

Agenda Item 13

Buslingthorpe Wood was designated open access land through being a Forestry Commission (FC) Wood. It was later sold by the FC but that does not alter its open access status. It is not adjacent to a public road or right of way and was accessed by a short private road.

The road has been replaced by a new one on a different route. I assume that there was an agreement between the woods owners and the adjacent landowners and one easement has been replaced by another, but I do not know.

I have been asked what the position is for the public wanting to visit the wood. I do not think there is a suggestion that anyone is being prevented from using the new access but people are often very nervous of using a track which is not clearly signposted for them. Logically, I would assume that the public are able to use a private access road to open access land, because private easements attach to the land to which they give access. The easement would therefore be available to anyone with a right to visit that land. However, this does raise some questions as follows:

- 1 Is my view of the right to use a private access road correct?
2. Land sold by the FC seems to fall between two stools. This wood does not appear on the County Council's webpage of open access land. That page refers the viewer to the FC website, but Buslingthorpe Wood does not appear on that, not surprisingly since it is no longer FC owned.
3. What is the position with recording access routes in circumstances like this? Is there a requirement to record the route and/or to sign them?

I think these are general points which it would be useful to explore since they might apply to other land as well.

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