

10.2(b)

SHROPSHIRE RIDING AND CARRIAGE DRIVING FORUM (SRCDF)

Minutes of meeting held on Monday 1st October 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. Linda Russell, South West Shrewsbury BWG. Joint Secretary. Ann Durnell, Bridgnorth BWA. Jan Baldwin & Margaret Dutton, Broseley Bridleways. Sue Evans, Beckbury, Ryton & Badger BWG. Gill Eyre, BHS South Shropshire East, South Shropshire & Long Mynd BWA. Andrew Kelly, Vyrnwy & Dist. BWA. Jan Mees Robinson, Telford. Steve Benbow, Oswestry Riding Club. Shona Butter, Shropshire Council

1. Apologies:

Dorothy Billings, Carriage Driving, Bridgnorth. Gaynor Evans, Broseley Bridleways. Carol Williams, Long Mynd & Dist BWA. Mark Weston BHS. Judy Dickenson, Church Preen & District. Anthony Francis-Jones, Telford BWA. Jim Stabler, Shropshire Council.

2. Minutes of the last meeting

The minutes of the meeting held on Monday 11th June 2012 (paper A) were approved, and signed by the Chair.

A number of Agenda items were brought forward for Shona Butter to update on, and she then left at 8.45pm. They have been minuted in Agenda Order.

3. Matters Arising

(a) Cycling

It is noted that, apart from work starting on boundary work for the shared path alongside the A488 near Pontesbury, and the ANOB helping to promote the Pontesbury-Malehurst section of the old railway line, there were no new items relevant to our group in the 27th March 2012 minutes of the Shropshire Cycle Forum. The BHS new leaflet 'Code of Conduct Equestrians & Cyclists' is noted. Jan MR sent Zia a report on a decision on an Order made by Suffolk County Council. Between 1968 and 2006, cyclist's use provides evidence for a bridleway, but before 1968, and after 2nd May 2006 until the cut-off date, pedal cyclists' use is capable of giving rise to a Restricted Byway

(b) National Grid Power Lines

It is noted that National Grid have now announced their preferred route from Cefn Coch via Four Crosses, Maesbrook, West Felton and Queens Head to Lower Frankton, and that surveys and investigative works will now take place, with final design proposals and a final public consultation in 2013, before National Grid put in a Planning Application. Zia attended a public meeting at West Felton. She passed round Comment forms from National Grid, which some members wished to fill in. It was also emphasised that National Grid have a statutory duty to provide lines to connect the wind farms, but if wind farms are not granted these would not be necessary. Some wind farms in Wales have recently had Planning Permission turned down. 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 of the Panel was published on 4th July 2012, and extracts are attached to the Agenda. The full report is on www.defra.gov.uk/forestrypanel/. It is noted that there is a free Forest App, which gives information on parking, routes, trees, etc and it was voted in the Sunday Times top 500 in the world. Zia advised members to look on the forestry website as they are putting out questionnaires. A recent one was “Help shape the future of our Forests”

It is agreed that we should ask for equestrian routes through forestry, such as the Jack Mytton Way, Ride Shropshire routes, and links in equestrian routes, to be dedicated as Rights of Way.

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

Zia’s response to this Consultation, on behalf of the Forum, is noted. (See 6.)

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

It is understood that a planning application has still not been submitted for the Meadowley site.

Zia’s response to a planning application for two wind turbines close to RB’s 56 & 57 at Lea Hall Farm, nr Whitchurch is noted. **Members agreed** that a similar response should be sent, and followed up, in response to any other turbines applied for, which are close to public riding routes.

(f) “Paths for Communities”

Zia reported that she understood that her application for Humphrey Kynaston Way with circular routes off is still being progressed. She is meeting with Jim Stabler on Thursday to discuss it. It is hoped that the linear route from the Long Mynd via Pontesbury and Nesscliffe to Grinshill, with circular routes off, will be produced in the same format as the other Ride Shropshire Routes.

(g) Helicopter Liaison Meeting

The date put forward by RAF Shawbury of Monday 20th May at 13.30 hours, for the next meeting, is approved. The meeting will be followed by a short tour. The minutes are accepted as a correct record. A new leaflet on ‘Military Low Flying in the United Kingdom – Safety – A Guide for Horse Riders’ is noted. Zia can e-mail it, but, it is expected that copies of this will be available at the next meeting at Shawbury, and that it will also be available soon on the RAF Shawbury website. Personnel change every two years, so it is important that we continue with these meetings.

(h) Any other Matters arising not on the Agenda

Chinese Lanterns - Zia reported that there had been a petition on the Government website on banning these, but that it expired on 22nd August with only 5,220 signatures. She also reported that it is more difficult to get information on these petitions now. Members were not aware of it.

4. Shropshire Council

(a) Staff, Restructuring, & Budgetary situation

Shona reported that, following Phil Betts leaving, David Hardwick has now been appointed to his position. David previously worked on Countryside Sites in the north of the County. Lucy Stanley has joined the Shirehall Team, to deal with admin and the everyday running of the Countryside Recreation Team, which includes logging complaints and dealing with queries. Two play areas Inspectors have now been appointed for the south west of the County, which will take the pressure of Richard Knight’s team. Kate returned briefly after maternity leave, but then left. Sue raised concern over this as Kate was dealing with some diversions she was involved with. Shona assured her that these are all kept until dealt with, and that Lucy would now be dealing with them. Each of her team deals with enforcement, planning, orders, claims and diversions etc. for their area. Shona reported that there have been no changes on the Budget, but no one really knew what might happen. The Council are looking to outsource, and to the private sector, and to become more commercial. What will happen in the future may depend on the results of the election in May. ROW is a Statutory Duty.

(b) Shropshire Riding website

Zia reported that she is discussing this at her meeting with Jim Stabler on Thursday. It is important that members send in information for the website to Jim on Jim.Stabler@shropshire.gov.uk. The headings have dropped down on the pages and information is often out of date, but the site is important for people to download riding routes from. It was commented that the BHS Emagin site has some Ride Shropshire routes shown, but no reference to the fact that route leaflets for these Shropshire Council promoted routes can be downloaded from the www.shropshireriding.co.uk website. Some members found the Emagin maps difficult to use.

Gill has promoted Shropshire Bridleways on Face Book.

(c) Countryside Access Implementation Team

Richard Knight has reported to Zia that David Hardwick has now started in his new position. There are four Countryside Recreation Officers. Peter (Ped) Atkinson mainly covers the South; David Hardwick now does the Central area and down to Bishops Castle: Harvey Morgan covers the old North Shropshire and Oswestry areas: and Paul Butter is a roving Officer, supporting where necessary. They support the Parish Paths Partnership groups in their areas. They are currently interviewing for a new Recreation Maintenance Officer: the other five are Tim Simmons, Helen Beresford, Matt France, Rob Purcell, and Paul Taylor. They have done annual maintenance clearance on strategic routes including BW 12 at Ford Heath. Thieves Lane by Cruckton had to be cleared twice due to excessive growth this year. There are still some Ride Shropshire problems to resolve. Ped Atkinson has done work on the wooden BW gates at Benthall, and will be doing the work following the Broseley Public Inquiry. Work has also been done to improve the surface of the steep stony bridleways in Happy Valley, Pontesbury. They are seeking funding to do work on the bridleway by Pole Bank on the Long Mynd. UCR survey work is still ongoing. They are clearing ones in use, with work ongoing on the Kerry Ridgeway down to Bishops Castle, but they have not yet addressed blocked routes. The encroachment on the Public Inquiry confirmed Restricted Byway route at Molverley has still not been resolved. Clive Dean is to manage Nesscliffe Hills Countryside Heritage Park from 1st December. Gill reported that they now have a very active P3 Bridleway group in their area with their own website.

5. Public Inquiries and Definitive Map Issues

Broseley – BW addition Chapel Lane to Lodge Lane. Shona reported that Mrs. Skidmore's appeal to the High Court has left an anomaly, as they decided to quash the section out to the road. It could just be left, as there is a route that can be ridden on the ground. They need to talk to the various sides. It is a difficult issue as there is a dispute on the boundary, and this needs to be resolved. If they can get agreement, they can do a creation order. Lucy will follow this up.

SC Fish House Wood & Shirlett – the practical work now needs to be done.

Benthall -. This will be done over the winter, as they have to wait until after bird nesting. Richard Knight's team now have a chipper. The RB is a big clearance job. Jan Baldwin said that there were volunteers willing to help.

Benthall Woods FP65 upgrade – The National Trust is keen to get this done, and Shona had a meeting with the Severn Gorge Countryside Trust. They have an issue with mountain bikes, which could be helped if they get the Bridleway sorted. They need Natural England consent to upgrade, as this is an SSSI. Jan B said that one of the landowners was keen to get it done, and had cleared some of it. The National Trust has also cleared some and has offered to do more clearing work. It was felt that an offer of help with the clearing might help with another of the landowners.

Badger Wood – Lucy has still not had a response on this. She will go and see the landowner.

Badger - The Inquiry on 25th July was positive. The Inspector was now asking everyone for comments. Lucy will be responding as appropriate. The deadline is this Wednesday. It is hoped that following this, a decision will be made. Two people who gave evidence were upset as they were called liars. Members raised other occasions when this had happened, and people had been bullied/coerced/threatened into changing their evidence. One local Inquiry got so unpleasant that it had to be done under oath. Linda said that we should warn people. Shona is going to do clear

guidance notes. It is important to give people confidence, so that they know what is likely to happen.

Culmington - FP addition – This has been a long drawn out Inquiry. It started on Tuesday went on through Wednesday and Thursday, with the site visit on Friday. It is hoped that it will finish on Tuesday afternoon when there will be clarification on line/width from the site visit, and hopefully the closing submissions. The Inspector has been good at keeping things under control.

Oaks Wood – Shona has not time to address this, but will look it over.

Frodesley – Shona has again not had time to address this yet.

Drumbles Wood – Mat has been looking at this, so need to follow this up with him.

Brogynryn - Mat is dealing with the proposed diversion of this old carriage-driving route. Zia and Angela attended a site meeting. The diversion takes the route from a pleasant surface drive to a route through woodland overhung by trees and behind the walled garden and other outbuildings. It would have to be of adequate width and appropriately surfaced. Walkers present were not happy with this proposed route. The applicants wanted to do a much bigger diversion of the whole route, but have now come back to the original proposal for the section that passes near to the house and carriage/stable block. BW gates and cattle grids have obstructed this route for carriage drivers. Angela and Zia have both used the route. **It is agreed** that the full through route must be properly open as a Restricted Byway before any diversion can be agreed.

Llanyblodwel – Lucy is trying to get the remaining issues here resolved.

St Martins Parish – There is short stretch of unused BW to resolve as there are width queries and the route goes through a garden.

Old Moors Lane is still under negotiation with the Planning Inspectorate. The Order was for it to be a bridleway. Zia objected as the whole route is a road and Highways should sort it out. If this had been correctly shown on Highway maps it would have saved a lot of ROW time. The east section, which is not marked on current Highway maps, has been used by them as a drain for road water. Shona said that it is important that this route is now correctly shown, and that it then remains on Highways' maps.

Hilton – is still awaiting publication of the Order. Shona needs to do a site visit, as there is now the problem of the anomaly at the northern end, as, after getting it added to the definitive map, this outlet to the road at the north end was then subsequently extinguished. This was before the order for the Bridleway that it linked to was resolved. The Inspectorate has now told Shropshire Council to publish the order for the Bridleway, but too late to stop the extinguishment of its outlet.

Lea Hall Quarry – Shona did not have an update on this. Jan MR reported that Edge Renewables have a 10year lease, they have indicated that they could provide bridleway access on the site and parking. It is thought that to link these to existing routes, there would have to be agreement with the National Trust. The National Trust had proposals to link through the tunnel under the road to the quarry to the south. It is not known if this would still be a possibility unless Edge Renewables worked with the National Trust. A retrospective Planning Application has gone in. It is understood that there is a condition that the buildings be removed and the site returned to a 'natural state'. **Agreed** that this Forum supports the creation of bridleway routes here. Shona will report back to Jim Stabler.

Oswestry Rural – Angela asked if this review will ever be completed. Shona had started it and a number of officers have dealt with it. Shona thought that parish reviews are unlikely to be completed. Zia said that Ann Roberts had done a lot of work on the Oswestry Rural Review. A number of the claims are 1929 Handover Map routes that need to be correctly shown on maps.

Wrekin – Jan asked when this area would be addressed. There is a formal application in.

Shona said they have a backlog of approximately 65 formal applications, and a statement of priority, which is being reviewed. It is important that we highlight key routes that make a difference, and they can then be given higher priority. It is important to do those with user evidence, but there are not enough resources to cope with the work. Dedication is the best way to resolve where possible. The current Defra Consultation proposals may help in cases where slight line diversions are needed in order to progress dedications.

6. Natural England

Jan Mees Robinson said that the Forum should be very grateful for the excellent, professional responses Zia has done to the consultation documents, and appreciates the considerable time and effort these take, and asked for this to be minuted. All agreed and thanked Zia. There have been a number of Consultations in quick succession over the summer.

(a) Defra Consultation – Improvement to the policy and legal framework for public rights of way

Zia's response on behalf of this Forum to the consultation marked **D** is noted. This has been a complicated paper to respond to. Following discussion on this at our last meeting, Zia was on the LAF sub committee dealing with this, and also discussed it with Mark Weston, of the British Horse Society, before finalising her response.

(b) Dedication of Natural England Freehold National Nature Reserves. The information on this marked **E** is noted, and that there are two sites listed in Shropshire for completion in 2014, The Stiperstones and Fenn's Moss, Whixall, & Bettisfield Mosses. It is agreed that it is a shame on the timing of this, as the route to the top of the Stiperstones had to be given up in order to get the link in the circular route below. It is agreed that we should claim this back, including the link to the gate to the car park. There are a number of possible equestrian routes on the Mosses site, including the old railway line, but as some of these routes cross the border, it is important that Shropshire liaise with Wrexham to get routes dedicated. Andrew and Angela have been involved with routes in this area. John Gibson said there are routes that have been well used by carriage drivers there, and it is agreed that Restricted Byway status should be asked for where appropriate.

7. Highways

(a) Consultation – Stopping up and Diversion Orders: Reform of the Application Process for Local Highways

The Forum thanked Zia for her response on their behalf to this consultation, which is noted. This Consultation had come in the summer and had nearly been missed by Zia, but she just got her response done in time. Her response was used by LAF, as they had missed the deadline to respond, but unfortunately it was her draft, which had a paragraph on creating routes missing, that was sent off for the LAF response. The Government is already implementing option 1. This is to deal with planning and Highways concurrently. This will speed up the process, but consultation must still take place, and there need to be safeguards to make sure people are properly consulted, and in order that routes are not just stopped-up. Also, it is important that planners are aware of public routes and their status. A planning application at Gledrid proposed closing a track and replacing it with a gated footpath, when the track was in fact an Unclassified County Road.

(b) Provision of a Definitive Map showing status of Shropshire Highways

Shona updated on the response by Andy Savage to Shropshire LAF. There are still discrepancies on Highway's maps. She is meeting Andy to make sure that roads are correctly shown. Zia has been working on this for some years. Some roads are on, but have the last un-surfaced section, which links from the tarmac road to rights of way, missed off. Others are missing altogether. Rights of way claims have been made for routes which are in fact roads, and which should be on the current Highways Map. This is a waste of ROW's time and resources. Old Moors Lane, St Martins is one such case, and Weston Rhynn Public Inquiry was complicated due to an incorrectly shown UCR, leaving an anomaly. Shona said we need a process that fixes the status of unclassified county roads so that they remain on Highways' maps. Shropshire's online map shows both Rights of Way and maintainable Highways and these can be overlaid. If a route is highlighted it then gives information on the type of route, length, and reference number. This should be quoted when submitting a report on a route, as it saves officers a lot of time. The map cannot be viewed below 10,000, and has a disclaimer, as there may be errors. Currently, for the Definitive maps of Rights

of Way and Highways, the paper copies held at the Shirehall should be consulted, but it is hoped to consolidate and have the legal Definitive Map on line in the future. Sue Evans pointed out that the OS maps are often not updated for 5 years.

It is agreed that a demonstration of the website/maps will be helpful to Forum members. Shona agreed to organise this for a future meeting.

It is agreed that it is important that Unclassified County Roads are properly signed.

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

The Minutes of the Local Access Forum Meeting held on 1st May 2012 are noted, and that three Walking Forum inaugural meetings have taken place. The control of dogs, and how walkers are concerned over growing problems of irresponsible dog owners, was raised at LAF, and Shona spoke on Lost Ways. The next meeting of LAF is on 31st January 2013, and the following one on the 11th April 2013.

SR&CDF members raised concern that when the Forestry Commission starts charging for parking at Haughmond Hill, this will push more dog walkers to use Country Parks like Nesscliffe and Lyth Hill. Andrew stated that with regard to the recent Defra Consultation (6a), there is still the intention for Defra to work with the Highways Records Working Group. Andrew attended the last LAF meeting and gave a short statement offering his assistance to both Shropshire Council and LAF in their work into historical records relating to highways. The Chair made a statement saying that Shropshire Council would keep his letter on file and would contact him if it is felt that his services are required. Andrew said that LAF members had not responded.

Zia reported that Andy Savage had made an incorrect statement at the last LAF saying that the 1929 Handover Maps were based on evidence from Parishes, whereas they were when Rural Districts handed responsibility for highways over to the County. Andrew confirmed this. **Agreed** that Zia will ask for the minutes to be corrected.

All Local Access Forum Committee papers are available on Shropshire Council's website.

9. Items to note

It is noted that the BHS Access Conference is on 11th October 2012 when the Topics will be Commons and Historic Research. It is understood that this is now fully booked.

The Shropshire BHS AGM is on 16th October 2012 at 7.30pm at Dorrington Village Hall.

10. Any other Business

BHS Accident Website: - To note that Chinese Lanterns, bird scarers and bicycles have now been added to the list of incidents that can be reported on www.horseaccidents.org.uk

Landmark ruling on Cattle Grids – The BHS 'Tracks' magazine reports a High Court ruling on Northumberland County Council to remove a cattle grid which obstructed the bridleway at Capheaton. A through route was available, but this involved a detour from the definitive line. A Council may not authorise a cattle-grid across the full width of a footpath or bridleway.

Reopening of the Bridleway to the top of Briedden Hill – Ann Roberts has written a report on this in the BHS 'Tracks' magazine. The bridleway route up to Rodney's Pillar was blocked by a cattle grid, and it took 10 years to resolve. Steve confirmed that it was opened up in June last year. It is an excellent result and **the Forum sends congratulations on this achievement.**

CLA Report highlighted an increase in cycle use on ROW following the success of the Olympics.

11. Dates of the Next Meetings The next meeting is to be on Monday 11th February 2013. The provisional date for the following AGM meeting of 10th June 2013 is confirmed. The February meeting will be held in the Wenlock Room, Shirehall, and the June meeting in the Oswestry Room, at 7.00 p.m. for 7.30 pm.