

**MID-LINCOLNSHIRE LOCAL ACCESS  
FORUM  
15 APRIL 2014**

**PRESENT: CHRIS PADLEY (CHAIRMAN)**

Representing Lincolnshire County Council: Councillor D McNally

Representing Independent Members: Ray Shipley, Chris Allison, Sheila Brookes, Colin Smith and Richard Graham

Officers: Steve Blagg (Democratic Services Officer) and Andrew Savage (Senior Countryside Access Officer)

40 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Councillor D C Hoyes MBE, Councillor I Colquhoun, Sandra Harrison, Alison Healey, Pete Skipworth and Irene Unsworth.

41 MINUTES OF THE PREVIOUS MEETING OF THE FORUM HELD ON 21 JANUARY 2014

RESOLVED

That the minutes of the previous meeting of the Forum held on 21 January 2014, be agreed as a correct record and signed by the Chairman.

42 UPDATE ON ISSUES CONSIDERED AT THE PREVIOUS MEETING OF THE FORUM HELD ON 21 JANUARY 2014

43 COUNTY FARMS - OPPORTUNITIES TO IMPROVE ACCESS (MINUTE 24)

The Chairman stated that he had spoken to John Law, a member of the South Lincolnshire Local Access Forum (SLAF) and co-ordinator of the working group set up by SLAF to examine opportunities to improve access on County Farms, and John Law had agreed to submit the working group's final report to the Mid Lincolnshire Local Access Forum, following the completion of their report. NOTED.

44 LOCAL ACCESS FORUM'S NATIONAL CONFERENCE IN DURHAM (MINUTE 27) (CHRIS PADLEY)

(Note: Councillor D McNally arrived in the meeting at 6.10pm)

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The Chairman gave a verbal report on the outcome of his attendance at the Local Access Forum's National Conference. He stated that amongst the many issues discussed was a presentation given by Network Rail on their programme of reducing the number of level crossings adding that an example was Ballast Hole, in Lincoln whose closure would cause inconvenience as it meant that the public would be required to take a diversion to another crossing further away and which was more inconvenient.

The Chairman stated that there had been a good discussion about dogs and that there was a consensus that many people did not understand animal psychology especially with regard to the presence of farm animals and dogs. The recent incident of a man being killed by a bull and the ensuing court case of an incident which had happened in South Nottinghamshire was given as example of law enforcement.

The Chairman stated that there had been a discussion about the Paths in the Community project. The Conference had noted that all the funding had been spent but concerns had been expressed about the project's limitations. Concerns had also been raised that problems had been caused by the restrictive nature of the funding from the EU and application funding process.

The Chairman referred to a recent meeting of the East Midland's LAFs Chairs, at which Natural England had made reference to the effects of reduced funding and staffing due to the reduction in public spending. Natural England had also referred to the funding of footpaths from other sources such as the Health and Wellbeing Boards which had access to funding from the NHS.

The Chairman suggested that in connection with the Health and Wellbeing Boards someone from public health should be invited to attend a meeting of the Forum to explain the role of public health. Andrew Savage stated that this was already in hand.

Comments by the Forum included attendance at a recent meeting of the Walking for Health group in Lincoln which was one of the best organised groups in the country with many Primary Care Trusts showing interest. Reference was also made to walkers in the south of the county wanting a similar event to the Wolds's Walking Festival. NOTED.

45     TO CONSIDER THE WAY DISTRICT COUNCILS ARE CONSULTED ON  
RIGHTS OF WAY PLANNING MATTERS (MINUTE 28) (CHRIS PADLEY)

The Chairman stated that he had spoken to Sandra Harrison (member of the Forum and also a member of East Lindsey District Council), about approaching East Lindsey District Council to see if they could speak to the Forum about strategic planning and the effect of planning applications on public footpaths. The outcome of his discussions was that no progress could be made with East Lindsey District Council. The Chairman stated that he would continue to investigate whether it was possible to involve another local authority. NOTED.

46     "LOST WAYS" (MINUTE 29) (ANDREW SAVAGE)

Andrew Savage stated that Sarah Bucks and Phil Wadey were unable to attend this meeting to explain "Lost Ways" and therefore this matter would have to be deferred to a future meeting of the Forum. The Forum was reminded that the presentation by Sarah and Phil had previously been circulated to members by email.

The Chairman referred to research which had been carried out in the early 1990s on Green Lanes and PROWs on the existence or otherwise of the natural environment. Funding for the research had been provided by Natural England. He stated that one of the reasons for the research was that because Lincolnshire was intensively farmed with little natural meadow and most of the natural environment existed along Green Lanes and PROWs. Although the research had been completed, a shortfall in funding had resulted in the report never being finalised and published.

Andrew Savage stated that the information collected from the research could be made available to anyone interested. NOTED.

47     DENTON TO SKILLINGTON, THE DRIFT/VIKING WAY (MINUTE 32)  
(CHRIS MILLER)

Andrew Savage read out a statement from Chris Miller, Countryside Access and Definitive Map Manager, in connection with the Denton to Skillington, The Drift/Viking Way as follows:-

"The "The Drift/Viking Way, Denton to Skillington, route had been recorded as highway maintainable at public expense although no legally defined status. A Traffic Regulation Order to prohibit motor vehicles had stopped up any motor vehicle rights that were presumed to have existed. A Definitive Map Modification Order would be required to legally define rights. The Natural Environment and Rural Communities Act 2006 would affect motor rights should they be proven to exist unless one of the relevant exception criteria applied".

A member stated that an article had appeared in "Wildlife Trust" stating that farm vehicles were prohibited from using this route except for access purposes. NOTED.

48     LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF DEFINITIVE MAP  
MODIFICATION ORDERS - SOUTH WILLINGHAM (MINUTE 36) (CHRIS  
MILLER)

Andrew Savage read out a statement from Chris Miller stating that the County Council had taken the decision to progress the case that was outstanding at South Willingham in connection with a Definitive Map Modification Order regardless of the other three cases in the Parish that were still requiring work and that the Statement of Reasons had now been written in draft and would be submitted by Legal Service, Lincolnshire to the Planning Inspectorate in due course. NOTED.

49     NORTH EAST LINCS COUNTRYSIDE ACCESS AND RIGHTS OF WAY

IMPROVEMENT PLAN OBJECTIVES UPDATE (NICOLA HARDY)

The Forum considered a report from Nicola Hardy in connection with an update of North East Lincolnshire's Countryside Access and Rights of Way Improvement Plan Objectives.

The Chairman took the opportunity to thank North East Lincolnshire Council for the work they had made to divert Bridleway No.91 (Ashby cum Fenby) along the side of a field because of safety issues despite the landowner not agreeing to the diversion. The Order had been objected to by the landowner and would be referred to the Planning Inspectorate shortly. Any matters of compensation would therefore arise upon confirmation of the Order. NOTED.

50 THE DRAFT LINCOLNSHIRE RIGHTS OF WAY IMPROVEMENT PLAN  
2014- 2019 (ANDREW SAVAGE)

Andrew Savage presented a report in connection with the Draft Lincolnshire Rights of Way Improvement Plan 2014-2019, which was a legal requirement under Section 60 of the Countryside and Rights of Way Act 2000. He stated that Local Access Forums were required to provide input into the production of the Plans and the comments of the Forum were sought on the Plan.

Andrew Savage stated that since the publication of the first Plan a great deal had changed including significant changes in national policy, the current economic climate and the resultant reduction in the level of funding available for Public Rights of Way management.

Andrew Savage stated that there were three Themes in the Plan (Theme 1 – Network Improvement; Theme 2 – Improved Customer Service and Theme 3 – Social Inclusion).

Comments made by the Forum included:-

1. It was suggested the addition of the words "and creations" after the word "diversions" in paragraph 3, page 38, of the Plan.
2. It was suggested that the words "and convenience" after the word "safety" in paragraph 4, of the Plan.
3. It was noted that the outcome of the Planning Inquiry in connection with the Lincoln Eastern By-Pass was awaited and therefore it was too late to include any changes to the plans. The importance of pre-planning consultations to ensure access was incorporated was emphasised.
4. It was noted that Network Rail were investing a lot of money to improve access across level crossings in Lincolnshire and that this might provide an opportunity for local authorities to be more proactive in applying for funding from Network Rail to divert footpaths.
5. With regard to the paragraph in connection with Unclassified County Roads, page 42, of the Plan, it was noted that many unclassified county roads were not tarmacked and were not recorded as highways.

6. The Plan needed to include some reference to the potential of roadside verges, especially wide verges, for access purposes.
7. The need for reference to be made in the paragraph on "Planning Context" about the need for new development to provide separate and direct access for walkers and cyclists between housing areas, the local town centre and other local facilities. The differing needs for motor traffic sometimes resulted in access roads being over long and inconvenient for walking and cycling, which deterred these modes of travel.
8. The need to provide funding for signage for use by landowners to warn the public about conservation projects. It was suggested that reference should be made in the Plan to show the positive efforts made by landowners to conserve the countryside. Any signage used should set the "right tone and should be friendly".
9. The need to educate the public about dogs as there seemed to be an issue about the public's use of Right of Ways. There was also a need to educate the public about the dangers of dogs alarming animals, the potential disease dangers posed by dog faeces in the countryside.
10. The information in the Plan about the health benefits of walking and particularly the benefits of getting the public to include regular walking into their everyday lives was welcomed.
11. The "shape and tenor" of the document was welcomed.
12. An enquiry about the timetable for the approval of the Plan.

Andrew Savage thanked the Forum for their comments.

Chris Marsh stated that in connection with dogs, the County Council was able to provide Waymarks for landowners in connection with warning the public about the need to protect conservation projects and while noting the comments about the need to educate the public about control of dogs there was the issue of the proliferation of too much signage.

Andrew Savage accepted that there was perhaps a need to ensure developers were aware of access issues for new developments.

Andrew Savage explained the process of approving the Plan by the County Council, including the need for scrutiny, Executive Councillor approval and consultation with the public.

#### RESOLVED

- (a) That the comments made by the Forum on the Draft Lincolnshire Rights of Way Improvement Plan 2014-19, be forwarded to the Council.
- (b) That the Forum be informed when the final Plan is published.

#### 51 NORTH EAST LINCOLNSHIRE PROGRESS OF DEFINITIVE MAP MODIFICATION ORDERS (NICOLA HARDY)

The Forum received a report from Nicola Hardy in connection with North East Lincolnshire's progress of Definitive Map Modification Orders. NOTED.

#### 52 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF DEFINITIVE MAP

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**MID-LINCOLNSHIRE LOCAL ACCESS FORUM**

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MODIFICATION ORDERS OCTOBER 2006 - 4 APRIL 2014 (CHRIS MILLER)

The Forum received a report from Chris Miller in connection with the County Council's progress of Definitive Map Modification Order work for the period from October 2006 to 4 April 2014, since the inception of the current prioritisation policy was introduced and current caseloads. NOTED.

53 NORTH EAST LINCOLNSHIRE PROGRESS OF PUBLIC PATH ORDERS (NICOLA HARDY)

The Forum received a report from Nicola Hardy in connection with North East Lincolnshire Council's progress of public path orders. NOTED.

54 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF PUBLIC PATH ORDERS (CHRIS MILLER)

The Forum received a report from Chris Miller on the County Council's progress of public path orders. NOTED.

55 FINANCING OF PERMISSIVE PATHS (AND IF THERE IS ANY DANGER OF THEM DISAPPEARING BECAUSE OF LACK OF FINANCE?) (PETE SKIPWORTH)

In the absence of Pete Skipworth, it was –

RESOLVED

That consideration of this item be deferred to the next meeting of the Forum.

56 PROPOSAL TO AUTHORISE MOTOR SPORT EVENTS ON PUBLIC ROADS (CONSULTATION PAPER FROM THE DEPARTMENT FOR CULTURE, MEDIA AND SPORT WHICH SEEKS VIEWS ON A PROPOSAL TO PERMIT MOTOR SPORTS EVENTS, INCLUDING TO STAGE RALLIES, HILL CLIMBS AND TRIALS OF SPEED, ON PUBLIC ROADS IN CERTAIN CIRCUMSTANCES (SHEILA BROOKS)

Sheila Brooks drew the Forum's attention to a consultation document issued by the Department for Culture, Media and Sport, in connection with a "Proposal to Authorise Motor Sport Events on Public Roads". She noted that the date for responses to the consultation had closed and expressed concerns about the effects of the proposals on the natural environment and PROWs.

Andrew Savage read out the County Council's response to the consultation and it was agreed that the response would be emailed to the Forum. (The response was:- "The role of the local highway authority is to approve the traffic management plan for the event, to process any traffic orders required and to work with a safety advisory group if the event triggers this action locally. Clarification is required on the categories of "roads" as defined by the Road Traffic Act 1988 s.192 that will be

affected (i.e. does the proposal extend to all forms of public highway inclusive of bridleways and footpaths?")

Comments made by the Forum included:-

1. An enquiry about the legal position.
2. The proposals were welcomed as it would attract tourism and help the local economy.
3. The event was only likely to be of a short duration and therefore any environmental impact was limited.
4. It was difficult to envisage where the speed limits would be suspended.
5. The proposals to transfer power to the local authorities were welcomed as it would be easier for the local authority to react quicker to concerns raised by local people.
6. The potential for damaging the surface of soft highways should be taken into account and the cost of making good any that might occur.
7. The Forum would appreciate being given an opportunity to comment on consultations of this kind in advance of the closing date, in future.

RESOLVED

That the Chairman should draft a response to the Council, on behalf of the Forum, generally in support of the response already given by the Council, but adding the above comments and the Chairman would give Forum members an opportunity to comment on his wording before submitting it.

57     DATE AND TIME OF THE NEXT MEETING - 6.30PM ON TUESDAY 22  
JULY 2014 AT HUTTOFT VILLAGE HALL (PRECEDED BY A TOUR OF  
THE COUNTRY PARK AT 5.30PM)

The meeting closed at 7.30 pm