lack of investigation or consideration of other evidence, opportunity to exercise appeal rights and (not least) transparency. This is Oxfordshire County Council’s position and reflects its legal advice.

Oxfordshire Countryside Access Forum

Agenda item 5

Date: 21 November 2018
Title: Publicising permissive access

Introduction

Dave Cavanagh writes:

I have thought about this on a number of occasions when I have found myself adjacent to a permissive path or have been led to and down one by someone else (to my pleasant surprise). The spur for me writing to you, Paul, was that I led a walk yesterday that included the permissive paths of the Shrivenham Circular Route. These include alongside the Wilts Berks Canal but are not limited to that. The people on my walk were unaware of the permissive paths because, of course, they are not on OS maps (and presumably never will be, as permissions can be withdrawn).

I would like to see permissive paths marked on a map made available by OCC i.e. a one-stop shop for permissive paths (updated speedily whenever there is a change of permission - added or subtracted). This would be a benefit to user for obvious reasons and also to disuade them from using a path when permission has been removed. Landowners would benefit likewise.

Action for OCAF members

Dave will also be supplying examples of best practice from other Ramblers groups. OCAF members may wish to discuss Dave's suggestion as well as other permissive access resources including

Countryside Stewardship access <http://cwr.naturalengland.org.uk/walk-ride.aspx>

Access to tax-exempt heritage assets: <http://www.hmrc.gov.uk/gds/heritage/lbsearch.htm>

Oxfordshire Countryside Access Forum

Agenda item 6

Date: 21 November 2018

Title: Invitation to contribute to the design of the new Environmental Land Management System (ELMS)

Introduction

At the recent Institute of Public Rights of Way and Countryside Access (IPRoW) annual update Natural England attended to ask members for their views on the forthcoming ELMS intended to form part of the new Agriculture Act.

The questions asked by Natural England are attached.

Action for OCAF members

OCAF members may wish to providing their responses to some or all of the questions so that these can be sent to Natural England



Annual Update 2018

Pippa Langford, Principal Specialist, Natural England

Design the new Environmental Land Management System

Some Questions

- Evidence on the effectiveness of cross-compliance.
- Suggestions for what farmers and landowners could be paid for by ELMS, for example, structures, surfaces, new routes, conversions from footpaths to bridleways.
- Suggestions for new reporting and monitoring regimes, online?
- Management measures to improve user behaviour (dogs on leads, dog fouling, staying on the path etc.) and whether these could be paid for under ELMS? Training for land managers?
- How local authorities, Local Access Forums and others could be involved in setting priorities (if there is any prioritisation) and what evidence should be considered to guide these.
- Priority for paths close to where people live, named routes, published routes?
- Any new regulation / cross compliance that might be helpful
- Any blockers?

Oxfordshire Countryside Access Forum

Agenda item 7

Date: 21 November 2018

Title: Strategic/national development issues and countryside access

Introduction

A number of national infrastructure projects are being proposed or are underway in Oxfordshire. These include the Oxford-Cambridgeshire Growth Arc (incl East/West rail and OxCam Expressway), HS2, and the Thames Water (Abingdon Reservoir) Plan.

A selection of background documents and articles related to these matters is attached. All of these will involve some degree of further consultation and OCAF should consider how it wants to be involved.

In addition, three papers are attached. The first by Nick Moon (annex 1) was presented to Monitoring Group in October about the need for bridges or subway crossings of the 'Expressway'. The second (annex 2) is the Bucks County Council officer proposal for standards to be applied to the Expressway. The third (annex 3) is an internal OCC response to the reservoir proposal within the water resource management plan.

Action for OCAF members

OCAF members may wish to consider the attached documentation and if and how they would like to get involved in engaging with issues and giving advice

Note supplied by Nick Moon for Rights of Way Monitoring Group meeting 12th October 2018

IMPACT OF MAJOR ROADS ON THE PUBLIC RIGHTS OF WAY NETWORK

Recent proposals for the creation of an Oxford-Cambridge **Expressway** give added urgency to the need to discuss a problem which has become increasingly acute in recent years, but which, possibly due to a fortunate lack of serious accidents, has not received much attention at the Monitoring Group or similar bodies.

When plans were made in the 1980s to build the M40 and create what are now the A34 and A41 as feeder roads, a stark difference became apparent in how public rights of way were dealt with, which crossed or linked to the roads concerned.

With the M40 being a motorway, or legally a ‘special road’ to which pedestrians, riders, cyclists and some others have no access, reasonable provision had to be made under S.18 of Highways Act 1980 for all rights of way affected either by building bridges or diversions and only a small number were extinguished.

With the A34 and A41 being ‘all-purpose roads’, however, it was legally sufficient under S.14 of the Act just to allow public rights of way to lead to them and to provide gaps in the central-reservation crash-barriers to allow walkers to cross. Even the Oxfordshire Way crossed the A34 via such a gap in the central reservation for the first 10 years or so after it opened before it was diverted to use the bridge at the Weston-on-the-Green Interchange. Probably those concerned did not envisage the growth in traffic which has occurred or, if they did, they did not want to accept the financial consequences of providing grade-separated crossings. In any event, this has led to a situation where the path networks on both sides of these roads have largely fallen into disuse as many walkers are reluctant to link between paths along the hard shoulder, let alone risk crossing these roads, which they are fully entitled to do.

A similar situation also exists on parts of the A40 and other roads which were dualled much earlier and here OCC Highways sometimes refuse to clear vegetation on the central reservation or provide gaps in more recently added crash barriers.

As it is not clear from the term ‘expressway’ whether motorway legislation would apply and the failure to use the word ‘motorway’ suggests it would not, it must be a matter of concern that a penny-pinching attitude by the Highways Agency may lead to a repeat of the disastrous mistakes made with the A34 and A41.

It would therefore seem highly desirable that, if the ‘expressway’ is built, it is built as a motorway and that the County Council should raise with the Highways Agency the question of all-purpose roads unsuitable for pedestrians, riders and cyclists and the need for the retrospective provision of grade-separated crossings to reduce network severance caused by these roads.

Action for OCAF Members

To consider if the group wishes to give advice to Highways Agency and the County Council that the ‘Expressway’ has grade-separated crossings provided for non-motorised users.

Statement of standards supplied by Bucks CC officer in relation to public rights of way and the Expressway in Buckinghamshire

OXFORD TO CAMBRIDGE EXPRESSWAY – RIGHTS OF WAY STANDARDS

The council seeks to agree early standards with Highways England to achieve these project objectives for walkers, cyclists, horse riders and carriage drivers on the rights of way network and discuss strategic network improvements. We would also like to confirm legal realignments will be covered within powers granted to build the Expressway.

Standards: the applicant should provide segregated bridge or underpass crossings for all public rights of way. Nevertheless, it is appreciated some rights of way run parallel or very close and amalgamating two into one is accepted, not least due to landscape and visual impacts of multiple bridges. Path diversions onto roadside verges should be the exception, unless it is an obvious solution. In these circumstances we would expect adoptable standard footway / cycleway surfaces to be installed in the verge, segregated as far as possible from vehicular traffic, for the public to make their onward connections.

We would expect rights of way crossings to be accessible for users with off-road push chairs, mobility scooters and wheelchairs. Nevertheless, it is appreciated 'DDA' standard (Equality Act 2010) bridges have long ramps which could have a detrimental visual impacts on the rural landscape urban areas, so the council has in the past (e.g. HS2) suggested 1:12 ramps.

In addition, standards should include:

- 1) stiles to be replaced with British Standard (BS 5709: 2018) gates
- 2) new gates only where agricultural stock control is required;
- 3) bitumen surfaces across bridges and approach ramps; and
- 4) shared space between users and agricultural traffic across bridge space;

For open access and registered common land, where the Expressway consumes or severs the land, we would expect greater than like-for-like replacement.

Strategic network improvements: the council would also seek Highways England to undertake an assessment of existing non-motorised routes and seek potential strategic improvements to the walking, cycling, horse riding and carriage driving network. This would include upgrading the status of footpaths to bridleways or restricted byways where gaps in the network can be achieved by compulsory purchase of land along the road corridor or close by. For example, bridleways and restricted byways provide multi-user links and could connect alongside or close to the Expressway corridor connecting between settlements and the train stations of East West Rail within attractive, traffic-free environments. An existing example is the Waddesdon Greenway between Aylesbury Vale Parkway train station and

Waddesdon village. There are proposals to extend this route to Calvert, Claydon House and Steeple Claydon where an East West Rail station is proposed. A cycleway could, for example, connect between all proposed East West Rail stations. Sustrans promote the National Cycle Network Route 51 within the Expressway corridor, e.g. Bicester - Steeple Claydon - Winslow - Milton Keynes - Cambridge and the Expressway project could compliment that network with additional routes or by providing network surface upgrades.

Legal realignments: Any diversion of a public right of way requires a legal process to delete one right and create a new one, usually under Section 119 Highways Act 1980 or Section 257 TCPA 1990. The council would seek any path realignment to be achieved through powers granted to construct the Expressway, involving red lines that include all land over which rights of way need to be diverted. This might include a much wider area than the corridor itself to achieve wider improvements to upgrade footpaths to bridleways, or desire lines from field boundaries that might be several hundred metres away from the road itself towards new bridges. Moreover, these powers can also be used to divert routes across new bridges. The council would not expect to be burdened with processing diversions or upgrades using power granted under Highways Act 1980 or TCPA Act 1990.

Action for OCAF Members

To consider if the group wishes to adopt and/or adapt the Buckinghamshire advice and submit this to Highways England and any other body for the Expressway or any other infrastructure scheme.

Internal comments made on the proposal for reservoir October 2018 as part of Thames Water Resource Plan. These are assumed to form part of a wider OCC response.

Oxfordshire Public Rights of Way and Countryside Access

As recognised in the plan, all of the capacity options for the reservoir will have a significant impact on a number of public rights of way that cross the site area and the surrounding area – as well as on path users which include equestrians, cyclists and walkers. These impacts could be both negative and positive so a specific appraisal of public rights of way and users should be undertaken.

Negative impacts of the reservoir (on access), that OCC would like to avoid or reduce

- Unavoidable loss of public rights of way on the site of the reservoir and associated infrastructure areas that currently provide a reasonable *traffic-free* access resource
- Reduction in quality of the remaining network caused by dead end routes, lack of connecting routes or inappropriate landscaping or other restrictions to visibility
- Loss of an equestrian centre <http://www.malthousecentre.co.uk> and associated social and economic benefits
- Loss of habitat corridors associated with public rights of way
- Loss of the historic route and potential future use of Wilts & Berks canal as a waterway and green corridor
- Reduction in users' enjoyment from construction noise, dust, barriers, traffic and route diversion/closure.
- Conflicts between commercially run activities and the use of the site and surrounds for free public access and recreation
- Traffic generated for free and paid-for leisure uses on the site and the surrounding areas

Positive impacts of the reservoir – that OCC would like to see

- Onsite creation of a circular walking, cycling and riding route around the reservoir site with associated landscaping, interpretation and route infrastructure. As a destination in itself this could provide an important sustainable tourism resource in the county that encourages more and longer overnight stays in the area and encourages nonvehicular transport for leisure in the area
- Provision of a staffed and resourced countryside access, outreach, education and management centre on site
- Provision of a restored section of the Wilts & Berks canal and associated facilities throughout the site and onwards to the River Thames at Abingdon.
- Creating a better off-site connected network of routes for walker, cyclists and equestrians that meets the aims of the Oxfordshire Rights of Way Improvement Plan (www.oxfordshire.gov.uk/rowip), by connecting up the reservoir site to surrounding towns and villages with additional and improved rights of way and green routes. This should include Steventon, East Hanney, Abingdon, Marcham, Grove and Drayton, as well as access to the River Thames, Ock and other key recreation sites. To include improved and additional road crossings of local roads (including A338, A415, A34 and Steventon Road) plus rail and river crossing facilities.

More in-depth points

- Although there are bridges shown in the drawings where bridleway 192/8, restricted byway 192/7, the B4017, and the A34 intersect with the Auxiliary Drawdown Channel, no bridges are shown where the channel crosses restricted byway 192/6, footpath 100/3, and bridleway 373/18 (the latter of which forms part of Route 5 of the National Cycle Network). It will be expected that provision is made for the continued use of these public rights of way without significant diversion, i.e. for bridges to also be constructed at these locations.
- The reservoir will have significant impacts during construction and afterwards once it becomes operational. As a potential regional asset as a large water body for watersports, fishing and countryside access the transport and rights of way access issues should be expanded. When it comes to encouraging and enabling walker, cyclist and equestrian access as an option instead of cars, the plan needs to include Wantage, Didcot, Abingdon, and Oxford as well as the smaller settlements like Marcham and Steventon. From a tourism perspective these surrounding settlements are likely to be the focus for accommodation service providers.
- The application will need to balance nature conservation and access. One way to do this whilst still maintaining a circular route around the site would be to vary the route and landscaping treatments to provide people free zones on the inner and outer faces. Dog walkers will need additional positive management and consideration in order to balance their requirements with other users and nature conservation objectives.

Countryside Access Strategy & Development
Oxfordshire County Council
Communities Directorate
October 2018

Action for OCAF Members

To note the internal comment and consider if the group wishes to adopt and/or adapt this and submit this to Thames Water as part of its consultation.

Highways England Oxford to Cambridge Expressway

Sourced from <https://highwaysengland.co.uk/projects/oxford-to-cambridge-expressway/> 5th November 2018

Progress report

We were asked to explore the case for a fast, high-quality road link to better connect Oxford, Milton Keynes and Cambridge. This included filling the missing link, a 30 mile gap in the network between the M1 at Milton Keynes and the M40 at Oxford, including the development of new capacity at Oxford to relieve pressure on the A34.

We have been working with stakeholders and partners on the first phase of the project, using analytical and evidence-based reviews to understand which of the proposed corridors should be taken forward for further development.

Following technical analysis and stakeholder engagement, Corridor B has been identified as the best performing option. This will deliver better benefits for the region as it out-performs Corridor A and C in supporting strategic transformational growth, regeneration and redevelopment.

We have rejected Corridor B2, whilst it offers similar benefits at a similar predicted cost to B3, the environmental impacts around the Horspath and Wheatley areas are substantially more difficult to overcome. There are also a number of significant constraints as the corridor heads north toward Bicester, including Otmoor Nature Reserve.

We will be developing viable route options for Corridor B1 and B3 (see description below) for public consultation next year:

- **Corridor B1** – a central corridor broadly aligned with the proposed East-West Rail route from Abingdon to south Milton Keynes via Winslow. This option passes to the west of Oxford
- **Corridor B3** – a central corridor broadly aligned with the proposed East-West Rail route from Abingdon to south Milton Keynes via Winslow. This option passes to the south east of Oxford.

You can find out more information about our findings and assessment in our [Oxford to Cambridge Overview booklet](#).

You can see the area for the development of route options in [our map](#).

What's next?

Now we have established the corridor we will provide everyone with the opportunity to get involved and help shape the final project. In the next stage we will continue to engage a wide group of stakeholders to help us identify all the information we require in order to shortlist viable routes. We will consult widely before making any decisions on the route's location. We will then consult again, asking for your feedback on more detailed plans before we submit the planning application to build the scheme.

Timeline

Date	Event
Autumn 2017	Commitment by the Chancellor for construction to commence on the missing link before the end of the Road Investment Strategy (RIS2) in 2025
2018	Corridor announcement
Autumn 2019	Public consultation on route options*

2020	Preferred route announcement*
2025	Construction starts*
2030	New link opens to the public

*Indicative timetable, subject to preferred route options.

Why we need this scheme

Oxford, Milton Keynes and Cambridge are growing fast in a region renowned for innovation where there are plans for a substantial increase in jobs and housing. Yet, the east-west transport connections between these areas are notoriously poor with no single route to travel the 80 miles. It is easier to travel into London from the three cities than go from one to the other with the shortest road route currently at least 108 miles. This creates a huge barrier and risk to future growth, while a housing shortfall is stifling further investment and is a major concern for the region.

The benefits of a new high quality link

A new high quality link road would complement East-West Rail and provide better opportunities for the region as a place to live and work. This will support growth nationally as well as locally, providing better access to some of the world's most important business and research institutions.

The high quality link road would create more job opportunities for those living locally while stimulating housing growth and reducing costs for businesses. It would also unlock new areas of growth in areas including Aylesbury Vale, Milton Keynes, Bedford, St Neots, Cambourne and Bourne Airfield as well as around the A428.

The case for a new high quality link

The most direct route linking Oxford, Milton Keynes and Cambridge from the M4 to the M11 is of variable standard and quality which affects journey times, reliability and safety. Traffic flows are forecast to increase by 32 to 40% by 2035 and in the absence of transport improvements, congestion along the corridor is expected to become worse.

The National Infrastructure Commission report 'Partnering for Prosperity' in November 2017 said that the annual output along the Cambridge, Milton Keynes and Oxford corridor could be £163 billion higher than in 2014 (twice the rate of growth than otherwise predicted). An additional 384,000 people are predicted to be brought within a 45-minute drive of Milton Keynes and 470,000 more within the Oxford Science Park, meaning greater job opportunities and business growth.

Once complete, the new road is expected to take up to 40 minutes off journeys between the M4 and the M1, bringing Oxford and Cambridge both cities to within a 45-minute drive of Milton Keynes.

Take a look at our [at-a-glance summary](#).

Aims

The key objectives for the high quality link are:

- Connectivity: provide an east-west strategic road link between Milton Keynes and Oxford that delivers enhanced connectivity through faster, safer and more reliable connections across the corridor in the broad arc from Oxford to Cambridge via Milton Keynes
- Strategic Transformation: support the creation of an integrated corridor between Oxford and Cambridge, reflecting and advancing plans for infrastructure, housing, business investment and development

- Economic Growth: unlock the economic potential in the corridor by facilitating strategic growth to the benefit of the UK economy through increased productivity, employment and housing, and maximising synergies with potential growth associated with east-west rail
- Skills and Accessibility: promote accessibility and wider socio-economic benefits by improving access to job opportunities at key employment centres, developments, and at education, leisure, health, and retail facilities whilst creating wider employment opportunities
- Planning for the future: reduce the impact of new housing on local roads for communities and contribute to better safety, security and health whilst promoting sustainable transport modes
- Environment: to provide a healthy, natural environment, reducing congestion and supporting sustainable travel modes and promoting equality and opportunity
- Innovation: apply innovative technology wherever possible to support the sustainable planning, construction and operation of transport measures

The scheme in detail

The Oxford to Cambridge expressway project was one of six strategic studies which were commissioned as part of the Government's first [Road Investment Strategy \(RIS 1\)](#) in 2015, for delivery in 2020-25.

The study explores the potential to connect the three cities by developing a fast, high quality route, along a single corridor, including filling a 30-mile gap in the network between the M1 and M40 ('missing strategic link').

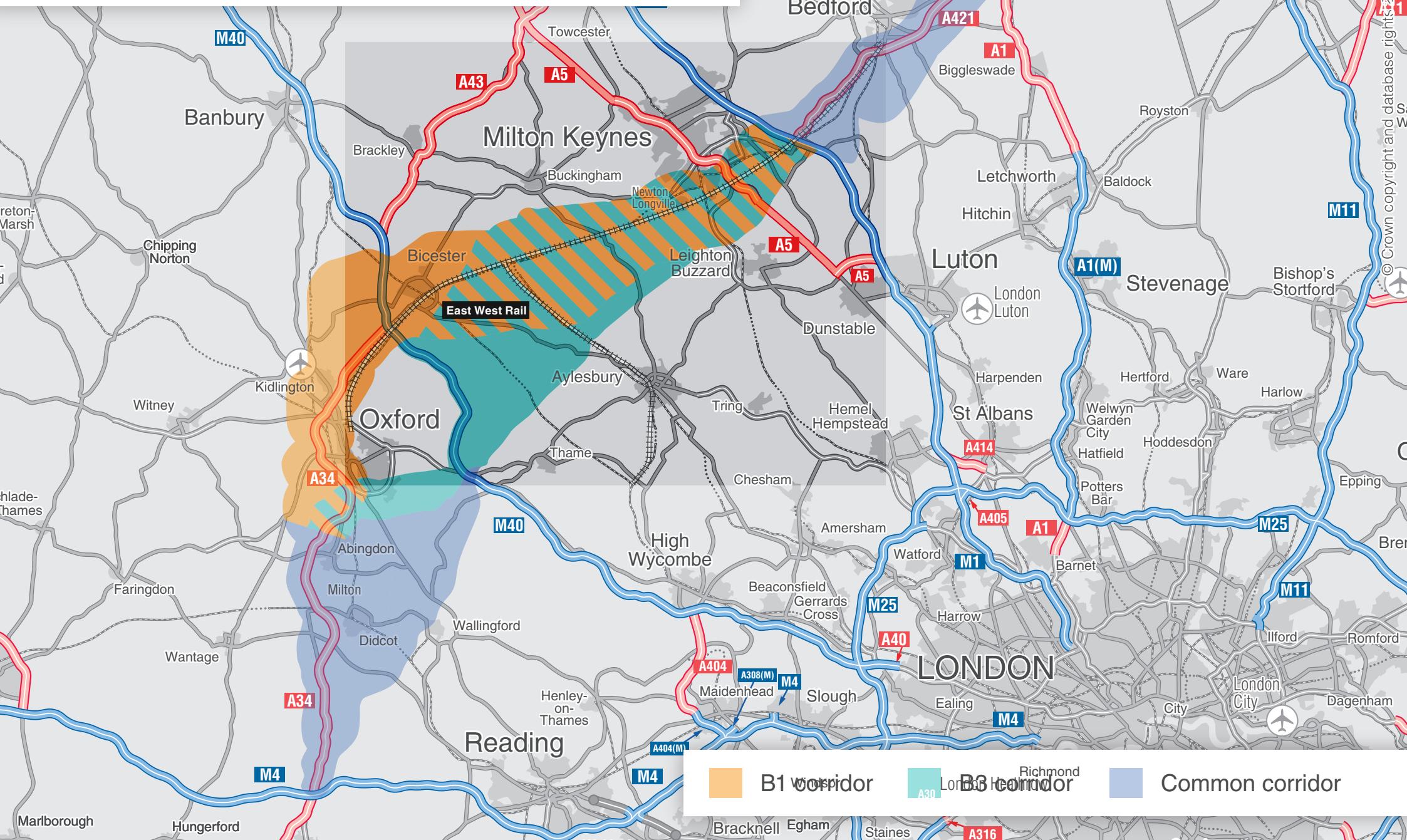
The Oxford to Cambridge study identified three broad corridors for the 'missing link'. These are outlined in detail in the Oxford to Cambridge Expressway [Corridor Assessment Report](#).

With the help of a number of experts and representatives from local communities, environmental and heritage bodies, and technical specialists, we have now identified the best performing corridors to take forward for detailed route analysis over the 12 months to summer 2019.

Two corridors in the central option B, which is broadly aligned with the proposed East-West Rail route starting at Abingdon and linking Oxford to the south of Milton Keynes via Winslow, will be taken forward:

- Corridor B1 - This option passes to the west of Oxford
- Corridor B3 - This option passes to the east of Oxford

Preferred corridor and common corridors (indicative only)



OCAF 21 November 2018: Agenda item 7

The Oxford to Cambridge Expressway Strategic Study and Corridor

BBOWT Executive Summary from The Wildlife Trusts' Consultation Response

Introduction

The Berkshire, Buckinghamshire & Oxfordshire Wildlife Trust (BBOWT) and the Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire have participated in a closed consultation about the Oxford to Cambridge Expressway Strategic Study and Corridor.

Senior planning officers and ecologists from both Wildlife Trusts have scrutinised the available information about the proposed Oxford to Cambridge Expressway to identify likely impacts of the three potential routes on designated ecological sites, nature reserves and important natural features within the counties of Oxfordshire, Buckinghamshire and Bedfordshire.

This document is an Executive Summary of the response created by the two Trusts and submitted on their behalf by Dr Sue Young, Head of Land Use Planning and Ecological Networks, The Wildlife Trusts (England) to Highways England on 12 April 2018.

BBOWT summary from The Wildlife Trusts' Consultation Response

1. **The Wildlife Trusts' consultation response is based on Highways England's Oxford to Cambridge Expressway Strategic Study – Stage 3 Report** (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/571353/oxford-to-cambridge-expressway-strategic-study-stage-3-report.pdf) and corridor information shared at the Oxford – Cambridge Expressway Strategic Environment workshop (23rd March 2018).
2. Although we have participated in a closed consultation conducted by Highways England we believe that **the broad corridor options should be subject to a Strategic Environmental Assessment (SEA), as instructed by European Legislation (Directive 2001/42/EC)**, so that a full public consultation would be conducted which considered all economic, societal and environmental impacts of those corridors. We believe this is incredibly important because the chosen corridor will enable very significant associated housing development (as per published plans of the National Infrastructure Commission indicating up to one million new homes associated with the corridor). If the SEA is not undertaken before a preferred corridor is selected, the

opportunity to fully scrutinise the comparative impacts of all possible Expressway routes will be lost.

3. **We have major areas of concern for all the corridor routes.** Our most serious concerns are for the complex of designated sites and nature reserves in the areas of Cothill Fen, Oxford Meadows, the Otmoor Basin, the Upper Ray Valley and Bernwood Forest. These areas include:
 - ancient floodplain flower-rich meadows of a type so rare that only 1500 hectares remain in England;
 - ancient woodlands, including those in the Bernwood Forest that support the Bechstein's bat, one of Britain's rarest mammals;
 - rare fens, of a habitat type so rare that only 19 hectares remain in England;
 - floodplain grazing marsh supporting some of the best remaining populations in lowland England of rare and declining waders such as curlew, lapwing, redshank and snipe;
 - ancient hedgerow networks that are the UK stronghold for the rare black and brown hairstreak butterflies.
- Further details on these and other geographic areas of great concern can be found in Table 2 and accompanying map below.
4. **We have major concerns about all proposed corridors. We believe that Corridor B should be discounted at this stage due to the exceptional impact it could have on wildlife.** This corridor might run west or east around Oxford on a new road (potentially through or near Cothill, Oxford Meadows and the Otmoor Basin), and then on through the Upper Ray Valley and Bernwood Forest. The corridor contains 51 nationally designated Sites of Special Scientific Interest (SSSIs), 3 of which are also Special Areas of Conservation (SACs; a European level designation), 19 Wildlife Trust nature reserves and the RSPB Otmoor nature reserve. In Oxfordshire, Corridor C is effectively the same as Corridor B, raising the same serious concerns.
5. **Highways England should commit to achieving a net gain for biodiversity as a result of the proposed Expressway project,** but this commitment has not been made. The National Planning Policy Framework (NPPF) instructs that a development should achieve a net gain where possible. The Government's 25 Year Environment Plan includes the instruction to: '*Embed an 'environmental net gain' principle for development, including housing and infrastructure*'. We believe that a project of this size should make this commitment at this stage.
6. **To ensure a net gain in biodiversity, we consider that Highways England should pursue an approach that minimises impacts on designated sites (both nationally and locally designated), priority habitats, protected, priority and notable species,**

Executive Summary from The Wildlife Trusts' Consultation Response to the Oxford to Cambridge Expressway Strategic Study and Corridor, April 2018.

and locally agreed ecological networks (e.g. Biodiversity Opportunity Areas/Conservation Target Areas) by choosing a route corridor which avoids such impacts. We would also expect proposals to include very ambitious plans for large-scale habitat creation that reflect the magnitude of the impact, through land purchase and subsequent creation of large permanent nature reserves (with long-term management agreements) in areas where they will be of most benefit to existing ecological networks, such as in the Upper Ray Valley and Bernwood Forest.

7. **As Special Areas of Conservation (SACs), as designated under European Legislation through the Habitats Directive (Directive 92/43/EEC), will be affected by proposed corridors we believe this requires the Department for Transport to carry out a Habitats Regulations Assessment on the proposed corridors**, and this should be conducted prior to selecting the preferred corridor. SACs potentially affected are Oxford Meadows SAC, Cothill Fen SAC and Wittenham Clumps SAC.
8. **Table 1 below sets out the areas and/or numbers of designated sites, priority habitats and nature reserves within the route corridors**, which are as follows:

Corridor A – running south of Oxford and then via Thame, Haddenham and Aylesbury.

Corridor B - either using the existing A34, or creating new roads to the west or east, and north, of Oxford, and then along a corridor near to the East West rail line through the Upper Ray Valley and Bernwood Forest to Milton Keynes.

Corridor C - similar to B in Oxfordshire, but taking a route via Buckingham and Milton Keynes in Buckinghamshire.

Table 1: Designated sites, priority habitats and nature reserves within the route corridors potentially affected.

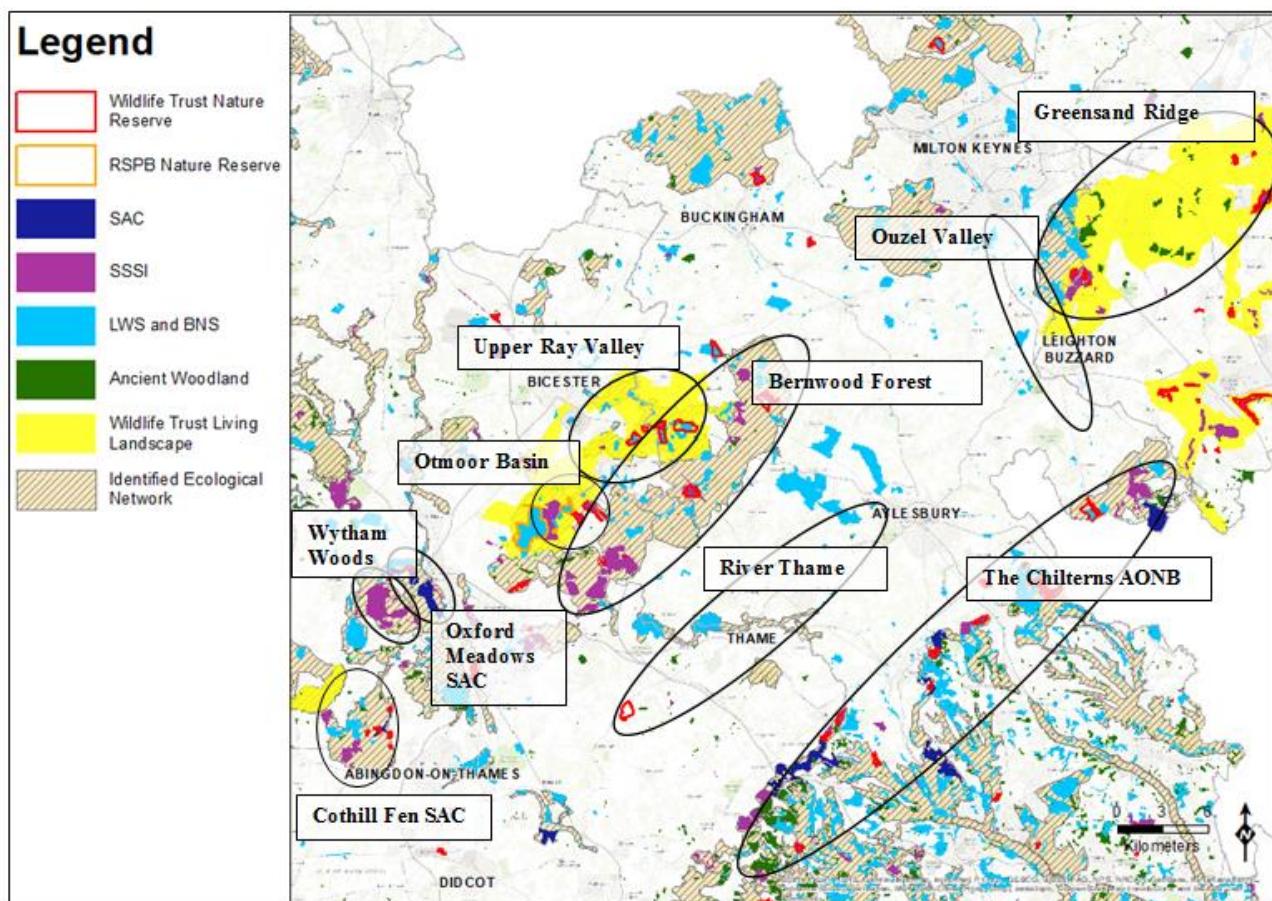
Designated sites / priority habitats	Corridor A Area in hectares No. of sites	Corridor B Area in hectares No. of sites	Corridor C Area in hectares No. of sites
Sites of Special Scientific Interest (SSSI)	265 ha 17 sites	2353 ha 51 sites	2032 ha 45 sites
Local Wildlife Sites (LWS) / Biological Notification Sites (BNS)	2063 ha 113 sites	4302 ha 345 sites	3034 ha 274 sites
Area of UK priority habitat within the route corridor	3547 ha	8474 ha	7399 ha
Nature reserves (BBOWT/WTBCN/RSPB)	2 sites	20 sites	17 sites

9. A brief summary of our most serious concerns in each route corridor in terms of direct impact on key wildlife areas are shown in Table 2, below. Please refer to the accompanying map on page 5 showing selected key natural environment constraints between Oxford and Milton Keynes. Further details of these as well as other serious concerns can be found in our full response.

Table 2: Selected key natural environment constraints between Oxford and Milton Keynes	Is site directly impacted by Corridor?		
	A	B	C
Cothill Fen SAC – rare alkaline fen (a type of which only 19ha remain in England); contains a National Nature Reserve and several BBOWT reserves		Yes	Yes
Wytham Woods – ancient woodlands owned by the University of Oxford for wildlife research purposes. They have been described as perhaps the most intensively studied natural area on Earth.		Yes	Yes
Oxford Meadows SAC – rare MG4 type floodplain grassland (of which less than 1500ha remain in England and including a BBOWT reserve).		Yes	Yes
Otmoor Basin – includes an RSPB reserve with reedbed and floodplain grazing marsh of exceptional value to numerous breeding and wintering bird species, including declining waders such as redshank and lapwing.		Yes	Yes
Upper Ray Valley – contains a complex of BBOWT reserves hosting sizeable areas of MG4 type floodplain grassland and floodplain grazing marsh, home to breeding waders including the declining curlew.		Yes	Yes
Bernwood Forest – an ancient Royal Hunting Forest where numerous ancient woodlands remain, some of which are host to breeding populations of Bechstein's bats, one of UK's rarest mammals, and several BBOWT reserves including Calvert Jubilee wetland nature reserve.		Yes	Yes (western part only)
Shotover – on the eastern edge of Oxford, with the valuable acid grassland and woodland habitats of Shotover and Brasenose Wood ancient woodland.		Yes	Yes
River Thame – the river valley includes areas of floodplain grazing marsh of value to breeding waders including the declining curlew.	Yes		
Greensand Ridge – a Nature Improvement Area (NIA) with rare habitats adapted to the sandy soil including heathland and ancient woodlands.	Yes	Yes	Yes
Ouzel Valley – host to wetland habitats either side of the river	Yes	Yes	Yes
Chilterns AONB (not within the route corridor but in close proximity so risk of significant indirect impact) – mosaics of chalk grasslands, diverse scrub and ancient woodlands.	Yes indirectly		

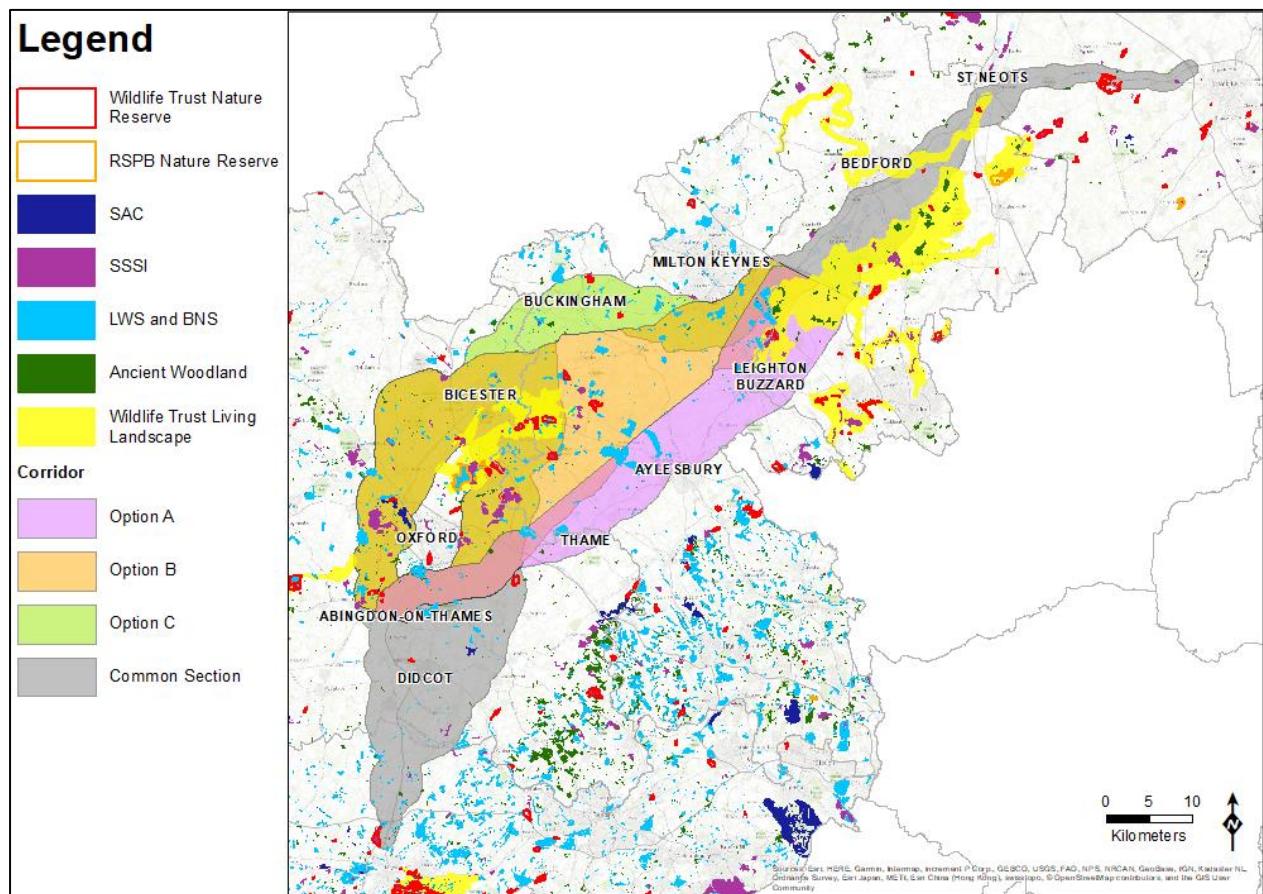
Both maps below contain Ordnance Survey data © Crown Copyright and database right 2018. License number 100050351. © Natural England copyright. Contains copyright data supplied by BMERC, TVERC, BBOWT and BCNWT.

Map showing selected key natural environment constraints between Oxford and Milton Keynes, which are referred to in Table 2, above.



Executive Summary from The Wildlife Trusts' Consultation Response to the Oxford to Cambridge Expressway Strategic Study and Corridor, April 2018.

Map of all route corridors, including areas where they overlap, shown in the context of statutory and non-statutory nature designation sites within Oxfordshire and Buckinghamshire. The locally designated sites for Bedfordshire, Cambridgeshire and Northamptonshire are not shown due to BBOWT licensing restrictions.



Executive Summary from The Wildlife Trusts' Consultation Response to the Oxford to Cambridge Expressway Strategic Study and Corridor, April 2018.

CPRE press release 30th October 2018

Government Response to Ox-Cam Arc is devastating blow for local democracy and our countryside

Sourced from <http://www.cpreoxon.org.uk/news/current-news/item/2720-government-response-to-ox-cam-arc-is-devastating-blow-for-local-democracy-and-our-countryside> 5th November 2018

Tuesday, 30 October 2018 20:00

The Government acceptance of recommendations from the National Infrastructure Commission to develop the Oxford-Cambridge Arc despite no formal public consultation, environmental assessment or parliamentary inquiry having taken place, is a 'devastating blow for local democracy and the countryside', says CPRE.

The National Infrastructure Commission has recommended a million new houses in the Arc by 2050, a million new jobs, and the Oxford-Cambridge Expressway – a brand new major road, which is, in effect, a motorway by stealth.

However, CPRE welcomed the pledge for a 'Joint Vision Statement', but stressed the need for a full public consultation on the proposals, not one limited to 'local partners'.

Paul Miner, head of strategic plans and devolution at the Campaign to Protect Rural England said:

"That the government has accepted the NIC's recommendation for growth in the Oxford-Cambridge Arc, without formal public consultation or an environmental assessment, is a devastating blow for local democracy and the countryside.

"It seems the government remains wedded to its 'growth at all costs' approach. Despite clear commitments to new houses and a new road, the Government has made only vague statements on housing design and levels of affordable housing, with no assurances that the Arc will be an example of sustainable development.

"It is imperative that a Strategic Environmental Assessment is conducted. The assessment must look at the impacts of both the proposed 1 million homes and major new road on the countryside, people's health and well-being, and climate change in a holistic manner."

CPRE are calling for a full parliamentary inquiry into the proposals, a proper planning process with local involvement, an Arc-wide commitment to high standards of affordable housing provision and design, commitments for protection and improvement of the environment, and a focus on improvements to public transport, not a new road.

Helen Marshall, Director of CPRE Oxfordshire echoes the call for a full parliamentary inquiry, proper public engagement and a Strategic Environmental Assessment.

Government response to 'Partnering for Prosperity: a new deal for the Cambridge-Milton Keynes–Oxford Arc'

Introduction

The significant opportunity for transformational growth

The government supports the National Infrastructure Commission's ambition to build up to one million high quality homes by 2050 to maximise the economic growth of the Arc. This ambition will require a step change in housing delivery, including engagement on how this can be accommodated through vibrant new and expanded settlements. The government has demonstrated its commitment to investment to support this level of ambition, including in relation to proposed new road and rail links which could best achieve this vision. The government supports the Commission's finding that in order to deliver the full economic potential of the Arc, there needs to be an integrated approach to the planning and delivery of infrastructure, homes and business growth. This is why the government has invited local authorities from across the Arc to bring forward and commit to ambitious proposals for transformational housing and economic growth, including for new settlements. With the right interventions and investment, we believe there is a transformational opportunity to amplify the Arc's position as a world-leading economic place and support the government's Industrial Strategy aim to boost the productivity and earning power of people across the UK. To achieve this the government has designated the Oxford-Cambridge Arc as a key economic priority and will consider ways of maximising growth opportunities in the Arc.

The area between Oxford and Cambridge, incorporating the ceremonial county areas of Oxfordshire, Buckinghamshire, Bedfordshire, Northamptonshire and Cambridgeshire forms a core spine that the government recognises as the Oxford-Cambridge Arc¹. While this is the area we define as the Arc, we also recognise important links to the north, south, east and west. For example, there are important strategic transport connections to other parts of East Anglia, to Stansted and the M11 corridor, and to Heathrow and the M4 corridor.

The government is committed to creating well-designed, inclusive and vibrant places and communities in which current and future generations can live, work and raise families. To realise the full potential of the Oxford-Cambridge Arc, we will work collaboratively with local people and institutions to deliver an economy that works for all, combining local industrial strategies with exemplary models of 21st century development, underpinned by a high-quality natural environment. This will include enabling the sustainable growth and development in and around existing towns and cities, and where appropriate through new settlements. The government will achieve this by building on local strengths across the foundations of productivity set out in the

¹ Notwithstanding ongoing consideration of potential local government reform, this area is currently defined as Oxfordshire County Council and the constituent districts, Buckinghamshire County Council and the constituent districts, Northamptonshire County Council and the constituent districts, Bedford Borough Council, Central Bedfordshire Council, Luton Borough Council, Milton Keynes Council, and Cambridgeshire and Peterborough Combined Authority and the constituent councils.

Industrial Strategy², capitalising on opportunities for their enhancement, and ensuring that growth is supported by the right infrastructure, at the right time.

The government commits to working in collaboration with local partners to make the Arc the world leading place for high value growth, innovation, sustainability and productivity, ensuring that existing and new communities benefit from the enormous economic opportunities and support the creation of a fairer, stronger and skilled Britain that is truly fit for the future.

What makes the Oxford-Cambridge Arc special?

The Oxford-Cambridge Arc is a globally significant place and has the potential to become even greater. It is already home to 3.3 million people and currently supports some 1.8 million jobs and contributes £90 billion of annual GVA to the UK economy.³

The government will build on learning from successful regional economies, such as the Ruhr Valley and The Massachusetts Brain Train to position the Arc as the top innovative economy in the world⁴. There are also regional economies, such as Silicon Valley, where their very success is threatened by environmental degradation and unaffordable homes. We will learn from these places in creating a sustainable and thriving economy that works for people and the environment.

Universities and Higher Education excellence

Oxford and Cambridge universities are two of the world's greatest and most internationally recognisable centres of learning. However, they are just part of a wider innovation and learning ecosystem across the Arc, with eight further universities⁵ that include world leading specialisms in automotive and aerospace engineering.

Thriving business environment

The Arc's highly-skilled work force has established it as one of the most productive and fastest growing areas in the UK. Oxford and Cambridge have the most highly qualified workforces in the country, and account for close to 200 Nobel Prize winners, and Milton Keynes has the highest productivity per worker, almost 25% higher than the national average outside of London.

Clusters

Much of the Arc is already internationally competitive for science investment. It also holds key and emerging industry concentrations such as IT, life sciences and healthcare, autonomous vehicles, biotech, aerospace, high performance engineering, artificial intelligence and professional services.

The Arc is home to world-leading technology clusters which influence and shape the innovation economy. The area covering Bedford Borough, Buckingham, Central Bedfordshire, Luton, Milton Keynes and Northamptonshire acts as a testbed for new and emerging technologies with 3,500 people employed in the engineering design activities for industrial process and production' industrial sub-sector and 3,500 in technical testing and analysis. Oxfordshire is home to the largest space cluster in Europe and to the highest concentration of science research facilities and development activity in Western Europe.

² Industrial Strategy: building a Britain fit for the future (2017) Available at: <https://www.gov.uk/government/publications/industrial-strategy-building-a-britain-fit-for-the-future>

³ The Arc Central Beds Council 2018.

⁴ According to the World Economic Forum's Global Competitiveness Index 2017-2018, the UK does not rank among the top 10 most innovative economies in the world.

⁵ Anglia Ruskin University, Buckinghamshire New University, Cranfield University, Oxford Brookes University, The Open University, University of Bedfordshire, University of Buckingham and University of Northampton.

Innovation

Areas within the central part of the Arc (between Bedford and Cambridge) contain some of the highest levels of entrepreneurship in the UK, with a strong presence of companies prototyping new products and services in the aerospace and automotive technology sectors.

Environmental assets

The Arc is valued for its wildlife and natural places, from the ancient woodlands and parklands such as at Wimpole and Bernwood Forest, to important wetland assets and rare habitats such as lowland heathlands and flower-rich floodplain meadows. Rare bat and butterfly species can be found in the Arc, alongside an abundance of waders and breeding wildfowl. The wild natural places, wildlife and the local greenspaces near where people live, are greatly enjoyed by existing communities and visitors. Moreover, they play critical roles in providing the needs of businesses and communities more widely for clean water and air, flood regulation, healthier lifestyles and climate change adaptation – creating attractive, resilient and productive places to live and work in.

Heritage and Cultural assets

The Arc contains a wealth of heritage and cultural assets and organisations. These play a key role in making many areas across the Arc highly desirable places to live. The Arc's historic assets include Blenheim Palace World Heritage Site, 205 Scheduled Monuments, 48 Registered parks and gardens, 7321 listed buildings, and 144 Conservation Areas⁶. There are also several world-renowned cultural institutions in the Arc, from the Imperial War Museum Duxford to small community-led organisations. These assets highlight the Arc's unique appeal and great potential to serve and promote strong and vibrant local economies.

Action we have already taken to drive forward delivery of the Oxford-Cambridge Arc programme

Over the past 12 months the government, working collaboratively with local authorities and institutions in the Arc, has progressed work across a range of areas to drive forward delivery of the Oxford-Cambridge Arc programme. This work has been supported effectively by Iain Stewart MP, who was appointed as the government's 'Champion' for the corridor. We have:

- Committed funding for proposed transport infrastructure for the Arc, including:
 - £3.5 billion on the Expressway
 - £1 billion for the western section of East-West Rail
 - £74 million allocated to Cambridgeshire and Peterborough as part of the Transforming Cities Fund
 - £5 million to develop proposals for Cambridge South station and £300k to match local funding for an Oxfordshire Rail Corridor study to explore rail growth and potential new services, stations and routes
- Progressed work at pace on the planning and delivery of East West Rail – the government established the new East West Rail Company on 14 December 2017
- Announced, on 12 September 2018, the central corridor choice for the Expressway 'missing link' – approximately following the route of East West Rail – progressing our work on the 'missing link' and providing necessary certainty to local partners and the market
- Carried out extensive engagement with local communities and environmental groups in our early planning for the Expressway and East West Rail
- Autumn Budget 2018 announces £20 million development funding to the East West Rail company to support the development of a Strategic Outline Business Case for the central rail section, to explore which routes best support the government's housing ambitions
- Demonstrated our commitment to investing in the ambition of building up to one million homes in the Arc by 2050. We have:

⁶ Oxford to Cambridge Expressway Strategic Study Stakeholder Reference Group

- Announced eight successful Marginal Viability projects in the Arc through the Housing Infrastructure Fund, worth £51.6 million
- We are also working with Bedford, Buckinghamshire, Cambridge and Peterborough, Central Bedfordshire, Milton Keynes, Northamptonshire, and Oxfordshire on Forward Funding projects with up to £4.1 billion of funding available
- An ambitious Housing & Growth Deal with Oxfordshire, providing up to £215 million to support the delivery of 100,000 homes by 2031, subject to Oxfordshire adopting a Joint Statutory Spatial Plan by 2021
- Committed £33 million from the Oxfordshire Housing & Growth Deal to help Oxfordshire's six local authorities deliver new homes and boost local capacity to plan for growth
- Published the delivery plan for the Oxfordshire Housing & Growth Deal on 22 March 2018
- Laid a written ministerial statement on 12 September 2018 to enact the first of the planning flexibilities agreed as part of the Oxfordshire Housing and Growth Deal. This has amended land supply policies for Oxfordshire whilst their joint statutory spatial plan is developed
- Established a single co-ordinated delivery programme, with cross-government ministerial commitment and oversight, as recommended by the commission. This structure ensures that the government's decisions on place-making, economic growth, the environment, and infrastructure and connectivity, are made in a joined-up way
- Demonstrated our commitment to working with local partners. We have:
 - Worked with local partners on an ambitious joint vision statement to 2050, as recommended by the Commission
 - Worked intensively with partners across the Arc to deliver Local Industrial Strategies to maximise the Arc's contribution to UK productivity, following our commitment at Autumn Budget 2017
 - As recommended by the commission, we have commissioned analysis to test and evidence the strategic case for significant housing growth and explore the potential for new and expanded settlements across the Arc
 - Worked with local partners to achieve a strengthened, democratically accountable Arc governance structure that supports the delivery of transformational growth

What we plan to do next

To achieve our collective ambition for the Oxford-Cambridge Arc it is imperative that local and national action is taken forward at pace. Over the next 12 months, we intend to:

- Consult in early 2019 on route options for the East West Rail Central Section (Bedford to Cambridge)
- Publish an ambitious, corridor-wide Joint Vision Statement to 2050 with local partners by Spring 2019
- Explore options for delivering a pan-Arc spatial vision, underpinned by a local natural capital plan, to co-ordinate investment in housing, infrastructure and the environment to support delivery of transformational growth across the Arc
- Consult on route options for the Expressway in late 2019 and then announce a decision on a preferred route. We will continue to work closely with local partners on the development of route options for the Expressway
- Consider ways of maximising growth opportunities in the Arc
- Complete the analysis to understand housing growth scenarios and the associated infrastructure required
- Continue to engage with local communities on the Expressway, East West Rail and other schemes across the Arc, to inform our decision-making process and to maximise opportunities for the environment and mitigate impacts

- Continue with the delivery of the Enabling Works on the East West Rail Western Section (Bicester to Bedford)
- Agree, with local partners, an approach for a strengthened, democratically accountable Arc governance structure
- Continue to work closely with local partners in the Arc on their Local Industrial Strategies;
- Continue to engage with universities in the Arc to establish a collaborative pan-Arc universities group to explore opportunities for maximising cutting-edge innovation focused on the four Grand Challenges of the Industrial Strategy
- Work with local partners to create a step change in digital infrastructure provision through embedding the principles of the Government's Future Telecoms Infrastructure Review in new development
- Appoint an independent business Chair for the Arc to provide expert advice and act as an advocate and champion to help galvanise local, national and international support, particularly from business and industry, for our collective ambitions across the Arc
- Appoint a Ministerial Champion for the Arc, to provide further focus and facilitate coordination across Whitehall

Government response

The Chancellor of the Exchequer established the National Infrastructure Commission to produce a clear picture of the future infrastructure the country needs and provide expert, independent advice on infrastructure priorities. The commission operates as an Executive Agency of the Treasury under its Chair Sir John Armitt.

In March 2016 the Chancellor asked the commission to undertake a study on how infrastructure could unlock growth in the Oxford-Cambridge Arc. The commission's final report 'Partnering for Prosperity: A new deal for the Cambridge-Milton Keynes-Oxford Arc' was published in November 2017. The government welcomes the commission's report and recognises the significant transformational growth opportunity that the area presents for the UK economy. This document sets out the government's full response to the commission's recommendations.

Recommendation 1a: Government should progress work on East West Rail, the Expressway and new settlements through a single co-ordinated delivery programme, with cross-government ministerial commitment and oversight. The aim of this programme should be to unlock opportunities for transformational housing growth through the creation of well-connected new communities. As part of this programme Government should commit:

- £1 billion to deliver the infrastructure necessary for a high quality and resilient rail commuter service between Bicester and Bedford, accelerating delivery of this section of East West Rail to a target date of 2023
- to accelerate work on the development of the new East West Rail line between Bedford and Cambridge, and commit to open the line by 2030
- to deliver the 'missing link' of the Oxford-Cambridge Expressway, accelerating development work to deliver a clearly-defined and agreed route by 2025, enabling construction to begin as part of the next Road Investment Strategy (RIS 2) and be complete by 2030

Key milestones and decision points in the development of East West Rail and the Expressway should be subject to "in principle" agreement to the development of significantly more ambitious proposals for housing growth in the arc, including major new settlements and urban extensions, and subsequently, progress in identifying, evaluating and designating sites. "In principle" agreement should be provided within 12 months. The schemes should be future proofed to ensure the potential for expansion and improvement is not permanently and prematurely closed.

On the single co-ordinated delivery programme: the government endorses the commission's recommendation to create a single co-ordinated delivery programme for progressing work on East West Rail, the Expressway and the potential for new and expanded settlements, with cross-government ministerial commitment and oversight. In spring 2018, the government established a cross-Whitehall Programme to take an integrated approach to the planning and delivery of infrastructure, homes and business growth in the Arc. The programme is supporting work to progress at pace on East West Rail, the Expressway and other infrastructure. This cross-departmental working in support of the high ambitions for growth in the Oxford-Cambridge Arc will set a benchmark for aligning housing and transport policy decisions and ensuring a co-ordinated cross-Government approach.

On the East West Rail line: the government endorses the principle of accelerating delivery of the western section of the East West Rail line. As announced at Autumn Budget 2017, the

government has committed funding for Network Rail to deliver phase two of the western section of East West Rail, from Bicester to Bedford. The government endorses the principle of accelerating delivery of the western section of East West Rail line and work is continuing to identify opportunities that would see the first passenger services operational in 2023, subject to necessary consents. The government established the independent East West Rail Company on 14 December 2017. The government also endorses the principle of accelerating work on the development of the central section of East West Rail, between Bedford and Cambridge. The government has tasked East West Rail Company to accelerate delivery of the central section of East West Rail between Bedford and Cambridge, with the aim for passenger services to begin from the mid-2020s, subject to necessary consents. We have provided £20 million development funding to the East West Rail company to work up the case for the central section, to explore which route can best support the government's housing ambitions.

On the Oxford-Cambridge Expressway: the government is committed to the ambition of opening the 'missing link' of the Oxford-Cambridge Expressway and to accelerate development work. As announced at Autumn Budget 2017, the government has committed to funding the delivery of an Expressway of high-quality east-west roads between Oxford and Cambridge, key elements of which will be included in the second Roads Investment Strategy period, from 2020 to 2025. In line with the commission's recommendation, the government is accelerating development work, completing option selection and detailed design work on the 'missing link' elements of the Expressway between the M1 and Oxford so that it is ready to open in 2030, subject to necessary consents. On 12 September 2018, the government announced that it had selected Corridor B – the central corridor following the route of East West Rail – for the Expressway, with options passing to either the east or west of Oxford.

The Expressway will be supported by a connectivity study. This is being led by England's Economic Heartland and will examine how communities not directly on the route of the new road will be able to benefit from it.

On "in principle agreement" and future proofing for East West Rail and the Expressway: the government recognises the importance of maximising opportunities along infrastructure spines and will explore the transport links to best achieve its vision for housing and economic growth. The government also recognises the importance of building in opportunities future proofing schemes to enable future expansion and improvement.

The East West Rail Programme will deliver a specification of new infrastructure which will allow for future growth in the corridor. While recognising the constraints around existing hub stations, the government is considering the additional infrastructure intervention that will be required to enable increased capacity in the future.

We will also be considering future proofing as part of the design process for developing the Expressway.

Recommendation 1b: Government should seek to introduce fast, direct services to London to enable growth in the arc between Bicester and Bletchley and improve connectivity between London and Aylesbury. Any such improvements should be contingent on local authorities' commitment to major development between Bicester and Bletchley and around existing settlements. While East West Rail will unlock major settlement opportunities across the arc, targeted rail investments can play a key role in unlocking and accelerating local housing development in the short term. Small scale interventions, aligned to wider plans for East West Rail, could reduce stress on the existing rail network enabling immediate opportunities for growth.

On introducing fast, direct services to London to enable growth between Bicester and Bletchley and improve connectivity between London and Aylesbury: the government recognises the importance of London-bound rail connectivity improvements to supporting potential housing growth between Bicester and Bletchley. The government has commissioned analysis to test and evidence the strategic case for significant housing growth and explore the potential for new and expanded settlements across the Arc. Opportunities to improve north-south transport links will be taken into consideration.

On the contingency of local authorities' commitment to major development between Bicester and Bletchley and around existing settlements: the government recognises the significant potential that investment in rail infrastructure has in unlocking new housing opportunities and is committed to continuing to work closely with local authorities and private sector partners to explore which routes best support the government's vision to unlock up to 1 million homes in the Arc by 2050.

Recommendation 1c: Government should work with the private sector and the relevant local authorities to agree funding packages and progress schemes to support housing and employment growth now. These should include:

- essential works required to enable passenger services between Oxford and Cowley no later than 2019
- the acceleration of East West Rail phase 3 works around south Cambridge to enable the delivery of a Cambridge South station in 2022 as part of Control Period 6

Substantial private sector and local contributions, reflecting the benefits that these parties gain, will be required to enable the delivery of these schemes.

On passenger services between Oxford and Cowley: as confirmed at Autumn Budget 2017, the government recognises the commission's arguments for a station at Cowley in Oxford, and as a first step towards delivery has made available up to £300,000 to co-fund with local stakeholders an Oxfordshire Rail Corridor study to explore rail growth in the area, and opportunities for additional services, stations and routes.

Network Rail will shortly be commencing work on the Oxfordshire Rail Corridor Study. The aim of the study is to understand the options for development of the current and future rail network within Oxfordshire that best meets the needs of the rail industry and county to support its growth agenda, whilst considering the wider network strategic needs that have a bearing on rail in Oxfordshire. An additional £300,000 of local contributions has been secured from a range of local partners in response to the terms set out by Her Majesty's Treasury. The study remit is consistent with Network Rail's Continuous Modular Strategic Planning approach and has been endorsed by the Oxfordshire Growth Board and the Department for Transport's Network Services Board.

On accelerating East West Rail phase 3 works around south Cambridge: the government endorses the principle of accelerated delivery of the infrastructure and is working with the rail industry to explore the different options. The government has committed £5 million to develop proposals for a new station at Cambridge South, to support growth of the Cambridge Biomedical Campus. In May 2018, the government and its local funding partners reached a Development Agreement setting out how the scheme will be developed through a funding, financing and delivery strategy. These are looking into innovative ways of paying for and constructing the supporting track infrastructure. Detailed engineering design work should start in late 2018, including both the future layout of the significant additional track infrastructure needed for the station, and determining the environmental

impacts. The completion of this activity would then enable planning permission to be sought shortly after.

The government has commissioned a Cambridge corridor study to look at the potential rail infrastructure that may be required between 2033 and 2043 in Cambridgeshire to meet predicted growth. The study began in March 2018 and is expected to be completed by December 2018.

Recommendation 2a: Government and local authorities should work together, through a robust and transparent process, to designate locations for new and expanded settlements by 2020. This should involve:

- commissioning formal studies to identify and assess options for new settlements required, and potential locations for these settlements
- consultation with communities, statutory agencies, infrastructure providers, wider stakeholders and public examination of proposed sites
- formal designation of sites and the publication of such assessments as legally required

The Commission is optimistic that Government and local authorities will reach agreement on the scale and location of new settlements in the national interest. However, if agreement cannot ultimately be reached, the Secretary of State should designate these new settlements.

The government supports the National Infrastructure Commission's ambition to build up to one million high quality homes in the Arc by 2050 to maximise its economic potential. To achieve this ambition, a step change in housing delivery will be required, including engagement on how this can be accommodated through vibrant new and expanded settlements.

As recommended, the government has commissioned analysis to test and evidence the strategic case for significant housing growth and explore the potential for new and expanded settlements across the Arc. The government recognises that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new and expanded settlements. When carefully designed, well located, and supported by the necessary infrastructure and facilities, new and expanded settlements can create vibrant, mixed-use, communities where people can live and work for generations to come.

When planned in tandem with infrastructure, housing and jobs growth will help drive productivity. This will also help provide the capacity needed to mitigate congestion and enable business networking, and encourage clustering of businesses and jobs with associated agglomeration benefits. The analysis will therefore consider infrastructure opportunities and requirements, as well as the potential environmental, ecological and biodiversity effects of options for housing growth, and explore opportunities for net gain, at a pan-Arc scale. The government is committed to working closely with local partners as this evidence base develops.

In July 2018, the Housing Minister wrote to local partners in the Arc informing them that this analysis was to be carried out and inviting local partners from across the Arc to bring forward ambitious proposals for transformational housing growth, including new settlements. This was a first step intended to encourage local partners who want to begin a conversation on new settlements to come forward as part of exploring the opportunities for bringing forward significant new and expanded settlements.

Garden towns and villages are an important component of the housing offer across the Arc. In August we published our nationwide Garden Communities prospectus, which invites ambitious, locally supported proposals for new garden communities by 9 November.

For proposals within the Arc, the government will continue to work with local partners to consider how the delivery of new homes and settlements can best support the overarching vision for the Arc of one million new homes by 2050. The government will ensure that the appropriate vehicles to deliver this growth are in place; we believe that New Town Development Corporations can be appropriate for delivering high quality new communities at scale where there are complex delivery and co-ordination challenges.

Recommendation 2b: Government should:

- work with local authorities to establish appropriate delivery vehicles for new and expanded settlements across the arc, considering the role that can be played by locally accountable Development Corporations, Mayoral Development Corporations, the Homes and Communities Agency and Urban Development Corporations
- establish New Town Development Corporations to deliver larger new and expanded settlements. In so doing, it should:
 - work with local authorities to define and agree the objectives, membership and reporting arrangements for new development corporations
 - provide a clear remit to support the economic success of large new settlements as centres of employment, and assist the development corporation by using wider policy levers to support local economic growth explore the full range of options for funding development corporations' programme of land acquisition, including providing public funding with a view to unlocking substantial private investment, and balancing considerations of short-term affordability and long-term value for money

The government endorses the recommendation of working with local authorities to establish appropriate delivery vehicles for any new and expanded settlements across the Arc. The government agrees that New Town Development Corporations can be appropriate vehicles for delivering high quality new communities at scale, where there are complex delivery and co-ordination challenges.

In line with our locally-led approach to garden communities, we have legislated to enable the creation of locally-led new town development corporations. Autumn Budget 2018 announces a consultation on the draft guidance for the use of compulsory purchase powers for new town development corporations. These bodies will support the creation of exceptional new garden towns that are supported by robust legacy and stewardship arrangements. Such corporations are overseen by the local authorities covering the area rather than by the Secretary of State for Housing, Communities and Local Government. The government is open to discussions with ambitious local authorities in the Arc who are interested in the potential to establish such bodies.

The Government will consult on the legal framework for Development Corporations. It will also launch a £10 million competitive fund to support local areas to generate locally-led proposals for new business-backed Development Corporations and similar delivery bodies.

Recommendation 3: Government should work with local authorities to:

- put in place an independent design panel for East-West Rail, the Expressway and new and expanded settlements across the Arc by April 2018. This panel should work in concert with existing infrastructure design panels and new development corporations to specify, scrutinise and challenge settlement designs, plans and delivery, with a view to:
 - making most efficient use of new and existing infrastructure (including transport and utilities)
 - supporting positive social outcomes (including better mental and physical health)
 - achieving net gains in biodiversity and natural capital across the arc
 - improving quality of life for existing and future residents
- establish arrangements for the long-term stewardship of valued community assets in each new or expanded settlement, placing responsibility and resources in the hands of the community – learning from both the Parks Trust in Milton Keynes and the Letchworth Garden City Heritage Foundation
- ensure that strategic infrastructure, including new elements of East West Rail and the Oxford-Cambridge Expressway, are planned and developed to achieve net gains in biodiversity and natural capital across the arc

On putting in place an independent design panel for East-West Rail, the Expressway and new and expanded settlements across the Arc by April 2018: the government endorses the use of independent design reviews as set out in the National Planning Policy Framework, for supporting the creation of healthier, greener and well-designed places. We also recognise that the environmental requirements to underpin sustainable growth need to be considered at a pan-Arc level.

While there is currently no pan-Arc place panel that considers design, place-making and the environment at a strategic level, the government has already established a single coordinated delivery programme which will ensure that the government's decisions on place-making, economic growth, the environment, and infrastructure and connectivity, are made in a joined-up way.

There are a number of mechanisms in place for promoting high quality design in parts of the Arc already. This includes the Cambridgeshire Quality Panel, BOB MK - an urban design network used for design review in Bedfordshire, Oxfordshire, Buckinghamshire and Milton Keynes and panels operated by the Design Council for both Oxford City Council and Highways England which conduct design reviews of major sites and the strategic road network, including the A14 realignment in Cambridgeshire.

In addition, Highways England Strategic Design Panel was established to support the development of a culture where good design is at the heart of everything within Highways England and the wider road sector. This coincides with Highways England delivering the biggest programme of government investment in a generation.

The government is exploring whether, given the number of existing design panels in the Arc, there is a need for a pan-Arc place panel. The government believes that such a panel would need to work with, and if necessary, reinforce existing structures that local places have put in

place. It would also need to allow local authorities to appoint their own panels to address the detail of applications in their areas.

On establishing arrangements for the long-term stewardship of valued community assets in each new or expanded settlement: the government recognises that local people with a connection to their neighbourhood are the best long-term stewards of community assets and endorses this recommendation. The government believes that this should be done through the most suitable vehicle, including through locally-led new town development corporations, where applicable.

Prior to the designation of any new town development corporation, the government will need to see that robust plans for stewardship and legacy are in place, including for example, the adoption of frameworks such as the Garden City Principles.

On achieving net gains in biodiversity and natural capital across the arc: the government considers that the Oxford-Cambridge Arc is an opportunity to embody the ambitions of the 25 Year Environment Plan, including commitments on water and energy efficiency, as well as flood, waste and wider sustainability standards in new development including housing and infrastructure.

The government agrees with the NIC that net gain is an important way to deliver placemaking and growth, and that it offers an opportunity to invest in valuable green infrastructure. We want new developments to use intelligent and sensitive design to create or enhance habitats and to improve habitat connectivity, both onsite and in the local area. The government has strengthened planning policy, through the revised National Planning Policy Framework⁷, to achieve net gains for biodiversity which incentivises improved, greener design. The government will be consulting on net gain and welcomes views on how this could be best applied across the Arc.

The government and local agencies including the Environment Agency, Natural England and Forestry Commission will work to maximise the benefits to local people through enhancing the environment on the Arc, in particular through:

- A strategic approach to planning that increases resilience to hazards such as floods and integrates environmental infrastructure with other development to maximise efficiencies and opportunities
- Exploring options for delivering a pan-Arc local natural capital plan
- Using the ongoing work to strengthen biodiversity net gain policy in the planning system to ensure that plans, design and delivery of places in the Arc align with the government's policy on biodiversity net gain

⁷ Revised National Planning Policy Framework (2018) Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Recommendation 4: Government and local authorities should implement measures to increase certainty on the delivery of growth enabling infrastructure.

- Government should work with local authorities to establish an indicative, long-term pipeline of strategic national and local infrastructure investments, conditional upon specific housing delivery milestones, and with firm financial commitments made at the beginning of the relevant spending review, road investment or rail industry control period. This pipeline should be established and agreed by 2020.
- Local authorities should work with LEPs, local business groups, educational institutions and other key partners to formally agree robust and credible transport plans to enable the development of the arc's key towns and cities. These should be agreed locally by April 2019. These plans should provide a firm basis for long-term growth and investment, and include plans for significantly upgrading public transport, integrating transport hubs and providing safe cycling infrastructure.
- Following agreement of these long-term transport plans, Government should develop deals, bespoke to this region, with local authorities in Oxfordshire and the central section of the arc. These deals should extend powers over bus franchising, the introduction of smart ticketing, and give greater long-term certainty over future funding which authorities can use to fund, and unlock finance for, city-regional infrastructure improvements. Powers and resources should be devolved no later than April 2020.

On government working with local authorities to establish an indicative, long-term pipeline of strategic national and local infrastructure investment: the government welcomes this recommendation and is already doing this at a national and local level. Since 2011, the government has been working with local authorities to produce a National Infrastructure and Construction Pipeline of national priority projects. This is now produced annually, and this pipeline gives industry and the supply chain the confidence to support government and business with the delivery of future projects.

As part of the RIS 2 programme, the Department for Transport is working closely with local authorities to establish a long-term pipeline of local and strategic road investments, which includes the Oxford-Cambridge Expressway 'missing link' (further information is provided under Recommendation 1a.)

The government supports the Commission's ambition to build up to one million homes by 2050 and recognises that this will require decisions on place-making, economic growth, the environment, and infrastructure and connectivity, to be made in a joined-up way. This is why the government has invited local authorities from across the Arc to bring forward and commit to ambitious proposals for transformational housing and economic growth, including for new settlements. With the right interventions and investment, there is a transformational opportunity to amplify the Arc's position as a world-leading economic place. The government will consider broad strategic outcomes at the outset of programme design and carry them through all stages of the procurement process. This approach will also ensure the government's investment in infrastructure supports a wide range of Industrial Strategy objectives, including to boost the productivity and earning power of people across the UK, and maximises value for money.

The government has identified the Oxford-Cambridge Arc programme as a flagship for the Government's transformation initiatives, which are long-term change programmes that will help to increase the effectiveness of the government's investment in social, environmental and economic infrastructure. These include the Infrastructure and Projects Authority's Transforming

Infrastructure Performance and the Department for Transport's Transport Infrastructure Efficiency Strategy and the Construction Sector Deal.

The Industrial Strategy recognises that housing developments require appropriate infrastructure. The government therefore increased the Housing Infrastructure Fund to £5bn, using investment from the National Productivity Investment Fund to provide the right conditions for more house-building to take place. In February 2018, the government announced 133 successful Marginal Viability projects worth £866m to help unlock a potential 200,000 new homes. This will bring forward a pipeline of homes at pace and scale, helping solve the problems facing local communities today. There were eight successful Marginal Viability projects in the corridor worth £51.6m, which are currently progressing through detailed funding clarification. This process will confirm the final funding amount and any conditions attached to the funding. The government is also working with Bedford, Buckinghamshire, Cambridge and Peterborough, Central Bedfordshire, Milton Keynes, Northamptonshire, and Oxfordshire on Forward Funding projects with up to £4.1bn of funding available. Following the co-development phase, these areas will be required to submit business cases prior to final funding decisions being made. Autumn Budget 2018 announces that the Housing Infrastructure Fund, funded by the NPIF, will increase by £500 million to a total £5.5 billion, unlocking up to 650,000 new homes.

On Local Transport Plans: the government endorses the principle of local authorities working with partners to develop robust and credible local transport plans to support the development of towns and cities in the Arc. Local Transport Plans should set out local authorities' long-term strategy for transforming the transport network across the Arc. The government expects these plans to address the scale of the challenge in local areas and to include mass transit, walking and cycling, which links to the environmental opportunities and delivery of healthy places, and managing traffic and travel demand to improve local connectivity.

The Bus Services Act 2017⁸ gives Mayoral Combined Authorities the powers to franchise buses. It also allows the Secretary of State for Transport to grant these powers to other groups of local authorities by means of a statutory instrument and consent to a specific scheme.

Building on the Oxfordshire Housing Deal, the government is currently working on further Housing Deals across the Arc.

Recommendation 5: Government should, through bespoke deals with local areas, make changes to the operation and application of CIL and s106 agreements across the arc that will:

- give groups of local authorities, working together through appropriate governance structures, the power to levy a city-regional CIL
- remove restrictions on the pooling of section 106 revenues and on the forward funding of infrastructure against future receipts. These changes should be agreed by 2020

The government endorses the principle of allowing groups of local authorities to charge a city-regional level CIL.

On 5 March 2018 the government published the "Supporting housing delivery through developer contributions" consultation.⁹

⁸ <http://www.legislation.gov.uk/ukpga/2017/21/contents/enacted>

⁹ <https://www.gov.uk/government/consultations/supporting-housing-delivery-through-developer-contributions>

Through the Oxfordshire Housing Deal, the government has committed to working with Oxfordshire's six local authorities to explore the potential for introducing a Strategic Infrastructure Tariff (SIT) in this area¹⁰. At Autumn Budget 2018, the government announces its intention to take SIT forwards for Combined Authorities where they have strategic planning powers through Combined Authority Orders. In the longer term, we will bring forward the power to levy SIT for joint planning committees, and review options for giving this power to other groups. The SIT will operate alongside any localised form of developer contribution e.g. CIL and section 106 and contribute to the funding of strategic, large-scale infrastructure projects that cross administrative boundaries. The government will also set out further guidance to encourage groups of CIL charging authorities to use CIL more effectively to support the delivery of cross-boundary strategic infrastructure through pooling their local CIL.

The government endorses the recommendation to remove section 106 pooling restrictions and will be laying in Parliament Regulations to enable this.

The government expects authorities and delivery bodies across the Arc to use both existing and new mechanisms of land value capture to capture rising land values from the additional public investment in a fair way.

The government notes the commission's proposal to allow forward funding for infrastructure. The government recognises that there are circumstances where infrastructure may need to be provided in advance of development taking place. That is why the government has committed to provide greater certainty of infrastructure funding by committing to multi-year budgets in road and rail, and at Autumn Statement 2016 created the National Productivity Investment Fund to provide £31 billion of additional investment in areas crucial to boosting productivity. At Autumn Budget 2017, the government more than doubled the Housing Infrastructure Fund (HIF), adding a further £2.7 billion of new funding to the £2.3bn announced at Autumn Budget 2016. This took total investment in the HIF to £5 billion. Autumn Budget 2018 announces that the Housing Infrastructure Fund, funded by the NPIF, will increase by £500 million to a total £5.5 billion.

¹⁰ Further information is in Section 1.3.2 of the Oxfordshire Housing and Growth Deal Delivery Plan, available at: <https://www.gov.uk/government/publications/oxfordshire-housing-deal>

Recommendation 6: Government should consider the need for agreements extending flexibilities in the application of five-year land supply requirements. These agreements should only be considered in cases where local authorities agree deals to accommodate significantly higher levels of housing growth. Flexibilities should:

- help ensure that local areas are not exposed to increased risk of speculative development as a result of their commitment to additional growth
- be kept under review and made subject to local areas demonstrating progress in the delivery of major housing growth

In all cases, agreement must preserve the requirement for local authorities to maintain a supply of land sufficient to enable house building at the rate that would have been required in the absence of any deal to support additional housing growth.

Recommendation 7: Government should work with local authorities across the arc to secure agreement that:

- representatives of each of the arc's defined sub-regions will work together at the arc-wide level, and with Government, to develop an ambitious spatial vision covering the whole arc area up to 2050, identifying locations for growth and investment and enabling infrastructure requirements. This work should be completed no later than summer 2019. This vision should be supported by a set of arc-wide economic plans and an Arc-wide plan for strategic infrastructure
- local planning and transport authorities will work together, in defined sub-regions, to prepare statutory strategic spatial plans and submit these for inspection by April 2020. These should be underpinned by a clear investment strategy and a phased delivery plan, and shaped by the requirements of a robust integrated appraisal framework. Local Enterprise Partnerships and utilities providers should be included in the development of these strategic spatial plans

Local authorities and LEPs should work collectively and seek to agree a definition for sub-regional planning areas by April 2018. If agreement cannot be reached by this date, the Secretary of State for Communities and Local Government should define the sub-regions based on consideration of the best areas for joined-up economic, transport and land-use planning.

The government are committed to ensuring maximum impact from its investment. On 22 November 2017 the government announced that Oxfordshire would receive up to £215 million of new funding to support their ambition to plan for and support the delivery of 100,000 homes by 2031, subject to a commitment from Oxfordshire to adopt an Oxfordshire-wide Joint Statutory Spatial Plan by 2021. This ambitious and comprehensive investment programme will help deliver sustainable development with a focus on quality of place and more affordable housing. The Oxfordshire Housing and Growth Deal is supported by a delivery plan – the mechanism through which milestones are assessed and deal payments are made. This was formally signed off by the Housing Minister and Oxfordshire's six councils on 22 March 2018. Building on this, the government is working with central and eastern parts of the Arc to agree equally ambitious housing commitments.

On the need for agreements to extend flexibilities in the application of five-year land supply requirements: the government welcomes opportunities to work with local areas on a case by case basis to negotiate bespoke arrangements in exchange for commitment to substantial

housing growth, which ensure that overall land supply will increase despite flexibilities agreed to the application of the five year land supply requirement. The government has done this through the Oxfordshire Housing and Growth Deal, where local authorities are planning for significantly greater levels of housing growth than their Local Housing Need assessment.

On joint spatial plans: the government endorses the principle of local planning authorities working together on joint statutory spatial plans and recognises the important role of transport bodies in shaping these. To ensure that planning for jobs, place-making and infrastructure is coordinated, the government urges authorities in the Arc to work together and, where appropriate, develop joint statutory plans at the earliest opportunity to underpin the long-term vision for the Arc. Rapid progress with strategic spatial plans and local plans are an important aid to implementing the homes and infrastructure that are required, underpinned by commitments to enhance the environment. Where the government sees a clear need for doing so, the Secretary of State for Housing, Communities and Local Government will utilise the powers under section 28A of Planning and Compulsory Purchase Act 2004 to direct local planning authorities in the Arc to undertake Joint Plans.

Through Housing Deals conversations, the government is securing commitments by local authorities to develop joint local plans. Through the Oxfordshire Housing and Growth Deal, the government has committed to provide Oxfordshire's six local authorities with certain planning flexibilities to support their transition to a joint statutory spatial plan (JSSP). This includes temporary changes to land supply requirements and the Housing Delivery Test. On 12 September 2018 the first of the planning flexibilities agreed as part of the deal was enacted by written ministerial statement. This has amended land supply policies for Oxfordshire whilst their joint statutory spatial plan is developed. For the duration of the development of the JSSP the presumption for sustainable development will only apply to decision taking when the land supply falls below 3 years rather than 5 years. After the adoption of the JSSP the Housing Delivery Test will apply at a different rate to the national calculation.

On an Arc-wide spatial vision up to 2050: the government recognises the potential role that a pan-Arc spatial vision underpinned by a local natural capital plan could play in coordinating investment in housing, infrastructure and the environment to support the delivery of transformational growth across the Arc. The government is exploring the best way to set out how jobs, homes and infrastructure across the corridor will be planned together to benefit existing and new residents, while balancing economic growth with the protection and enforcement of the areas historic and environmental assets. As a first step, the government will publish an ambitious, corridor-wide Joint Vision Statement for the Arc to 2050 with local partners by Spring 2019.

Recommendation 8: Government should work with local authorities to put in place robust subregional and arc-wide governance arrangements. This will include:

- reconstituting the Oxfordshire Growth Board as a planning joint committee by April 2018, ensuring it is empowered to take decisions on the development, adoption and delivery of a strategic statutory spatial plan
- establishing growth board arrangements for defined planning areas in the central section of the arc by April 2018, ensuring these are constituted as planning joint committees and empowered to take decisions on the development, adoption and delivery of a strategic statutory spatial plan(s)
- supporting the continued development of new and existing growth boards, with a view to their being constituted as statutory combined authorities, or mayoral combined authorities, as soon as possible and no later than 2022
- working with representatives of the Cambridgeshire and Peterborough Combined Authority, Oxfordshire Growth Board and other growth board(s) across the arc to establish an arc-wide 'Strategic Partnership Board' by Summer 2018. This should include recruiting an independent chair to convene the board and provide a clear link to Government, and agreeing this appointment with local partners

The government is committed to working with local authorities to put in place appropriate governance arrangements to support the delivery of the wider Arc priorities. The government will work with local partners to agree a governance structure that supports the delivery of local growth, while retaining appropriate democratic accountability, by Spring 2019.

The government expects the new local governance structure for the Arc to be robust, credible and inclusive, with a clear and proactive remit. The structure should also be streamlined and practical for Government to 'do business' with in order to make more rapid progress. It should have sufficient influence and expertise to challenge all parties to take key decisions at the right times, and to maintain confidence amongst all stakeholders, including universities, business and environmental groups.

To build up to one million homes by 2050 and deliver the full economic potential of the Arc, the planning and delivery of business, housing and infrastructure should be coordinated across the Arc. This will require rapid progress with strategic spatial plans and local plans. The government is working with local partners to prepare an ambitious Joint Vision Statement by Spring 2019. Where there is a clear need, the government will direct local planning authorities to undertake joint plans. The government will ensure that growth in the corridor is underpinned by appropriate governance structures and delivery vehicles.

Delivering the priorities of the Arc will require an integrated approach from government and local partners. The government has already invited local authorities to bring forward and commit to ambitious proposals on housing and economic growth. We welcome working with local partners on proposals on bringing forward Combined Authorities or other changes to local government in the Arc.

Autumn Budget 2018 announces that the Government will appoint an independent business Chair for the Arc to provide expert advice and act as an advocate and champion to help galvanise local, national and international support, particularly from business and industry, for our collective ambitions across the Arc. The Government will also appoint a Ministerial Champion for the Arc, to provide further focus and facilitate coordination across Whitehall. The establishment of an independent business Chair and a new Ministerial Champion demonstrate

the government's commitment to delivering an ambitious and transformational programme across the Arc.

Recommendation 9: Government should work with local authorities and any new delivery bodies from across the arc to prepare and publish a six-monthly update, with the first being published in April 2018, enabling the Commission to assess the progress achieved in delivering the recommendations set out in this report.

The government endorses this recommendation and will provide annual updates to the Commission on progress on delivering these recommendations. The Commission will also continue to be kept informed by attending the government's monthly programme board meetings.

CPRE press release 8th October 2018

Abingdon Reservoir: Have Your Say, Thames Water Launch 2nd Public Consultation

Sourced from <http://www.cpreoxon.org.uk/news/current-news/item/2715-abingdon-reservoir-thames-water-agree-to-2nd-public-consultation> 5th November 2018

Monday, 08 October 2018 11:17

Thames Water has been forced into higher leakage reduction targets, but says the Abingdon reservoir is now needed even sooner than it thought before. Consultation closes 28 November.

Earlier this year CPRE Oxfordshire wrote to Michael Gove, Secretary of State for Environment, Food and Rural Affairs, supporting GARD's call for a 2nd public consultation on Thames Water's draft Water Resources Management Plan. In August Thames Water announced that a 2nd public consultation would take place.

A new draft plan has now been published, **Public Consultation launched on 3rd October and will close on 28th November**. A Summary of the Public Consultation (1st), Statement of Response and Revised draft Water Resources Management Plan 2019 can be read on the [Thames Water website](#). Documents are also attached below.

On a positive note Thames Water have committed to reduce leakage by 50% by 2050. If a 50% reduction is met, it amounts to a saving of 300 million litres per day, equal to the amount which the proposed reservoir would supply: making the case for building a mega-reservoir hard to justify!

Comments and feedback on the Revised Plan can be provided via an online form on the Thames Water website: [Have your Say](#)

Send your feedback by email to the Secretary of State at water.resources@defra.gsi.gov.uk putting "Thames Water's draft water resources management plan" in the subject line. Please also copy the representation to Thames Water at consultations@thameswater.co.uk the Environment Agency at water-company-plan@environment-agency.gov.uk and Ofwat at wrmp@ofwat.gsi.gov.uk

In writing via the Secretary of State:

Thames Water's draft water resources management plan consultation,
Secretary of State, Department for Environment Food and Rural Affairs (Defra)
c/o Water Resources Policy
Department for Environment Food and Rural Affairs,
Seacole 3rd Floor,
2 Marsham Street,
London SW1P 4DF

**Oxfordshire Countryside Access Forum
21 November 2018**

The Definitive Map and Statement - Revised Statement of Priorities

Report by Principal Officer, Countryside Records

Introduction

The Council's Statement of Priorities setting out how it manages its Definitive Map caseload is long overdue for update and would benefit from some new thinking. This report includes a draft revised Statement for discussion.

Recommendation

The Forum is invited to agree the Revised Statement of Priorities

The Council's Statement of Priorities has not been updated since 2006.

Since that time, the world of local government and, as a result, the way in which public rights of way are managed, has changed noticeably. Factors include: -

- A long period of 'austerity' with major withdrawal of local government funding by central government, placing huge stress on public services and impacting on rights of way service provision
- New legislation in the form of the Deregulation Act 2015 which, while not yet introduced, provides a direction of travel and an emphasis on greater flexibility, reducing timescales and, therefore, backlogs of work
- A frequent restructuring and realignment of Council services with a view to greater overall efficiency where roles are less polarised
- Insufficient available expertise across the profession in the management of complex legal cases, where replacing and training staff is a lengthy process and takes other staff away from the day job
- Greater intervention by the Secretary of State
- A recent, thorough review of OCC functions and processes which is driving leaner activity, with the aim of reducing timescales and increasing customer satisfaction

Whilst each of these points, and probably several others, have impacted, they provide a backdrop where doing the same thing and expecting a better outcome must be challenged. But this must also be balanced with the context of the work which is lengthy, contentious, routinely challenged and places a pressure on the case officer to reach a conclusion amid conflicting evidence and interests.

It is the final bullet point above that drives the Council's current thinking. At its heart is to challenge the acceptability of a public service duty where backlogs are in the order

of 10-12 years. Of course, this is rights of way work and OCC finds itself in a similar place to many other Councils.

The attached revised Statement of Priorities is drafted in a way that accepts that there might be many ways a caseload can be shuffled, where there are winners and losers, or where the constant prioritising and shuffling of the pack becomes an industry in itself. It is also drafted in a way that allows for the backlogs to be proactively examined and gives a degree of discretion.

The other balance to be drawn is that between those applications that are primarily user based and those based on historic documentary evidence. Arguments can be forwarded for either to be given priority.

The attached draft Statement sets out a prioritisation where user-based and documentary-based applications are addressed in parallel.

Other potential methods of prioritising have also been considered. All have pros and cons as a variation of 'shuffling the pack'. These are: -

1. The current scenario, where applications on the Council's Register will be addressed in chronological Order of receipt.
2. Prioritise user-based applications, where the evidence might be more at risk and the path usage may be more contemporary. Documentary-based applications will, then, always drift to the bottom of the list.
3. Prioritise on a points-based system where each case is assessed on criteria such as strength of evidence, adding a useful route, etc, involving the re-examination of the existing caseload and any new applications being assessed before being registered.

**Mike Walker
Principal Officer, Countryside Records**

OXFORDSHIRE COUNTY COUNCIL

STATEMENT OF PRIORITIES FOR MAINTAINING THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY

The Definitive Map and Statement (DMS) of Public Rights of Way for Oxfordshire is the legal record of public rights of way in the county. The Council is the Surveying Authority for such purposes. In accordance with the Wildlife and Countryside Act 1981 section 56, the DMS is conclusive evidence of the existence of a public right of way and its status, width, position and any limitations or conditions that affect it.

It has a relevant date of 1 February 2006.

In accordance with the Wildlife and Countryside Act 1981 section 53, Oxfordshire County Council has a duty as the Surveying Authority to keep the DMS under continuous review and to modify it by way of Orders as and when relevant events occur.

The Council's priorities in respect of its DMS are to: -

- Process applications for Definitive Map Modification Orders
- Update and maintain the DMS, including addressing anomalies and errors

This Statement of Priorities replaces the previous version dated October 2007.

Processing Definitive Map Modification Orders (DMMOs)

Any person with substantive evidence of an error or omission in the DMS may apply to the Council for an Order to modify it to add or delete a right of way, to upgrade or downgrade one that is already shown, or to amend the particulars contained in the Map or Statement. Most are claims to add rights to the DMS on the basis that they legally exist but are not recorded. The procedure to do this is set out in schedule 14 of the Wildlife and Countryside Act 1981.

The Council is required, as soon as reasonably practicable after receipt of applications, to investigate and determine whether or not to make the Order sought. If after 12 months no such determination has been made, the applicant may appeal to the Secretary of State who may then direct the Council to determine the application and may impose a timescale for doing so. Government Guidance in the form of Circular 1/09 states that the Secretary of State, when considering a response to a request for a direction to determine an application for an Order within a specified period, will take account of any Statement made by the Surveying Authority setting out its priorities for bringing and keeping the DMS up to date and the reasonableness of such priorities.

There are a large number of applications outstanding, each requiring significant research and investigation and are frequently contentious, further extending the period of the process. A single application might take between 6 and 18 months, and sometimes longer, to conclude depending on the different factors that might impact on it. There is also a steady stream of new applications being received, the rate of which is anticipated will increase in the light of the impending legislative reforms which will introduce an end date for the making of applications based on historic evidence.

Details of all Definitive Map applications are contained in a statutory register published on the Council's website, alongside a 'Pending DMMO Case List' detailing the applications currently being progressed, updated on a monthly basis, and where progress can be tracked. These can be viewed at www.oxfordshire.gov.uk/modificationsanddiversions

Rationale for Prioritising Applications for DMMOs

Oxfordshire County Council finds itself in a similar position to many Surveying Authorities across the country where the volume and complexity of applications makes it unsustainable to determine them all within the 12 months before any appeal can be triggered. Backlogs can then accrue, further exacerbated by the continuous flow of new applications. The waiting list for new applicants currently stands at more than 10 years.

The County Council recognises that delays of this kind do not reflect the level of service it expects to provide and has reviewed its resourcing and processes to ensure a renewed rigour is applied to the way in which it addresses its existing and future caseloads. A recent restructuring of the Council's duties and responsibilities has resulted in a further investment into this activity. This Statement is reflective of that review and further sets out an intention to address its backlog of cases and introduce some flexibility and discretion where this can improve its overall service to customers.

There remains a need to be as equitable as possible in determining the basis on which the list of applications is addressed. At its core, this necessitates addressing applications in chronological order of receipt; this being the fairest means of prioritising where no application is more important than any other. However, in certain instances, it will be necessary to address some applications out of turn and give them greater priority where the impact of deferral could have consequences. For this reason, the Council must retain an element of discretion. If it considers that action of this kind is warranted and there are exceptional circumstances, the Council will consider if the circumstances of that case merit it being taken 'out of turn'.

Similarly, the Council may target a particular application if this helps achieve a greater efficiency or reduce backlogs faster.

This means that, in some cases, an application already on the register may be taken out of sequence where circumstances dictate, or for the purposes of expediency.

The Council's plan for dealing with applications may also be disrupted should the Secretary of State determine, on appeal, to direct the Council to address cases out of turn and within specific deadlines.

Updating and Maintaining the Definitive Map and Statement

The processing of Definitive Map applications must be addressed in parallel with other duties necessary to keep the DMS as up to date as possible.

The present Definitive Map, produced in 2006, was the culmination of significant investment to produce a modern map utilising digital mapping software replacing previous paper-based versions. This has many benefits, including improved management processes and a more straightforward means of physically amending and updating it when any changes occur.

This has also had the considerable added benefit of allowing an online version of the Map to be made available to view on the Council's website.

Managing the integrity of the Map data entails: -

- Addressing any issues of the accuracy of the DMS by systematically investigating discrepancies such as: -
 - Errors in drafting
 - Discrepancies between the Map and Statement

- Possible errors or omissions in the DMS (such as an unexplained change of status where a path crosses a parish boundary or where the route on the ground differs from that shown on the DMS).

Whilst these will be prioritised and researched as resources permit depending on their significance or impact, these are not matters that normally feature on Wildlife and Countryside Act 1981 s53b Registers of Applications. As such, any work undertaken will impact on the rate at which formal applications on the Register are addressed.

Undertaking an investigation on a particular ‘anomaly’ may have a degree of urgency where, for example, a sale of property is reliant on it. The DMS can usually only be amended by fully researching the case and making and advertising a DMMO. As such there is inevitable impact on priorities.

- Keeping the DMS up to date by making regular ‘Legal Event’ Modification Orders to modify it in respect of changes resulting from Public Path Orders, Agreements, etc.
- To periodically republish the DMS, currently dated 2006. The timing for such a major piece of work will be kept under review and carried out when appropriate and balanced against other workloads.

Prioritising Applications for Modification Orders

This approach is adopted following consultation with the Oxfordshire Countryside Access Forum, a body representing a wide range of interest groups including user groups and landowning associations.

A priority system primarily based on date of receipt is inherently simple and fair and does not discriminate between applicants. A disadvantage of this is that it lacks flexibility and does not allow any discretion. The Council must be able to exercise some discretion where circumstances dictate.

Addressing Definitive Map applications is undertaken by the relevant team within the Council alongside its other work involving keeping the Map and Statement up to date, public path orders, common land and village green registration and rectification, searches and landowner statutory declarations and deposits.

There are, essentially, two types of Definitive Map application – those based on historic documentary evidence and those based, primarily, on user-based evidence. A distinction can be made between the two in the sense that user-based applications are likely to be those routes in contemporary use, that may have been called into question by an action on the part of the owners of the land and where the integrity of the user-based evidence is at risk if there are inherent delays in dealing with them. It would seem reasonable that applications that are primarily reliant on user evidence be prioritised.

Balanced with this is an ongoing pressure to record those routes that have been 'lost' over time and remain unrecorded on the DMS. Frequently these can be routes that are (or would be) important links in the overall network. Such cases are also likely to be the ones where there is increased demand for them to be recognised as a consequence of the introduction of a cut-off date.

There is a higher proportion of user-based applications in the Council's caseload compared to those based on historic documentary evidence although, as any cut-off date gets closer, the proportion of documentary-based applications is likely to increase.

The prioritisation of applications is, therefore, as follows: -

1. Applications with evidence that is primarily user-based, in date order of receipt (List 'A').
Applications with evidence that is primarily historic / documentary, in date order of receipt (List 'B').
Applications from List A and List B are investigated in parallel
2. The Council exercises discretion to take a case out of the 'date order' sequence where, for example: -
 - There is a development proposal or planning application that affects or threatens the claimed route
 - An affected party can demonstrate that they are experiencing exceptional problems due to the impact of an application on their property, such as where this potentially affects its sale
 - The evidence in support – or geographical location – of an application is shared with another and, therefore, it would be efficient to investigate them concurrently
 - The path would help fulfil one of the Council's strategic aims, such as where routes have been identified in a Transport Strategy or Rights of Way Improvement Plan
3. With the aim of reducing its backlog and overall waiting times, the Council uses its discretion to identify any application on its Register where there may be opportunity to: -

- Address an application by some other means (such as a public path order or agreement)
- Address an application where the extent of the evidence and / or the lack of opposition would involve minimal workload to conclude the matter.

Oxfordshire County Council
November 2018

