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**SOUTH LINCOLNSHIRE AND RUTLAND
LOCAL ACCESS FORUM
25 JANUARY 2012**

(Meeting held at Lincolnshire County Council Offices, Lincoln)

PRESENT: COUNCILLOR BRIAN MONTGOMERY (CHAIRMAN)

Representing Lincolnshire County Council: Councillor Ray Wootten.

Representing Independent Members: Bryan Bowles, Ian Cox, John Law, Alan Gibbon, Rosemary Harris, Alec Hill and John Williams.

Officers: Stuart Crook (Public Rights of Way Officer, Rutland County Council), Andrew Savage (Senior Countryside Access Officer, Lincolnshire County Council) and Graham Watts (Democratic Services Officer, Lincolnshire County Council).

26. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor David Brailsford, William Cross, George Keeping and Graham Law.

27. MINUTES OF THE PREVIOUS MEETING HELD ON 12 OCTOBER 2011

RESOLVED

That the minutes of the previous meeting of the South Lincolnshire and Rutland Local Access Forum held on 12 October 2011 be confirmed and signed by the Chairman as a correct record.

28. EAST MIDLANDS LOCAL ACCESS FORUM CHAIRMEN'S MEETING

The Vice-Chairman of the South Lincolnshire and Rutland Local Access Forum introduced this item and reported that he attended the last meeting of the East Midlands Local Access Forum Chairmen's meeting, in place of the Chairman.

One of the main issues raised at the meeting was the increased concern regarding the growth of the plant Ragwort, which was particularly poisonous to animals such as dogs, horses and livestock.

Another key issue raised at the meeting was that of off-road vehicle users, specifically motorcyclists, who were causing significant damage to the rights of way networks in the region but particularly in Derbyshire. It seemed that there were lots of users simply not taking notice of regulations.

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An update on the 'Huddle' system was also provided for those in attendance at the Chairmen's meeting, however, it was noted that this would be covered in a later item at this meeting (minute number 30 refers).

RESOLVED

That the update be noted.

29. PROPOSED LINCOLNSHIRE RIGHTS OF WAY ENFORCEMENT POLICY

A report by Lincolnshire County Council's Senior Countryside Access Officer was considered, which provided the Forum with a copy of the authority's proposed Rights of Way Enforcement Policy.

The existing policy was set following the Leisure and Recreation Committee report of 10 January 1994, although this only covered ploughing and cropping offences specifically.

The basic principles in the proposed policy were that the County Council would escalate its enforcement responses dependent on the offender's past history within a five year period in the following manner: -

- warning letter – issued for a first issue of non-compliance in a five year period;
- 14 day formal notice – issued following non-compliance with a warning letter or for a second offence in a five year period;
- 24 hour formal notice – issued following non-compliance with a 14 day notice or for a third offence in a five year period;
- default action – non-compliance with a 24 hour notice would see the County Council carrying out the required works and recharging the offender.

Following an evaluation of the existing policy and reflecting the Enforcement Concordat formally adopted by the County Council, the proposed policy, as appended to the report, set out how all forms of rights of way enforcement would be implemented. In summary, the revised scheme for ploughing and cropping offences would be as follows: -

- Lincolnshire County Council would initially encourage compliance through a mixture of education and an informal approach. Should this approach not ensure compliance then the above formal written approach would be taken, with the following additional measures: -
 - following default action, consideration would be given to offering the offender a formal caution;
 - for future offences following the 24 hour formal notice, consideration would be given to prosecuting the offender also taking into account any previous formal cautions.

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During discussion the Forum agreed that the proposed policy was very fair, clear and flexible, and was the right approach. A suggestion was also put forward that stronger action should be taken on a more frequent basis so that a clear message was sent out to repeat offenders as a deterrent.

The Public Rights of Way Officer from Rutland County Council reported that he was also working towards a revision of Rutland County Council's enforcement policy.

RESOLVED

That the report be noted.

30. HUDDLE – UPDATE

An information leaflet on the 'Huddle' system was circulated at the meeting.

Huddle was an online network that allowed users to connect, share and work together easily. The intention was that all Local Access Forum Members would eventually have access to the system, although at this stage it was reported that exactly when or if this would happen was unclear. In the meantime, Huddle champions had been asked to discuss the potential of the system within their respective Local Access Forums. George Keeping had been appointed as the Huddle Champion for the South Lincolnshire and Rutland Local Access Forum, who had offered to provide a presentation to Members at the next meeting scheduled to be held on 18 April 2012.

RESOLVED

That a presentation on the 'Huddle' system be given to Members at the next meeting of the South Lincolnshire and Rutland Local Access Forum.

31. HIGHER LEVEL STEWARDSHIP SITES IN LINCOLNSHIRE AND RUTLAND

This item was introduced by John Law, who had requested its inclusion on the agenda for this meeting.

Members were provided with a breakdown of the various Higher Level Stewardship sites in Lincolnshire and Rutland, indicating their respective end dates, length in miles and kilometres and status, such as whether they were permissible paths, permissive bridleways or suitable for disabled users.

It was reported that once a Higher Level Stewardship scheme expired, it would be up to individual landowners to decide whether to continue to keep routes open as permissive access. There could, therefore, be an impact for local communities should some of these routes be closed and no longer accessible to the public.

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John Law was also a Member of the Leicestershire Local Access Forum, which had been encouraging Parish Councils to talk to landowners with a view to keeping as many permissive rights of way open as possible following the end of Higher Level Stewardship Schemes. Another benefit of engaging with Parish Councils was to advertise the fact that some of these rights of way existed in their respective areas, as feedback had been received that some Parish Councils were not aware of them.

In terms of Lincolnshire and Rutland, it was proposed that a letter be sent by the Chairman of this Local Access Forum to those Parish Councils and neighbouring parish councils affected by a Higher Level Stewardship Scheme coming to an end in their respective areas. It was agreed that a draft letter would be sent to all Members of the South Lincolnshire and Rutland Local Access Forum via email to ensure census regarding its content. The final version would be signed by the Chairman and sent to the relevant Parish Councils nine months prior to a Higher Level Stewardship Scheme ceasing.

RESOLVED

- (1) That letters be sent from the Chairman of the South Lincolnshire Local Access Forum to all Parish Councils and neighbouring Parish Councils affected by the closure of a Higher Level Stewardship Scheme in their respective areas at least nine months before the expiration date.
- (2) That John Law be requested to facilitate the submission of the above letters on behalf of the Chairman.

NOTE – the Chairman left the meeting at this stage of the proceedings.

JOHN WILLIAMS (VICE-CHAIRMAN) IN THE CHAIR

32. COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN UPDATES

The Local Access Forum was provided with updates on Countryside Access and Rights of Way Improvement Plans from Lincolnshire County Council and Rutland County Council, as follows: -

i) Lincolnshire County Council

Consideration was given to a report by the Senior Countryside Access Officer, which outlined the progress made in the implementation of the Lincolnshire Countryside Access and Rights of Way Improvement Plan. A comprehensive overview of the implementation progress of core tasks was appended to the report.

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It was reported that the highway divisions had continued to make general improvements through improved maintenance and enforcement works. In the period April 2007 to October 2011 these included: -

- 734 stiles provided or repaired;
- 1229 new roadside signs;
- 1566 routes waymarked;
- 433 gates provided or repaired;
- 303 new bridges;
- 266 stiles replaced with kissing gates;
- 214 stiles removed.

In terms of improvement schemes, the Rights of Way Improvement Plan year five programme was now drawing to a close with efforts continuing to be focussed on improving paths in close proximity to villages and towns and improving paths which formed part of promoted routes. Further information on publicity and promoted routes was included in the report, which included the Lindsey Trail whereby the following works had been undertaken: -

- trail maps had been completed;
- access improvement works had been completed;
- surface improvements had been completed;
- Willingham Woods interpretation boards and trail leaflet were nearing completion;
- a permissive path agreement had been made with the Forestry Commission to enable to use of Willingham Woods by carriage drivers and horse riders.

ii) Rutland County Council

A report was circulated at the meeting which set out the latest position in respect of the County Council's Rights of Way Improvement Plan.

In terms of the second Rights of Way Improvement Plan, it was reported that preparation work had commenced and the themes for the new Plan would mirror the Council's strategic aims and objectives. The Public Rights of Way Officer would be organising meetings with those Members of this Local Access Forum who were from the Rutland area to assist in its development further.

RESOLVED

That the reports be noted.

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33. RIGHTS OF WAY IMPROVEMENT PLAN TWO – LINCOLNSHIRE COUNTY COUNCIL

The Local Access Forum considered a report by the Senior Countryside Access Officer from Lincolnshire County Council, which outlined the progress made in the preparation of the authority's second Rights of Way Improvement Plan.

It was emphasised that limited resources would prevent the County Council from undertaking a full round of public consultation or a detailed network assessment, however, the principles regarding public needs which underpinned the first Plan and the network assessments made at that time were still considered to be relevant.

The second Plan would have an increased emphasis on community involvement and partnership work as a result of the Council's decreased capability to deliver the Plan on its own. Whilst the Plan would consider the whole public rights of way and countryside access network, the County Council would focus on the areas of the county covered by other green infrastructure plans and strategies. Examples of the Coastal Country Park, the Wash Green Infrastructure Plan and the Witham Valley County Park were noted.

During discussion, the use of volunteers was raised in respect of difficulties that had been experienced by some Members of the Forum regarding insurance and health and safety. It was reported that these issues had been taken into account by the County Council and it was hoped that volunteering initiatives would be publicised in the Spring.

In closing, the Forum was informed that a final report on the first Rights of Way Improvement Plan would be written and circulated in due course, outlining what had been achieved during its five year rollout period.

RESOLVED

That the report be noted.

34. PUBLIC PATH ORDERS

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

i) Lincolnshire County Council

The Forum received a report by the Senior Countryside Access Officer, 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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ii) Rutland County Council

An update report on those Public Path Order applications currently in Rutland County Council's system was provided to Members by the Public Rights of Way Officer.

35. DEFINITIVE MAP MODIFICATION ORDERS

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

i) Lincolnshire County Council

A report by the Council's Senior Countryside Access Officer 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.

ii) Rutland County Council

Consideration was given to a report by the Council's Public Rights of Way Officer, which updated Members of the latest position in respect of Definitive Map Modification Order work in Rutland.

Further to minute number 20 of the previous meeting of this Local Access Forum held on 12 October 2011, it was noted that difficulties were still be experienced in respect of the processing of legal work submitted by Rutland County Council's Public Rights of Way section. The Chairman agreed to meet with the Public Rights of Way Officer and the relevant Director at the authority to express Members' concerns.

RESOLVED

That the reports be noted.

36. DATES AND VENUES OF FUTURE MEETINGS

RESOLVED

That the next meeting of the South Lincolnshire and Rutland Local Access Forum be held on 18 April 2012 at 6.30 p.m. in Sleaford.

The meeting closed at 3.45 p.m.