



**MID-LINCOLNSHIRE LOCAL ACCESS
FORUM
18 JULY 2017**

PRESENT: CHRIS PADLEY (CHAIRMAN)

Representing Lincolnshire County Council: Councillors W J Aron

Representing North East Lincolnshire Council: Councillor Iain Colquhoun

Representing Independent Members: Sheila Brookes, Sandra Harrison, Dr Chris Allison, Richard East, Peter McKenzie-Brown, Colin Smith and Richard Graham

Officers: Steve Blagg (Democratic Services Officer), Matthew Chaplin (Public Rights of Way Mapping Officer), Chris Miller (Team Leader for Countryside Services) and Kate Percival (Environmental Services Senior Officer, Strategy and Partnerships)

Also in attendance:

72 QUESTIONS FROM THE PUBLIC

A member of the public referred to the proposed housing development in the Western Corridor, Lincoln and stated that she had not seen any map or attended any meetings in connection with the development. However, she was aware that more footpaths were required in this development and was only aware of one footpath that ran along the side of the main drain leading off the Sustrans cycle/footpath (Route 64).

Comments by members and the responses of officers included:-

- Did the geographic area covered by the Western Growth corridor fall in the Mid Lincolnshire or South Lincolnshire area? Officers stated that while there was some overlap between the two Forums in this area the role of Local Access Forums was strategic there was nothing to prevent the Forums from getting involved in non-strategic functions such as responding to Gating Orders.
- The development was in the Central Lincolnshire Local Plan. Officers stated that the implications of the development would be discussed with various agencies, including Public Health, to examine the provision of leisure amenities arising from the development including community gain from Section 106 Agreements.

The Forum agreed that this item would be considered at the next meeting.

73 ELECTION OF CHAIRMAN FOR 2017/18

RESOLVED

That Chris Padley be elected Chairman of the Forum for the ensuing year 2017/18.

74 ELECTION OF VICE-CHAIRMAN FOR 2017/18

RESOLVED

That Sheila Brookes be elected Vice-Chairman of the Forum for the year 2017/18.

75 WELCOME TO COUNTY COUNCILLOR BILL ARON

The Chairman on behalf of the Forum, welcomed County Councillor Bill Aron, Lincolnshire County Council, to his first meeting of the Forum.

76 APOLOGIES FOR ABSENCE

An apology for absence was received from Ray Shipley (representing landowners).

77 DECLARATIONS OF MEMBERS' INTERESTS

No declarations were made at this stage of the meeting.

**78 MINUTES OF THE PREVIOUS MEETING OF THE MID LINCOLNSHIRE
LOCAL ACCESS FORUM HELD ON 4 APRIL 2017**

RESOLVED

That the minutes of the previous meeting of the Forum held on 4 April 2017, be agreed as a correct record and signed by the Chairman.

**79 ACTIONS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING
OF THE FORUM IF NOT ALREADY ON THE AGENDA****79a Generic Advice to Planning Authorities**

The Forum received a report in connection with the effect of planning applications on Public Rights of Way (PROWs). Consideration of this matter had been deferred at the previous meeting of the Forum. The Forum also considered advice provided to Leicestershire District Planning Authorities by the Leicestershire Local Access Forum and asked whether similar advice should be given by both Lincolnshire Local Access Forums to the Lincolnshire District Planning Authorities.

Officers stated that they had recently attended a meeting of the Development Management Officers' Group, which comprised planning officers from the Lincolnshire District Councils, with the exception of South Kesteven, and the following topics were discussed as detailed in the report:-

- Provision of mapping system update
- Amendment made to Section 257 of the Town and Country Planning Act 1990 by Section 12 of the Growth and Infrastructure Act 2013
- Town and Country Planning Act 1990 Orders and safe design principles
- Other matters

Officers stated that the meeting had been successful and that the issues raised would help both the County Council and developers.

Comments made by the Forum and the responses of officers, included:-

- Did the various Orders and safe design principles listed under the Town and Country Planning Act 1990, come under secondary legislation? Officers stated that this was best practice guidance which District Planning Authorities were not always following. Officers agreed to examine the legislation in connection with rights of way in planning law and report to the next meeting.
- There was a need for all district planning authorities to be made aware of the effect of planning applications on PROWs.
- It was suggested that a letter, on behalf of both Forums, should be sent to the Lincolnshire District Chief Executives and that the District Portfolio Holders for Planning should be copied into the letter, to express concern about the effect of planning applications on PROWs and that a copy of the advice given by the Leicestershire Local Access Forum, should be enclosed with the letter, with the view to the Forums providing similar advice to the Lincolnshire District Planning Authorities.

RESOLVED

That the Clerk prepare a letter, to be signed by the Chairmen of both Forums, to each Chief Executive of Lincolnshire District Councils, and that the Portfolio Holders for Planning be copied into the letter, to express concern about the effect of planning applications on PROWs and that a copy of the advice given by Leicestershire Local Access Forum, be also enclosed with the letter, with the view to the Forums providing similar advice to the Lincolnshire District Planning Authorities.

80 NATURAL ENGLAND LAF CONFERENCE AT BIRMINGHAM 21 JUNE 2017

The Forum received a report from Chris Padley, who had attended the national Local Access Forums' Conference in Birmingham on 21 June 2017. He stated that the acoustics at the venue were poor, that it was difficult to hear speakers and that he would inform Natural England of his personal views.

RESOLVED

That the report be noted.

81 ENGLISH COASTAL FOOTPATH - UPDATE

The Forum received a report on the progress of the English Coastal Footpath in Lincolnshire.

Officers highlighted the following issues:-

- Sutton Bridge to Skegness – the key issues remained the provision of access from Frampton to Gibraltar Point and the need to cross the River Steeping at Gibraltar Point with the latter causing concern because access and protection of habitat were not compatible.
- Skegness to Mablethorpe – this section was progressing well following the resolution of the route of the footpath near North Shore Golf course and was being submitted to the Secretary of State for ratification. Officers were discussing the provision of signage with Natural England and the footpath was expected to open in mid-2018 to coincide with the opening of the Observatory at the Coastal Country Park.
- Mablethorpe to Humber Bridge – this section was still in its preliminary stages with Natural England conducting a brief paper walk and they were in discussions with the Port of Immingham on the route of the footpath in this area due to the large amount of infrastructure. Officers stated that to protect the seal population in the area of Donna Nook it was proposed to route the footpath inland away from the sensitive coastline where the seals bred. In response to a question officers stated the footpath was funded by Natural England under the National Trail package and maintenance was the responsibility of the local authority who would receive funding to carry this work out.

RESOLVED

That the report be noted.

82 NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

The Forum received a report on the Natural Environment and Rural Communities Act 2006, following a request for information about the effects of the Act on Public Rights of Way and particularly 4x4s. Sheila Brookes stated that she was concerned that 4x4s had churned up the bridleway near the Lindsey Trail. Officers stated that this legislation was complex and tried to curtail opportunities to access the countryside in mechanically propelled vehicles (MPVs). The Act extinguished all unrecorded MPV rights if such rights were not shown on the Definitive Map and Statement of Public Rights of Way.

A map showing a similar problem faced by the local authority at Legsby was tabled which showed a PROW which could be accessed by MPVs but which could also be accessed by horse driven carriages. Sheila Brookes complaint was in connection with the use of this route by MPVs unless for private use. Officers stated that they were unable to do anything apart from maintain the PROW and involve the Police if there was criminal activity.

The Forum noted that a similar issue had occurred at Sewstern Lane in the south of the county and the local authority and police had become involved. The Forum was also reminded that PC Nick Willey had attended a meeting of the Forum to explain the role of the police in combatting rural crime.

The Forum agreed that it was important to report incidents similar to the one reported by Sheila Brookes to the police. The more frequent the reporting allowed the police to build up a picture of crime in an area.

Officers stated that the public was able to put the local authority on notice to act to maintain a PROW (including what could be called "normal carriageways") under Section 56 of the appropriate Highways Act 1980. The public could use the Magistrates Court to direct the Highways Authority to act to maintain a PROW but the cost of going to a Magistrates Court by this method was prohibitive.

RESOLVED

That the report be noted and that members be encouraged to report incidents to the police.

83 COUNTRYSIDE FOR ALL ROUTES

The Forum received a report from John Law, a representative on the South Lincolnshire Local Access Forum, in connection with "countryside for all" routes. Issues highlighted by the Forum included the production of a leaflet for the Freiston Shore RSPB route, which, hopefully, would be produced to include details of the new World War 2 Museum and funding from the Nineveh Trust which would help to create leaflet packs.

Following an enquiry from the Forum, officers stated that the Forum would be informed following this meeting about the availability of grants from the wind turbine project, near Tetney, for community projects but funding could not be provided for projects provided by statutory bodies, e.g. a local authority.

RESOLVED

(a) That the report be noted.

(b) That Kate Percival provide an update to members on the situation in connection with the provision of grants for community projects arising from the wind turbine development near Tetney.

84 NORTH EAST LINCOLNSHIRE COUNTRYSIDE AND RIGHTS OF WAY IMPROVEMENT PLAN

The Forum received a report from North East Lincolnshire Council in connection with their Rights of Way Improvement Plan 2 (ROWIP 2) which was currently being drafted. Officers enquired how the Forum would like to be consulted about the Plan. The Forum stated that, time permitting, the Plan should be considered at a meeting

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of the Forum. If this was not possible, the Council should email the Plan to the Clerk who would circulate the Plan to members for their comments.

Officers stated that the County Council had not reviewed the County Council's Rights of Way Improvement Plan (ROWIP) as yet and would only do so in a limited fashion prior to drafting ROWIP2 due to resource constraints it was likely to fall outside the designated timescale but that the current ROWIP would continue to be referenced.

The Forum agreed with the comments made by a member that Natural England's views on the need to produce ROWIPs was totally unrealistic in view of the current funding situation in many local authorities and accepted that these Plans were easier to produce in smaller local authorities like North East Lincolnshire Council which was being produced in conjunction with their Local Transport Plan.

In response to an enquiry, officers stated that a landowner or Parish Council could only remove or install a stile, in consultation with the local authority.

RESOLVED

(a) That the report be noted.

(b) That, time permitting, ROWIP 2 be submitted to the Forum for consideration and that if this was not possible then officers send the Plan to the Clerk for circulation to members and that they be requested to submit their comments to the Council.

**85 LINCOLNSHIRE COUNTY COUNCIL'S PROGRESS OF DEFINITIVE MAP
MODIFICATION ORDERS**

The Forum received a report from Lincolnshire County Council on the progress of Definitive Map Modification Orders currently being undertaken.

RESOLVED

That the report be noted.

**86 NORTH EAST LINCOLNSHIRE COUNCIL'S DEFINITIVE MAP
MODIFICATION ORDERS**

The Forum received a report from North East Lincolnshire Council in connection with progress of their Definitive Map Modification Orders currently being undertaken.

RESOLVED

That the report be noted.

87 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF PUBLIC PATH ORDERS

The Forum received a report from Lincolnshire County Council in connection with the progress of Public Path Orders currently being undertaken.

RESOLVED

That the report be noted.

88 NORTH EAST LINCOLNSHIRE COUNCIL PROGRESS OF PUBLIC PATH ORDERS

The Forum received a report from North East Lincolnshire Council in connection with progress of their Public Path Orders currently being undertaken. It was agreed that the alternative route for PPO 15 (Stallingborough FP1) was a very good option.

RESOLVED

That the report be noted.

89 DATE AND TIME OF THE NEXT MEETING

The next meeting of the Forum was agreed for 2pm on Tuesday 24 October. The first option for the venue was Caistor followed by Market Rasen and members would be notified as soon as possible.

The meeting closed at 4.00 pm