



**MID-LINCOLNSHIRE LOCAL ACCESS
FORUM
28 OCTOBER 2014**

PRESENT: CHRIS PADLEY (CHAIRMAN)

Representing Lincolnshire County Council: Councillors D C Hoyes MBE and D McNally

Representing North East Lincolnshire Council: Councillor Iain Colquhoun

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

Officers: Steve Blagg (Democratic Services Officer), Nicola Hardy (Public Rights of Way Mapping Officer) and Andrew Savage (Senior Countryside Access Officer)

17 ELECTION OF VICE-CHAIRMAN

RESOLVED

That Dr Chris Allison be elected Vice-Chairman of the Forum.

18 APOLOGIES FOR ABSENCE

Apologies for absence were received from Sandra Harrison, Alison Healey and Pete Skipworth.

19 DECLARATIONS OF MEMBERS' INTERESTS

No declarations of interest were declared at this stage of the meeting.

20 MINUTES OF THE PREVIOUS MEETING OF THE MID LINCOLNSHIRE
LOCAL ACCESS FORUM HELD ON 22 JULY 2014

RESOLVED

That the minutes of the previous meeting of the Forum held on 22 July 2014, be agreed as a correct record and signed by the Chairman.

21 LINCOLNSHIRE COASTAL COUNTRY PARK - PUBLIC RIGHTS OF WAY
SURVEY

Following a request from the Forum officers stated that they would ask the Lincolnshire Coastal Country Park Team to see if the minutes of the Task Group set

up to examine access to the Park could be made available on the County Council's website.

22 FINANCING OF PERMISSIVE FOOTPATHS

Following an enquiry made by a member of the public at the previous meeting of the Forum, officers stated that while each request to maintain a Permissive Footpath was considered on its merits there was no funding available to support the High Level Stewardship Schemes.

Officers stated that the South Lincolnshire Local Access Forum had set up a Sub Group to investigate High Level Stewardship schemes and Parish Councils had been approached to support the schemes. Where it was shown that a footpath had strong public support and participation, e.g. the Viking Way, then it was more likely to receive funding. While local authorities had limited resources funding by other agencies was an option. NOTED

23 PUBLIC ACCESS ACROSS RAILWAY LINES

The Chairman stated that following a strong public reaction a Public Inquiry had been arranged in connection with the proposed diversion of a footpath which crossed Ballast Hole in Lincoln. The Chairman stated that nationally Network Rail had a programme of diverting public footpaths which crossed railway lines.

The Chairman stated that subject to any comments from the Forum he was prepared to represent the Forum at the Inquiry. At a recent meeting of the East Midlands Local Access Forum Chairmen Natural England had stated that there was nothing to prevent a Local Access Forum giving independent advice to the Inquiry.

Comments by the Forum included:-

1. The erection of an all user footbridge, including provision for disabled people, to overcome the problem of access had been rejected because of insufficient room.
2. The County Council had submitted a statement of case to the Inquiry.
3. The County Council's Planning and Regulation Committee had visited the site three years ago and it was clear at that visit that while the sight lines were clear in each direction at the crossing foggy conditions might cause problems.
4. Telephone lines existed in the vicinity of the crossing and one of these lines could be diverted to provide a telephone to enable the public to check on train movements in inclement weather.
5. Network Rail was submitting evidence to the Inquiry.
6. The provision of a new footbridge at the crossing would also require wheel chair access.

The Forum noted that Council officers had attended a national meeting with Network Rail when Rights of Ways crossing railway lines had been discussed.

RESOLVED

That the Chairman represent the Forum at the Public Inquiry to examine the Right of Way at Ballast Hole, Lincoln and that the Forum receive a report from the Chairman at a future meeting.

24 NORTH EAST LINCOLNSHIRE COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN

The Forum received a progress report from North East Lincolnshire Council in connection with their Right of Way Improvement Plan.

Officers stated that the Inspector's decision not to confirm the diversion order of FP72 was disappointing but that the Council was trying to find a solution to the problem which involved trying to overcome various objections from local land owners.

Officers stated that in connection with Ashby Cum Fenby (Bridleway 91) where there was one unresolved objection from a landowner, this case had been referred to the Secretary of State for determination. A statement of case was being prepared by the Council and the Inspector would be re-visiting the site in December 2014, with a decision being made in January 2015. Following an enquiry from the Forum officers confirmed that both the landowner and the Council would be attending the site visit in December.

Following comments from the Forum about the reason for the proposed closure of Ashby Cum Fenby (Bridleway 91), Officers stated the reason for the closure followed advice received from the Police in connection with safety issues relating to the narrowness of the footpath and the close proximity of the footpath to the A18. Officers stated that if people decided to continue to use the footpath they would have to take responsibility for their actions. Notices warning the public about the closure of the footpath had been erected.

RESOLVED

That the report and comments made by the Forum be noted.

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

The Forum received a report in connection with progress in the implementation of the County Council's Countryside Access and Rights of Way Improvement Plan. Officers informed the Forum that the Council's Countryside Access and Rights of Way Improvement Plan 2 had been delayed due to changes to the staff structure within the County Council following the need to reduce the Council's budget.

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Following an enquiry in connection with Unclassified Green Lanes, officers stated that if this was an enquiry in connection with an Unclassified Green Lane near Legsby then a submission would have to be a Definitive Map Modification application.

RESOLVED

That the report be noted.

26 NORTH EAST LINCOLNSHIRE PROGRESS OF DEFINITIVE MAP
MODIFICATION ORDERS

The Forum received a progress report in connection with North East Lincolnshire Council's Definitive Map Modification Orders. Officers stated that developers were receptive to the proposed modifications; that a number of recreation routes were being created; that in connection with DMMO 6 (New Clee Sidings (Fuller Street Bridge to Salvesen Road, Cleethorpes) legal advice was awaited before any action was taken on this high profile case and that in connection with DMMO 9 (Ferriby Lane to Bradley, Grimsby) there was a lot of development going on in this area and the necessary paperwork was being prepared to get this resolved.

RESOLVED

That the report be noted.

27 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF DEFINITIVE MAP
MODIFICATION ORDERS WORK FROM OCTOBER 2006 - 20TH JUNE
2014

The Forum received a progress report in connection with Lincolnshire County Council's Definitive Map Modification Orders for the period from October 2006 to September 2014 and the current caseloads.

The Chairman stated that he had been informed by the Chairman of South Willingham Parish Council that the County Council did not propose to support the Definitive Map Modification Orders in their area because they believed the evidence was not strong enough and the Parish Council had enquired what further action they could take to resolve this situation. He stated that this matter had been considered by the Forum earlier in the year and officers had agreed to speak to South Willingham about one of the cases which had most issues and to send the other cases which had no issues to the Secretary of State. The Chairman stated that he was concerned that the Council was making Orders and then withdrawing its support.

RESOLVED

That the report be noted.

28 NORTH EAST LINCOLNSHIRE PROGRESS OF PUBLIC PATH ORDERS

The Forum received a progress report from North East Lincolnshire Council in connection with Public Path Orders.

In response to an enquiry from the Forum in connection with PPO16 (Humberston FP52) officers stated that a diversion of the route had been suggested and that the original footpath was on the Definitive Map. The Forum noted that if a footpath was not shown on the Definitive Map then the Inspector could say that there was little evidence that the footpath existed.

RESOLVED

That the report be noted.

29 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF PUBLIC PATH ORDERS

The Forum received a progress report from Lincolnshire County Council in connection with Public Path Orders.

Comments by the Forum included:-

1. The resources available for the diversion of footpaths.
2. The Council's ROWIP2 should be less aspirational and more practical in its approach, i.e. contain projects ready for start if funding should suddenly become available.

Officers stated that the Council, due to limited resources, was only able to respond to requests for footpath diversions if the footpath was of national importance and well used, e.g. the Viking Way.

RESOLVED

That the report be noted.

30 DATE AND TIME OF THE NEXT MEETING

2.00pm on Thursday 22 January 2015 at Wragby Fire Station

31 URGENT ITEMS

Following consultations the Chairman agreed to consider the following items which had come to notice since the agenda had been issued.

(a) Lincoln Eastern Bypass

The Chairman stated that since the Public Inquiry earlier this year in connection with the Lincoln Eastern Bypass, the County Council, following concerns expressed by the Inspector, had now approved plans to re-locate the Non-Motorised User bridge over Hawthorn Road, Lincoln. NOTED.

(b) Central Lincolnshire Local Plan

Officers informed the Forum about the preparation of the Central Lincolnshire Local Plan (District Council areas of West Lindsey, North Kesteven and the City of Lincoln). The first draft of the Plan had been prepared and was out for consultation. The second draft of the Plan would come out for consultation in 2015 and it was important that the Forum responded as appropriate as housing development was expected on a large scale. NOTED.

(c) East Midlands Local Access Forums – Meeting of Chairmen

The Chairman stated that at the recent meeting of the East Midlands Local Access Forums Chairmen's meeting consideration had been given to Local Nature Partnerships and Local Enterprise Partnerships and how the Local Access Forums could have input and influence these two bodies. NOTED.

(d) County Council Budget

Officers informed the Forum that the County Council was in the process of preparing its four year budget for 2015-2019 which would be finalised at the full Council on 20 February 2015. Details of the outcome of the budget review on Rights of Way would be reported to the next meeting of the Forum. NOTED.

The meeting closed at 3.25 pm