

**MID-LINCOLNSHIRE LOCAL ACCESS
 FORUM
 23 APRIL 2013**

PRESENT: MR C PADLEY (CHAIRMAN)

Representing Lincolnshire County Council: Councillors E N Bauer

Representing North East Lincolnshire Council: Councillors

Representing Independent Members: C Allison, S Brookes, R Graham, R Shipley, P Skipworth and C Smith

Officers: Chris Miller (Countryside Access Manager) and Andrew Savage (Senior Countryside Access Officer)

53 QUESTIONS FROM THE PUBLIC

In response to an enquiry in connection with the Higher Level Stewardship schemes, Chris Miller stated that the Government was examining the opportunities for access and read out details of an email from Andrew Mackintosh, Natural England, which outlined the action Natural England was proposing to take to protect these schemes. He added that the County Council was aware that two land owners had expressed an interest in continuing with the scheme.

54 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor I Colquhoun, Alison Healey and Ray Shipley.

55 MINUTES OF THE PREVIOUS MEETING HELD ON 15 JANUARY 2013

The minutes of the previous meeting held on 15 January 2013 were agreed as a correct record and signed by the Chairman.

56 CREATING FOOTPATHS ON GRASS VERGES TO LINK FOOTPATHS
 (MINUTE 48(C))

In response to an enquiry, Chris Miller stated that the provision of routes behind hedges was being examined in consultation with Highways.

57 NICK WILLEY, RURAL CRIME OFFICER, LINCOLNSHIRE POLICE

Nick Willey, Rural Crime Officer, Lincolnshire Police, thanked the Forum for inviting him to the meeting and outlined his role. This included acting as a point of contact for

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rural crime, a responsibility for co-ordinating action to tackle rural crime, explained the issues of defining rural crime and gave a brief example of work being done to address rural crime in Lincolnshire. He stated that the questions asked by the Forum would be considered by the Police and a plan prepared. His role today was to listen and respond to comments made by the Forum.

Comments made by the Forum included:-

1. Damage to the "Drift" (Sewstern Lane) which was a SSSI, by 4x4s, enforcement issues, management by highways and education.
2. Natural England had requested that the County Council should remove scrub on the "Drift" because of its SSSI status.
3. Representatives of 4x4 groups had been invited to serve on the Forum but none had agreed to serve, to date.
4. Insurance issues of 4x4s on unofficial routes.
5. Provision of evidence to the Police and Highways authority of unauthorised use by 4x4s.
6. Use of cameras to collect evidence of illegal use by 4x4s.
7. Green Lanes were used for criminal activity.
8. Liaison with other Police Forces.
9. The action taken by other Police Forces to deter criminal activity..
10. Horse drawn carriage riding was popular in Lincolnshire and therefore the erection of barriers should not be permitted.
11. The need for the public to report crime or suspicious behaviour to the Police.
12. Categorisation of crime reported by the public to the Police.
13. Co-ordination between the Police and the local authority was important.
14. The importance of the Police helping the public to identify the relevant category an incident was reported.
15. PROW legislation was complex and difficult to understand.
16. There was a need to approach the 4x4 clubs to inform them of damage being caused by irresponsible users.

Nick Willey responded to comments made by the Forum:-

1. Agreed that there was a need for the public to record and report incidents which would help the Police to identify "hotspots" and help them direct resources to those areas. There was a need for agencies to co-operate with education and enforcement being considered in tandem.
2. Agreed to investigate insurance issues in connection with the use of 4x4s on Green Lanes.
3. If the public witnessed illegal activity they should be prepared to submit a statement to the Police. The use of a mobile telephone with a camera was welcomed and a warning letter could be sent to the offender. Should it be found that a vehicle was being used illegally on a regular basis then the Police could conduct a serious investigation.
4. Lincolnshire Police liaised with other Police Forces to share intelligence and he was a member of the Northern Strategy Group. He agreed to examine the current practice of sharing intelligence.

5. Agreed to contact Derbyshire Police in connection with action they had taken to tackle anti-social behaviour.
6. Explained the system of reporting incidents and the allocation of resources. Highlighted the importance of the public reporting incidents and receiving an "Incident Number" which helped identification of "hotspots".
7. Members could also contact him on his mobile.
8. PROWs were complex and the Police needed to work with Local Authorities.
9. There was a need for agencies to work together.

Chris Miller stated that the reporting of incidents by the public would allow the Council to manage "hotspots" and the passing of information between the Police and the County Council was important.

He stated that 4x4 clubs had been approached about the problems and it was acknowledged that it was only a minority of irresponsible 4x4 users not affiliated to the main clubs.

The Chairman thanked Nick Willey for his presentation.

58 SPA TRAIL PROPOSALS PRESENTATION

Andy Jee, Project Manager, gave a presentation on the development of the Spa Trail particularly that section from Woodhall Spa Town Centre to the Water Rail. He stated that funding was available for the route. The County Council had been working in close co-operation with Woodhall Spa Golf Club in connection with that part of the proposed route through their grounds. Following consultations with the Golf Club it was proposed to divert the route in the golf course to woodland near the northern part of the course.

He stated that the necessary Orders had been put in place to effect the changes. Best practice was to extinguish the current route and get a new route. Following the publication of the Orders, for consultation purposes, nearly 100 objections had been received about the new route. The matter was re-examined and consultations sought from Rights of Way, the Council's Legal Team and the landowner. The unusual number of objections and the fact that many of them were due to the loss of the existing footpath meant that the orders would be forced through an Inquiry. As the outcome of this was uncertain landowner support for the scheme was withdrawn, therefore it had been decided to abandon the proposals and examine the use of Sandy Lane and the verge on the west side of Horncastle Road to access the Town Centre. However, this latter route was not feasible due to the presence of utility infrastructure which increased costs beyond an affordable level. Therefore, in view of this and the fact that there were no alternative routes there were no plans to take the scheme forward.

At this point of the meeting, the Chairman, with the consent of the Forum, permitted members of the public, present for this item, to comment on the scheme, in addition to comments made by the Forum:-

1. Surprised at the abandonment of the scheme.

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2. The funding of the scheme.
3. As the golf course had a former railway track running through its grounds was it not possible to use this route?
4. The remaining part of the Spa Trail was very good.
5. An enquiry about the Trail in Horncastle.
6. As the footpath across the golf course would remain was it not possible for cyclists to use the road?
7. Was there any way to overcome the objections?
8. Objections to the route had been submitted very late which indicated a problem with the consultation process.

Andy Jee and Chris Miller responded to comments made by the Forum:-

1. While a former railway line ran through the golf course the Golf Club were only prepared to accept a route diverted away from the golf course.
2. Funding for the project came from the County Council and the EU. It was only possible to spend EU funding within a certain timeframe and it was possible to carry forward funding from the County Council. However, in future, funding for County Council capital projects would be held centrally and it would be necessary to bid for funding and compete against other bids.
3. The problem of the route in Horncastle was explained with the main issue the cost involved in dealing with drainage and utility services which the budget was unable to fund because of the cost.
4. The proposed route needed to include provision for both cyclists and walkers before any funding was released.
5. If the objections were withdrawn then the scheme could proceed. The public did not wish to lose the footpath.
6. The Golf Club had no objection to walkers only cyclists.
7. It was not possible to use the route of the former railway line because of its proximity to the golf course. Also, the Club did not wish to see this route used.
8. The proper legal process had been followed for consultation purposes. There had been a concerted effort to object to the proposals at a very late stage. The Orders had also been pre-advertised on site.
9. In the meantime, as an alternative, the use of the verge and signposting of off road routes was being investigated. NOTED.

59 COUNTY COUNCIL WORKING PRACTICES ON THE PROVISION OF
INFORMATION REGARDING UNAVAILABLE PUBLIC RIGHTS OF WAY

Chris Miller presented a report on how the County Council could provide relevant information to the public regarding paths which were known not to be available and welcomed the advice of the Forum on the matter.

Comments made by the Forum included:-

1. The public planning walks wished to visit a website to check whether a footpath was accessible.
2. It was suggested that a working group of Members should examine the matter and provide advice to the Council.

4. The public should have an opportunity to add a comment about a footpath on the Council's website.

Chris Miller stated that the resource implications would need to be examined to see if it was possible to add information to the Council's website. He stated that it was not possible to install onsite signage as this involved the use of significant resources of officer time. He agreed to examine the opportunity for the public to add comments about a footpath to the website.

RESOLVED

That the Chairman, Colin Smith, and anyone interested from the Forum, in consultation with Chris Miller, examine the giving of advice to the County Council regarding the unavailability of PROWs to the public.

60 REVIEW OF COUNTY COUNCIL APPROACH TO RAIL CROSSINGS
 WITHIN LINCOLNSHIRE AND ITS RELATIONSHIP WITH NETWORK RAIL

Chris Miller presented a report in connection with the relationship between the County Council and Network Rail regarding rail crossings across the county. He stated that Network Rail was examining all at grade crossings where there was a perceived safety issue if there was an ongoing or proposed alteration to the speed and/or frequency of train movements on a railway line.

The Forum agreed that Network Rail's proposals represented an opportunity for PROWs to be linked up.

RESOLVED

That the report be noted.

61 LINCOLNSHIRE COUNTY ESTATE FARMS

Chris Padley stated that he thought that the County Council owned farms and suggested that the Council should have a policy on access to this land. He was not sure how PROWs were maintained on County Estate Farms.

Chris Miller stated that most of the County Farms were located in the south of the county and that the South Lincs LAF was already examining them. He was proposing to meet the Property Section of the Council to examine PROWs on these farms, adding that he had previously spoken to the Council about PROWs crossing County Farm land.

RESOLVED

That the South Lincs LAF be asked to keep this Forum updated of developments following their examination of PROWs across County Council

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owned farm land and that a map showing their location be emailed to the Forum and considered at the next meeting.

62 NORTH EAST LINCOLNSHIRE COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN UPDATE

North East Lincolnshire Council submitted a report in connection with their Countryside Access and Rights of Way Improvement Plan update. NOTED.

63 LINCOLNSHIRE COUNTY COUNCIL COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN UPDATE

Andrew Savage presented a report on the County Council's Countryside Access and Rights of Way Improvement Plan update (ROWIP). A list of completed schemes in ROWIP1 was detailed in the report. He was in the process of preparing ROWIP2 and welcomed comments from the Forum.

Comments made by the Forum included whether ROWIP2 was going to be generic or specific in its content and progress of the Parish Paths Project.

Chris Miller stated that ROWIP2 would be based on separate themes although there was no reason why specific examples for achievement could not also be included, resources were limited and it would be less aspirational. He stated that Members should continue to submit specific proposals for inclusion in ROWIP2.

Chris Miller stated that the Parish Paths Project had been completed. Parish Councils had submitted proposals but there was no budget outside of the Parish Paths Project to fund projects. The Parish Paths Project was protected in the budget and the Council wrote every year to the Parish Councils to inform them about the project.

RESOLVED

That the report be noted.

64 NORTH EAST LINGS PROGRESS OF DEFINITIVE MAP MODIFICATION ORDER REPORT

A report from North East Lincolnshire was submitted in connection with progress of Definitive Map Modification Orders. NOTED

65 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF DEFINITIVE MAP MODIFICATION ORDER REPORT

Chris Miller presented a report in connection with progress of Definitive Map Modification Orders.

RESOLVED

That the report be noted.

66 NORTH EAST LINCS PROGRESS OF PUBLIC PATH ORDER REPORT

North East Lincolnshire submitted a report in connection with progress of Public Path Orders. NOTED.

67 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF PUBLIC PATH ORDER REPORT

Chris Miller presented a report on progress of Public Path Orders.

RESOLVED

That the report be noted.

68 DEFINITIVE MAP AND PUBLIC PATH ORDER REPORTS

Chris Miller asked whether the Forum had any views in connection with the content of the reports as the same content seemed to be presented to every meeting of the Forum. He stated that the current process for considering Definitive Map and Public Path Orders had been in existence since 2006 when the legislation had changed. However, major changes in the system of processing the Orders were imminent and when the details were known he would report to the Forum.

The Forum stated that the reports in their present format were satisfactory and it was noted that a lot of research went into the process of resolving Orders.

69 DATE AND TIME OF THE NEXT MEETING

The next meeting was agreed for 6.30pm on Tuesday 2 July 2013, at the Discovery Centre, Cleethorpes.

The meeting closed at 9.00 pm