



Committee and Date
Shropshire Local Access Forum
11 July 2013
10.00 am

Item
2
Public

MINUTES OF A MEETING OF THE SHROPSHIRE LOCAL ACCESS FORUM HELD ON THURSDAY, 11 APRIL 2013 AT 10.00 AM IN THE SHREWSBURY ROOM, SHIREHALL, SHREWSBURY, SY2 6ND

10.00 am – 12.37 pm

Responsible Officer

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PRESENT:

Jane Ing (Chairman)

Stephen Bell, Gareph Boxley (up to and including Minute No. 45), Peter Carr, David Cowell, Margaret Markland, Janet Mees-Robinson, Stuart Morgan, Dr Jane Morris, Alison Parker, Roger Plowden, Zia Robins and Madge Shineton.

OFFICERS:

Miranda Ashwell, Public Health Programme, Lead-Physical Activity, Shropshire Council
Tim Coleshaw, Natural England
Andy Savage, Highways Development Control, Shropshire Council
Jim Stabler, Countryside Access Development Officer
Linda Jeavons, Committee Officer

41. APOLOGIES FOR ABSENCE / WELCOME

The Chairman welcomed everyone to the meeting.

Apologies for absence were received from:

Members:

Richard Cotham, Pauline Dee, Mark Weston and Paul Wynn

42. MINUTES

42.1 RESOLVED:

That the Minutes of the last meeting held on 31 January 2013 be approved and signed by the Chairman as a correct record, subject to the following amendments:

ACTION

ACTION

- i. Page 24, third paragraph to read, “.....planning applications, but not the British Horse Society.”
- ii. Page 24, final paragraph to read, “.....quiet country lanes were taken into account during the application process, and.....”
- iii. Page 28, final paragraph to read, “.....a better ‘bed-fellow’ for Natural England would be the Forestry Commission.”

42.2 Arising on the minutes:

(i) Major Planning Applications and LAF Consultation

Minute No. 33, paragraph six - it was noted that the ‘Action Point’ that the Ramblers’ Association, when making comments on planning applications on Shropshire Council’s website, would be listed as coming from a consultee, rather than from a member of the public, had not been actioned. Jim Stabler agreed to chase.

JS

It was noted that Stuart Thomas who addressed the last meeting, had now left Shropshire Council.

With reference to the resolution detailed at Minute No. 33, whereby it was resolved that a member of this Shropshire Local Access Forum be designated as the contact person to make comments on planning applications affecting rights of way, it was noted that planning applications were regularly checked by members of this SLAF, and also by others not on this Forum but who were representatives of other groups/bodies and who responded to planning applications that affected their respective group/body. In the ensuing debate, Jim Stabler volunteered to take on the role of checking for appropriate planning applications that warranted comments from this Forum. In doing so, he would alert members by creating a post on Yammer. He would then approach the most appropriate member to make comments on behalf of this Forum. The Chair urged everyone to make JS aware of any appropriate planning applications.

JS

RESOLVED: That the Countryside Access Development Officer, in consultation with the most appropriate member of the Shropshire Local Access Forum, be nominated to act as the contact person to make comments on major planning applications affecting rights of way.

- (ii) Commons – Clarity of Access – Jim Stabler confirmed that Shona Butter, Mapping and Enforcement Team Leader, would attend a future meeting to provide a progress report.

ACTION

- (iii) Internal Annual Report – Jim Stabler explained that more pressing projects, eg Paths for Communities, had impacted on his workload, therefore progression of the Internal Annual Report had been delayed. The report would be presented to the next meeting.
- (iv) Verges – Andy Savage explained that Shropshire Council (SC) had standard operating procedures for dealing with encroachment, removal of stones and other encroachments etc. These were available on the website; however, as the link was currently unavailable, a copy of the procedures would be distributed to members of this Forum. SC would make the local operative aware of any issues, and any incident would be dealt with within resources.

JS

In response to questions, he responded as follows:

- SC had a duty to ensure highways were kept clear; and in the first instance, a 'soft approach' would be taken. Initially, SC would approach the landowner, inform them that they were transgressing onto the highway, make them aware of relevant Acts, laws and/or regulations, and give them one month's notice to remove or correct any encroachment. If nothing had been done after that time, SC would then serve notice on the landowner giving them a further 28 days; and if after that time, nothing had been done, there would be no other recourse but to take them to court. Once a Court Order had been made, SC could then arrange for the obstruction to be removed at the landowner's expense;
- If it was determined that sufficient carriageway had been affected, or there was a reason why a piece of land was required, SC had the option, at the landowner's expense, to return the land back to its previous condition;
- Following the sale of a property, this approach to issue a Stopping –Up Order could also be used to negate the need to demolish buildings, which had been erected by a previous incumbent and which encroached onto highway land. Although this action was usually done as a last resort, and each case would be assessed on its own merits; and
- All users' needs were taken into account.

In the ensuing debate, and in response to the above, members of the LAF expressed serious concerns that the comments made, and detailed in bullet point No. 3, gave the message that SC condoned criminal activity, and it was acceptable to build on verges/highways. It was imperative that all verges were kept clear, retained and maintained appropriately, and SC had a duty of care to do so. Verges were very important to non-motorised users', ie horse riders and walkers, to get out of the way of motorised traffic.

The Chair reminded everyone that they had a duty to report obvious encroachment, although the process of getting it put right was a lengthy drawn-out process.

(v) Mountain Biking on the Long Mynd

David Cowell explained that two representatives from Sport England working at Attingham Park and on the Long Mynd had been shortlisted for an award for their work to help coordinate and promote better relations between the horse riding and mountain biking fraternity. However, prior to this, a group of mountain bikers' and horse riders' had been formed to help identify problems, and this was proving successful. Feedback, particularly from horse riders, had generally been positive with regard to mountain bikers.

With reference to minute No. 36, he explained that although the National Trust had indicated on MTB maps that some routes were 'fast routes', this was actually a way of alerting people to the fact that it was a route that they might want to avoid rather than use.

DC explained that areas of erosion had been identified on the Long Mynd, and as a way of easing the pressure on the Long Mynd within the Natural Trust boundary, the NT were considering using some of the rights of way and tracks on Forestry Commission ground. A liaison group had been set up for users of the Long Mynd, and included representatives from the horse riding, mountain biking and walking fraternities, and a Ranger from the Forestry Commission. Mountain bikers' had agreed not to use some tracks during the winter months; however, this sometimes resulted in them using other routes/tracks and moving the issue elsewhere.

43. PUBLIC QUESTION TIME

There were no public questions.

44. DISCLOSABLE PECUNIARY INTERESTS

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

45. AVAILABILITY, ACCURACY AND RELEVANCE OF THE HIGHWAYS

Andy Savage, Highways Development Control, Shropshire Council was in attendance. He explained that work to synchronise the List of Streets with

ACTION

the Definitive Map was ongoing, and as much work as possible was being done within resources. Unfortunately, there had been a number of instances when work had been lost following a refresh of the system; and the Officer responsible for dealing with the List of Streets would be leaving shortly and the role would not be replaced. Shropshire Council was changing and it would shortly become a commissioning authority, and accordingly, the GIS and mapping service might well be delivered by an outside body from 2014 onwards. In the meantime, Officers' would do their best to ensure the data was as up-to-date as possible prior to being outsourced.

In response to questions, AS explained that there would probably be key people in key roles, and 'Area Managers' would commission the approved external providers to provide relevant information. There would be one point of contact for each of the north, south and central areas, along with a Strategic Commissioner who covered the whole of the SC area and who would be responsible for setting policy and setting standard operating procedures. As and when roles and posts had been established, a definitive list of key personnel would be made available, and contact details etc would be disseminated to members of this LAF via the Committee Officer.

AS/LJ

Cllr Madge Shingleton provided an overview of ip&e the commissioning organisation set up by Shropshire Council. ip&e group limited (Inspiring Partnerships and Enterprise) was a new trading company owned by Shropshire Council. It would provide public services on the Council's behalf and would be able to trade with other organisations. The Council would reinvest profit from trading into service provision.

In response to further questions and comments, AS explained that, at this point in time, he could not confirm the position with regard to Rights of Way. Chris Edwards, Area Director, was currently responsible for overseeing highways, and was possibly the best contact person for members of this LAF at this point in time.

In the ensuing debate, members of the LAF expressed serious concerns that information had been lost, and commented that, despite all the changes that were happening and would happen as a consequence of outsourcing, they hoped that maps had not and would not be incinerated or lost; and electronic back-up copies should have been made with regard to all electronic corrections. It was noted that some two/three years' ago, following significant investment and effort, the Rights of Way team had surveyed the UCRs, particularly where unsurfaced highways and rights of way traversed, and had produced copies of maps which would inform a strategic recreation plan – again, they expressed their concerns that this information should not be lost.

A member of the LAF commented that, hopefully, the UCR survey work was ongoing. As a result of Highways outsourcing the checking of their maps much information had been lost with bits of road omitted; but she had been informed then that a 2% margin of error was acceptable. It is very concerning that parts of roads, verges and ends of road were being 'lost', and further

knowledge would and had been lost as a result of staff leaving. A further member commented that much information had been lost when Telford and Wrekin had become a Unitary Authority, and they hoped this would not be repeated. Handover maps were special.

Members of the LAF agreed that it was imperative that all previous highway maps from 1929 onwards should be digitally copied and archived.

RESOLVED: that a strongly worded letter be sent to an appropriate person at both Shropshire Council and Telford and Wrekin Council, expressing this Forum's concerns that it was vitally important that paper copies of all the following highway maps held in the Highway office should be digitally copied and archived, and back-up paper copies should be produced immediately:

- 1929 Handover Map;
- 1st Edition County of Salop Maps of County Roads (two black books);
- 2nd Edition 6~" sheets edition of 1929 (four books – including 1 book of Telford area);
- 1960s to 1980s – four books; and
- Current Maps of Highway Definitive Register.

46. DEDICATION OF ACCESS ON NATIONAL NATURE RESERVES

Tim Coleshaw, Natural England (NE), was in attendance and provided an update on the project to dedicate access on national nature reserves. He explained that the CROW Act provided provision, in addition to the access already provided within the County, for landowners to declare further areas of land for public access to land in perpetuity. NE managed 450 nature reserves around the Country, three of which were in or partly within Shropshire, namely, Stiperstones, Fenns and Whixall Mosses, and Wyre Forest which straddled the Shropshire/Worcestershire border. In terms of the dedication of NNRs, the default position from NE is that all parks and heritable NNRs would be dedicated for permanent public access - so unless there was a good reason for not doing so then they would be dedicated. NE was currently one year into a four year programme to assess all the NNRs for their suitability for dedication. There were a couple of considerations that affected suitability for dedication - namely, tenure which was a big issue as NE only actually owned a third of the sites they managed, so consequently, there would be some sites on which NE would not have the powers to dedicate access; and, it had to be remembered that sites were held publicly and primarily for nature conservation, so although access was important to NE, they had to ensure that the granting of access did not significantly impact on any conservation interest. In some areas access would be dedicated with restrictions, eg if disturbance was an issue then access might be restricted during breeding seasons. The overall policy was that non-dedication would be an exceptional case. Consideration would also be given to upgrading areas for horse and cycle access, but, again the conservation interest would be taken into account before granting such access.

ACTION

The position so far - Wyre Forest (WF) was currently being assessed. The site was being considered as a whole in terms of dedication. Every path that ran through the area would be checked and the potential impact on conservation by granting increased access rights would be assessed.

In conclusion, TC explained that NE had recently, along with the Forestry Commission and other major landowners, embarked on Landscape Partnership Project within WF, which would ensure an integrated management approach to that area.

In response to questions, he responded as follows:

Generally, dogs, eg dog fouling and commercial dog enterprises, were becoming a major issue on many sites, so this was something that was being looked at on a national basis. Local restrictions had been applied in some areas, but, at this point in time, there was no holistic approach.

Every single route within the Wyre Forest National Nature Reserve, including the disused railway line which linked back into Shropshire, would be considered and, hopefully, be open to all. Much of the land within the WF came under the ownership of the Worgan Trust, and they would be consulted on any proposal.

He was not sure what the process was for consulting/liasing with local people with regard to dedication of the Stiperstones. This area was already access land, but consideration would still be given to the dedication of this area. In general, the NE had a good idea on what routes people wanted. In terms of higher rights, every route would be looked at with regard to its suitability. TC confirmed that this LAF would be consulted on any proposals put forward by NE relating to the Stiperstones and Whixall Meres and Mosses.

A member of the Forum commented that she hoped wear and tear would not be taken into account when deciding on suitability of routes, as bridleways had been lost and previously been downgraded as a result of wear from other users using the routes in the past.

TC further updated the meeting as follows:

- In response to concerns, he confirmed NE's continued commitment to all LAFs – however, in the current economic climate, staffing was an issue and this ultimately had an impact on their ability to attend all meetings of LAFs. Also, at this point in time, Defra's priorities had changed and they were currently focussing on community initiatives rather than LAFs.
- National Trails – arrangements were changing and focus had moved to local funding rather than central funding; and

ACTION

- NE was currently undergoing its Triennial review with Defra, and the outcome of this was expected in June. Other Defra bodies were now also being considered as part of this process.

The Chair confirmed that the comments of this LAF with regard to the Triennial Review had been submitted and acknowledged.

National Trails Review – TC confirmed that the NE report detailing the outcomes of the National Trails review report had been published but, as yet, was not on Huddle; and JS agreed that this would be uploaded to Yammer.

JS

47. UPDATE ON PUBLIC HEALTH

Miranda Ashwell, Public Health Programme Lead – Physical Activity, Shropshire Council, was in attendance and presented an item entitled “LAFs and Public Health” (a copy of which would be appended to the signed minutes), and answered questions from the floor.

She explained that:

- NHS Health Checks – These were checks offered to all between the ages of 40 and 74 once every five years, and for those who had not already been diagnosed with certain risk factors such as high blood pressure or high cholesterol. However, not all GP practices had signed up to it;
- MENE survey (Monitor of Engagement with the Natural Environment) – This was a survey commissioned by Defra and the Forestry Commission to provide baseline and trend data on how people use the natural environment in England; and
- Access to green spaces and physical activity is important to health and NICE guidance could be used by LAF as a tool to further access.

A member of the Forum pointed out that published promoted routes gave people the confidence to go out and exercise on foot, bike and horseback.

48. OUTDOOR RECREATION ONLINE USER SURVEY – UPDATE

Jim Stabler presented the survey results from the Outdoor Recreation Online User Survey (a copy of which would be appended to the signed minutes). He explained that 900 people had responded, and more analysis based on geographical areas would follow.

In response to questions, he responded as follows:

- The surveys would be used to produce trends, but this would probably be undertaken next year given that there was only two years’ worth of data at this point in time; and

ACTION

- In response to comments that footpath signs were directing people in the wrong direction, JS urged everyone to let him have the location of such signs and he would arrange for them to be realigned correctly.

A member of the Forum commented that a number of questions had been particularly aimed at walkers; there were sections that horse riders and cyclists could not respond to; reference had only been made to the Walking website; and the survey needed to be more inclusive.

49. PROJECTS UPDATE

Jim Stabler provided updates on the following:

- 49.1** Paths for Communities - One bid Humphrey Kynaston Way with circular routes off had been completed. He commented that the forms had taken a considerable amount of time and had been particularly frustrating to complete. Two further bids, namely the Oswestry Loop, which was awaiting match-funding, and the Colemere and Brown Moss application which had been delayed due to a delay in obtaining the required permissions from Natural England, were currently ongoing and would hopefully be considered by Natural England at a forthcoming Board Meeting.
- 49.2** Heritage Lottery Project – This was a project based in and around Shrewsbury and would allow walkers', via a downloaded App, to access silos of information and discover the local heritage, ie the Flax Mill, and Darwin's House.
- 49.3** Shropshire Way Art Project – The aim of this project, in conjunction with the Arts Council, was to produce pieces of art along the Shropshire Way using the landscape as inspiration.
- 49.4** Pilgrim Trail – Project to recreate the pilgrim trail undertaken by Henry V following his victory at the Battle of Agincourt. The route would start at Shrewsbury Abbey and continue through to Flintshire and taking in the holy wells en-route.
- 49.5** LAF National Conference – Minutes on Huddle. The Conference was very successful and Shropshire Council had the highest rating for its workshop. All pertinent documents would be uploaded onto Yammer. **JS**
- 49.6** UCRs and Black Way-markers - SC was now using black arrows on UCRs. As a result of ongoing maintenance, SC's website had not been updated to explain the status behind each waymarkers, eg yellow = footpaths, blue = bridleway, plum = restricted byway, red = boat, black = UCRs. This would be done as soon as possible. **JS**

50. FEEDBACK FROM OTHER FORUMS AND ITEMS FOR NOTING	ACTION
50.1 The following items, were noted: (i) Investment in Cycle Infrastructure (ii) The Shropshire Way Long Distance Footpath – It was agreed that Deb Hughes, Outdoor Recreation Manager, Shropshire Council, be thanked for an informative, well-written report. (iii) Regional LAF Coordinator – Jim Stabler informed the meeting that Shona Butter, Mapping and Enforcement Team Leader, Shropshire Council would be taking on the role of Regional LAF Coordinator.	Chair
50.2 <u>Minutes / Papers</u> The following minutes / papers, which were circulated with the agenda for information, were noted: (i) <u>Central Walking Forum</u> – Minutes of the meeting held on 23 January 2013 (marked 10.2(a)) (ii) <u>Shropshire Riding and Carriage Driving Forum</u> – Minutes of the meeting held on 1 October 2012 (marked 10.2(b)) In response to comments from the floor relating to the parking provision in and around walking areas, JS explained that they were currently undertaking an exercise to identify those public houses that would be willing to permit walkers to use their car parks. Leaflets would be produced advertising such public houses, and walkers’ might then take up the opportunity to enjoy lunch and a pint on their return. He urged anyone to let him know of such public houses, and also any village halls. The use of church car parks was also suggested.	ALL
50.3 Future Meetings (a) The following agenda items were suggested for forthcoming meetings: No items were suggested. (b) Members were made aware of items on Huddle that might be of interest: Access on Waterways; Evidence base on unrecorded roads, paths and ways; and Use of invalid carriages/mobility scooters on Rights of Way. Links to be emailed to JS for uploading onto Yammer.	ZR/JS

ACTION

(c) Future meetings for 2013/14 are as follows:

2013

Thursday, 11 July 2013 Acton Scott
Thursday, 17 October 2013

2014

Thursday, 6 February 2014
Thursday, 1 May 2014

All meetings to commence at 10.00 am and held at Shirehall unless stated otherwise.

Chairman.....

Date.....