

General Report

1. Draft Marine Bill: Coastal Access Provisions - Report published

- 1.1 A Command Paper was laid before Parliament on 25 September 2008 providing the Government's response to the pre-legislative scrutiny and public consultation on the draft Marine Bill. The document responds to reports by two Parliamentary Committees: The Joint Committee (Houses of Lords and Parliament) on the draft Marine Bill, and the Environment, Food and Rural Affairs Committee on the draft Marine Bill: Coastal Access Provisions. The Command Paper also responds to the feedback received from the 191 responses (including from CAFWS) to the public consultation on the draft Bill.
- 1.2 The paper comments on issues of concern to CAFWS in particular:
- Higher Rights – no alterations expected
 - Implementation Costs – the Government will ensure that all appropriate areas of cost have been taken into account and Natural England will continue to refine the cost estimate as plans are developed. It will make available further information on costs when available.
 - Long term maintenance – intention is that after the ten year implementation phase, Natural England should contribute to the maintenance of the trail to an extent consistent with the findings of its current National Trails review, which are expected later this year
 - Compensation – Government feels the draft Bill provides sufficient flexibility in the alignment process to avoid situations where coastal access rights will cause significant loss
- 1.3 Subject to the availability of Parliamentary time, the Government now intends to introduce a Bill that will include placing a duty on the Secretary of State and Natural England to secure a long distance route around the English Coast to include spreading room for open-air recreation. The draft Bill will also be amended to require Natural England to conduct a review of early implementation and to report to Parliament after 10 years.
- 1.4 Further details including reports/extracts of reports from EFRA Committee, the Joint Committee and the Public Consultation can be viewed at the meeting or from links from the Defra web page on the Marine Bill:
<http://www.defra.gov.uk/marine/legislation/index.htm>

2. Unrecorded Rights of Way – Natural England announces new Working Group

- 2.1 Natural England has announced the membership of a new Stakeholder Working Group on Unrecorded Rights of Way, for details visit <http://www.naturalengland.org.uk/press/news2008/150708.htm>.
- 2.2 The new working group will look at issues around recording old routes for walkers, horse-riders and other countryside users. These routes exist legally, but have not been captured on the official maps.

- 2.3 The members of the new Group will:
- consider the issues and difficulties associated with the recording of pre-1949 public rights of way that are not currently shown on the definitive map and statement maintained by highway authorities;
 - work together with the aim of reaching agreement on a balanced package of strategic reforms in law and procedure that in the Group's view would bring real benefit to the various interests potentially affected by the claimed existence of such rights.
- 2.4 The Stakeholder Working Group's first meeting is expected to be held in the Autumn. It will aim to produce a final report by the end of 2009.

3. The Right to Apply for Public Path Orders

- 3.1 Defra has considered the 160 responses (including one from CAFWS) it received to its consultation on legislation in the Countryside and Rights of Way Act 2000 relating to 'The right to apply for public path orders'. It has concluded that because the primary legislation is so prescriptive, there is little room for manoeuvre in addressing a number of shortcomings raised through the consultation through regulations. Whilst Defra remains committed to introducing a right to apply and appeal for extinguishment and diversion of public rights of way, it has concluded that further primary legislation would be required in order to make such a right work effectively. It is not clear at this stage when a suitable opportunity for the necessary primary legislation would arise, but Defra gives a commitment to working with stakeholders to develop an alternative solution. A copy of the letter to consultees and stakeholders will be available to view at the meeting or further details are available at : <http://www.defra.gov.uk/wildlife-countryside/issues/public/diversion-exting.htm>

4. Pilot Implementation of Part 1 of the Commons Act 2006

- 4.1 In England, implementation of the registration provisions in Part 1 of the the Act will begin with a pilot scheme starting on 1 October 2008. The commons registration authorities participating in the pilot are: Devon, Kent (but not including unitary authorities in these first two counties), Cornwall, Hertfordshire, Herefordshire, Lancashire (but not Blackpool), and Blackburn with Darwen. The pilot will be commenced by the Commons Act (Commencement No. 4 and Savings) (England) Order 2008: http://www.opsi.gov.uk/si/si2008/uksi_20081960_en_1.
- 4.2 The Commons Registration (England) Regulations 2008, which apply to the participating commons registration authorities only, prescribe the process for making applications to amend the registers of common land and town and village greens. The pilot allows applications and proposals (effectively the registration authorities applying to themselves) to be submitted for both the registration of new events affecting the register and also past events which went unrecorded between the late 1960s and the present day. This includes the registration of land that was missed during the first wave of registration under the 1965 Act and also the deregistration of land that was wrongly registered under that Act.
- 4.3 A review of the pilot will take place during 2009 and national roll-out is expected to commence in stages from October 2010.

- 4.4 For further information visit the Defra web pages:
<http://www.defra.gov.uk/wildlife-countryside/issues/common/registration/index.htm>

5. Proposed South Downs National Park

- 5.1 The re-opened South Downs Inquiry formally closed on Friday 4 July 2008. The Inspector's report is expected to be submitted to Defra at the end of November 2008, but is unlikely to be available to the public until a decision is reached. It is expected for an announcement on the decision to be made in Spring/Summer 2009.

6. NE review of strategic recreation routes – local authority survey (Item 12d)

- 6.1 Natural England has initiated a review of strategic recreational routes and National Trails. The review is looking at ways of finding a sustainable, customer focused and prosperous future for these routes and defining Natural England's role in relation to them.
- 6.2 For the purpose of this review, these routes which include National Trails are defined as being mainly traffic-free routes for walking, cycling or horse riding that typically:
- have a name
 - can be enjoyed over a series of days as well as for short trips
 - are promoted as an attraction to visitors as well as local people
 - are managed and promoted as part of the local, regional or national picture for recreation.
- 6.3 As part of the review information is being collected from rights of way officers on how these routes are currently managed. This is a brief qualitative study which is based on local knowledge and opinions – it does not require masses of data, and should not take much time. WSCC has responded to the initial survey.

7. Rights of Way (ROW) Committee Meeting 22nd September 2008 - Items of interest to the Forum

- Hunston – the Committee approved orders to add three new footpaths at Hunston
- West Chiltington - The committee endorsed the completion and agreement for the upgrading of a footpath to bridleway at West Chiltington providing a safe off road route for horseriders and cyclists
- Billingshurst – diversion of part of Footpath 1328; an order is to be made by WSCC subject to response from the District Council
- Warnham – diversion of part of Footpath 1425;
- Worth – extinguishment of Footpath 42; an order is to be made by WSCC. There is no evidence of the path on the ground and it is very unlikely that the path has been used for at least 40 years. A secure car park (for Gatwick Airport), a private house and many gardens are situated on the definitive line of the path.
- Pagham – diversion of part of Footpath 111; WSCC will not be objecting to Arun DC's proposal to make a Diversion Order

- Tillington – diversion, extinguishment and creation of various paths on the Pitshill Estate; WSCC are lodging an objection to the making of the Orders by Chichester DC.

7.2 The agenda and relevant papers will be available to view at the meeting. Further details of meetings of WSCC's Rights of Way Committee can be viewed at <http://www.westsussex.gov.uk/prow>. The next meeting of the Rights of Way Committee is on 17th November 2008.

8. Bridge over A27 at Tangmere

8.1 The Highways Agency has completed works on a new footbridge over the A27 at Tangmere. Cyclists can also use it if they wheel their bikes.

9. Shoreham Toll Bridge refurbishment and improvement works to the Downs Link at Shoreham

9.1 West Sussex County Council has overseen the completion of the refurbishment works to the historic Toll Bridge at Shoreham which carries bridleway rights. The total value of the works is £750,000 and has been funded by the Heritage Lottery Fund, Viridor and Biffa Landfill Tax Credits, the Community Trust and WSCC. The project has also included some works to the Downs Link from the bridge towards Shoreham, including surfacing of 400m, improvements to 4 access points, provision of 3 viewing platforms, benches suitable for the disabled and bike stands. The bridge is to be officially opened by HRH The Duke of York on 23th October.

10. Defra HLS Scheme Permissive Access – Graffham Down

10.1 Two new permissive footpaths are now available for the public to enjoy on Graffham Down. A map showing the routes will be available to view at the meeting or it can be viewed, along with all other Defra walks, at <http://countrywalks.defra.gov.uk>.

11. Promoting Access to the Countryside

11.1 **New Lipchis Way** - This 38 mile walking route from Liphook (Hampshire) to East Head, was opened by Louise Goldsmith, WSCC Cabinet Member for Finance & Resources, on Saturday 23rd August 2008. The route passes through Midhurst and Chichester and has been revised by Footprints of Sussex in association with WSCC. Copies of the leaflet will be available to view at the meeting.

11.2 **Walking West Sussex Festival 2008** – The 6th Walking West Sussex Festival organised by West Sussex County Council, in partnership with many organisations and individuals, ran from 1st to 5th October and was based at Amberley Working Museum. 260 walkers took part in the 29 walks on offer, which ranged from 1 to 13 miles, many participants attended multiple walks. The Festival included a map reading course and theatre walks aimed at encouraging those who may not otherwise walk to do so. A pictorial summary of the Festival will be available to view at the meeting.

11.3 **Crawley Walking Festival** – The 4th Crawley Walking Festival, based around Crawley and Horsham, attracted 42 people on 10 walks from 2 to 9 miles in length. The numbers were down from last year, probably because the weather was particularly bad for most of Festival, which ran from 30th

August to 6th September. The Festival is run by a partnership comprising WSCC, Gatwick Greenspace Partnership and Crawley Borough Council.

- 11.4 **Exploring West Sussex** – The Autumn 2008/Winter 2009 booklet of guided walks and events is now available from Libraries, Tourist Information Centres and Sussex Stationers bookshops as well as on-line at www.westsussex.gov.uk/walking.
- 11.5 The Spring/Summer 2008 booklet included a feedback questionnaire. 48 completed forms were returned. A summary of responses will be available to view at the meeting.

12. Walk England launched

- 12.1 Walk England has been established as a social enterprise to work in partnerships across the country to create local opportunities for people to choose to walk, to walk more often, to walk to more places, and to feel safe while doing so. Launched in June 2008, Walk England promotes walking as a way to be healthy, travel and relax - by bringing together and inspiring people who want to walk more, with those health, transport and environmental professionals responsible for supporting their choice. For further information visits <http://www.walkengland.org.uk>

13. Neighbouring LAFs

- 13.1 Neighbouring LAFs have either recently held meetings or have meetings scheduled. Members are welcome to attend neighbouring meetings. Please contact Jane Noble if you are interested. Papers of recent meeting will be available to view at the meeting where available. Agenda items of interest since the last CAFWS meeting include:

- 13.2 Brighton & Hove Local Access Forum
<http://www.brighton-hove.gov.uk/index.cfm?request=b1116054>

Meeting – 23rd October. Items on the agenda included:

- LTP Walking and Cycling update
- Local Development Core Strategy, LAF response and future timetables
- OS Explorer map revisions (map available to view at meeting)
- Meeting dates for 2009

Previous meeting - 9th July. Items on the agenda included:

- B&H has been selected as a national exemplar 'Cycling Town' 2009-2011 on the back of being a Cycling Demonstration Town from 2005-08
- Pedestrian Way-Finding System planned
- Pedestrian Network
- LTP rolling programme
- RoWIP
- Local Development Framework
- Visit to Whitehawk Hill

Date of next meeting 5th February 2009

13.3 East Sussex Local Access Forum

<http://www.eastsussex.gov.uk/leisureandtourism/countryside/rightsofway/localaccessforum/default.htm>

Previous meeting - 10th September. Items on the agenda included:

- Working Group update – WG will aim to implement specific actions from the RoWIP (with support from RoW Team where necessary)
- RoW byway Management Policy
- RoW Team update and Transport and Environment's restructure

Date of next meeting 10th December 2008

13.4 Hampshire Countryside Access Forum (HCAF) – 2008

<http://www.countrysideaccessforum.hants.org.uk/>

Previous meeting - 9th July. Items on the agenda included:

- a site visit to the Forestry Commission's Alice Holt site
- progress on the Discovering Hampshire's Lost Ways project
- delivery of the research recommendations concerning provision for Winchester's dog walkers
- updates on the Small Grants Scheme, Parish Council event and Parish Reference Guide (see report below)
- progress on producing and delivering the CAPs

Next meeting – AGM, 12th November 2008. Expected items to include:

- Visit to Ordnance Survey offices
- Findings from the volunteer research project "Discovering Hampshire's Lost Ways"
- Report back from the Parish Council event
- Discussion on Winnall Moors access proposals with Hampshire Wildlife Trust officers
- Update on the Countryside Access Plan Action Groups

Paths to Partnership, 9th October 2008 - Alton

HCAF, in partnership with Hampshire County Council and Hampshire Association of Local Councils, hosted a Paths to Partnership aimed at Parish Councils. David Ribbens and Jane Noble (Forum Officer) represented CAFWS and David has provided the following report:

- I would like to thank CAFWS on selecting me to attend this conference. It was very informative to me as CAFWS Parish Councils representative.
- Over 50% of Hampshire's 250 Parish Councils were represented, it was apparent that they have very good communication between all parties.
- HCC and HCAF have developed a Small Grants Scheme for Parish Councils and landowners to carry out works such as replacement of stiles with gates, surfacing and clearance. Parish Councils either organise volunteer help or can use contractors to do the work. There are also grants for detailed Parish Area Mapping, which assists Parish Councils to promote access to the countryside to both visitors and their own communities. *Note; WSCC offers small grants through its County Local Committees, they may consider applications for non-statutory access work*
- HCC, in consultation with HCAF, has produced an easy reference Parish Countryside Access Reference Guide which has been distributed to each of their Parish Councils. A copy will be available to view at the meeting.

- The event also provided PCs with the opportunity to attend workshops on topical subjects, to meet their area Rights of Way Officers, and to chat to useful organisations such as the Ramblers' Association, CTC, Centrewire (suppliers of kissing gates), BTCV, volunteer groups and others.
- CAFWS has accomplished many of the achievements that Hampshire has with our RoW Strategies etc. Hampshire can do more because their Countryside Access Forum has more support from Officers than we have in West Sussex.

13.5 Surrey Local Access Forum (SLAF)

http://www.surreycc.gov.uk/SCCWebsite/sccwspages.nsf/LookupWebPagesByTITLE_RTF/Surrey+Countryside+Access+Forum?opendocument

Meeting – 20th October. Items on the agenda included:

- Implementation of RoWIP
- The County Council's role in Countryside Access
- Thames Basin Heaths Special Protection Area delivery plan (Natural England)
- Longcross development
- Minerals and waste Consultation of user Groups
- Update on the Surrey CC /Surrey Wildlife Trust contract review
- The Future of the Forum (results of questionnaire and work programme)

Previous meeting - 9th July. Items on the agenda included:

- RoWIP (Incl Spine network, Improvements)
- Gating Orders
- Traffic Regulation Orders
- M3 Exchange Land
- Illegal Encampments, Driving and the Dumping of Waste on Public Recreation Land
- Planning Permission/Certificates of Lawful Use on Common Land
- Future Consultations – Surrey hills AONB

Date of next meeting 19th January 2009

14. Documents available to view at the meeting

14.1 The following may be of interest to Forum Members:

- Part 2 of the Commons Act 2006 (commons councils) (Agenda Item 12c)
- England Access Forum
 - Agenda, papers and minutes for meeting 23 Sept 2008 (minutes note available yet)
 - Constitution (30 Sept 08)
- Responses to consultations made since the last meeting (list)
 - West of Bewbush Submission Joint Area Action Plan (JAAP) – Oct 2008
 - Site 6 Bognor Regis – Oct 2008
 - Pagham to East Head Coastal Defence Strategy – Sept 2008
 - Chichester Harbour Management Plan; pre-consultation – July 2008
- Draft Marine Bill; Coastal Access Provisions, extracts from various documents including: Taking forward the Marine Bill - Government response to the pre-legislative scrutiny and public consultation; Summary of responses to public consultation; Joint Committee First report on the Draft Marine Bill; EFRA Committee Ninth report (Vol 1 & 2) on Draft

Marine Bill: Coastal Access provisions; CAFWS response to the draft Marine Bill)

- WSCC Cycle Right Magazine with CAFWS article
- Unrecorded rights of way – Natural England announces new working group – press Release 16/7/08
- The right to apply for public path orders – Conclusions following consultation on a proposed approach to implementation; letter from Defra -1/8/08
- Rights of Way Committee meeting 22nd September 2008 agenda and unconfirmed minutes
- HLS Scheme Permissive Access – details of new permissive footpaths at Graffham Down (Defra)
- Walking West Sussex Festival 2008 brochure
- New Lipchis Way leaflet
- Exploring West Sussex Walks, rides and events - Autumn 2008/Winter 2009
- Exploring West Sussex Spring/Summer 2008 – Summary of returned feedback questionnaires
- Minutes from neighbouring LAF meetings as available
- Hampshire Countryside Access Forum newsletter Issue 1, Summer 2008
- HCC/HCAF Small Grants Scheme leaflet + examples of access leaflets produced through the scheme.
- HCC Parish Countryside Access Reference Guide
- Part 2 of the Commons Act 2006 (Commons councils) Consultation documents – Defra
- From the Four Corners – newsletter of LAFs in the South East
- Handbook for LAF Members – Natural England 2008

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21st October 2008