

## Agenda Item 3

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

At a meeting of the Forum held at County Hall, Chichester on 16<sup>th</sup> April 2008.

#### Present:

Mr P Brown (Chairman)

Mr B Acraman	Mrs H Baldwin	Mr P Belden
Mrs T Butcher	Mrs A Janes	Mr G Jones
Mr T Passmore	Mrs R Perrin	Mr N Sloan
Mr D Whyberd	Mrs S Wright	

West Sussex County Council (WSSCC) Officers: Lisa Creaye-Griffin, Jane Noble, Fiona MacLeod

#### Welcome

1. The Chairman welcomed the guest speakers and observers to the meeting. Tracey Waltho would be joining the meeting later.

#### Apologies:-

2. Apologies were received from Sion Evans, David Ribbens and Ted White.

#### Election of Chairman

3. The Secretary reminded members that Ronnie Perrin would not be eligible for re-election as she had completed her three year term.
4. Peter Brown was proposed by Ronnie Perrin and seconded by Phil Belden. As there were no other nominations, Peter Brown was duly elected as Chairman of the Forum for the coming year, and took over Chairmanship of the meeting.
5. The Chairman stated that he looked forward to the Forum continuing to build on the achievements from the last 12 months.
6. David Whyberd expressed his thanks to Ronnie Perrin for her Chairmanship, which was endorsed by members.

#### Election of Vice-Chairman

7. Glynn Jones was proposed by Tricia Butcher and seconded by Ann Janes. As there were no other nominations, Glynn Jones was duly elected Vice-Chairman of the Forum for the coming year.

#### Declarations of Interest

8. There were no declarations of interest.

## Minutes of the Forum meeting dated 23<sup>rd</sup> January 2008

9. **Resolved: that the minutes of the Countryside Access Forum for West Sussex meeting be approved as a correct record and signed by the Chairman.**

### Matters Arising not Covered in the Agenda

10. **Minute 236** – Christine Luff updated members regarding the Graffham and Heyshott restricted byway 952 draft Traffic Regulation Order (TRO). The Order will be made w/c 21<sup>st</sup> April 2008 for implementation by the end of May 2008. Bruce Middleton, SDJC (Northern Area) Countryside Manager, will co-ordinate the work in consultation with Helen Baldwin and Tricia Butcher.
11. **Minute 257** – The Secretary had sent a letter of thanks to Mr Grummet for his help with the East Grinstead strategic development work.
12. **Minute 299** – Trevor Passmore provided feedback on the Local Access Forum (LAF) regional event organised by Natural England (NE) held on 21<sup>st</sup> February 2008. The meeting was for LAF members only with no appointing authority attendees, and this had worked well to not stifle debate. Although the Agenda had been changed at short notice due to perceived lack of interest, he felt that the workshops were positive and had emphasised the statutory independence and power of LAFs when giving advice and guidance, in particular to Section 94 Bodies. A members' handbook is expected in 2008, and questions had been raised regarding setting of budgets, allowances, and potential to have paid membership of LAFs. It was noted that travel allowances can already be claimed.
13. **Resolved: Output from the meeting to be sent to members by the Secretary and put onto the CAFWS web site.**
14. **Minute 300** – Christine Luff updated members regarding the situation at Pitshill. The Hon C Pearson had appealed to the High Court on the decision and the Secretary of State may settle the terms of a consent order disposing of these proceedings. Nigel Sloan provided background information to the CAFWS meeting on the longstanding case for the benefit of newer members. Bill Acraman expressed his concerns regarding the unclear reasons provided by Counsel for the appeal, and his personal view was that WSCC should continue to resist and challenge the decision in the High Court and urged that CAFWS give their support. If Defra concede, there would probably be a fresh Public Inquiry, and, although the position was not clear, he felt that the Ramblers Association (RA) and WSCC could legally challenge the decision in the High Court. The principle of not having another Public Inquiry would set a precedent.
15. The diversion decision had proved controversial. Local WSCC members had been sympathetic to the Pearson cause and other members had opposed the proposals. As several Forum members felt that they were unable to make a judgement because they had not visited the site, maps of the site and background papers could be made available if required.

16. The Chairman noted that WSCC had taken the situation seriously and encouraged support for 'due process' to be followed, although it was observed that the Forum should not get involved in individual cases.

**Note:** *Since the meeting on 16<sup>th</sup> April, the situation has changed. Permission to apply for Judicial Review was granted in the High Court to the Hon Charles Pearson on 22<sup>nd</sup> April 2008. The Ramblers' Association indicated intention to defend the proceedings, and as such, DEFRA advised on 28<sup>th</sup> April 2008, in connection with the possible consent order referred to in minute 15 above, that no order had been agreed. The County Council will not be participating in the JR proceedings. There would be no prejudice to the County Council's position in the event of a re-opened Inquiry.*

17. **Minute 302** – Trevor Passmore had identified a potential candidate for membership of the Forum and will provide details to the Secretary. Geographical membership of the Forum will be reviewed, together with themed meetings to involve youth and other groups.

### **Urgent Matters**

18. The Secretary advised that Colin Bloomfield had tendered his resignation from the Forum due to other conflicting commitments and therefore a new cycling/off-road cycling representative was needed. Chris Boocock, attending the meeting as an observer from Sustrans, was happy to be considered. Glynn Jones will contact his Off-Road Cycling Working Group.

### **Working Groups**

#### **Disability Access**

19. David Ribbens to provide a final report at the July 2008 meeting.

#### **Off-Road Cycling**

20. Glynn Jones reported that although the group had only had one meeting, there had been recent activity within the group. A campaign to get the cycling protocol message across had been considered appropriate and working with the CycleRight magazine which goes out to cycling proficiency organisations was a good way to start. The draft content for an article with a positive spin had been circulated for the Group to review.
21. It was suggested that the article could also be used for WSCC Connections magazine, district and borough council publications, schools liaison teams etc. WSCC have a number of leaflets available on cycling activities.

#### **Walking in West Sussex**

22. Ronnie Perrin agreed to co-ordinate this new group, comprising of herself, Nigel Sloan and Sion Evans, using the draft brief provided. Other members were welcome to join/attend group meetings, and the use of non member 'experts' will be explored.

## Sub Forums

### Coastal Access, High and Low Weald Sub Forums

23. The Chairman explained that the election of a new Chairman and Vice-Chairman, membership review, and 2008 Work Programme was an opportunity to reinvigorate the Sub Forums and, more importantly, to encourage meetings for RoWIP delivery activities.
24. **Resolved: that the above Sub Forums complete these actions and report back to the July CAFWS meeting.**

### South Downs Access Forum (SDAF)

25. Nigel Sloan reminded members of the background to the SDAF and advised that although WSCC had reduced their funding support, support from the three other local authorities had remained the same. As a result, the SDAF were able to continue, with around three meetings a year and some additional workshops as necessary, and officer time reduced by one day per week. The next meeting is in May, when the Work Programme will be set.
26. The Open Access Mapping Project initiated by the SDAF is nearing completion.

## Strategic Developments

27. Responses had been sent by the Secretary on the following, and updates made at the meeting as applicable:
  - East Grinstead - the proposition is unlikely to be downsized and the key issue is the provision of evidence for the relief road. The Submission Document will be produced in autumn 2008 followed by a further six week consultation.
  - West of Crawley Joint Area Action Plan (JAAP) – Tricia Butcher attended a productive meeting with Horsham District and Crawley Borough Councils on 30th January. Network Rail have a desire to eliminate bridleway level crossings and are keen to progress alternatives. Bridleway 1550 forms the northern and eastern boundary and this will be extended to the southern and western boundaries to circle the development. The MasterPlan, covering the main points of the development, had been approved by both Horsham and Crawley Councils. The Plan included signalised crossings, circular bridleways etc. The Submissions consultation starts on 30<sup>th</sup> May for a six week period, and will be followed by a Public Inquiry.
  - Site 6 Bognor Regis – Bill Acraman stated that WSCC initially had concerns regarding the footpaths, however these had been discussed and they were now more comfortable in principle. Detailed proposals are expected shortly.
  - Burgess Hill Infrastructure Audit – 475 homes had been proposed and the consultation closes on 25<sup>th</sup> April 2008.
  - Mid-Sussex District Council Core Strategy Pre-submission Document – a large volume of responses had been received and it will be June

2008 before an indication of key messages will be available. Further consultation will take place late summer/early autumn 2008.

- Chichester District Council Draft Supplementary Planning Document – response sent 9<sup>th</sup> April 2008

28. Members were pleased to note the influence the Forum had had on the West of Crawley JAAP and thanked Tricia Butcher for her input.
29. The Crawley Borough Council Local Development Framework (LDF) had been reviewed. It was felt that this was a housing rather than planning document, being very localised and referring only to Gatwick. Several bridleways terminate on the boundary.
30. The West of Horsham MasterPlan will be considered for approval by Horsham District Council in June and this should be reviewed by the Low Weald Sub Forum.
31. The Chairman referred to the protocol for the Forum responding to consultations. If appropriate and more localised, it was agreed that the relevant Sub Forum would comment on the consultation, draft the response and circulate to the wider Forum for review via the Secretary (timescales permitting). The final response would be approved by the Chairman and sent by the Secretary on behalf of the Forum. A holistic approach is needed and it was not considered a constraint if members did not have local knowledge when responding.

Tracey Waltho arrived at the meeting and the Chairman agreed to change the order of the meeting.

**Presentation by Tracey Waltho, Divisional Head, Transport, Infrastructure Operations, WSCC** (copy attached to the signed minutes)

32. Tracey Waltho provided members with her professional background prior to joining WSCC on 1<sup>st</sup> April 2008 for an 18 month secondment from the Department for Transport.
33. Members were reassured that the transfer of the Rights of Way (RoW) Team into the new structure within Infrastructure Operations would not diminish WSCC commitment to the RoW network. On the contrary, the new structure would bring relevant infrastructure elements together including parking strategies, sustainable transport and school travel plans to help change peoples behaviour
34. On the subject of budget for RoW over the next five years, it was stressed that the budget will be both prioritised and set by County Council members, and RoW are well funded. Section 106 Agreements are an opportunity to obtain new/enhanced routes required around development sites and priorities, evidence and liaison with the planning authorities are key to maximising access benefits.
35. A questions and answer session followed:
  - Q. what is the relationship between the Transport Group and Rural Operations (previously Rural Strategy) following the restructure?
  - A. the RoW maintenance team are still responsible for delivery of RoW

activities. Jane Noble's post, which includes the RoWIP, is remaining in Rural Operations, so there is a very close link. Her wider role, including promoting access and supporting the Forum, will continue as is

- Q.** equestrians do not tick the 'sustainable transport' boxes to reduce growth in road traffic carbon footprints, congestion and pollution - for safety reasons, many riders and carriage drivers need to travel with horse boxes to ride off-road, which is not seen as sustainable. The urban fringe areas have the most equestrians with, for example, 1000 horses within a five mile radius of Crawley. There are positive statements about equestrians in the LTP but there is not much evidence that equestrians are being considered in highway schemes. Reassurance was sought that their needs would be considered, including greater consultation.
- A.** the link with equestrians will be strengthened
- Q.** artificial objects get in the way of project implementation e.g. IT
- A.** this is an issue that had already been raised
- Q.** what is the view on the use of volunteers
- A.** Tracey Waltho would be happy to attend a future themed meeting to discuss the use of volunteers

- 36. The Chairman thanked Tracey Waltho for speaking to the Forum at this early stage in her role with WSCC and looked forward to keeping lines of communication open for access issues in the future.

**Presentation by Jon Perks, Principal Rights of Way (RoW) Officer, WSCC**  
(copy attached to the signed minutes)

- 37. RoW activities are delivered on the ground, often in partnership. Hundreds of enquiries per week are received on RoW matters and the RoW team find and implement solutions as appropriate. Partnership working takes place with landowners/managers, user groups and the South Downs Joints Committee (SDJC) who have delegated powers to manage RoW in the South Downs Areas of Outstanding Natural Beauty (AONBs). Contractors too are important delivery partners and pleasingly RoW contractors do take pride in undertaking this work.
- 38. Although recent staff changes had been challenging, the RoW team continues to deliver improvements, such as through its bridleway surfacing and bridge structures programmes, and through entering into permissive path agreements. In addition, WSCC RoW network is highly thought of regarding the nine month rolling inspection and maintenance programme, which has led to other work to be scheduled in. For example, in 2007/08 93 stiles had been removed or replaced with gates.
- 39. It was clarified that although WSCC has a statutory duty to protect and assert rights to use the RoW network, the offence committed by cyclists on footpaths is a common law of trespass and for individual landowners to enforce. The illegal use of motorised vehicles in the countryside had been reduced with the introduction of the Pathwatch pilot scheme.
- 40. In response to a question, Jon Perks advised that appropriate materials are used on bridleways to protect the visual assets of the RoW network e.g. Fittleworth stone in the Low Weald area. The aim is not to detract

from the user experience.

41. The Chairman thanked Jon Perks for his informative presentation and the continuing good work with the RoW network.

**Presentation by Phil Belden, Countryside Services Manager, SDJC** (copy attached to signed minutes)

42. Phil Belden, and his colleague Simon Culpin, provided a background history of the SDJC and explained that the management of the RoW network in the South Downs AONB comes under the SDJC remit. He highlighted that over 40% of the RoWs are bridleways and where possible local distinctiveness was retained e.g. local oak used for gates.

Mr Acraman left the meeting at 1.10pm

43. In response to a question, it was clarified that WSCC was still responsible for major works, classed as in excess of £3,000 or large bridges etc. The SDJC itself does not hold a capital budget for such works. Lisa Creaye-Griffin added that WSCC did not have a capital budget until two years ago. Path/bridleway resurfacing may also be done in partnership with landowners.
44. There had been several instances where access furniture such as gates had been stolen in West Sussex. Such gates would be owned by the landowner and may therefore be covered under their insurance. It is possible to write the owners name of the gates to thwart illegal resale.

### **Current/Future Consultations**

45. Responses had been sent by the Secretary on the following consultations:
  - Tree Safety Policies – Forestry Commission
  - Draft South Downs Way Management Plan
  - Access Management Grants Scheme

### **Forestry Commission High Weald Design Plan**

46. Jane Noble updated members that the final draft of the above consultation had appeared on the Forestry Commission (FC) web site. The Plan illustrated how they proposed to manage all FC woodlands in the High Weald AONB. Details will be sent to Forum members and members of the High Weald Sub Forum to comment.

### **Draft Marine Bill**

47. The access elements of the Draft Marine Bill will be reviewed by the Coastal Sub Forum at a meeting on 14<sup>th</sup> May 2008, to which other interested CAFWS members were invited. The closing date for the consultation is 26<sup>th</sup> June 2008. The Bill covers marine conservation, the establishment a new coastal management body, and looks to establish a route around the coast. The serious issue of lack of compensation to landowners, only grants, remains.

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

48. Members were very disappointed to learn that the Plan had been delayed again, partly due to the transfer of RoW to Transport, Infrastructure Operations. However, this had allowed the opportunity to get Infrastructure Operations buy-in to the Plan as they would be the probable main delivery mechanism.
49. Following discussions with Tracey Waltho, the timetable had been taken out of the Statement of Action to better manage expectations, as it is virtually impossible to set realistic timescales for actions that require additional resources when it is not obvious where these will come from. Concern was expressed at the meeting, although it was accepted that timescales needed to be flexible and used as a guideline.
50. The Chairman stated that there needed to be a balance between aspirational and achievable actions, and the timescales would be subject to the Annual Plan. However, definite commitment had been received from WSCC.
51. Jane Noble attended a RoWIP funding workshop run by NE. There is no dedicated pot of money available for RoWIP projects, although Natural England is inviting bids for a new Access to Nature grant. WSCC is considering if this is appropriate for easy access improvements at Pagham Harbour Local Nature Reserve.
52. Members asked that their concerns be registered with WSCC regarding the continued slippage as the Plan had been due for issue in November 2007 and the expectation had been that the first part of the Action Plan should have been under discussion by this meeting.
53. It was agreed that a workshop on RoWIP delivery be held in the morning prior to the CAFWS July meeting in the afternoon.

## **General Report**

54. The Forum noted a General Report on a range of issues and interest to the Forum (copy attached to the signed minutes).
55. Hampshire County Council had been working in partnership with their LAF using volunteers to research routes not recorded on the Definitive Map following the demise of Natural England's Discovering Lost Ways initiative, and an update on progress will be requested by the Secretary at an appropriate time.
56. Jane Noble will update members at the July meeting on the outcome of future NE support for LAFs, and if appropriate, the Forum will send a strong letter to NE.
57. The output from the England Access Forum to be held on 15<sup>th</sup> May will be circulated for members information when available.

## **Agenda Items for Consideration for the Next Meeting of the Forum**

58. The following items were agreed for consideration: -
- RoWIP workshops in the morning to include members of the Sub Forums
  - Presentation from the Forestry Commission
  - Report of findings from the Disability Access Group
  - Update on common law and civil trespass

## **Matters for Information**

59. The Annual Report for 2007/08 will be started in the next few weeks and members were requested to provide additional photos.
60. A new campaign against litter and fly-tipping supported by Bill Bryson, Campaign for the Protection of Rural England, could be an item for a future meeting.

## **Date of Next Meeting**

61. The next meeting of the Countryside Access Forum will be held at Clair Hall, Haywards Heath at 10.30am on Wednesday 2<sup>nd</sup> July 2008.

The meeting finished at 1.50pm.

## **Chairman**