

**SOUTH LINCOLNSHIRE AND RUTLAND
LOCAL ACCESS FORUM
13 JANUARY 2010**

PRESENT: MR B MONTGOMERY (CHAIRMAN)

Members

Councillors R Wootten and P Golden, Mr B Bowles, Mr W Cross, Mr A Hill, Mr G Law, Mr I Cox and Mr C Smith.

Officers

Chris Miller (Principal Rights of Way and Access Officer); Stuart Crook (Public Rights of Way Officer, Rutland County Council); Andrew Savage (Senior Countryside Access Officer, Lincolnshire County Council); and Matthew Herkes (Democratic Services Officer).

25. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor D Brailsford, Mr M Brearley, Mrs R Harris, Mrs J Lucas, Mr G Keeping, Mr G Norris, Mr J Williams and Mrs V Woolmer.

26. PUBLIC FORUM

Two members of the public were present at the meeting and requested an update on the status of a Viking way entitled 'The Drift', which could be found close to Grantham near Harlaxton.

The Principal Rights of Way and Access Officer gave the Committee the background to the unclassified road and advised that in recent times it had been utilised by off road enthusiasts, which had resulted in the surface deteriorating and becoming unsuitable for all vehicles. Investigations had revealed that a management agreement to maintain the Viking way had not been drawn up, and had subsequently been produced. It was reported that a temporary traffic regulation had been imposed on the road to ensure that it was only utilised by ramblers whilst the grass land improved and recovered. The ongoing maintenance of the Viking way would be undertaken in conjunction with Lincolnshire Wildlife Trust on an annual basis, and it was anticipated that much of the scrub would be cleared and there would be more emphasis on managing the route better from a user's point of view.

It was queried whether the issues flagged up regarding this green road had meant that other concerns were apparent and needed to be resolved in other parts of the county.

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The Senior Countryside Access Officer advised that the management agreement produced for this Viking way could be expanded to other green lanes in the county that were seen as problematic and in need of recovery. Identified roads in the county would go through a similar partnership arrangement to that undertaken in Grantham.

27. MINUTES OF THE MEETING HELD ON 14 OCTOBER 2009

AGREED

That the Minutes of the previous meeting held on 14 October 2009 be confirmed and signed by the Chairman as a correct record.

28. EAST MIDLANDS LOCAL ACCESS FORUM MEMBERS WORKSHOP

The Senior Countryside Access Officer informed members that Claire Herring, East Midlands Local Access Forum Co-ordinator had scheduled an East Midlands Local Access Forum Workshop for 23 March 2010 in Grantham. It was noted that seven members each Local Access Forum had been invited to attend the event and that, to date, four had volunteered from the South Lincolnshire Local Access Forum. It was noted that anyone wishing to attend the event should contact the Senior Countryside Access Officer for further details.

AGREED

That the verbal report be noted.

29. COASTAL ACCESS: NATURAL ENGLAND'S SCHEME:
CONSULTATION VERSION

The Senior Countryside Access Officer presented the third draft of Natural England's Consultation document on Coastal Access. It was reported that the main difference between the presented document and previous dates were the stages of implementation, which consisted of the following:

- Identifying issues and opportunities
- Walking the course
- Produce the draft proposal
- Consultation
- Produce final report
- Consideration of the report and objectives
- Consideration of decision by the Secretary of State
- Preparation and commencement of rights
- Maintenance management and monitoring

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- Re-assessment

The Committee were advised that copies of the consultation document were available and could be accessed by contacting the Senior Countryside Access Officer.

In relation to the recommendation in the report, which suggested that the coastal access sub group considered the consultation and provided a response on behalf of both Lincolnshire Local Access Forums, the Chairman proposed that a meeting of the coastal access sub group be scheduled for the end of January 2010 to consider the consultation document in full and submit comments by the closing date of 5 February 2010.

AGREED

That the report be noted.

That a meeting of the Coastal Access Sub Group be scheduled for the end of January 2010 to consider the consultation document in order to submit comments before the deadline of 5 February 2010.

30. THE DISABILITY DISCRIMINATION ACT 1995 AND STRUCTURES (GATE, GAPS AND STILES) ON RIGHTS OF WAY: DEFRA DRAFT GOOD PRACTISE GUIDANCE FOR LOCAL AUTHORITIES

A report by the Senior Countryside Access Officer was considered, which informed members of the good practice guidance utilised by the Local Authority to demonstrate how the disability discrimination legislation impacted on their functions in relation to gates, styles and other structures on public rights of way.

It was queried how the Disability Discrimination Act 1995 was likely to be implemented as a number of styles had been identified in the county where access was poor.

The Senior Countryside Access Officer advised the committee that a policy had been written within the County Council on how the Disability Discrimination Act 1995 would be implemented.

AGREED

That the report be noted.

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31. LINCOLNSHIRE COUNTY COUNCIL DRAFT ACCESSIBILITY GUIDANCE – INCORPORATING THE LINCOLNSHIRE COUNTY COUNCIL GAPS, GATES AND STILES POLICY

A report by the Senior Countryside Access Officer was considered by the committee, which provided members with the details of the Lincolnshire County Council Draft Accessibility Guidance. The guidance expanded on the current Lincolnshire County Council Highways Traffic Guidance note on stiles and gates on public rights of way.

The guidance outlined the legal framework in relation to access to the countryside by disabled users by developing the current Highways Traffic Guidance Note on Stiles and Gates on public rights of way and ensuring that working practices met the requirements of DEFRA good practice guidance for local authorities.

It was reported that the Disability Discrimination Act 2005 aimed to ensure that disabled people were treated in a fair and equal way. Encompassed within the Act it was noted that the County Council had a duty to maintain the surface of a public right of way to a standard appropriate to its current legitimate use.

It was noted that surface improvement works would be targeted towards the following:

- Well used paths and strategic routes in urban areas and paths leading to popular destinations.
- Routes which were used by 'Walking for Health' groups.
- Routes where public safety could be substantially improved.

It was queried whether a policy on bridges was encompassed in the revised act.

The Principal the Rights of Way and Access Officer stated that it depended on the Rights of Way guidelines, however, it was noted that the County Council were under no obligation to provide a bridge or ford, but any application would be considered.

A footpath located at the top of the South Common was highlighted by a member of the committee as having a sharp gradient, which it was felt could cause concerns for disabled people in terms of access to the footpath.

The Senior Countryside Access Officer reported that the identified path was reviewed by the County Council last year. It was noted that an update on the developments planned for this path would be provided at the next meeting of the South Lincolnshire Local Access Forum committee.

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The Chairman requested that representatives from the Environment Agency be invited to attend the next meeting of the South Lincolnshire Local Access Forum.

AGREED

1. That the report be noted.
2. That representatives from the Environment Agency be invited to attend the next meeting of the South Lincolnshire Local Access Forum.

32. UNCLASSIFIED COUNTY ROADS

The Senior Countryside and Access Officer informed the committee of the developments that related to the signing of roads within the county's road network. It was noted that to date 50% of the unclassified roads in the county had been signed. Of the Unclassified Road Network further improvements were anticipated over the coming year.

It was reported that Lincolnshire County Council had one of the highest number of Unclassified County Roads in the country and it was the task of the Officers with the help of Divisional Rights of Way Officers to ensure that they were signed over the coming year.

AGREED

That the report be noted.

33. WOODNOOK VALLEY ACCESS RESTRICTIONS

The Senior Countryside Access Officer informed the committee that an application from Stoke Rochford Estates had been received by Natural England for restrictions to be placed on the Woodnook Valley area for a further six year period, so that shooting events could take place. It was anticipated that the restrictions would be applied six times a year with the majority of closures taking place over the Christmas period.

AGREED

That the report be noted.

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34. COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN
2007-2012 UPDATE

i) Lincolnshire County Council

A report by the Senior Countryside and Access Officer was considered by the Committee, which detailed the progress made towards the implementation of the Lincolnshire Countryside Access and Rights of Way Improvement Plan.

In relation to the implementation of improvements to Health Walks as identified in the health walks audit, it was reported that 55 stiles would be replaced by gates, one flight of steps, five bridges and two boardwalks would be installed, in addition, 2,500 metres of surfacing improvements would be undertaken.

Pending National Trust approval, the improvement works to Tattershall footpath would commence in February 2010. In addition, it was reported that Lincolnshire County Council's South Division was currently working in partnership with the Environment Agency to install a number of kissing gates on the public footpath running adjacent to the River Glen to the west of Spalding.

The Chairman requested that members reviewed the countryside access website at www.lincolnshire.gov.uk/countryside and email comments to either the Senior Countryside Access Officer or Principal Rights of Way and Access Officer, so that improvements could be made to the site.

In relation to the Spa Trail, it was noted that the initial civil engineering contractor taking this project forward went into administration mid way through the contract. The Lincolnshire Waterways Partnership was now in negotiations with the receiver and it was hoped that works would recommence on 4 January 2010 and run for approximately 8 weeks.

The Principal Rights of Way and Access Officer requested that members forwarded any particular pathways or current walking routes, which were seen as a danger to cross or walk. It was noted that the Senior Countryside Access Officer and his team would be working to resolve any problems with the crossing networks.

A Member advised the committee of a current footbridge in the south of the county close to Sleaford, which was being used by motorcyclists and horse riders to cross, even though it was considered to be a danger due to the weight restrictions on the foot bridge.

The Principal Rights of Way and Access Officer stated that he would review the issue with the area division and report the findings back to the committee.

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ii) Rutland County Council

The Public Rights of Way Officer, Rutland County Council informed the committee that continued efforts had been made to replace kissing gates with styles across the county. Styles in particularly poor condition were being targeted in the first instance. It was reported that the Parish Council in Thorpe by Wate had proposed that a link to the footpath that runs alongside the B672 be developed. Discussions on the development of a link to the footpath were ongoing with the land owner. It was noted that the Rutland Walking Week would commence on 1 May 2010 and finish on 9 May 2010.

AGREED

That the report be noted.

35. DEFINITIVE MAP MODIFICATION ORDERS – UPDATES ON PROGRESS

i) Lincolnshire County Council

The Principal Rights of Way and Access Officer guided members of the committee through the progress made against targets for the resolution of Definitive Map Modification Orders.

Since the last meeting of the South Lincolnshire Local Access Forum, it was reported that there were 156 outstanding cases, of which a total of six cases had been submitted to the Planning Inspectorate for a decision.

In order to reduce the number of outstanding cases currently residing in the inspectorate, it was queried whether Officers could distribute a survey to ascertain whether objectors still wished to hold their opposition.

The Principal Rights of Way and Access Officer advised members that the inspectorate could not legally survey applicants. Each individual application, did, however go through a scrutiny process which meant that all the evidence required to process it had been gathered, it would ultimately then be the Local Authority's decision to make a determination.

It was reported that a stakeholder working group had been established and consisted of five representatives from the Local Authority, land owners and walkers to review how Definitive Map Modifications were made, so that a more streamlined approach could be implemented.

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A draft report, which suggested a change to the current legislation on Definitive Map Modifications had been produced by the stakeholder group and was awaiting comment from the Local Authority, after which it would come back to the stakeholder group for consideration before it was sent to the Secretary of State for deliberation.

ii) Rutland County Council

The Public Rights of Way Officer, Rutland County Council informed members that at the time of reporting there were four outstanding Definitive Map Modification Orders in Rutland. Since then, it was noted that Path reference E360, which was located at South Luffenham, had now been submitted to the Planning Inspectorate for a decision.

AGREED

That the report be noted.

36. PUBLIC PATH ORDERS – UPDATE

i) Lincolnshire County Council

A report by the Principal Rights of Way and Access Officer was considered, which updated members on the progress made on resolving the Public Path Orders in Lincolnshire.

It was reported that the County Council had a current work load of 35 outstanding cases. In relation to the number of applications received or cases initiated since April 2009, it was noted that there were 10 confirmed cases.

ii) Rutland County Council

The Public Rights of Way Officer, Rutland County Council advised members that pathway E125 located in Thistleton had now been submitted to the Planning Inspectorate for deliberation following the withdrawal of both objectors.

AGREED

That the report be noted.

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37. DATES AND VENUES OF FUTURE MEETINGS

AGREED

That future meetings of the South Lincolnshire and Rutland Local Access Forum be held as follows: -

- 14 April 2010 (Council Chamber, Sleaford, commencing at 6.30 p.m.);
- 7 July 2010 (Council Chamber, Rutland, commencing at 6.30 p.m.);
- 13 October 2010 (Assembly Rooms, Boston, commencing at 2 p.m.).

Meeting closed 15.40 p.m.