

Agenda Item 4



SOUTH LINCOLNSHIRE AND RUTLAND LOCAL ACCESS FORUM 10 APRIL 2013

(Meeting held at Stamford Town Council, Town Hall, Stamford)

PRESENT: COUNCILLOR RAY WOOTTEN (CHAIRMAN (REPRESENTING LINCOLNSHIRE COUNTY COUNCIL))

Representing Rutland County Council: Councillor Brian Montgomery.

Representing Lincolnshire County Council: Councillor David Brailsford

Representing Independent Members: Bryan Bowles, William Cross, Alan Gibbon, Rosemary Harris, Alec Hill, John Law, Audrey Morley, Barbara Smitheringale and John Williams.

Officers: Andrea Brown (Democratic Services Officer, Lincolnshire County Council), Stuart Crook (Public Rights of Way Officer, Rutland County Council), Chris Miller (Countryside Access Manager, Lincolnshire County Council) and Andrew Savage (Senior Countryside Access Officer, Lincolnshire County Council).

Also in attendance: Vicky Allen (Leicestershire & Rutland Bridleways Association), and Councillor Harrish Bisnauthsing (Stamford Town Council).

Welcome

The Chairman welcomed all those present to the meeting and invited members of the public to address the Local Access Forum.

41. PUBLIC FORUM

Vicky Allen of Leicestershire & Rutland Bridleways Association reported an issue on a bridleway on the Lincolnshire side of Stamford. They had been asked to devise a route around the boundaries of Leicestershire & Rutland but had encountered so many blockages. As a result, a full day had also been spent with a Level Crossing Officer from Network Rail. Following that meeting, a level crossing had been implemented although this could not be accessed from the bridleway. Both a railway line and the River Welland have to be crossed and so the main issues remain that of crossing the river and approaching the railway as there was now a padlocked field gate in situ. It was understood that the Burghley Estate, who own this land, wanted to keep the gate locked for stock security but it was felt that access should be available to those wanting to use it. Mrs Allen asked that the forum support restoring this bridleway to good working order.

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In response, the Countryside Access Manager for Lincolnshire County Council, Chris Miller, advised that they were aware of the issue relating to the bridge and that this appeared to be a legacy inherited from Cambridgeshire. There was also a potential status issue with the paths in that area. As part of the Anomalies Project, this was being considered by the technical services department and, once the final report was received, officers would be aware of what was required and what costs would be involved.

RESOLVED

That this item would be considered by the forum at the next meeting.

42. APOLOGIES FOR ABSENCE

Apologies for absence were received from Ian Cox and Gordon Norris.

43. MINUTES OF THE PREVIOUS MEETING HELD ON 17 JANUARY 2013

In relation to minute number 29, it was noted that Mrs Rosemary Harris requested the amendment and not Mrs Audrey Morley. Additionally, the point made was that the path would be *behind* the hedge along the A47 near Belton and not on the A-road itself.

At minute number 30 ii) Accessibility and the Needs of People with Disabilities – Councillor Montgomery confirmed that it was Gordon Norris who set up the sub-group and not Colin Smith, as stated.

RESOLVED

That the minutes of the previous meeting of the South Lincolnshire and Rutland Local Access Forum held on 17 January 2013, with the amendments as noted above, be confirmed and signed by the Chairman as a correct record.

44. ACTIONS ARISING FROM THE MINUTES OF THE MEETING HELD ON 17 JANUARY 2013

Further to the last meeting of the Forum, an update on the following area was provided:

i) Accessibility and the Needs of People with Disabilities

Councillor Brian Montgomery advised that no actions had been completed since the last meeting. Contact had been made with Karen Mellor of the Rutland Access Group inviting her to attend a meeting of the sub-group. Disappointedly, however, no response or information had been received. It was expected that a further update would be provided by Gordon Norris at the next meeting.

RESOLVED

That an update be provided at the next meeting.

45. COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN UPDATE

i) Rutland County Council

The Public Rights of Way Officer of Rutland County Council introduced the report which had little more information than that provided at the last meeting. A second Rights of Way Officer had now been appointed on a part-time basis to join the team. Although they were waiting for the successful candidate to work notice in their existing post, it was hoped more progress would be made once in the position.

It was acknowledged that the plan needed to be updated as this was originally from 2007 to 2012. In relation to item reference 4A, members were asked to note the grant funding of £45k for the upgrade of footpath E202 (Oakham to Eggleton) had now been secured. Despite this, however, progress of this remained slow as the agent for the landowner had moved on. There was a risk that the grant may be lost if agreements were not reached with the landowner. Members were keen that the landowner be actively pursued to ensure that the funding was not withdrawn.

RESOLVED

That the verbal update be noted.

ii) Lincolnshire County Council

A report by Lincolnshire County Council's Senior Countryside Access Officer was considered, which provided the Local Access Forum with an update on the progress made in the implementation of the Lincolnshire Countryside Access and Rights of Way Improvement Plan. Appended to the report was the Countryside Access and Rights of Way Improvement Plan Action Plan.

It was reported that, at this time of year, schemes are coming to an end and officers were planning upcoming schemes. There were fifteen schemes being planned at the present time but forum members were invited to make suggestions for improvement schemes, new routes, etc.

Concern was noted by Alan Gibbon that the statement in the report regarding item 10, River Glen Access Improvement Works, was incorrect. A member of the Ramblers Association had checked this route and had agreed to mark on a map where all the stiles were in act. It was also reported that the Environmental Agency rented out this land for grazing which is why the gate had been locked.

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The Senior Countryside Access Officer explained that combination gates had been installed as the landowner had been experiencing issues with people leaving the gates open.

RESOLVED

That the report be noted.

46. DEFINITIVE MAP MODIFICATION ORDERS

Members were provided with updates on Definitive Map Modification Order work in respect of Rutland County Council and Lincolnshire County Council, as follows: -

i) Rutland County Council

An update report on those Definitive Map Modification Order applications currently in Rutland County Council's system was considered.

A meeting had taken place with solicitors in regard to Barbers Lane footpath in Preston as consideration was being given to abandoning the current order in favour of raising a new one. When asked why this case had been outstanding for since 2003, it was explained that it hadn't been referred to the Planning Inspectorate earlier. Legal advice had been sought from legal services but, unfortunately, this team were external to RCC and the original paperwork had been lost in transit. Members were displeased that, after nearly ten years of dealing with this issue, progress had halted due to the loss of the relevant documents.

RESOLVED

1. That the report be noted.
2. That the Chairman write to the Leader of RCC expressing the concerns of the forum in respect of Barbers Lane footpath, Preston.

ii) Lincolnshire County Council

A report by the Council's Countryside Access Manager was considered, which detailed the progress of Definitive Map Modification Order work since the inception of the current prioritisation policy, together with an overview of current caseloads.

Specifically, members were asked to note that three cases were currently with the Secretary of State for consideration and it was understood that random site visits had been undertaken.

On the 30th April and 1st May 2013, a public inquiry would be held by the Planning Inspectorate to consider an application to have access to a footpath in Stamford as an official public footpath. It was thought that only those making representations would have the right to speak. However, the inspector may, at his discretion, invite anyone else to speak during the inquiry.

RESOLVED

That the report and update be noted.

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

Members were provided with updates on Public Path Order work in respect of Rutland County Council and Lincolnshire County Council, as follows: -

i) Rutland County Council

Consideration was given to an update report on those Public Path Order applications currently in Rutland County Council's system.

The order had been abandoned and the definitive line reinstated in Langham (Footpath ref D85) as the landowner had withdrawn their interest in this piece of land.

In regard to the footpath in Uppingham (ref E268) which noted this was an issue for the NFU, it was reported that this case had been inherited. A small diversion had been granted in 1995 as they had planning permission to extend the car park located behind their offices, however the order was confirmed without anyone from RCC undertaking an inspection to ensure the work required to bring the route in to use (and described in the schedule) had been carried out. The NFU have now decided they do not want a car park and have allowed planning permission to lapse, leaving them with little reason to comply with the previous agreement which was made more than 20 years ago.

RESOLVED

That the report and update be noted.

ii) Lincolnshire County Council

The Forum received a report by the Countryside Access Manager, Lincolnshire County Council, which detailed the progress of Public Path Order work in respect of the Council's power to divert, extinguish or create public rights of way either of its own volition or following an application to do so from the public.

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Confirmation was received that the case to divert a path at Great Gonerby (Ref PF2) was for the waste recycling unit. Once this was completed, an order would be made to change the map.

RESOLVED

That the report and update be noted.

48. PERMISSIVE PATHS

John Law introduced the report which examined how Natural England could publicise the permissive walker. Advice provided by them in 2010 said that they would provide no further grants for permissive paths. A rough draft of the document had been sent to Andrew MacKintosh at Natural England for comments which had been received and seemed to be reasonably positive.

Forum Members were invited to make any further comments, suggestions or amendments to the document. It was hoped the report could be finalised and approved by early May if possible and so comments were requested prior to the end of April 2013.

RESOLVED

That the report be noted and the response received from Natural England be circulated to forum members.

49. COUNTY ESTATE FARMS

John Law presented a report on County Estate Farms, explaining that the sub-group had now been confirmed. Report Ref 8.1 provided the proposal of the sub-group and the forum was asked to support that proposal or make further comments.

Members agreed with the proposals as set out but suggested that the Estates Management Team be informed of any discussion points prior to their meeting to ensure they are prepared with the relevant information. Chris Miller, Countryside Access Manager for Lincolnshire County Council, advised that he would discuss the principle behind the work with the Estates Management Team and also the Executive Councillor prior to the meeting also. He also agreed to liaise with all concerned to provide suitable dates to meet.

RESOLVED

1. That the report be noted.
2. That dates be provided for the sub-group to meet with the Estates Management Team (Chris Miller).
3. That this item be included on the agenda for an update at the next meeting.

50. LOCAL ACCESS FORUMS NATIONAL CONFERENCE – FEEDBACK

The Vice-Chairman, John Williams, provided members with an update following his attendance at the LAF National Conference, held on 27th February 2013 in Sheffield. Mr Williams felt that this was an interesting and informative conference where all those presenting were enthusiastic about their topics, particularly the session led by the Hampshire LAF.

It had been interesting to note that the Cumbria LAF have no secretarial support or input from the local authority. They converse with the LAF but provide no other assistance as Lincolnshire and Rutland do. It was confirmed that the Local Authority have a statutory duty to establish a Local Access Forum but they do not have any obligation to ensure officer attendance on behalf of the authority.

The Chairman thanks Mr Williams for attending the conference on behalf of the South Lincolnshire & Rutland Local Access Forum and for his comprehensive feedback.

RESOLVED

1. That the report be noted.

51. ANY OTHER URGENT BUSINESS

The Chairman invited members to raise any items of urgent business.

PC4 Bridleway – Rutland

Mrs Audrey Morley reminded the forum that Rutland members had requested a PC4 bridleway in Belton-in-Rutland but that this was dependent on the agreement of the land owner. The owner had now indicated that they were not in agreement therefore no application would be submitted. Discussion had been undertaken, however, to consider other options which may be available.

Coastal Access

Mr Bryan Bowles noted that he felt there was sufficient access to the coast in Lincolnshire by way of Frampton, Freeston, Gibraltar Point and Skegness, etc. He was unsure as to what the context of previous discussion had been, having not been in attendance, but suggested that sufficient access to the marsh could be provided without incurring too much cost.

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52. DATE AND TIME OF NEXT MEETING

Members agreed that the next meeting of the Forum should be held on 3rd July 2013 at 11.00 am to be held at Gibraltar Point.

RESOLVED

- i) That the next meeting of the South Lincolnshire and Rutland Local Access Forum be held on Wednesday 3rd July 2013 at 11.00am to be held at Gibraltar Point.

The meeting closed at 7.57pm.