

Shropshire Local Access Forum	<u>Item</u>	<u>Paper</u>
4 February 2010	4	A
10.00 am		

**MINUTES OF A MEETING OF THE SHROPSHIRE LOCAL ACCESS FORUM
HELD ON 20 OCTOBER 2009 AT 10.00 A.M. AT THE SHIREHALL ABBEY
FOREGATE SHREWSBURY**

Present

Members

Mr Stephen Bell, Mr Steve Charmley, Mr Chris Chillingworth, Mr Richard Cotham, Mr David Cowell, Mr Bob Hill, 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

Mr Bob Ellis, Head of Environmental Maintenance, Mr Jonathan Felton, Natural England, Ms Deb Hughes, Countryside Access Manager, Mr Kevin Jones, Access Enforcement Team Leader, Mrs Shona Lewis, Access Mapping Team Leader, Mr Jim Stabler, Access Development Officer and Mr David Wise, Forum Secretary

1. Apologies for Absence and Welcome

Apologies for absence were received on behalf of Mrs Caroline Bedell, Mr Gareth Boxley, Mrs Jane Ing and Mr David Roberts

Mr Neil Willcox and Ms Carolyn Healy had also indicated that they were unable to attend the meeting.

The Chair welcomed Mr Charmley to his first meeting. It was also noted that Ms Jenni Butler, Cheshire East Council and Cheshire Local Access Forum was attending as an observer.

2. Declarations of Interest

No declarations of interest were made by Members.

3. Minutes

RESOLVED : That the Minutes of the last meeting held on 17 July 2009 be approved and signed by the Chair as a correct record.

Arising thereon:

3.1 Countryside Access Team Plan (Item 8)

Mr Nisbet explained that he had sought clarification on the future rights of way capital programme which initially had only been confirmed for one year. He was pleased that the present level of approved expenditure of £200,000 for bridge schemes on the rights of way network had been extended for two years.

It was noted that representations over the 2010/11 budget had not yet been sent.

4. Public Question Time

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

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

Mr Stabler reported that he had attended the regional stakeholder meeting at Penkridge Staffordshire on 9 September 2009 which was part of the Forestry Commission's consultation on what their priorities should be in the future. The Forestry Commission were considering selling off small plots of not very useful land and decreasing the area of land in production for timber over the next two years, but this had been opposed at the meeting.

The main points which he had submitted in his co-ordinated reply on behalf of the Forum were that:

- There should be no reduction in the land producing timber which was one of the main providers of carbon catchers.
- FC should take the lead in selling carbon offset schemes.
- No reduction in the use of land for recreation.
- However, if land was sold there should be no reduction in rights of way or access.
- There should be free access for all horse riders.

Members pointed out that free access was being eroded by the Toll Rides (Off-Road) Trust, which administered riding permit schemes for the use of permissive routes on certain areas of Forestry Commission land, which now included Ludlow Forest. Charges could not though be imposed for using rights of way.

The Forum also noted that car parking charges had been introduced in certain locations. For example day tickets were £2 at the Wyre Forest but parking at Mortimer Forest remained free.

It was pointed out by a member that the Forestry Commission had also been consulting on other issues including a revision of the UK Forestry Standard on sustainable forestry management to mitigate climate change and a revised disability equality scheme.

6. Parks and Countryside Sites Update

In view of Ms Healy's sickness absence, it was noted that the presentation would be deferred to the next meeting.

7. UCR Update

Mr Bob Ellis gave an update on progress on UCR issues.

He reported that a meeting between Countryside Access and Highways officers had taken place two months previously and information was being analysed on the condition of un-surfaced unclassified county roads, where the Highways Authority had maintenance obligations, with a view to appropriate routes being managed by the Outdoor Recreation Service. (It was clarified during the discussion that the legal status of roads and byways open to all traffic would not change, so such routes would remain on their respective registers).

Highways Officers would continue to examine any evidence being submitted by Mrs Robins or any other persons about roads being missed off the definitive county road map and any omissions would be rectified. If it was considered that insufficient evidence had been submitted to add them to the list of highways maintainable at public expense then the process for investigating claims for additions to the Definitive Map of Public Rights of Way would be followed.

Members stated that there was evidence that a number of roads should be added and that the highways map was not therefore exhaustive at present.

Mr Ellis added that a national Highway Records Working Group had been established at officer level to look into the recording of highways and legislation relating to the List of Streets. It also covered cycle tracks which had no legal status. It was chaired by Andrew Kelly from Cheshire East Council. Andy Savage represented Shropshire Council on the Group.

The Midlands Services Improvement Group were examining cross boundary issues.

It was suggested that a member of the Highway Records Working Group be invited to give a presentation at the next meeting.

8. Definitive Map of Public Rights of Way

Mrs Lewis gave a power point presentation on the steps being taken to consolidate the Definitive Map from its current 1:25000 scale to a larger 1:10:1000 scale. This involved checking 204 parishes, approximately 14,000 individual links and the incorporation of all legal orders into a new map. It was also necessary to deal with the correction of positional accuracy information anomalies in the Ordnance Survey's original digital base mapping, by using their latest Mastermap base. Any changes to routes would require modification orders and there would be a period for feedback prior to consolidation to allow landowners and users to comment.

(A copy of the presentation is on the webpage for this meeting)

Members agreed that this intensive and time consuming work reflected great credit on the Countryside Access Team.

Members asked whether parish councils, P3 partnerships etc. could be sent the new consolidated map for checking. Mrs Lewis replied that feedback from such groups would be ideal but there were copyright restrictions on paper copies. When discrepancies were identified the question of whether the cost of modification orders should be borne by the landowner or Council would be examined on its own merits under the legislation. She explained that the changes were available to see on Shropmap. (Shropshire Council's online mapping facility). It was difficult to give an exact date for providing the new map, but a time frame of a year and a half was considered realistic. Members emphasised the importance of keeping the old definitive maps and Mrs Lewis confirmed that the old maps would be kept.

With regard to the review of the Definitive Map, Members were informed that Shropshire Council had now agreed changes to the Statement of Priorities. They had also agreed to the establishment of a Task and Finish Group to examine Definitive Map review processes, responsibilities under the CROW Act etc, and part of the remit involved liaison with the Local Access Forum and possibly a working group. Amended guidance notes on Definitive Map procedures, which would have flow charts, would also be drawn up in consultation with Forum members.

9. Shropshire Way

Mr Stabler gave a few facts and figures on the completed Shropshire Way project in the south of the county, which had included the upgrading of 120 miles of main route, the addition of 31 miles of new routes and 26 miles of circular walks. 260 way marker posts, 200 new stiles, 125 gates and 35 new bridges had been installed. There was a new guidebook and the website had been developed with pod casts.

He regretfully reported that it had not been possible to come to an agreement over the provision of an alternative, safer route at Plowden. Members expressed concern about the dangers for users on this section and vehicular traffic and noted that negotiations would continue with the Plowden Estate to find a solution. Mr Stabler also undertook to investigate the possibility of obtaining funding from the highways road safety budget.

Mr Stabler also drew the Forum's attention to the proposed development of the Northern Section of the Shropshire Way, which would take the route to new areas by the provision of new links e.g. Llanymynech to Oswestry and along the canal to make a ring around Oswestry. Much of the route would be available for multi-use.

Funding was being sought from Natural England, The Rural Development Programme for England, Heritage Lottery Fund and other organisations. He asked for a letter of support from the Forum.

Members generally accepted that wherever possible the Northern section of the Shropshire Way should be upgraded to accommodate walkers, cyclists and horseriders, which would provide the best value for money. A specific request was made for provision for horseriders to be included where it was safe and reasonable to do so. However, it was noted that while horses had originally been used to pull canal barges, the British Waterways Board discouraged horse riding along towpaths

RESOLVED : That a letter be sent in support.

10. Lost Ways

Mr Felton reported that Natural England acted as Secretariat for a Stakeholder Working Group on unrecorded public rights of way, which were looking at all aspects of the legislation in great depth in order to reach agreement on a balanced package of reforms. The Group were due to report on their findings by the end of the financial year.

The terms of reference of the Group were set out in the agenda and on the Natural England website where notes of their meetings could also be found. It was confirmed that this information was now up-to-date.

11. Ploughing and Cropping

A presentation was made by Kevin Jones Access Enforcement Team Leader on how ploughing and cropping infringements under the Rights of Way Act 1980 were dealt with by the Council.

He explained that 200 paths had been monitored in the last ploughing and cropping campaign. 126 had no reported problems and in the other 74 cases 34 paths had been reinstated when drawn to the landowners' attention and officers were trying to resolve the remaining 40.

It was questioned whether the campaign had been successful as some volunteers felt that the Council should be prepared to take legal action against the worst offenders, without having to spend considerable officer time on reminders and the threat of default action. The Forum were informed, however, that in recent times the Council had not needed to take legal action as when landowners had been reminded of their obligations they had reinstated paths within the timescale allowed.

One member referred to the dangers caused by oilseed rape to horses which could get their legs entangled in the crop. A question was also raised about whether there were any restrictions over the use of layers of plastic across fields.

A member expressed his concern at the outcome of the 2009 campaign as he did not consider it satisfactory that 40 of the cases had not been dealt with. Mr Jones explained that 36% of routes had been re-instated which was double the previous year. The small Enforcement Team had been an officer short and had

only recently recruited another officer. He had seen more paths reinstated than five years ago when he had started. However, the campaign was always under review to make it more efficient and to take into account volunteers' views. If the Council were to take immediate legal action against landowners the policy would have to be altered. He accepted that there were times when officers should provide better feedback to volunteers and the public in general and he would examine this issue in consultation with the Access Development Officer.

12. EAF and LAF Co-ordinator

Mr Stabler confirmed that he had been appointed the West Midlands Regional LAF co-ordinator. This would enable the Forum to have better access to information from the England Access Forum. He drew attention to a diagram which explained the relationships between EAF and LAFs and Natural England as at July 2009.

Mr Felton explained that each region had a LAF co-ordinator and facilitator to ensure better flows of information and to ensure current issues could be discussed on a sound basis. He also pointed out that EAF had appointed a new secretary.

A member asked whether there had been any progress on shared use and surfacing which had been on the agenda for the last meeting. The Forum were informed that Natural England wanted whenever possible to have multi model usage - but each route needed to be looked at in terms of the environmental conditions and health and safety.

13. Feedback from other forums and items for noting

The Forum received for information:

Minutes of Shropshire Cycle Forum meetings held on 10 June and 16 September 2009

Minutes of Wat's Dyke Association meeting held on 3 September 2009

Access newsletters Nos. 40 and 41

Minutes of the Byways Liaison Group meeting held on 30 September 2009.

The new draft Cultural Strategy entitled "Evolution, Revolution & Innovation Culture in Shropshire, Telford & Wrekin".

Mr Stabler asked members to send any comments to him in respect of the latter publication by 29 October to enable a response to be made. Members would also be asked for comments on draft DEFRA guidance on the Disability Discrimination Act 1995.

14. Items for next agenda

It was suggested that the following items should be considered for the next meeting on 4 February 2010:

Country Parks and Sites
Proposals on surfacing rights of way for multi use
England Access Forum (any feedback issues)
Dates for future meetings

Officers also suggested that the subsequent meeting on 27 April could be short and be followed by an away day.

Chair.....

Date

The meeting closed at 12.10 p.m.