

Shropshire Local Access Forum	<u>Item</u>	<u>Paper</u>
20 October 2009	3	A
10.00 am		

**MINUTES OF A MEETING OF THE SHROPSHIRE LOCAL ACCESS FORUM
HELD ON 17 JULY 2009 AT 10.00 A.M. AT CRAVEN ARMS COMMUNITY
CENTRE, CRAVEN ARMS**

Present

Members

Mr Chris Chillingworth, Mr Richard Cotham, Mrs Jane Ing, Mr Clive Leworthy, Dr Jane Morris, Mr Dennis Nisbet (Vice-Chair), Mr Roger Plowden, Ms Sula Rayska (Chair), Mrs Zia Robins, Mr David Shelley and Mr Mark Weston.

Officers

Ms Deb Hughes, Countryside Access Manager, Mrs Evelyn Stabler, Natural England, Mr Jim Stabler, Access Development Officer and Mr David Wise, Forum Secretary

1. Election of Chair

It was proposed by Mr Nisbet, duly seconded and

RESOLVED : That Ms S Rayska be elected Chair for the ensuing year.

2. Apologies for Absence and Welcome

Apologies for absence were received on behalf of Mrs Caroline Bedell, Mr Stephen Bell, Mr Gareth Boxley, Mr Steve Charmley Mr David Cowell and Mr Bob Hill

Mr Bob Ellis, Mr Jonathan Felton and Mr Neil Willcox had also indicated that they were unable to attend the meeting.

Mr Jim Stabler was welcomed in his new capacity of Countryside Access Development Officer, in succession to Karen Wilson.

It was reported that Shropshire Council's Outside Bodies Working Group, at their meeting on 15 July, had appointed Mr Steve Charmley and Mr David Roberts as members of the Forum.

3. Election of Vice-Chair

The Chair reported that Mrs Bedell had indicated she was quite happy if someone else stood as Vice- Chair as she had been unable to attend meetings. It was proposed by the Chair, duly seconded and

RESOLVED : That Mr D Nisbet be elected Vice-Chair for the ensuing year.

4. Declarations of Interest

No declarations of interest were made by Members.

5. Minutes

RESOLVED : That the Minutes of the last meeting held on 30 April 2009 be approved and signed by the Chair as a correct record, subject to noting in respect of the attendance list that Mr Leworthy had tendered his apologies for the meeting and that in item 7, third paragraph, 'Natural' should be replaced by 'Sport'.

Arising thereon:

5.1 England Access Forum (Item 8)

Ms Hughes reported that a bid had been submitted for an officer from Shropshire Council to take on the role of West Midlands Regional Access Forum Co-ordinator for two days a month. The benefits of filling this post would be that Shropshire LAF members would be better informed and their views would also be heard.

Members felt it was unacceptable that none of the items agreed for dissemination at the March England Access Forum meeting had been made available to them. Mr Wise explained that in seeking this information he had been informed that Mr Solly, England Access Forum Secretary, was currently on sick leave.

RESOLVED :

a) That a letter be sent to Dr Helen Phillips, Chief Executive, Natural England expressing the Forum's concerns.

b) That a copy of the letter be sent to Huw Irranca-Davies MP.

5.2 LAF UCR Working Group Update (Item 10)

The Forum received an email from Mr Bob Ellis, Head of Environmental Maintenance, dated 13 July 2009, responding to representations agreed at the previous meeting over unsurfaced unclassified county roads. It was pointed out that some of the highway mapping corrections suggested by Mrs Robins had sometimes been verified and then omitted again later. It was

also considered that action was not being taken against minor highway encroachments, even when it was possible to clearly establish the width of the highway. Members also requested more joined up working between highways and rights of way and felt it was essential that highway representatives attended meetings of the UCR Working Group and a date should be set for the next meeting.

RESOLVED :_ That Mr Ellis be invited to attend the next meeting to answer members' questions.

In answering questions about the Definitive Map of Public Rights of Way Ms Hughes explained it that it was being consolidated at a larger scale and officers were currently intending to publish by the end of December. There were two issues:

- Making sure that in publishing at a larger scale, rights of way were transferred accurately to the new Definitive Map.
- Difficulties caused by Ordnance Survey baseline alterations.

Members expressed support for the proposal in principle but felt that an opportunity should be given to landowners and members of the public to be able to view the legal lines on maps before publication, as any alignment errors would cause considerable aggravation

Members also commented that rights of way and land boundaries on OS maps could deviate from actual paths and boundaries on the ground. Ms Hughes explained that all rights of way alterations were notified to Ordnance Survey, but they did not reprint often enough, and she offered to seek details of the process.

RESOLVED : That an update on the Definitive Map shall be given at the next meeting as an agenda item.

6. Public Question Time

It was reported that no questions or statements had been received from members of the public.

7. Access in Agri-Environmental Schemes

Mrs Evelyn Stabler, Access Adviser, Natural England, gave a power point presentation overview of the operation of permissive access under agri-environmental schemes. She explained that there were no access provisions in the Entry Level Stewardship Schemes, but it was available under Higher Level Stewardship Schemes. There were a number of access options, not simply linear access for walkers, cyclists and horseriders, but educational access to reconnect people with the countryside and access for people with reduced mobility. (A copy of the presentation is on the webpage for this meeting).

She reported that in future when considering potential HLS sites Natural England would carry out early consultation with Shropshire Council over whether

any access gaps/issues, which might be set out in the Countryside Access Strategy, could be addressed. A recent example of good co-operation between the two organisations had been in respect of new access routes in Acton Scott. Natural England welcomed approaches from agents or land managers over access provision and could advise them on the chances of success in HLS or Entry Level Schemes and could also cold call landowners.

In answering members' questions about the operation of HLS, which they felt was very bureaucratic, Mrs Stabler accepted that since Environmental Stewardship Schemes had been introduced by DEFRA in 2005 the number of such schemes was comparatively small and there were no more than 20 linear access agreements in Higher Level Schemes in Shropshire. However, while Natural England, which now administered such schemes, preferred landowners to participate in full HLS schemes it was also possible for landowners to enter into single interest agreements which included access e.g. educational access and to continue permissive access when the old Countryside Stewardship schemes finished.

Members felt that there should be better advertising of access opportunities for landowners. They also agreed that map boards should be erected promptly on sites and the provision of up to date information about all types of permissive routes on the website, with any incorrect references to country walks only being changed to permissive bridleways and country walks.

8. Countryside Access Team Plan

Ms Hughes circulated copies of an overview of the Countryside Access Team Plan 2009/10 and amplified the sections. Members also received copies of the Countryside Access Team Annual Report 2008 which they felt reflected great credit on the Team.

Members referred to the resources made available for countryside access and rights of way, and felt the network was in need of continued improvement and ongoing maintenance if it was to fulfil its full potential for the public to use and enjoy. Members expressed concern that only half of enforcement issues were now being resolved.

Ms Hughes explained that part of the reason for the reduction in dealing with complaints was because some of the information received about obstructions etc. was inaccurate or no actual problem existed, and when this was discovered they were no longer recorded as being resolved.

The enforcement and maintenance teams were small and they were about to appoint a temporary rights of way inspector. However, they did not have enough resources to adequately clear the network and respond to all complaints.

The Team had received a capital allocation for 2009/10 but there was no guarantee for the next financial year. An Asset Management Plan was not yet finished.

A Member pointed out that she had been injured through lack of maintenance and she would have much preferred the money spent on hospital treatment to have been used instead on maintenance of rights of way. A Member also questioned whether use of further mechanisation for clearing undergrowth e.g. saplings on rights of way routes would be more cost effective as any vegetation re-growth would be much slower.

RESOLVED : That representations be sent to Shropshire Council by the Chair pointing out that additional funding is required to maintain the rights of way network at an adequate standard.

9. Delegation processes

The Forum received information on the exercise of Shropshire Council's regulatory functions relating to public rights of way as set out in Schedule 1 of the Local Authorities (Functions and responsibilities) (England) Regulations 2000 (as amended) and the matters delegated to the Countryside Access Manager.

Ms Hughes explained that although she had increased delegation, the new procedures gave interested parties a greater say than previously. All Formal Applications would require the submission of a draft report, which would be considered by the Team Leader, Access Manager and Legal Services. It would then be circulated to interested parties and elected representatives and published on the website. Following this consultation a formal decision would be made. The Countryside Access Manager had the discretion to decide that contentious applications should be considered by the relevant Area Regulatory Committee. If persons were unhappy they could object to the published order and the application would be forwarded to the Planning Inspectorate for determination.

In respect of objected Public Path Orders (which were dealt with under the Highways Act 1980, local members had the right after consultation with the Countryside Access Manager to ask for the matter to be referred to the relevant Area Regulatory Committee. Requests had to be made in writing by members within ten days of being notified that there have been objections.

10. The Long-term Role of the Forestry Commission Public Forest Estate in England: Consultation.

It was reported that consultation on the long term role of the Public Forest Estate in England had been launched on 6 July 2009 and would finish on 28 September 2009. A copy of the summary was received. The consultation document could be downloaded at <http://www.forestry.gov.uk/england-estatestudy> and there was an online response form.

Regional stakeholder meetings were being held to support discussion on the issues raised by the consultation, and to encourage written responses. A meeting

would be held at Hatherton Country House Hotel, Pinfold Lane, Penkridge Staffordshire on 9 September 2009.

The Chair reported that Ian Hickman, the Forestry Director for the West Midlands, had been unable to attend the Forum meeting as he was addressing his own staff on the issues.

Members noted that the consultation document gave little information about public access and they agreed that they would wish to see as much free informal access as possible for walkers, cyclists, horseriders and carriage drivers. While Forestry Commission land might largely be retained in public ownership, if parts were sold off members felt that there should be protected rights of access for the public.

RESOLVED : That the Chair and Mr Stabler shall attend the regional stakeholder meeting and all members be consulted on the proposed draft response to the consultations.

11. Dog walkers and cattle and calves

It was reported that Mrs Bedell had asked what support messages the Forum could give farmers with concerns regarding cows and calves and dog walkers following recent well publicised incidents involving the public and cattle. Guidance notes from the Shropshire Council website and an HSE leaflet were received.

A member pointed out that the advice in the final sentences in the second and third paragraphs of the Shropshire Council leaflet was contradictory.

Members also referred to irresponsible dog walkers, who did not control their dogs properly in the countryside, causing danger to farm animals and wildlife, and responsible owners who were not aware that if chased by cattle it was safer to let their dogs off the lead. Walkers with dogs could also stray from off the line of public rights of way.

It was agreed that more education was required.

RESOLVED : That the Countryside Access Team be asked to amend the wording of the relevant two paragraphs of the guidance notes.

12. Feedback from other forums and items for noting

The Forum received for information:

Minutes of Shropshire Riders and Carriage Drivers Groups held on 23 February 2009, Minutes of the Byways Liaison Group meeting held on 25 March 2009, Access newsletter issue No. 39, DEFRA letter from Huw Irranca-Davies MP (Minister for Marine and Natural Environment, Wildlife and Rural Affairs dated 28 May 2009, DEFRA letter containing amendments to Secretary of State's guidance on Local Access Forums dated 28 May 2009 and Walkers' Forum minutes dated 15 April 2009.

13. Shropshire Riding Website

Mr Stabler demonstrated this website and explained that it had never been updated with fresh content since its creation. It was proposed to make the website map based with the ability to zoom into areas to obtain detailed maps with routes, car parks and other facilities etc.

14. Items for next agenda

It was suggested that the following items should be considered for the next meeting on 20 October 2009:

- Country Parks and Sites
- Unclassified County Roads
- Forestry Consultation
- Definitive Map
- Lost Ways - Stakeholder Working Group on Rights of Way
- Ploughing and Cropping

Chair.....

Date

The meeting closed at 12.45 p.m.