

SHROPSHIRE RIDING AND CARRIAGE DRIVING FORUM (SRCDF)

Minutes of meeting held on Monday 11th June 2012, at 7.30pm, Shirehall, Shrewsbury.

1. Attendance:

Angela Williams, BHS CABO & Ellesmere, Chair. John Gibson, British Driving Society, Vice Chair. Zia Robins, Shrewsbury & District RC A&BWO, Nesscliffe Hills & Dist. BWA, Joint Secretary. Jan Baldwin, Elaine Newton & Gaynor Evans, Broseley Bridleways. Judy Dickenson, Church Preen & District. Ann Durnell, Bridgnorth BWA. Sue Evans, Beckbury, Ryton & Badger BWG. Gill Eyre, BHS South Shropshire East, South Shropshire. Andrew Kelly, Vyrnwy & Dist. BWA. Jan Mees Robinson, Telford. Rosemary Pattenden, Worthen & Dist. BWG. Anne Roberts, Vyrnwy & Dist. BWA. Carol Williams, Long Mynd & Dist BWA. Shona Butter & Jim Stabler, Shropshire Council.

Apologies:

Linda Russell, South West Shrewsbury BWG. Joint Secretary. Dorothy Billings, Carriage Driving, Bridgnorth. Pam Evans, Nesscliffe Hills & Dist. BWA. Mark Weston BHS.

2. Election of Chair.

Angela Williams confirmed her willingness to stand as Chair until the end of this year. There being no other nominations, she was confirmed as Chair.

To consider the addition of the word Forum to the end of the Groups title.

It was agreed that the word Forum would replace the word Groups in the title.

3. Minutes of the last meeting

The minutes of the meeting held on Monday 6th February 2012 (paper A) were approved, and signed by the Chair.

Items 4(f) 4(g) 5(b) and 5(d) were brought forward for Jim Stabler to update on. He then left. They have been minuted in Agenda Order.

4. Matters Arising

(a) Cycling

It was noted that there were no new items relevant to our group in the 6th Dec 2011 minutes of the Shropshire Cycle Forum. Zia reported that the BHS have a film out 'stop, stand, speak' to raise cyclists awareness of equestrians. Alison Kennedy did a report to the LAF meeting on 1st May 2012; she stated that cycle tracks adjacent to roads cannot be available to horse riders under the Cycle Track Act 1984. Use of other cycle routes away from roads will be allowed for equestrian use, but would depend on width, headroom, structures, objections from landowners, lack of linkage with other routes, and local considerations such as proximity to railway lines.

(b) National Grid Power Lines

A decision on the routes keeps being delayed. It is noted that up to date information on the project is available on www.nationalgrid.com/midwalesconnection

(c) Public Forest Estate in England – Independent Panel on Forestry

It is noted that the final Report is to be published on 4th July 2012 and that the May 2012 Newsletter, together with other reports and up to date information, is available on <http://www.defra.gov.uk/forestrypanel/>. There was no horse riding representative on the Panel. Zia highlighted the fact that equestrian access is barely mentioned in consultation documents. In a May 2012 report, on the list of uses of routes, walking, cycling etc and orienteering and picnicking etc are mentioned but not horse riding. Under ‘key points’ of ‘what people use woodlands for’, exercise is consistently cited as the most common exercise in woodland visiting, which includes walking, running and cycling. It states that horse riding is still a minority activity mentioned by only 4% of UK respondents who had visited woodlands. From a total data set of 2,566 interviews only 0.5% reported horse riding. Zia wondered where they did their surveying. In the café?! John said that at the FC Office at Whitcliffe, near Ludlow he overheard that they had had long discussions with the ramblers. Zia pointed out that even cyclists were not represented on the Panel. There is concern that if the F.C. passes on management of woodland to other organisations, many do not encourage equestrian access. Horse riders currently have free access to Shropshire F.C. Forestry.

(d) Draft National Planning Policy Framework – SAMDev Preferred Options Consultation

Our Forum has been consulted on this since our last meeting. The final date for responses has now been extended to 20th July 2012. Zia went through some bullet points to raise, and asked for any additional points that members thought should be included to be sent to her a.s.a.p. Members raised concerns over building on and by bridleways, and the fact that they are no longer being consulted when riding routes are affected by planning applications. Church Stretton’s SAMDev sites include land crossed by the Jack Mytton Way. Concern was also raised that with more housing being put in country areas with no local work, country lanes become commuter routes. Housing should be built near where the jobs are so people can cycle and walk to work.

Agreed that Zia would respond on behalf of the Forum

(e) Proposed wind turbines by Jack Mytton Way at Meadowley, Morville.

Tests are still being carried out at the site. A planning application has not yet been submitted. Jan reported that a bridleway that joins the Jack Mytton Way, but is not part of it, runs right through the proposed turbine site and is blocked by oil seed rape and wheat. Shona will check the definitive line, as there was a diversion of a route in this area. If this is an enforcement issue she will follow it up. It is important these routes are kept clear.

An Inspector has made a landmark decision on a case on the east side of England. It was turned down as a result of the material harm it would cause to the character and appearance of a sensitive area, with local people’s views being considered. John reported that a scheme for 6 130m turbines at Brineton, opposite to the main gates to Weston Park, has also been turned down.

(f) “Paths for Communities”

Jim reported that this is a Natural England scheme and they have allocated 2 million pounds to it over the next two years, but they keep expanding the rules and regulations for it. There are problems with it, as any scheme put forward has to create a right of way, which is not easy, and it also cannot contain any government matched funding, which is not the case with other schemes. Jim said that you would be able to do matched volunteer time, but Zia said even this was being questioned. Jim and Zia are working on Humphrey Kynaston Way, including some new routes planned on Council land. Jim is writing the expression of interest for it for the “Paths for Communities”. He is also working on two or three other projects; one hopefully on the old railway line to the east of Much Wenlock, owned by Lady Forrester, which is currently the permissive route section of the Jack Mytton Way. Dedication of permissive routes can be included.

(g) Humphrey Kynaston Way and new linking circular routes

These are being put forward for “Paths for Communities” see 4. (f) “Paths for Communities”.

(h) Defra Stewardship Routes

A new route near Westbury has only just come on the website, but it expires on 30.9. 2014. The delay had been due to mapping issues, but Gill Meehan told Zia that locals were aware of it. Sukhy Toora is the new lead on Defra Stewardship access for Shropshire. He is based in Telford on 03000603967. Zia reported that they have had problems recently on the Natural England website. All the current Shropshire permissive bridleway routes had been taken off and replaced by all the routes that had expired. She highlighted this error to them and they rectified it. Zia has been trying for years to get the heading on permissive bridleways to be changed from 'Countryside Walks Summary' to 'Country Walks and Rides' and asked whilst they were updating the website if this could be done. The heading has now, at last, been changed. There are no other routes to come on, and no funding for new routes, or for renewing the existing ones, but Gill did say that providing free permissive access could give extra scoring for schemes. There is funding available for furniture. This may encourage landowners to put access in, or encourage them to continue with existing routes. Rosemary reported that many smaller landowners are coming out of Stewardship.

(i) Any other matters arising not on the Agenda

Helicopter Meeting - It is noted that this was held at 7 p.m. prior to the start of tonight's meeting. The next meeting will be held at RAF Shawbury at around May time next year. Zia emphasised how important it is to inform RAF Shawbury if a horse event is taking place locally. They have asked that people let them know. They need to be aware, and will avoid the area where possible.

5. Shropshire Council

(a) Staff, Restructuring, & Budgetary situation

Shona reported that Richard Knight now has a full complement of staff, but Phil Betts, one of the Access Maintenance Officers, who also does P3, is leaving at the end of the month. They will recruit for a replacement. Following the budget cuts they are looking at other sources for funding, but this cannot be used for statutory work.

(b) Shropshire Riding website

Jim Stabler reported that he had hoped, as part of the Sustainable Transport Fund, to bring riding in on the cycling website which is being created but, due to difficulties with the website design, cycling want to keep it as their own. He will look at getting funding to expand the riding website and bring it more in line with the walking site and make it map based. Jim would welcome any input, including pictures, for the riding website, which should be sent to him on Jim.Stabler@shropshire.gov.uk. Zia suggested parking and pubs information. Sue suggested circular routes. Jim will set up a link to the RAF Shawbury website. He will get together with Zia to look at contents for the site www.shropshireriding.co.uk He said that it was very important to get information about the website out to a wider audience, especially younger people and things like face book could help to do this. Angela suggested that claims could be put on, and the need for user evidence highlighted, so people were aware of the need for this. Also public inquiry details should be put on so people knew to attend, and understand the importance of speaking to their user evidence. It is possible to give people time slots to speak at Inquiries. Angela was concerned as she had found her signature on one of her claims on the internet. This should not have happened, as signatures should be blocked out under data protection. Shona was looking into the way claims are put on the Council's website, especially where there could be intimidation. There can be conflict between data protection, freedom of information and the statutory requirements of the CROW Act. The present system where claimants have to serve notices is also being looked at.

(c) Countryside Access Implementation Team

Richard Knight reported to Zia that his team have had no major problems due to the weather, apart from a couple of trees down, and they are now focussing on vegetation clearance, keeping routes

previously cleared open, and doing annual topping. Routes to be opened up following Public Inquiry decisions are being addressed, with the gates at Benthall Hall, Broseley, going to be done. Wooden gates had to be ordered. Members queried why it is taking so long to open up this route; they had offered to help. It was reported that Telford riders were also angry over the delay. Shona said confirmed routes should be prioritised. She will follow up on this with Richard. Zia reported that the width encroachment on the central section of the confirmed RB at Molverley, has still not been reinstated. The width was the main reason for a second Inquiry. Shona will pursue this.

(d) Outdoor Recreation User Survey

There had been an excellent response from horse riders. Jim did a presentation to LAF and reported that under the main reason for using Shropshire rights way, out of 980 responses giving postcodes, 79.3% put walking, 11.9% cycling, and 28.9% put horse riding. In answer to what would help you get out more, 50.3% put more circular bridleways, and 45.1 % put better rights of way information. Suggestions put forward included: please provide more bridleways to avoid using the busy main roads as the only form of exercising horses; please make the paths clear and safe to use, as more would be great, but start with insisting farmers make the existing ones useable. Village map boards showing rights of way were also suggested, and that more bridleways are needed in the North Shropshire area, and, under suggestions for Shropshire Parks and Countryside sites, more multi user tracks. Zia pointed out that these are important for the disabled, wheelchair users, and those with pushchairs, as more kissing gates are being put on walking routes. Zia highlighted the fact that the form was geared towards walking, so riders found it difficult to answer properly. Also when asking about what routes you used most, only one could be ticked and bridleways came first so everyone would have ticked that and not the circular routes that followed. Jim said he will put a section in for horse riding, but emphasised how important it is for everyone both in, and visiting, Shropshire to fill in the Survey. They need to identify trends, both up and down, to make decisions on how to prioritise their limited funds and workforce. It needs to get out to a wider audience. Younger people would perhaps fill it in if it is put out on face book or something similar.

6. Public Inquiries and Definitive Map Issues

Broseley – BW addition Chapel Lane to Lodge Lane. Shona reported that Mrs. Skidmore has made an appeal to the High Court on the line at one end. SCC has been named as the second defendant as they made the order. The Inspector's decision letter had provided an opportunity for further representations. The Inspectorate, after the Inquiry, sent Angela a copy of a letter from Lord Forrester's Agents to Mrs. Skidmore that stated that she had moved the route across on to their land, but this was not brought to the Inquiry. Shona explained that following the first Inquiry there was an issue over the width and line. The letter came in late on the second bit, but the Inspector had seen it. A second decision letter from the Inspector then confused things more, giving her a loophole to appeal. It is awful that just because of a couple of words it may be necessary to go through it all over again. This is why it is important that everything is spot on. This was an old order. They have to be much more stringent now, with the description and Order plans, especially for historical claims, so they use the OS 1902 for evidence of the line. Having the line spot on is also important for any future enforcement.

Barrow – Ped has been out to look at all the confirmed routes. The hold up over gates was discussed under 5(c). **Linghams Dingle RB** may take a while to open up, as work is delayed due to the nesting season, but the rest should get priority.

Benthall Woods FP 65 upgrade – Lucy has got the three principal landowners to agree. This has to be ratified by the trustees, and hopefully then agreed. This would then be a dedication.

Badger Wood – Lucy followed up on the BW dedication but got no response. Following the Badger Inquiry, she will follow this up again.

Badger - The Inquiry is on 25th July

Culmington - FP addition – The objection by the BHS that it should be a BW goes to Public Inquiry on 25 September.

Oaks Wood – Shona has not made any progress on this, but she will now be dealing with it.

Frodesley – Shona had received a complaint over the obstructions there. It is on her list to do this year.

Drumbles Wood – Mat will now be dealing with the last section of this bridleway BW claim. The other two sections are confirmed as bridleways. The Order was published years ago. It needs to be resolved.

Brogyntyn - Mat is dealing with the proposed diversion of this old carriage-driving route. They want to divert it away from the house. It is understood that BW gates have obstructed this route for carriage drivers. Horse riders can get through, but the legal RB route must be enforced.

Llanyblodwel – There are still two Orders to be sent to the Inspectorate including one for BW. Lucy has been very busy on other issues, but they hope to get to it soon.

St Martins – this is with the Planning Inspectorate. Old Moors Lane is currently under negotiation with the Planning Inspectorate. It is an old order, and the land ownership of one small section of this old road is not known. If they don't find an owner they may have to put a notice on site. They are seeking dispensation to do the owner/occupier notice, which covers them. The Inspectorate is now very strict on having all the details of land ownership.

Hilton – is still awaiting publication of the Order.

Shona has been asked to speak to LAF about claiming Lost Ways. Zia pointed out that we all need to address Lost Ways as the 2026 dead line is getting closer.

7. Defra Consultation – Improvement to the policy and legal framework for public rights of way

The Ministerial Foreword/List of Questions on the consultation proposals, attached to the Agenda marked B, are noted. The consultation runs until the 6th August 2012, and the full document is available on <http://www.defra.gov.uk/consult/2012/05/14/improve-rights-of-way/>. Shona reported that they are looking at the 2026 date for historical claims, but with ways to preserve routes that are currently used. Zia raised the point as to what would happen to routes that were used, but then blocked when claimed, and which have not been resolved. Shona said that in the Consultation they are also looking at different ways to amend legislation, and are proposing a system to speed things up. There is a proposal to do evidential tests much early on in the procedures. The Applicants would not have to submit documents/maps, if they are already held by the Authority. As an Officer she has mixed views, as to fill in an evidential test you need to do fairly decent research anyway, and would not have the maps etc to hand. Angela said that if a claim is based on legal documents, such as quarter sessions etc., and there has been no stopping up order, that should just go straight through. Zia said landowners have taken over public routes in the past, and people have not had the knowledge to challenge them. Shona said that under these proposals an Authority would be able to claim routes. Shropshire has the knowledge from the lost ways pilot, so could be proactive. It is important that we focus on routes that provide links and form part of a useful network. The consultation also asks if the same processes and appeals should be applied for public path orders – diversions and extinguishments. Shropshire is already quite proactive on these. Planning is also covered. It is important that rights of way are properly addressed when planning applications are submitted. The BHS will be looking at this consultation, and it is also coming to a special meeting of LAF.

Agreed – That Zia will do a response on behalf of this Forum.

8. Highways

(a) **Traffic Regulation Orders** – A Government Consultation in April, on removing the requirement to publish TRO's in newspapers, was missed by LAF and Zia only found out about it from an editorial in the Shropshire Star, too late to respond. She picks them up from newspapers.

Zia has discovered that it is not legally possible to make a TRO on equestrians on public roads. Section 60 of the Wildlife & Countryside Act 1981 only applies to public paths and BOATS.

(b) Provision of a Definitive Map showing status of Shropshire Highways – The GLEAM report on the outcome of the Fortune v Wilts CC and Taylor Wimpey case following the appeal judgement on 20th March 2012 attached to the Agenda marked C is noted. As agreed at the last meeting, Zia has raised this at LAF, and it is on the next LAF Agenda. There is a lot of discussion at present on LAF's 'Huddle' website on the status and signing of UCR's.

Andrew reported that the Highways Records Working Group proposes to hold a meeting on 5th July, with Dave Waterman, on the Defra consultation, which they are inviting Shona to. Following the High Court Fortune case judgement they are trying to look at the repercussions of this court case; this has an effect on Rights of Way because of the NERC Act. He has spoken to George Lawrence, the QC who lost in this case, and he would like to be involved. Andrew said that the List of Streets should contain all Definitive Map Public Rights of Way that are publicly maintainable; not all of them are. Zia confirmed that Shropshire do have a digital map. This is on the Shropshire Council website, and shows Highways and Public Rights of Way.

9. Minutes and Feedback from LAFs and other Forums (not already covered)

The Minutes of the Local Access Forum Meeting held on 13th January 2012 (paper D), and that the next meeting will be held at Acton Scott Working Farm at 10am on Monday 9th July 2012 are noted. Zia reported that items suggested for future meetings include clearer definition for control of dogs, and Shona Butter to outline procedures and requirements for registering claims for Lost Ways. Andrew said he might attend the 9th July meeting to give a statement on Highways.

10. Items to note

Natural England's consultation on the future management of National Trails, which ends on 5th July 2012, and is available on <http://www.naturalengland.org.uk>. There are no National horse trails in Shropshire, but some sections of Offa's Dyke have Bridleway status.

11. Any other Business

Chinese Lanterns – There is still concern over these. There have been recent reports of fires caused by them. A tiny piece of wire can kill an animal, it can work its way up into the heart. Judy said there is a website on Chinese Lanterns.

Agreed that we continue pressure to get these banned.

Zia read a report that Tameside Council has been fined £12,000 for not maintaining a bridleway.

The CLA has put out a report "Clearing Hurdles" supporting the equine business sector, but in other documents are not supporting access. To support equine businesses, good off-road access is needed.

12. Dates of the Next Meetings The next meeting is to be on Monday 1st October 2012. The provisional date for the following AGM meeting of 11th February 2013 is confirmed. Meetings are to be held in the Wenlock Room, Shirehall at 7.00 p.m. for 7.30 pm.