

Agenda Item 6



A statutory advisory body to Lincolnshire County Council, North East Lincolnshire Council and other providers of outdoor recreational access

LINCOLNSHIRE JOINT LOCAL ACCESS FORUM 30 JUNE 2022

PRESENT: CHRIS PADLEY (CHAIRMAN)

Representing Lincolnshire County Council: Councillors

Representing North East Lincolnshire Council:

Representing Independent Members: Sid Mill, Angie Tomlin, Peter Hinton JP MBA, Nick Tomlin, Sandra Harrison, Victor Clark, John Law and David Salkeld

Officers:

Rob Close (Democratic Services Officer) and Chris Miller (Head of Environment)

43 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor I Carrington, Councillor R Cleaver, James Cairns, Sheila Brookes, Sharon Hayes and Jon Thornes MBE.

44 DECLARATIONS OF INTEREST

There were no declarations of interest.

45 PUBLIC QUESTIONS

There had been no questions received from members of the public. It was clarified that members of the public could observe the meeting online but would be required to notify Democratic Services ahead of the meeting if they wished to ask a question.

46 MINUTES OF THE JOINT LOCAL ACCESS FORUM MEETING HELD 24 MARCH 2022

The Acting Head of Environment provided an update on the England Coast Path which advised that the section of the path from Sutton Bridge to Skegness had been approved by the Secretary of State, leaving only a small stretch of land from Mablethorpe to Humber Bridge awaiting approval. It was hoped that approval could be granted soon which would enable establishment works to commence. A trail officer representing Lincolnshire, North East Lincolnshire and North Lincolnshire would likely be employed onto the project.

RESOLVED:

That the minutes of the meeting held on 24 March 2022 be approved as a correct record and signed by the Chairman.

47 RESPONSE TO FORMAL ADVICE RECEIVED FROM THE LOCAL ACCESS FORUM

There had been no formal advice received.

48 DEREGULATION ACT. 2015

The Acting Head of Environment provided an update on the Deregulation Act 2015. The combined package for the Deregulation Act proposed that the definitive map be closed for pre-applications for routes that existed before 1939 by the 1st January 2026. Changes were proposed within the government repeal and the right to apply for a public path order.

A stakeholder working group had responded to DEFRA opposing some of the proposals made.

In response to a question, it was confirmed that despite indication that Government departments were facing resourcing challenges, that there was stability within department managing rights of way.

It was confirmed that changes to policy had been discussed at a ministerial level.

RESOLVED:

That the report be noted.

49 PROCESSING OF DEFINITIVE MAP MODIFICATION ORDERS (DMMOS)

Consideration was given to a report by Peter Hinton, which highlighted his concerns over the processing of DMMO's. The length of time taken to implement DMMOs was seen as a deterrent to people making applications. The importance of proper regulation and for public path orders to take account of land usage for both land users and landowners benefit was highlighted.

In response to the report, the following points were noted:

- The Acting Head of Environment advised that the rights of way reform package considered the right to apply for public path orders. A change in legislation would require political will and significant funding.
- It was acknowledged that there was often little consideration of the location of public footpaths across large roads when they were developed.
- Lack of resource within local authority planning and rights of way teams was also acknowledged. The number of DMMO's received had increased and officer resource was limited.

- It was suggested that communication between residents and developers on the location of public footpaths at the initial stages of development would be beneficial in avoiding DMMO's.
- Local authorities had 12 months to make a decision whether to accept a DMMO request and there was no time limit to implement any changes.

RESOLVED:

That the report be noted.

50 FOOTPATH OBSTRUCTION PRIORITY LIST

Consideration was given to an update by Sid Mill, *which sought clarification on the priority list for footpath repairs*. The report questioned whether copping could be given a higher priority as it made some footpaths inaccessible.

The Acting Head of Environment confirmed that under the rights of way act, obstructions made by crops would fall under priority one or two of the public network area. There was a statutory requirement to allow landowners to respond to requests which could cause delays. Assurance was provided that policies allowed for constructive enforcement to repeat offenders and could be escalated to prosecution if necessary. Repeat offenders could also be reported to the rural payments agency could result in a reduction in financial packages to landowners.

RESOLVED:

That the report be noted.

51 COUNTRYSIDE FOR ALL

Consideration was given to a report by John Law, which provided an update on the Countryside for All promotion opportunities.

The Forum was advised that the Spalding Guardian had expressed an interest in writing an article on countryside and walking after reading a set of minutes of the Forum.

It was highlighted that there was a shortage of Countryside For All ambassadors in North Lincolnshire, applications were encouraged for those interested.

In response to questions raised, the following points were noted:

- It was unlikely that a Countryside Access Management system would be invested in by the local authority, however there was potential to develop something in house.
- Assurance was provided that all Parish Council's were consulted on any updates made to coastal paths in their area.

- The local authority did not currently have access to a mapping system that would show obstacles on public footpaths. The difficulties of creating such document were acknowledged
- The Forum approved the circulation of letters from Countryside for All to be sent to businesses on Local Access Forum (LAF) headed paper with the LAF Chairman's signature included.

RESOLVED:

1. That the report be noted;
2. That approval be given for the circulation of letters to business on LAF Headed Paper with the LAF Chairman's signature included.

52 PERMISSIVE ACCESS

Consideration was given to a report by John Law, which provided an update on permissive access arrangements, which sought to get funded permissive access outside of national parks and areas of outstanding national beauty.

It was proposed that John Law draft a letter for circulation expressing the LAF's view's and proposals on permissive access, and once agreed, the letter be signed by the Chairman and sent to the relevant DEFRA minister and Joint LAF area Members of Parliament.

The Acting Head of Environment confirmed that the environmental land managed scheme had closed and the Government were looking for opportunities for a new scheme.

RESOLVED:

1. That the report be noted;
2. That approval be given for a letter to be sent to the relevant DEFRA minister and Members of Parliament on behalf of the LAF expressing the views of the LAF on permissive access arrangements.

53 HUDDLE

It was noted that the HUDDLE was no longer used by DEFRA as a communication tool.

54 FORWARD AGENDA PROGRAMME AND DATE AND TIME OF THE NEXT MEETING

Suggestions were sought for future agenda items to be considered by the Forum.

In response to questions, the following points were also noted:

- The local authority did not use the STRAVA application for monitoring activities across the county. If it was ever used for future analysis, it would be used on the basis that it did not account for horse riding and carriages.

- The planning of large solar farms in the county was a government decision, however they were not able to obstruct a right of way and enforcement action could be taken if necessary. The Forum was assured that information would be provided on the location of public rights of way and suggestions for more convenient routes would be suggested if appropriate. The formal response from the council to consultations on solar farms would take into consideration all elements of the council, including public rights of way.

It was agreed that the next meeting of the Forum be scheduled for the afternoon of 13th October 2022.

RESOLVED:

That the next meeting of the Committee be scheduled for 13 October 2022.

The meeting closed at 16:10

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