

# Agenda Item 4



## MID-LINCOLNSHIRE LOCAL ACCESS FORUM 28 APRIL 2015

### **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, Sheila Brookes, Colin Smith, Richard Graham and Peter Skipworth

Officers: Steve Blagg (Democratic Services Officer), Nicola Hardy (Public Rights of Way Mapping Officer), Chris Miller (Countryside Access Manager), Andrew Savage (Senior Countryside Access Officer) and Christopher Marsh (Senior Highways Officer (Countryside))

### 51 QUESTION FROM MEMBER OF THE PUBLIC

A member of the public, representing the British Horse Society and British Horse Carriage Driving Society, stated that a lot of resources had been invested by various agencies to develop the Lindsey Trail. However, with effect from 2026 some routes forming the Trail would not appear on the Definitive Map and asked for the County Council's views on this situation.

Officers stated that they were aware of this situation but were awaiting the implementation of the Deregulation Bill. They had records of routes which required further work on them before they were included on the Definitive Map and as long as it could be shown that the local authority was examining these routes then they would not disappear after 2026, the final date for inclusion of all historic routes in existence before 1949 on the Definitive Map.

Officers stated that the Lindsey Trail was a well promoted route and that there might be a need to alter the Definitive Map to show Restricted Byways. They were expecting a lot similar enquiries from across the county on this issue. Officers referred to the joint meeting with South Lincolnshire Local Access Forum in connection with Lost Ways and that they would discuss the use of volunteers to examine this matter in the future.

The Forum agreed to consider how to take this matter forward at its next meeting and in the meantime officers agreed to provide a list of these affected routes to the Forum.

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52 APOLOGIES FOR ABSENCE

Apologies for absence were received from Sandra Harrison, Alison Healey and Ray Shipley.

53 MINUTES OF THE PREVIOUS MEETING OF THE MID-LINCS LOCAL ACCESS FORUM HELD ON 22 JANUARY 2015

RESOLVED

That the minutes of the previous meeting of the Mid Lincolnshire Local Access Forum held on 22 January 2015, be agreed as a correct record and signed by the Chairman.

54 ACTIONS ARISING FROM THE PREVIOUS MEETING (IF NOT ALREADY ON THE AGENDA)

54a Lincolnshire County Council's Budget and its effects on Rights of Way

Following an enquiry from the Forum officers stated that the outcome of the service review of Rights of Way would be known in June/July 2015 and that the service had been tasked with finding savings of 20% in its budget.

54b Footpaths at Haugh - Update ( see minute 42 of the previous meeting of the Forum)

Following concerns raised by Pete Skipworth about Rights of Way access to and from the village of Haugh and particularly to its historic church, officers reported on the outcome of a site visit to the area.

Officers explained, with the use of a map, the current Rights of Way in the area adding that the main problems of access were in Haugh.

Comments made by the Forum included:-

1. Similar problems existed in the county as existed at Haugh.
2. The role of the Local Access Forum in identifying locations and providing advice to the local authority to solve these blockages required clarification.
3. Sign posts in the vicinity of Haugh Church had been removed.
4. The planning procedure for dealing with obstructions on a footpath was explained.
5. It was noted that there was a national problem of where resources were invested when large amounts of money could be saved in the NHS budget by encouraging more people to walk.
6. There was only one public access to the historic Church at Haugh.

Officers' responses included:-

1. The local authority had limited resources to improve footpaths in the Haugh area.
2. Improvement to access in Haugh was low limited financial resources.

3. The local authority did have a responsibility to maintain current footpaths but resources for new footpaths would only be allocated if certain criteria were met.
4. The removal of the sign posts would be investigated.
3. The public could take action against the local authority if a footpath was not maintained.

The Forum agreed that the Chairman, in consultation with the Vice-Chairman and the Secretary, should prepare a draft letter for consideration by the Forum at its next meeting, to be sent to the local authority, to urge that consideration should be given to the removal of blockages which would improve the Rights of Way network. It was also agreed that the Forum needed to consider its role in responding and giving advice to the local authority on matters generally affecting the Rights of Way network.

**RESOLVED**

(a) That the Chairman, in consultation with the Vice-Chairman and the Secretary, prepare a letter for consideration at the next meeting, to urge the local authority to give consideration to the removal of blockages to improve Rights of Way access.

(b) That the Forum considers how to respond to the local authorities in connection with the maintenance of the Rights of Way network.

**55      SUSTRANS FEASIBILITY STUDY ON COASTAL CYCLE ROUTE**

The Forum enquired about the latest situation in connection with the feasibility being undertaken by Sustrans on the provision of a coastal cycle route on the east coast.

Officers stated that the County Council's Natural Environment Team had been examining the feasibility of providing a linear cycle route along the east coast. The Forum was already aware that the County Council was examining the provision of a footpath along the east coast which was part of a national coastal route. The County Council was currently examining the Sustrans feasibility report in connection with a proposed cycle route on the east coast.

Following a comment from the Forum, officers agreed to ask the County Council's Natural Environment Team to keep the Forum updated on progress of the provision of a cycle route on the east coast and would also examine if the Forums could make any contribution to the examination.

The Forum noted that the east coast was a holiday area and the provision of cycling routes especially for families was an attractive option.

**RESOLVED**

That the report be noted and that officers ask the County Council's Natural Environment Team to keep the Forum updated on progress of the provision of a cycle route on the east coast and to examine if the Forums can make a contribution to any study being undertaken.

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56 FUTURE STORAGE AND ACCESS OF GREEN LANE PROJECT FILES

The Forum enquired about the future storage and access of Green Lane project files. The Forum noted that a study had been undertaken a few years ago in connection with the existence of Green Lanes and the final report was nearing completion until resources for its continued progress were curtailed due to reductions in public expenditure. The information produced by the study contained valuable information about flora and fauna on Green Lanes. The Forum agreed that it would be good if the information provided by the study was available for viewing on-line.

Officers stated that the files relating to the Green Lane study in Lincolnshire were held by the County Council and were available for viewing by the public. Officers stated that they would enquire with Archives about the storage of the files although it would be necessary to index the files before they were archived.

RESOLVED

That the report be noted and that, once office moves had taken place, officers enquire with Archives about the storage of the Green Lane files and making the files available for viewing on-line.

57 THE FUTURE OF LEVEL CROSSINGS OVER RAILWAYS

Chris Padley stated that he had attended the Public Inquiry in connection with the future of the Right of Way which crossed the railway line at Ballast Hole, Lincoln. He stated that Network Rail was carrying out a long term programme of removing footpaths which crossed railway lines to improve rail safety and efficiency. He stated that in comparison with to the positive approach taken by Network Rail in the past to proposed closures of these accesses the response from them at this Public Inquiry was different because they had employed a Barrister to present their case and this had not gone down very well with the public.

Officers stated that this issue had been raised at a national level by the County Council as the county had many Rights of Way which crossed railway lines. The Council had contact details of who to speak to at Network Rail to discuss any proposed closure of a Right of Way. Officers stated that Network Rail wished to improve the safety and efficiency of running the railways and was examining all Rights of Way access. Network Rail was using the East Midlands as a trial area and that Network Rail's attempt to avoid consulting local authorities about proposed closures of Rights of Way had been refused by the Secretary of State who had agreed that Local Access Forums must also be consulted.

RESOLVED

That the report be noted.

58     MONITOR OF ENGAGEMENT WITH THE NATURAL ENVIRONMENT  
(MENE) SURVEY

Officers gave an explanation of the Monitor of Engagement with the Natural Environment (MENE) statistics which gave details of the health and economic benefits, of the public's involvement in the natural environment. The statistics were obtained from a quarterly survey conducted by MORI and it was possible breakdown the statistics on a county by county basis which the County Council used when producing its Rights of Way Improvement Plan report.

RESOLVED

That the report be noted.

59     HORSE RIDING ROUTE MAPS FOR LOCAL ACCESS FORUMS

The views of the Forum were sought on which type of map they preferred to be used in connection with proposals by the Council to update some of the riding routes in the British Horse Society Lincolnshire on Horseback book. Examples of maps were given in the report.

Officers stated that they had been approached by the public to map out new bridle trails and that there was a wish to include this information in the Rights of Way Improvement Plans. A member of the public who used to live in Devon but now lived in the Wolds wished to replicate similar maps produced for Devon for Lincolnshire but this would be in electronic format in this county.

Officers stated that they had received an email from Alison Healey who had given her apologies for this meeting stating that as a horse rider she preferred the map detailed on page 34 of the report.

The Forum stated that they did not have a clear view on this matter but noted that horse riding was popular in the county, that horse riders preferred circular routes and that a linear scale and date should be added to any preferred map. The offer by a member of the public to undertake this task was welcomed. Officers stated that they had spoken to other areas about this matter and Chris Miller and Nicola Hardy were prepared to give a steer to the volunteer.

RESOLVED

That the report be noted.

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

The Forum received a report from North East Lincolnshire Council in connection with the latest situation of their Rights of Way Improvement Plan.

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Officers stated that with regard to Public Footpath 21 Stallingborough it had been necessary to go back to the Committee following erroneous advice from the consultant appointed to the case and it had been necessary to abandon the Orders to divert the footpath. An alternative route was now being examined.

With regard to Bridleway 91 (Ashby Cum Fenby) the Secretary of State had confirmed the Diversion Order. Officers stated that the necessary action was being taken to correct an error in the grid references in the Order and the necessary work had had to be delayed until the Order had been confirmed.

With regard to Footpath 72, officers stated that the Secretary of State had not confirmed the Order and that the Council was examining its options. The footpath was still a priority and work was on-going with the surveyor in connection with compensation payments to affected landowners.

**RESOLVED**

That the report be noted.

**61 LINCOLNSHIRE COUNTY COUNCIL COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN - UPDATE**

The Forum received a report from Lincolnshire County Council in connection with the progress made in the implementation of the Lincolnshire Countryside Access and Rights of Way Improvement Plan.

Officers stated that there was a budget in this financial year to improve Rights of Way in the urban fringe and countryside heritage and that these were currently being examined for implementation during the Summer of 2015.

Officers agreed with the comments made by the Forum in connection with the use of Local Transport Plan to support walking initiatives and added that Public Health supported the work of Local Accesses Forums in promoting and funding walking through the health initiative.

**RESOLVED**

That the report be noted.

**62 NORTH EAST LINCOLNSHIRE PROGRESS OF DEFINITIVE MAP MODIFICATION ORDERS FROM OCTOBER 2006-17 APRIL 2015**

The Committee received a report from North East Lincolnshire Council in connection with the progress of Definitive Map Modification Orders from October 2006 to 17 April 2015.

Officers stated that with regard to Definitive Map Modification Order 6 (New Clew Sidings) an Order had been made following an appeal by the applicant against the Council's decision not to progress this application, in line with the wishes of the

Inspector to uphold that appeal in part. Objections were received to that Order, one of which being from Network Rail, who stated that the claimed 20 years period of usage had in fact been interrupted by the replacement of the pedestrian bridge known locally as Fuller Street bridge, which the Council had included in the proposed route. In that period, there was a time when there was no pedestrian crossing facility in between the removal of the original bridge and the construction of the bridge that was there today. Users would therefore have had to trespass against the Rail Board. Following legal advice received, the Council had since resolved to make a new Order to exclude Fuller Street bridge and instead commence the claimed route from an existing pedestrian crossing access point at Suggitts Lane further down the track to make the Order acceptable to Network Rail, thereby resolving their objection.

RESOLVED

That the report be noted.

63     LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF DEFINITIVE MAP  
MODIFICATION ORDERS WORK FROM OCTOBER 2006 - 17 APRIL  
2015

The Forum received a report from Lincolnshire County Council in connection with progress of Definitive Map Modification Orders work from October 2006 – 17 April 2015.

Officers stated that there was a need to examine the effects of the De-Regulation Act on the backlog of Definitive Map cases and gave an example of how the process would work under the new Act. The Forum noted that if an alternative footpath route was suggested then it might involve walkers having to walk further but accepted that finding an alternative route would be difficult.

RESOLVED

(a) That the report be noted.

(b) That officers report to a future meeting on the effects of the De-Regulation Act.

64     NORTH EAST LINCOLNSHIRE PROGRESS OF PUBLIC PATH ORDERS

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

RESOLVED

That the report be noted.

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65 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF PUBLIC PATH  
ORDERS

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

Officers stated that in connection with the Lincolnshire Coastal Country Park the County Council had resources to employ experts to examine Rights of Way in the Park with a view to improving public access.

RESOLVED

That the report be noted.

66 SEAN KENT - GROUP MANAGER, ENVIRONMENTAL SERVICES

Sean Kent, Group Manager, Environmental Services, was introduced to the Forum and explained his role as having overall management responsibility for countryside access. His main aim was to raise the profile of Public Rights of Way at a time of financial constraint.

67 DATE AND TIME OF THE NEXT MEETING

The next meeting of the Forum was arranged for 6.00pm on Tuesday 21 July 2015, at Huttoft Village Hall, Huttoft.

The meeting closed at 4.00 pm