

# Agenda Item 2

REPORT REFERENCE:- **2.0**

Mid Lincs Local  
Access Forum  
15 January 2013

(Meeting held at Horncastle College)

Present:- Chris Padley (Chairman).

Representing Lincolnshire County Council: Councillors Eran Bauer and Denis Hoyes MBE.

Representing Independent Members: Dr Chris Allison, Sheila Brookes, Richard Graham, Alison Healey, Ray Shipley, Pete Skipworth and Colin Smith.

Officers: Lincolnshire County Council – Steve Blagg (Democratic Services Officer), Chris Miller (Countryside Manager) and Andrew Savage (Senior Countryside Access Officer).

Also in attendance :- Elizabeth Barnicott, Natural England.

## 37. QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions were asked by the public.

## 38. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Iain Colquhoun (North East Lincolnshire Council) and Irene Unsworth (Independent Member).

## 40. RON FLINTHAM – RETIREMENT FROM THE FORUM DUE TO ILL HEALTH

The Secretary informed the Forum that Ron Flintham, independent member on the Forum, had retired from the Forum due to ill health.

RESOLVED

That the Secretary, on behalf of the Forum, write a letter to Ron Flintham to thank him for his service to the Forum and to wish him well for the future.

## 41. MINUTES

RESOLVED

That the minutes of the previous meeting of the Forum held on 9 October 2012 be confirmed as a correct record and signed by the Chairman.

## 42. ACTIONS ARISING FROM THE PREVIOUS MEETING OF THE FORUM

### (a) Policy – Erection of signage to warn that a PROW (Public Right of Way) was closed (minute 23)

Chris Miller stated that due to a number of reasons, including, amongst others, the shortage of resources and the new priority system, previously commented on by the Forum, for dealing with a PROW, it was not possible to erect signage to show that a PROW was closed. He referred to the recent meeting between the Chairman and the Assistant Director of Highways and Transport and it had been agreed to examine the use of the County Council's website to publish details of a PROW not available for use.

Comments made by the Forum included:-

1. The Council did not appear to have a policy even though a PROW was not shown as closed albeit it was on the Definitive Map.
2. The shortage of information for those planning walks.
3. Affected PROWs ought to be shown on maps
5. There were some low priority PROWs that were never signposted. In communications the Council should explain to correspondents why a route was not currently signposted or being made available.
6. The amount of resources available to the Council was unlikely to improve in the near future.
7. It was a statutory duty to erect a signpost where a footpath met a metalled road.
8. There was some confusion about whether a policy existed or whether it was left to the discretion of the Highways Officer if a PROW was accessible.

Chris Miller responded to comments made by the Forum:-

1. The Council had a statutory duty in this area and stated that the priority system agreed by the Council had been considered by the Forum and addressed the issue of signage.
2. An affected PROW was shown on the Ordnance Survey Map.
3. Resources did not allow the erection of signage along the whole of a route.
4. The role of the Highways Officer in connection with a closure of a PROW was explained.
5. Appropriate words would be added to the propose PRoW Customer Service policy in connection with the non-availability of a PROW and on the Council's website.

### RESOLVED

- (a) That Chris Miller be requested to produce a policy in connection with the erection of signage in the event of a PROW being closed and that the Forum be consulted on the policy.
- (b) That information be made available on the Council's website to show that a PROW was closed, the reason(s) for closure and a map showing the location of the closure.

(b) Lincolnshire Coastal Country Park – Update (minute 26(b))

Chris Miller updated the Forum on developments at the Lincolnshire Country Park since the last meeting of the Forum. He stated that governance of the Park was currently being examined and that one member of the Forum had nominated to serve on the Coastal Country Park Task Team or sub group. Colin Smith would also represent the Ramblers.

Councillor Eran Bauer gave an update of Access to the Countryside by the Disabled Sub Group and added that a new logo for the disabled had been produced. The Sub Group would report to the Forum on completion of its work. NOTED.

43. ITEMS FROM NATURAL ENGLAND

(a) Coastal Access Presentation

Elizabeth Barnicott gave a presentation on proposals for coastal access in Lincolnshire. Issues highlighted in her presentation included the following:-

1. Natural England had been given the necessary powers to deliver coastal access.
2. A lot of lessons had been learnt from Weymouth (the first stage of coastal access implemented for the Olympic Games in 2012).
3. The aim was to deliver 40% of coastal access within ten years.
4. The implementation process was explained adding that all affected local authorities would be consulted at the appropriate time.
5. There was a strong emphasis on consultation. (The local access authority was the local highway authority).
6. The current situation in Norfolk in connection with the route of the access was explained.
7. Questions which Local Access Forums needed to consider were – thinking about aspirations; opportunities for Lincolnshire; key issues which would help to deliver the project.

Comments made by the Forum included:-

1. The opportunities for equestrian activity.
2. Conflicts of the proposed coastal access with Highways Acts.
3. The effects of coastal erosion on access.
4. There might be locations where access already ran along or within a dune system.
4. The presence of marshland and caravans could impede progress.
5. There was a need to consider gaps on the coast.
6. Whilst residential dwellings appeared protected would any exemptions apply to caravans and caravan parks?

Elizabeth Barnicott thanked the Forum for their comments and agreed to send the questions posed in connection with the development of access in Lincolnshire to Steve Blagg, Secretary, for forwarding onto members to respond. She stated that the Forum should start thinking about coastal access because it would be coming to Lincolnshire in three to four years.

The Chairman asked for clarification of what legal status the path would have – would it become a public right of way or be protected by another specific piece of legislation.

RESOLVED

- (a) That the presentation and comments made by the Forum, be noted.
- (b) That Elizabeth Barnicott send details of the questions in connection with coastal access, to Steve Blagg, Secretary, to forward to the Forum to respond.

(b) Huddle – Raising Awareness

Elizabeth Barnicott gave a presentation on the use of the Huddle website. She stated that members could now have access to Huddle and any member who wanted access should contact Fiona Groves, the regional LAF Coordinator with their email address. Contact [fgroves@me.com](mailto:fgroves@me.com).

(c) Natural England's proposed dedication of National Nature Reserves

Elizabeth Barnicott stated that a letter had been sent to all LAF Chairs about Natural England plans to dedicate their National Nature Reserves as open access and for Saltfleetby/Theddlethorpe, just north of Mablethorpe, this was expected to happen in 2014, the site would become open access unless it impinged on the ecology of the area. National Nature Reserve staff were now examining opportunities for the use of the site and would like to engage with user groups and local community groups. They would be happy to meet with Forum members for a site visit and could offer the use of the meeting room.

The Forum was informed that a number of schemes were in the pipeline for the Paths for Community project. Elizabeth Barnicott stated that they were keen to help groups in this area and added that in a recent newsletter about the project that there was every confidence in spending the money available.

RESOLVED

- That Elizabeth Barnicott send details of the Natural Nature Reserve details to Steve Blagg, Secretary, to circulate to the Forum.

44. RIGHTS OF WAY IMPROVEMENT PLAN 2 – STAKEHOLDER CONSULTATION REPORT

Andrew Savage presented a report outlining the findings of the Second Rights of Way Improvement Plan Stakeholder Consultation. Thirty one responses had been received and were detailed in the report.

Comments made by the Forum included:-

1. Concerns about access issues for the significant number of horse riders on the coast in the Saltfleetby area and that facilities for horse riding should be examined by the Forum.

2. There was a need for ROWIP 2 to reflect the public's requirements and what was not realistic in terms of delivery.
3. Horse riding in Lincolnshire was popular and therefore needed a higher profile in ROWIP 2.
4. The response from walkers and cyclists to the consultation was poor.
5. The link between good health and walking needed to be emphasised.
6. The Wolds AONB should be consulted about their walking events.
7. The use of volunteers should be encouraged.

Officers responded to the comments made by the Forum:-

1. Horse riding on the beach area near Saltfleetby and Theddlethorpe was the responsibility of East Lindsey District Council.
2. The consultation had been sent to a variety of organisations, including Sustrans. (National body representing cyclists).
3. There were a number of initiatives in place to make use of volunteers and details were provided.
4. ROWIP 2 was in the process of being written and there would be further consultations with the Forum with the aim of completion in November 2013.

#### RESOLVED

That the comments made by the Forum and the responses given by officers be noted and that the comments be considered in the preparation of ROWIP 2.

#### 45. COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN UPDATE

The Forum received progress reports on the Countryside Access and Rights of Way Improvement Plan from North East Lincolnshire and Lincolnshire County Councils.

In response to a comment made by the Forum, officers stated that there was a statutory obligation for Local Access Forum to be consulted on Gating Orders and it was noted that Gating Orders were mostly in urban areas. It was noted that Councillor Iain Colquhoun had commented on those Gating Orders located in North East Lincolnshire District Council's area. The Forum agreed the need for transparency in the process.

With regard to Lincolnshire ROWIP 1 officers stated that the improvements had nearly been completed and they were examining what potential there was for further schemes assisted by the Paths for Communities funding in particular reference was made to the use of this grant to potentially help finance the construction of a bridge from Market Deeping to Cambridgeshire.

Officers stated that they would investigate the comments made by Pete Skipworth in connection with the use of 4x4s at Monkton.

The Forum considered the inappropriate use of 4x4s in the countryside and the Forum agreed that the person responsible for rural matters at Lincolnshire Police

should be invited to attend a meeting of the Forum. It was also agreed that the legal options to prevent inappropriate use by 4x4s in the countryside should be considered at the same time. In this respect the Forum noted that the theft of lead from Churches had reduced substantially since the Police had got more involved.

RESOLVED

- (a) That the reports and responses given by officers be noted.
- (b) That the person with responsibility for rural matters at Lincolnshire Police be invited to attend a future meeting of the Forum when the use of 4x4s in the countryside is considered and that the legal options to prevent inappropriate use of 4x4s in the countryside be considered at the same time.

46. PROGRESS OF DEFINITIVE MAP ORDERS FROM OCTOBER 2006 – 19 JUNE 2012

The Forum received progress reports on Definitive Map Orders from October 2006 to 20 December 2012 from North East Lincolnshire and Lincolnshire County Councils.

RESOLVED

That the reports be noted.

47. PUBLIC PATH ORDERS PROGRESS REPORT 1 APRIL 2012 TO 31 MARCH 2013

The Forum received progress reports on Public Path Orders from 1 April 2012 to 31 March 2013 from North East Lincolnshire and Lincolnshire County Councils.

Officers reported on progress of a proposed new route and new bridge at Anderby in the Coastal Country Park. The proposed new route would go out to public consultation.

The Forum was informed that the County Council had refused an appeal by Network Rail to divert a footpath which crossed the Lincoln to Newark railway line at Ballast Hole, Lincoln.

RESOLVED

That the reports and responses given by officers be noted.

48. ITEMS RAISED BY PETE SKIPWORTH

(a) Marking of footpaths across ploughed fields

Pete Skipworth stated that landowners needed to mark a footpath when a field had been ploughed. The Forum agreed with Pete Skipworth's comments but it was noted that canes were only required as markers if the footpath was not visible.

Officers stated that there were no longer any Enforcement Officers specifically employed to ensure that landowners marked ploughed fields. The problem was seasonal, presently aggravated by inclement weather conditions and the opportunity was taken to encourage landowners to mark footpaths with canes as opposed to marking the route with tractor wheelings.

The Forum agreed that the situation had improved in recent years and that there was now a new generation of landowners who were aware of their responsibility to ensure that a footpath was restored after a field had been ploughed.

The Forum agreed that local authorities should record the effects of cuts in public expenditure and draw them to the attention of the Government.

(b) Placing of carriage gaps on the bridleway at Brinkhill

In response to Pete Skipworth's request for the placing of carriage gaps on the bridleway at Brinkhill, officers stated that the Council tried to avoid putting obstructions on PROWs and that carriage gaps could not obstruct private accesses. Officers requested that Pete Skipworth should speak to Jonathan Stockdale about the problem at Brinkhill.

(c) Creating Footpaths on Grass Verges to link Footpaths

Pete Skipworth suggested that the County Council should consider using tarmac strips on grass verges to link footpaths.

The Forum noted that footways formed part of the carriageway and should be in the remit of the Local Access Forum.

Officers stated that if there was a safety issue or where there was sufficient demand then it was possible that a footpath could be added to the Internal Rights of Way Programme. Cycle routes which had encountered similar linkage problems had received funding from Sustrans to overcome them. The Council did not have sufficient funds to address all problems at the current time and, also, any hard surface would have to be maintained at public expense.

RESOLVED

That the comments made by the Forum and responses given by officers be noted.

49. SPA TRAIL PROPOSALS UPDATE

Chris Miller gave a verbal update to the Forum on the latest situation in connection with the proposals to extend the Spa Trail. He stated that the Spa Trail was part of a larger project in which it was proposed to extend the trail to Horncastle, Woodhall Spa and to the Cycle/Waterway Trail, along a former rail line. However, there were issues about the proposed routing through Woodhall Spa Golf Club which were currently being examined.

Comments made by the Forum included the need for the Forum to be involved in any consultations, the need for the Forum to consider the wider issue of process and the involvement of the Forum, and that Woodhall Spa Golf Club had stated that they had no objection to walkers but were adamant that they did not want cyclists using any proposed new footpath through their golf course.

Chris Miller stated that the consultation process in this case was no different to that which took place for the diversion of a PROW and added that alternative routes were being examined.

The Forum agreed that it would be useful to invite Andy Jee, Project Leader for the scheme, to explain the issues involved, to a future meeting of the Forum.

#### RESOLVED

(a) That the comments made by the Forum and the responses given by officers be noted.

(b) That Andy Jee, Project Leader for the Spa Trail, be invited to attend a future meeting of the Forum to explain the proposals for the scheme.

#### 50. PROWS ACROSS RAILWAY LINES

Chris Miller responded to comments from the Forum about PROWs crossing railway lines stating that Network Rail wished to remove of all unmanned crossings, citing a recent example of a request by Network Rail to close Ballast Hole in Lincoln which had subsequently been refused by the Council.

Comments made by the Forum included that Network Rail was not interested in finding solutions to enable the public to cross unmanned crossings and in the case of Ballast Hole, Lincoln, Network Rail already had the necessary infrastructure present to make the crossing safe, and Network Rail should provide a reason(s) why an unmanned crossing should be closed.

#### RESOLVED

That the comments made by the Forum and responses given by officers be noted and that Chris Miller submit a report to the Forum in connection with PROWs crossing unmanned railway lines.

#### 51. CHAIRMAN'S REPORT ON MEETING WITH PAUL COATHUP, ASSISTANT DIRECTOR OF HIGHWAYS AND TRANSPORT

The Chairman reported on the outcome of his discussions with Paul Coathup, Assistant Director of Highways and Transport, in connection with issues affecting the Forum, including the following:-

1. Sign posting of Green Lanes not on the Definitive Map but public highway.
2. Off-road damage to Green Lanes by 4x4s.
3. The need for a broader review of the PROW network.
4. Clarification of a PROW when it was deemed unusable, e.g. a deadend.



5. The backlog of dealing with Definitive Map Orders and the need to avoid churning. There were still cases waiting to be considered three years after the new policy had been introduced.

Chris Miller noted the Chairman's comments about the process for dealing with Definitive Map Orders but questioned whether it was the process itself which needed streamlining. He hoped the Government's proposals would address the problem.  
NOTED.

52. DATE AND TIME OF THE NEXT MEETING

6.30pm on Tuesday 23 April 2013 at Horncastle College.

The meeting closed at 4.30pm

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