

## **Countryside Access Forum for West Sussex (CAFWS)**

At a meeting of the Forum held at County Hall North, Horsham on 28<sup>th</sup> October 2009.

Present:

	Mr Peter Brown (Chairman)	
Mr Bill Acraman	Mrs Helen Baldwin	Mr Phil Belden
Mr Chris Boocock	Mrs Tricia Butcher	Mr Glynn Jones (V/C)
Mr Nigel Sloan	Mr Alan White	Mr Anthony Young

West Sussex County Council (WSCC) Officers: Craig Bowdery, Lisa Creaye-Griffin and Jane Noble. Hilary Coplestone, Major Development Officer from Horsham District Council, was also present.

### **Apologies and welcome to new member**

69. Apologies were received from Peter Tompkins, Dave Evans, Trevor Passmore, David Ribbens, Shirley Wright, Heidi Brunson, Martin Reynolds and David Whyberd. The Chairman explained that there was a new member of CAFWS, Mr Duncan Crow, but that due to an existing commitment he was unable to attend this meeting. Duncan had been appointed to CAFWS to represent the District and Borough Councils in West Sussex and was a Crawley Borough Councillor and a West Sussex County Councillor.

### **Declarations of interest**

70. In relation to agenda item 6 and the discussion on the delegation of responsibility for rights of way maintenance, Phil Belden declared a personal interest as an officer of the South Downs Joint Committee.

### **Minutes of the last meeting**

71. Agreed –  
That the minutes of the Countryside Access Forum for West Sussex meeting held on 15<sup>th</sup> July 2009 be approved as a correct record and signed by the Chairman.

### **Actions and matters arising not covered by the agenda**

72. Lisa Creaye-Griffin informed the Forum that following the discussion recorded in minute 35 of the previous meeting, it would not be feasible to host an improved **CAFWS website** on the County Council's new website, but that a link to any new pages would be possible. Glynn Jones explained that he felt that the main criteria for a CAFWS website were that it should be easy to navigate and interesting, with downloadable route maps for users an aspiration. Glynn undertook to investigate possible web designers and costs and to email all CAFWS members to survey their views on what the CAFWS web presence should look like. It was agreed that Glynn would prepare a report for discussion at a future Forum meeting.

**Action: Glynn Jones**

73. The Chairman drew members' attention to minute 44 and the discussion on the **Sedgwick Park public inquiry**. Following members' concern regarding the role played in the inquiry by Henry Smith (leader of WSCC), the Chairman had

Unconfirmed minutes – to be confirmed at the next Forum meeting

written to the Chief Executive to express their concern. A reply had been received and was circulated to members. The letter outlined the view of the County Council's Head of Legal Services that Mr Smith had acted in a personal capacity and had not written to the Inspector in an attempt to influence the outcome of the inquiry. Mr Smith had only responded to a private letter and was not aware that it would be used as part of the inquiry. Consequently it was felt that Mr Smith had not undermined either the Rights of Way Committee or any of the County Council's officers.

74. The Chairman also informed members that he had written on behalf of the Forum to Bill Acraman following the discussion recorded in minute 59 about the **Handcross to Warninglid A23 widening scheme**. The Forum was concerned that WSCC Highways officers appeared to oppose CAFWS suggestions. Bill Acraman explained that he felt the Department for Transport had exerted its influence over WSCC's officers, and that the situation was a result of how much the Department were prepared to contribute financially. The Chairman highlighted that he viewed this as an example of how the relationship and dialogue between CAFWS and the highways section at WSCC needed to be improved. Members suggested that Rights of Way maintenance was much more effective when it was part of the Environment unit rather than under Highways as it promoted dialogue between the relevant teams. For example it was felt that the Planning Team and the Rights of Way Team do not keep each other informed of their work or their objectives. Jane Noble stated that the Planning Team was part of Infrastructure, as were Public Rights of Way, and that it was where other related works such as Safe Routes to School also sat.

## **Urgent matters**

*West of Bewbush development* (brought forward from item 11)

75. The Chairman outlined that following public consultation a Joint Area Action Plan (JAAP) for the West of Bewbush development area was produced and that this was adopted by both Horsham District Council and Crawley Borough Council. However at a public exhibition by the developers, Crest Nicholson, it was evident that there were several discrepancies between the latest plans and the adopted JAAP. As a result Hilary Coplestone, Horsham District Council's Major Development Officer, had been invited to attend this meeting to hear CAFWS's concerns regarding access for non-motorised users in and around the new development.

76. Hilary Coplestone explained that the three local authorities (Horsham DC, Crawley BC and WSCC) had worked with Crest Nicholson to help to inform their plans. The developer had interpreted these discussions to form the concept plan, in which there were some key departures from the original plan:

- the new rail station moved west
- the heat and power plant removed from the plans
- the neighbourhood centre moved south
- a reduction in the number of pedestrian crossing points over the road and railway
- the bridleway over the railway removed
- course of the Bewbush Brook altered

Hilary explained that officers at Horsham DC were now working to identify all of the differences to the JAAP. They would then work with Crest Nicholson to try to secure all of the objectives of the JAAP, including the necessary access arrangements. Members were also informed that the developer was intending to submit the

Unconfirmed minutes – to be confirmed at the next Forum meeting  
planning application in the Spring of 2010 and that there would be further public consultation before the submission.

77. Members suggested that Horsham DC should threaten to withhold planning permission unless Crest Nicholson restores the necessary access arrangements. Hilary explained however that Horsham DC had to balance the need for features such as access with the ongoing priority to provide sufficient new housing in the area. If a District or a Borough Council made a development unviable they would risk not meeting their statutory house building target. In such a case the Secretary of State had the power to force a development on an area with limited involvement of the local authority or the public. As such it was important to balance aims and to work with the developer as much as possible. It was however highlighted that the reduction in the access provision was a key concern for Horsham DC and that officers were working to rectify this.

78. Chris Boocock highlighted that the developer was likely to make around £500million from the sale of the proposed 2,500 houses and that in comparison a bridge over the railway for non-motorised users would cost only £½million. Chris also explained that when the Planning Inspector considered the JAAP, he was clear that there needed to be at least three rail crossings within the development. Bill Acraman drew members' attention to another Crest Nicholson development at Bolnore near Haywards Heath where they had stalled in fulfilling some of their planning obligations. Bill suggested that Horsham DC must be prepared to have tough negotiations with them in order to achieve the necessary infrastructure for the West of Bewbush site. Phil Belden echoed the concerns regarding Crest Nicholson, and noted that they were not interested in providing a public service but in making money. Phil also drew attention to the fact that the cost of providing public access was minimal when compared to the costs of building a new railway station or landfill land amelioration. Phil also argued that it was prudent in the long term to provide sufficient access routes as people will need to walk across the development regardless of whether permitted routes exist. If the developer didn't provide routes, there would be de facto trespassing and the routes would not be as safe as if they were planned properly. Hilary Coplestone agreed to take note of the concerns raised and members agreed that the draft response to Crest Nicholson be sent, with a copy sent to Horsham DC and Crawley BC.

**Action: Peter Brown / Jane Noble**

*Consultation from Defra: The Disability Discrimination Act 1995 and structures (gate, gaps & stiles) on rights of way Good practice guidance for local authorities*

79. The Chairman informed members that since the papers for the meeting had been published Defra had launched a consultation on their latest guidance on the Disability and Discrimination Act regarding gates and stiles on rights of way. It was agreed that David Ribbens would coordinate a response through the Access for the Disabled Working Group.

**Action: David Ribbens**

*Proposed sale of Downland by Worthing Borough Council*

80. Chris Boocock drew members' attention to the proposed sale of some land near Cissbury Ring by Worthing Borough Council. It would be extremely beneficial to make the area open access land and it would give good access onto the Downs for Worthing residents, in an area where there were limited recreational routes out of the town. One concern was that a purchaser was likely to use the land for pony paddocks, affecting both access and aesthetics. Glynn Jones explained that there

Unconfirmed minutes – to be confirmed at the next Forum meeting

was an existing bridleway leading from a car park to the top of Cissbury Ring, and that whilst this was not under threat, the quality of the experience of using it was. Glynn also suggested that there was an opportunity through this land to bring visitors to the top from a south-west approach, reducing the erosion caused by the current route over the ramparts. Phil Belden supported this and reported that a Natural England study of rights of way provision across the Downs had found that East Worthing was particularly deficient. It was recognised that Worthing Borough Council would want to dispose of the land, but that this should be done in a reasonable way to a responsible purchaser. Members noted that the SDJC had written to Worthing Borough Council outlining their concern and agreed that the Chairman should also write on behalf of CAFWS.

**Action: Peter Brown**

### **South Downs National Park progress report**

81. Lisa Creaye-Griffin gave a verbal report on the establishment of the South Downs National Park. The final boundary of the National Park was due to be confirmed later in the month, with the designation coming into effect in April 2010. At this point the AONB designations would also be removed. The shadow National Park Authority would come into being on 1<sup>st</sup> April 2010, when decisions could begin to be taken about the future arrangements for the National Park. The National Park Authority would assume its full powers in April 2011, when it would become the access and planning authority, but not the highways authority. It would therefore have a statutory Local Access Forum, but not be responsible for producing a Rights of Way Improvement Plan or for access maintenance, unless the local authorities chose to delegate these responsibilities.

82. Members also received a report (copy appended to the signed minutes) produced by officers of SDJC and the four local highway authorities across the South Downs, collated by the SDJC's Countryside Services Manager, Phil Belden, on the arrangements for the proposed statutory South Downs Local Access Forum. The report was also being submitted to the East Sussex, Hampshire and Brighton & Hove LAFs to canvass views to help to influence the decision on how a South Downs LAF would be established and operate. The final decision would be taken once the shadow National Park Authority came into being. The Chairman outlined what he felt to be the four main guiding principles for any future arrangements:

- continuity: maintaining the experience and knowledge of those individuals who already contribute to the LAFs
- compatibility: the new South Downs LAF should have a clearly defined role in relation to the other four LAFs
- good communication and consultation is essential
- the South Downs LAF should reflect local interests and knowledge from the length of the South Downs

Members agreed with these principles and that the Chairman should write to the South Downs National Park Establishment Team to convey them.

**Action: Peter Brown**

83. Lisa Creaye-Griffin informed the Forum that WSCC was expecting to take a decision in December on whether to delegate countryside management and rights of way to the National Park Authority. Members discussed who they felt should carry out rights of way management duties, but there was not a consensus of opinion. It was however agreed that regardless of who carried out the functions, there was a need to ensure that rights of way maintenance was sufficiently funded and resourced. A formal vote was taken regarding which authority should ideally be responsible for rights of way management on the South Downs in West Sussex.

Unconfirmed minutes – to be confirmed at the next Forum meeting

Five members voted in favour of the work being delegated to the South Downs National Park Authority, with three in favour of WSCC carrying out the work. It was also agreed that a letter would be sent to WSCC's Cabinet Member for Environment & Economy informing her of the Forum's views and emphasising the importance of continuity of service, preserving the role of volunteers and the need for sufficient resourcing.

**Action: Jane Noble**

*Prior to the vote, Phil Belden declared a personal interest*

### **CAFWS Progress Report: April 2007 – March 2009**

84. Members received copies of the CAFWS Progress Report covering the two years from April 2007 to March 2009 (copy appended to the signed minutes). Jane Noble explained that copies would be sent to appropriate interested stakeholders and to those who influenced access decisions. She asked Forum members to provide details for any organisations that she may not be aware of who should receive the report. It was agreed that a copy would be sent to the South Downs National Park Establishment Team and members noted that all parish councils would also be receiving a copy with the CAFWS Parish Newsletter. Jane requested that members contact her for additional copies to circulate to any groups or at meetings that they attended.

### **Working Groups**

#### *Cycling Working Group*

85. The Chairman explained that the next meeting of the Forum would have an emphasis on cycling issues, and that as such the Cycling Working Group urgently needed to meet to discuss possible subjects for the meeting. Glynn Jones undertook to arrange a meeting as soon as possible.

**Action: Glynn Jones**

#### *Promoting Walking in West Sussex Working Group*

86. Lisa Creaye-Griffin reported that publication of the *Exploring West Sussex* booklet had been suspended. WSCC would however be including links to walks being organised by other organisations on their website. *Exploring West Sussex* and the walking festival were not able to cover their costs, and as such WSCC were reviewing their continuation. Lisa explained that she was due to meet with *Footprints of Sussex* to discuss the possibility of working with them to allow the walking programmes to continue. Members voiced their regret that the guided walks programme was under threat, but recognised that the economic situation meant that WSCC had to pursue added value rather than duplication of work by other organisations.

### **Sub Forums**

87. As Chairman of the Low Weald Sub Forum, Peter Tompkins had submitted an update on its work, which was read by Glynn Jones in Peter's absence. The LWSF had met on 30<sup>th</sup> September 2009 and its main topic of conversation was the list of proposed Rights of Way Improvement Plan (RoWIP) projects in the area. The list of potential projects had been reviewed and the next step was to identify the Sub Forum's priority projects. Pete's update also reported on a meeting of the Sub Forum Chairmen where it was decided that each Sub Forum would present a definitive list of priorities at the January CAFWS meeting. From this the six top

Unconfirmed minutes – to be confirmed at the next Forum meeting  
priority schemes (based on viability, benefit and available funding) that could be delivered in the next two to three years would be identified for each area.

88. The Chairman informed members that the Coastal Plain Sub Forum was due to meet on 5<sup>th</sup> November. Tricia Butcher explained that the High Weald Sub Forum had not met, but that members had been asked to consider the list of projects and select priorities. James Ort highlighted to members that by working with the South Downs Access Forum he had developed a spreadsheet that would help to coordinate the prioritisation and implementation of the suggested actions coming from the four Rights of Way Improvement and Countryside Access Plans (RoWIPs and CAP) that span the South Downs. The spreadsheet would be emailed to all CAFWS members, and James requested that they use the spreadsheet to submit their views on projects.

### **Rights of Way Improvement Plan (RoWIP)**

89. Jane Noble gave a verbal update on the Local Transport Plan (LTP) and RoWIP integration, and the good practice note recently published by Natural England. Jane explained that it was not intended for the two documents to become fully integrated, only for them to be sufficiently cross-referenced. She also explained that the LTP3 would be produced in two parts (like the RoWIP) – a strategic document, identifying aims and covering a 10 to 15 year time period and a delivery document identifying projects on 5 year rolling programme. Members expressed their disappointment that the emphasis seemed to be on providing utility routes that gave access to services rather than recreational routes. Concern was raised that that LTP3 funding would concentrate on utility routes, although Jane explained that this could free up WSCC's resources for improvements to recreational routes. It was highlighted that the LTP was a significant delivery mechanism for RoWIP objectives, and as such suggested that CAFWS needed a representative from WSCC Highways department to attend a future meeting.

90. Jane Noble also reported on the WSCC Developer Funded Schemes List. This document listed all of the schemes that had been identified that were desirable as part of any future development. The list was used in negotiations with developers and planning authorities to secure projects through Section 106 agreements. Jane had been invited to contribute to the prioritisation of schemes, and was therefore seeking the views of CAFWS to ensure access projects featured. It was agreed that the proposed RoWIP projects should be considered by the Sub Forums for their suitability for putting forward to add to the list.

### **Current/future strategic developments**

91. Members noted the CAFWS response (copy appended to the signed minutes) to the following consultations:

- Worthing Borough Council: Revised Core Strategy
- Horsham District Council: Assessment of PPG17
- Medmerry Stakeholder Advisory Group: Medmerry Managed Realignment

### **Current/future consultations**

92. Members noted that Defra had launched a consultation on the proposal to amend the Countryside and Rights of Way Act 2000 for coastal access. The closing date for responses was 1<sup>st</sup> December 2009, it was agreed that the Coastal Plain Sub Forum would discuss the consultation at their meeting on 5<sup>th</sup> November 2009.

Unconfirmed minutes – to be confirmed at the next Forum meeting

93. The Forum also considered a pre-consultation request from the Forestry Commission on the South Downs II Forest Design Plan and issues that the consultation should cover. Members commented that general principles such as access improvements and adequate consultation would be key, as well as equestrian provision and car parks that were suitable for all users. Jane Noble requested that any member with comments email them to her before the 13<sup>th</sup> November 2009 response deadline.

94. Members noted the CAFWS response (copy appended to the signed minutes) to the following consultations:

- Forestry Commission: The role of the public forest estate
- Department for Transport: A Safer Way

### **General Report**

95. Members noted the General Report from the Forum Officer (copy appended to the signed minutes). The General Report included updates on the following areas:

- Update on the Marine and Coastal Access Bill
- Natural England's coastal audit work
- Pilot area for delivering coastal access in the South East
- Ford Eco-town
- North Stoke (footpath 2267) suspension bridge
- WSCC Rights of Way Committee meeting – 15<sup>th</sup> September 2009
- Promoting access to the countryside
- WSCC Rights of Way officers learning about equestrian needs
- Neighbouring LAF meetings

### **Matters for information**

96. Tricia Butcher reported that a feasibility study into the provision of a multi-user bridge across the A27 at Castle Goring had been carried out by the Highways Agency in May 2008. The study concluded the level of use would not be sufficient to warrant such a bridge, although the study had not taken into consideration the West of Durrington strategic housing development proposed on land adjacent to the A27 at this location. A meeting has since taken place between Officers of the Highways Agency, WSCC RoW, Worthing BC and a member of CAFWS, at which the viability of a bridge was agreed in principle.

97. Chris Boocock informed members that the West Sussex Cycling Forum would be meeting in Billingshurst on 17<sup>th</sup> November 2009. The Cycling Forum was working on establishing a local sub forum for each planning authority area, with an aim being to seek to influence WSCC and the District/Borough to release any unspent Section 106 funds.

### **Agenda items for the next meeting of the Forum**

98. Members agreed that the next meeting of the Forum would have a cycling and highways theme and include an afternoon session. Agenda items would include:

- RoWIP report
- Cycling: WSCC Cabinet Member, WSCC Cycling Officer and the work of Districts and Boroughs
- Highways Agency and dangerous trunk road crossings

Unconfirmed minutes – to be confirmed at the next Forum meeting

- Overview of Sustrans

### **Date of next meeting**

99. Members noted that the next meeting of the Countryside Access Forum for West Sussex would be held on Wednesday 27<sup>th</sup> January 2010 at County Hall, Chichester. Subsequent meetings dates were agreed as follows:

- 28<sup>th</sup> April 2010
- 21<sup>st</sup> July 2010
- 10<sup>th</sup> November 2010
- 2 February 2011

The meeting closed at 1:22pm

**The Chairman**