



Committee and Date
Shropshire Local Access Forum
6 February 2014
10.00 am

Item
3
Public

MINUTES OF A MEETING OF THE SHROPSHIRE LOCAL ACCESS FORUM HELD ON THURSDAY, 17 OCTOBER 2013 AT 10.00 AM IN THE SHREWSBURY ROOM, SHIREHALL, SHREWSBURY, SY2 6ND

10.00 am – 12.06 PM

Responsible Officer

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PRESENT:

Stephen Bell, Peter Carr, Alex Carson-Taylor, Margaret Markland, Janet Mees-Robinson, Stuart Morgan, Alison Parker, Roger Plowden, Zia Robins, Jennifer Spenser and Paul Wynn.

OFFICERS:

Deb Hughes, Outdoor Recreation Manager

Shona Butter, Mapping & Enforcement Team Leader

Linda Jeavons, Committee Officer

IN ATTENDANCE:

Robert Morris, Natural England

Councillor Les Winwood, Deputy Portfolio Holder (Leisure, Libraries and Culture), Shropshire Council

1. ELECTION OF CHAIRMAN

RESOLVED: That Mr Roger Plowden be elected Chairman for the ensuing year.

2. WELCOME/INTRODUCTIONS/RESIGNATIONS/APOLOGIES FOR ABSENCE

The Chairman welcomed everyone to the meeting. The two new members, Alex Carson-Taylor and Jennifer Spenser were welcomed and introduced themselves.

It was **AGREED:** That a letter of thanks be written to both Jane Ing and Jane Morris thanking them for their dedication, valuable input and hard work during their time on the Shropshire Local Access Forum (SLAF).

ACTION

LJ/RP

Apologies for absence were received from:

Members:

Gareph Boxley, Chris Chillingworth, Richard Cotham, David Cowell and Mark Weston.

Officers:

Jim Stabler, Access Development Officer

3. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED: That Mark Weston be appointed Vice-Chairman for the ensuing year.

4. MINUTES AND MATTERS ARISING

RESOLVED:

- (i) That the Minutes of the last meeting held on 11 July 2013 be approved and signed by the Chairman as a correct record; and
- (ii) That the Committee Officer be thanked for her input to the meetings of this Shropshire Local Access Forum.

5. PUBLIC QUESTION TIME

There were no public questions.

6. 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.

7. CHANGE IN ORDER OF BUSINESS

RESOLVED: That in the absence of Mr Keith Pybus, it was agreed that item No. 8, "Better Outcomes for Upland Commons", be considered as the next item of business. (See also Minute No. 15.2(a))

8. BETTER OUTCOMES FOR UPLAND COMMONS

Mr Robert Morris, Natural England, was in attendance and gave a presentation entitled "Better Outcomes for Upland Commons", a copy of

which would be appended to the signed minutes. A copy of the Charter could be found at www.foundationforcommonland.org.uk.

He explained that the diversity of commons across England was acknowledged and care would be required in choosing case studies to ensure there was a range of ecosystem services covered and to provide a geographical spread across England. As a minimum they needed commons where the following activities / management focus were shown:

- Livestock grazing
- Sporting
- Water
- Wildlife & Habitats
- Public access
- Cultural heritage

The Long Mynd was a good example of a common with plenty of diversity, with access, land management, wildlife and conservation all playing their parts.

For each case study the proposal was for a small working group (3-4 people) drawn from the partners covering a range of sectors. This group would include a co-ordinator chosen for each case study from within the staff of the partners. Their role would be to lead the work and deliver the case study. The facilitators would meet together prior to undertaking the work to develop the methodology to ensure consistency of approach across the case studies. The co-ordinator would work with local representatives undertaking interviews, holding group sessions and drawing together data. Once the case studies had been completed the results would be considered by the partners and an event held to discuss, analyse and draw conclusions from the case studies to inform the future management of commons and the delivery of better outcomes for the full range of interests.

He answered questions from the floor and explained that the project was still at an early stage and they were still developing the methodology, undertaking research and gathering information. For further information, RM could be contacted via robert.morris@naturalengland.org.uk.

From a general access perspective and it being noted that the Long Mynd was one of the pilots, it was suggested that Mr Robert Morris be invited to a future meeting in order that members of the SLAF could be kept up to date with the progression of this project. In response to previous concerns/issues raised at meetings of the SLAF with regard to mountain biking and, in particular, cycling on the Long Mynd, it was agreed that Dave Mellor, given his interest in mountain biking/cycling, be invited to become a member of this SLAF.

9. SHROPSHIRE LOCAL ACCESS FORUM CONSTITUTION – AMENDMENT

RESOLVED: That, subject to membership of the Shropshire Local Access

Forum (SLAF) being 17 and above at all times in accordance with National Regulations SI 2007 No. 68 (Countryside, England) The Local Access Forums (England) Regulations 2007, and to accommodate Councillor Pauline Dee's request to join the SLAF in her capacity as the Local Commissioner for Brownies and Guides, the SLAF Constitution be amended to permit up to three Shropshire Councillors to sit on this Forum at any one time.

10. DRAFT DEREGULATION BILL

The Mapping and Enforcement Team Leader, Shona Butter, explained that the Draft Deregulation Bill (DRB) was published on the 1 July 2013 and put out for consultation. The aim was to simplify the rights of way legislation. She drew members' attention to the summary prepared by the Ramblers' Association as set out in the report marked '10', and the summary of responses to the consultation as prepared by DEFRA.

The DRB would now go through a process of pre-legislative scrutiny by a Joint Committee of both the House of Commons and House of Lords. The final report of the Joint Committee would be completed by 16 December 2013, and introduced to Parliament for primary legislative changes in early 2014. The relative guidance and regulations for the amended primary legislation would follow some time later.

Mark Weston, a member of the Stakeholder Working Group set up to look at what changes could happen and why, had expressed concerns with regard to the 'basic evidential test'. He was concerned that this provision as currently drafted would remove the 'reasonably alleged' test from the legislation in the Wildlife and Countryside Act 1981 altogether. While this would be acceptable in respect of cases that relied on documentary, rather than user evidence, because these would be covered by the new 'basic evidential test', it would have implications for user based claims.

In response to questions from the floor, SB explained that she was concerned with regard to the basic evidential test and what that would include, but welcomed some of the proposals which provided more freedom to be more flexible with some of the processes, eg being able to save money by advertising on line rather than advertising in the press. The Rights of Way Working Group and DEFRA were adamant that legislation should not be introduced on a piecemeal basis.

AGREED: That the summary of responses to the consultation as prepared by DEFRA be emailed to all members of this SLAF.

SB/LJ

10. SHROPSHIRE COUNCIL UPDATE

The Outdoor Recreation Manager, Deb Hughes, provided an update on the future of the Outdoor Recreation service in view of the cuts that were being

ACTION

imposed on local government, and outlined the responsibilities of the service and how it planned to respond to the budget pressures. The service had carried out a detailed analysis of customers and had identified trends that would influence how the service would be provided in the future. Trends identified had included an increased demand for free or cheap recreational activities. This had consequently put a demand on the service by virtue of an increased number of complaints with regard to rights of way users, local play areas and green space, and an increased expectation of high standards. Alongside this, there was a fall in the percentage of rights of way that were easily accessible, and through the continued monitoring of the rights of way network it was estimated that the network was now failing as a result of a decrease in investment.

Services were being asked to make between 30%-70% savings and through a business planning process, savings of £550,000 over three years had been identified in Outdoor Recreation through three main initiatives:

- Green Space Assets – these were generally found in market towns and it was envisaged that discussions would take place with Town and Parish Councils to see if the management of these spaces could be legally transferred over to them. If this approach was not successful consideration could be given to using local contractors or friends groups and/or management committees;
- The Mere and Severn Valley Country Park – Options would be explored to see if these sites could be operated on a zero budget at no cost to Shropshire Council; and
- A voluntary redundancy programme – four staff would be leaving over the next two years and three posts would remain vacant in order to achieve some savings. This ultimately would put pressure on remaining staff so discussions were underway with Public Health in an attempt to establish how Public Health could actively support active volunteering.

From the floor, the Outdoor Recreation team was thanked and congratulated for doing a tremendous job during these tough times.

In response to questions from the floor, DH explained that despite budgets being tight the service hoped to continue as it was currently and maintain their statutory duties. The service was currently considering adopting a 'priority system'; hoped to provide more support to those communities that were willing to help themselves; and staff would be redeployed to support Parish Path Partnerships (P3). These P3s currently covered around half the County and it was hoped that 100% would be covered in the future as detailed in the Countryside Access Strategy. Those areas not currently covered would be encouraged to set up a P3.

In response the Chair encouraged all members of the SLAF to go back to their relevant Town and Parish Councils (T&PC) in an attempt to encourage T&PCs to set up P3s.

ACTION

DH further explained that there was no cost to the T&PC to set up a P3. Most of the P3s were local volunteer groups and received a small grant from Shropshire Council. The OR team does and would continue to provide support to the P3s to ensure safe working practices were carried out and also provide an assurance to landowners that the work being undertaken was to an appropriate standard. A cost benefit analysis would be undertaken to assess how OR worked with landowners in terms of maintaining public access balanced against an increase in enforcement across the service.

11. DOG CONTROL ORDERS – OUTCOME OF THE CONSULTATION

The Mapping and Enforcement Team Leader, Shona Butter, explained that prior to unitary some of the District Councils had their own set of Dog Control Orders. These now would be revoked and a new set of Dog Control Orders covering the Shropshire Council area would be introduced. The proposed Orders had been approved by the appropriate Portfolio Holder and following approval by Shropshire Council's legal department would be advertised in the local press and on the Shropshire Council's website etc. The Orders would cover the following three areas:

- The Fouling of Land by Dogs Order – this Order would make it an offence for a person in control of a dog to fail to clean up after their dog has fouled on land to which the Order applies.
- The Dogs on Leads by Direction Order – this gives officers, authorised by Shropshire Council, the power to request that dogs are put on leads where they are not under the appropriate control of their owner.
- The Dog Exclusion Order – this Order makes it an offence for a person in control of a dog to allow their dog to enter land from which dogs are excluded. Dogs are excluded from entering: equipped children's play areas; fenced-off or marked out sporting areas; fenced-off war memorials, and dog-free areas in specified open spaces. As part of the consultation some T&PCs were asking for other areas to be included and covered by the exclusions.

In response to questions from the floor, DH explained that enforcement was not within the remit of OR; however, there had been a suggestion that some site officers could be trained up but that would be dependent on them being on site at the appropriate time. Most of the enforcement would be carried out by Environmental Maintenance Teams. SB agreed to distribute to all a web link relating to a good practice guide which explored new approaches to the management of walkers with dogs in the countryside.

SB/LJ

SB confirmed that issues of dog fouling and litter dropping could be reported via Shropshire Council's website and the relevant link would be forwarded to all members.

SB

12.	ACCESS FOR ALL CHAMPION	ACTION
	<p>With reference to Minute No. 55 (from the meeting held on 11 July 2013), members noted that the issue of appointing an Access for all Champion would be raised at all Walking Forums. However, suggestions made at this meeting included the local MP and a celebrity.</p>	
	<p><u>Britain on Foot</u> - Paul Wynn drew the meeting's attention to this campaign to get people out walking and agreed to explore this further and report back to a future meeting.</p>	PW
13.	WALKING FORUMS – UPDATE	
	<p>The notes of the Walking Forums as detailed at Minute No. 15.1 were noted.</p>	
	<p>In response to comments that interest in the North Walking Forum was waning, it was suggested that the profile of all the Walking Forums could be raised at Local Joint Committees.</p>	All Members
14.	PROJECTS UPDATE	
	<p>DH provided a project update, as follows:</p>	
	<p>Oswestry Ring - The funding for this project was no longer available.</p>	
	<p>Linking Shropshire's Heritage – No bid has been submitted as yet. Jim Stabler, Access Development Officer, was currently working on developing a HLF bid which would help to complete the work on the Shropshire Way.</p>	
15.	FEEDBACK FROM OTHER FORUMS AND ITEMS FOR NOTING	
15.1	<u>Minutes / Papers</u>	
	<p>The following minutes / papers, which were circulated with the agenda for information, were noted:</p>	
	<ul style="list-style-type: none">(i) Central Walking Forum - 22 May 2013(ii) Central Walking Forum - 21 August 2013(iii) North Walking Forum – 8 April 2013(iv) North Walking Forum – 1 July 2013(v) South Walking Forum – 6 September 2013(vi) Shropshire Cycling Forum – 19 June 2013(vii) Shropshire Riding and Carriage Driving Forum – 11 February 2013	

15.2 Future Meetings

- (a) The following agenda items were suggested for consideration at a future meeting:
- Plans for the walks to commemorate WW1 events; and
 - Highway Code or Code of Conduct for cyclists – To be considered at a future meeting if and when an appropriate Code becomes available. (A member pointed out that the law states that cyclists must give way to walkers and horse riders on a public bridleway at all times.)

In response to concerns relating to development and public rights of way, SB explained that Shropshire Council had the power to make diversions when rights of way were affected by development. There was a proper process for developers to follow and appropriate forms were available on the Shropshire Council website. Any temporary closure or otherwise should be appropriately signposted and notices erected on site. However, some organisations chose to ignore advice and did not always secure a legal diversion or extinguishment before or during development. She agreed to investigate any breaches and urged the meeting to make her aware of any.

SB

From the floor it was suggested that if a route was disrupted or diverted it should be advertised on the walking and riding websites.

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

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.....