

**SOUTH LINCOLNSHIRE AND RUTLAND
LOCAL ACCESS FORUM
10 OCTOBER 2012**

(Meeting held at Rutland County Council Offices, Oakham)

**PRESENT: COUNCILLOR RAY WOOTTEN (CHAIRMAN (REPRESENTING
LINCOLNSHIRE COUNTY COUNCIL)**

Representing Rutland County Council: Councillor Brian Montgomery.

Representing Independent Members: Alan Gibbon, Rosemary Harris, Alec Hill, Audrey Morely, Gordon Norris, Barbara Smitheringale and John Williams.

Officers: Stuart Crook (Public Rights of Way Officer, Rutland County Council), Cheryl Hall (Democratic Services Officer, Lincolnshire County Council) and Andrew Savage (Senior Countryside Access Officer, Lincolnshire County Council).

15. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor David Brailsford, Ian Cox, William Cross, George Keeping and John Law.

16. MINUTES OF THE PREVIOUS MEETING HELD ON 4 JULY 2012

RESOLVED

That the minutes of the previous meeting of the South Lincolnshire and Rutland Local Access Forum held on 4 July 2012 be confirmed and signed by the Chairman as a correct record.

17. ACTIONS ARISING FROM THE MINUTES OF THE MEETING HELD ON
4 JULY 2012

Further to the last meeting of the Forum, the Senior Countryside Access Officer provided the Local Access Forum with an update on the following areas: -

i) Higher Level Stewardship Update

It was noted that John Law had undertaken a considerable amount of work in relation to the Higher Level Stewardship scheme, following the Forum's last meeting. Members were advised that John Law had contacted Natural England and had obtained Guidance on Continuing to Provide Permissive Access on Termination of an Agri – Environment Agreement.

ii) Joint Annual Report Pro forma

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Further to the last meeting of the Forum, when the Forums' Joint Annual Report was considered, Members were advised that Natural England had since requested that a 'pro forma' was completed by each Local Access Forum. Therefore, the Senior Countryside Access Officer sought the views of the Forum on the following questions: -

- a) 'What are your future priorities for next year?'

Members agreed that they would like to monitor any future potential funding cuts on the Rights of Way system and to give consideration to the best way of spending its current funding; be made aware and monitor the number of complaints received; the results of the Department for the Environment, Farming and Rural Affairs (DEFRA); and disability access.

- b) 'What training and support is required to deliver these priorities?'

It was requested that Members received a 'refresh' session on any relevant legislation and a training session on the 'Big Society', in particular how volunteers could become more involved.

It was also suggested that Members of the Local Access Forum should also undertake an accessibility audit of paths.

- c) 'Do you perceive any barriers?'

The Local Access Forum felt that financial constraints would be a barrier.

- d) 'Any other comments?'

Members did not have any further comments that they wished to add.

18. COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN UPDATE

Members were provided with updates on the Rights of Way Improvement Plan in respect of Rutland County Council and Lincolnshire County Council, as follows: -

- i) Rutland County Council

A report by Rutland County Council's Public Rights of Way Officer was considered, which provided an updated version of the action plan for the current Rights of Way Improvement Plan. It was agreed that a copy of the Plan would be emailed to Members for information.

- ii) Lincolnshire County Council

A report by Lincolnshire County Council's Senior Countryside Access Officer was considered, which provided the Local Access Forum with an update on the progress made in the implementation of the Lincolnshire Countryside Access and Rights of Way Improvement Plan. Appended to the report were the Countryside Access and Rights of Way Improvement Plan Action Plan and a Consultation Letter.

The Improvement Plan split into four key themes, as follows: -

- sustainable transport;
- health and wellbeing;
- rural economy and tourism;
- social issues.

There was also a separate strand of Core Tasks that would assist in the management of the network and access opportunities.

The consultation exercise for the Rights of Way Improvement Plan 2 commenced on 16 July 2012, for a period of 12 weeks. It was noted that the closing date for the consultation had been moved back to Friday, 12 October 2012. A copy of the consultation letter was appended to the report.

RESOLVED

That the report be noted.

19. DEFINITIVE MAP MODIFICATION ORDERS

Members were provided with updates on Definitive Map Modification Order work in respect of Rutland County Council and Lincolnshire County Council, as follows: -

i) Rutland County Council

An update report on those Definitive Map Modification Order applications currently in Rutland County Council's system was considered.

It was noted that there was a new solicitor had been appointed to work on Rutland County Council's Definitive Map Modification Orders.

ii) Lincolnshire County Council

A report by the Council's Countryside Access Manager was considered, which detailed the progress of Definitive Map Modification Order work since the inception of the current prioritisation policy, together with an overview of current caseloads.

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The 'Temple Bruer with Temple High Grange' case was discussed and it was queried why they could not be restricted byways. In the absence of the Countryside Access Manager, it was agreed that the answer to this question would be emailed to Alec Hill for information.

RESOLVED

That the report and update be noted.

20. PUBLIC PATH ORDERS

Members were provided with updates on Public Path Order work in respect of Rutland County Council and Lincolnshire County Council, as follows: -

i) Rutland County Council

Consideration was given to an update report on those Public Path Order applications currently in Rutland County Council's system.

ii) Lincolnshire County Council

The Forum received a report by the Countryside Access Manager, Lincolnshire County Council, which detailed the progress of Public Path Order work in respect of the Council's power to divert, extinguish or create public rights of way either of its own volition or following an application to do so from the public.

RESOLVED

That the report and update be noted.

21. THE CHAIRMAN'S MEETING WITH THE ASSISTANT DIRECTOR OF HIGHWAYS AND TRANSPORTATION

The Chairman advised the Forum that as the meeting scheduled to be held between the Chairman and the Assistant Director of Highways and Transportation had been cancelled, there was therefore no information to report to the Forum.

22. SEWSTERN LANE – THE DRIFT - UPDATE

Consideration was given to a report by Lincolnshire County Council's Countryside Access Manager, which invited Members to note the information contained within the report and to provide advice to Natural England and Lincolnshire County Council regarding the proposed Traffic Regulation Orders.

It was noted that the route affected at Sewstern Lane was an ancient route with the physical characteristics of a green lane, un-surfaced and hedged on both sides and was recorded on the 'List of Streets' prepared under the Highways Act 1980 s.36(6).

In 1968 the route was registered as a 'Site of Special Scientific Interest' (SSSI) on the basis of the presence of rare, specific rich, calcareous grassland. Both Natural England and Lincolnshire County Council had further statutory duties and obligations relating to protected sites, including SSSI, under several pieces of legislation with additional duties relating to biodiversity.

Usage of the route had, over recent years, become an issue due to significant increase in the number of motorised vehicles, both two and four wheeled, which had the effect of rendering much of the route unusable for other classes of user and had a significant detrimental effect on the biodiversity of the SSSI.

Consideration was given to the permanent closure of the route to all motorised vehicles. It was agreed that the benefit of the closure would be that it would become a year round sustainable route, for non-motorised users, could be provided through the prohibition and various access controls on the site itself. It was agreed that the Chairman would write a letter to both Lincolnshire County Council and Natural England, outlining the Forum's views.

RESOLVED

That the Chairman writes a letter, on behalf of the Local Access Forum, to Lincolnshire County Council and Natural England, expressing the Forum's views.

23. ACCESSIBILITY AND THE NEEDS OF PEOPLE WITH DISABILITIES

Consideration was given to the possibility of re-establishing the Forum's 'Disability Sub-Group'.

Members agreed that it should re-establish the Forum's 'Disability Sub-Group', as it was felt that the needs of disabled individuals should be taken into consideration. Councillor Brian Montgomery and Mr Gordon Norris volunteered to site on the Sub-Group and it was suggested that Members of the Mid-Lincolnshire Local Access Forum should also be invited to participate.

AGREED

That a 'Disabilities Sub Group' be established, which will report into the Local Access Forum.

24. ENCLOSING PATHS CROSSING PASTURES

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Members of the Local Access Forum were advised that there had been an increase in the number of farmers fencing in paths, which crossed pastures.

It was suggested that this could be addressed by stipulating in regulations that paths could not be fenced in unless it was discussed with the relevant local authority. Members were advised that it was perfectly legal for farmers to fence in paths, providing that they did not deter off route.

Possible solutions to the issue was discussed and it was suggested that Rutland County Council's Public Rights of Way Officer prepared a report to outline the scale of the issue and present it to the Forum at its next scheduled meeting for further consideration. It was also agreed that the Public Rights of Way Officer should contact all local authorities within the East Midlands to establish whether they were doing anything to address this issue.

It was suggested that the Forum could refer this issue to DEFRA, if it felt it was necessary following the next scheduled meeting.

RESOLVED

That Rutland County Council's Public Rights of Way Officer presented a report to the Forum on Enclosing Paths crossing Pastures at the Forum's next scheduled meeting.

25. THE PATHS FOR COMMUNITIES PROJECT

Following the last meeting of the Forum, when it considered an update from Elizabeth Barnicott of Natural England on "Paths for Communities Project", the Forum was requested to support, in principle, a potential application under this scheme for a project in Belton, along the A47.

Rosemary Harris and Audrey Morely provided the Forum with an overview of the project and the benefit that the changes would bring to the community.

RESOLVED

That support, in principle, be given to the potential application for a project in Belton, along the A47.

27. DATES AND VENUES OF FUTURE MEETINGS

Members agreed that future meetings of the Forum should be held on the following dates and times and at the following venues: -

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- Thursday, 17 January 2013 at 2.00 pm at either South Kesteven District Council Offices, Grantham or in Sleaford;
- Wednesday, 10 April 2013 at 6.30 pm in Stamford.

RESOLVED

That the next meeting of the South Lincolnshire and Rutland Local Access Forum be held on Thursday, 17 January 2013 at 2.00 pm.

The meeting closed at 8.15 p.m.