

Countryside Access Forum for West Sussex (CAFWS)

At a meeting of the Forum held at Adur Civic Centre, Shoreham-by-Sea on 22nd March 2006.

Present:

Mrs R Perrin (Chairman)

Mr B Acraman	Mrs H Baldwin	Mr P Belden
Mr P Brown	Mr S Evans	Mr G Jones
Mr T Passmore	Mr D Ribbens	Mr N Sloan
Mr W Trinick	Mr T White	Mrs S Wright

WSCC Officers: David Marshall, Lisa Creaye-Griffin, Jane Noble, Fiona MacLeod, Chris Punnett.

Presenters: - Rev D Caffyn
Kevin East, British Canoe Union
Brendan Whelan, Mike Wooldridge, Shoreham Slipways Group

Election of Chairman and Vice Chairman

- 166 The Secretary advised that Mrs Perrin was happy to stand for re-election as Chairman. A proposal was received from Mr Jones, seconded by Mrs Baldwin and unanimously agreed by the Forum.
- 167 **Resolved:** that Mrs Perrin be appointed as Chairman for the coming year.
- 168 Mr Trinick advised that, due to ever increasing workloads, he would not be standing for re-election as Vice Chairman or remaining as a member of the Forum. He wished the Forum well and suggested another land agent for consideration, to cover land-owners interests, who may wish to apply to join the Forum to maintain the existing balance.
- 169 The Chairman thanked Mr Trinick for his past advice and support to the Forum.
- 170 Mr Brown was proposed for Vice-Chair by Mrs Wright, seconded by Mr Ribbens and unanimously agreed by the Forum.
- 171 **Resolved:** that Mr Brown be appointed as Vice Chairman for the coming year.

Apologies:-

- 172 Apologies for absence were received from Mr D Deedman, Mr P Fancourt, and Mrs A Janes.

Welcome

- 173 The Chairman welcomed the speakers, observers and members of the public to the meeting.

Declarations of Interest

- 174 There were no declarations of interest.

Minutes

- 175 **Resolved:** That the minutes of the Countryside Access Forum for West Sussex meeting held on 7th December 2005 be approved as a correct record and that they be signed by the Chairman.

Matters arising

Equestrian Access – Forestry Commission

- 176 In relation to minute no 119, Mrs Baldwin reported that the combination padlocks introduced at the Droke are working very well. The padlock number is being issued to riders with horsebox boxes/trailers and a system is in place to minimise potential misuse.

Natural Environment and Rural Communities Bill

- 177 In relation to minute 124, the Forum noted the letter from Christine Luff to Mr Waterman, Head of Rights of Way Policy, Bristol.

Closure of Youth Hostels

- 178 In relation to minute nos. 127, the Chairman confirmed that a letter had been sent by Bill Jenman to appropriate farmers regarding the potential to allow limited camping on their land.
- 179 It was agreed by the Forum that there was a considerable lack of YHA/camping provision resulting in a gap in facilities in the South Downs.
- 180 Mr Sloan confirmed that the South Downs Access Forum (SDAF) has also raised this with the YHA, who are fully aware of the issues and want to develop new hostels with partners on suitable sites.
- 181 Mr Passmore suggested that grant aid for farmers could be available to build low-cost timber lodges.
- 182 **Resolved:** that a letter be sent to the YHA on behalf of the Forum offering its support towards YHA 's endeavours to achieve new hostels and with a view to inviting them to attend a future meeting if this was considered to be helpful.

Urgent Matters

- 183 It was noted that Mr Sloan was concerned that amendments had been made to his initial reports for Agenda items 10a and 10c.
- 184 The Chairman confirmed that arising from Mr Sloan's concerns the report versions in the meeting papers had been made null and void, and replaced with the initial reports from Mr Sloan. Mr Sloan's reports will be attached to the signed copy of the minutes and added to the web site.
- 185 Members were encouraged to submit written reports with strategic salient points rather than verbal reports for meetings to allow the Forum sufficient time to digest the information before the meeting.
- 186 It was recognised that a formal process needs to be put in place to review and approve such reports and this will be introduced prior to the next meeting.

Action: Secretary to produce written procedures

Navigation on Rivers

- 187 The Forum received a talk from Rev D Caffyn covering access for boats on the Western Rother and the interpretation of the law of navigation.
- 188 Rev Caffyn provided compelling evidence that, even after 20 years of seeking clarification, the law is still unclear and ambiguous regarding access to, and navigation on, rivers in England and Wales, and is not consistent with almost all other European countries.
- 189 An example given was access to the Western Rother on the section of the river from Midhurst to Stopham Meadow. Rev Caffyn stated that it would be very unlikely for a canoeist to ask the Courts to determine a case in which the question is 'open to argument'.
- 190 Rev Caffyn concluded by asking that the Forum write to the Minister for Rural Affairs to make the law clear and contemporary, or alternatively provide funding so that the public right can be tested in the courts.
- 191 **Resolved:** that the Forum write to the Minister for Rural Affairs seeking clarification on the legal position on public rights of navigation.

British Canoe Union (BCU)

- 192 The Forum received a presentation with slides from Kevin East on the activities of the BCU, who are the governing body for canoe sport in the UK with over 57,000 members and 625 clubs. The BCU is also a recreational and environmental body that teaches paddlers to care about the environment, and works in partnership with local authorities and other agencies.

- 193 Canoeing is an established active water sport promoting many benefits such as a healthier lifestyle and is enjoyed by all ages, gender, race and ability.
194. Mr East reminded the Forum that everyone, including anglers, divers, river walkers and sailors as well as canoeists, is affected by the restrictions to access non-tidal water. The public can only use rivers that have either an existing ancient right of navigation, have statutory rights of navigation created in more recent times, or by getting the permission of all the landowners along the route.
- 195 In addition to access to water, there also is uncertainty regarding access to the waters edge due to clarification of land ownership, riparian rights and the law itself.
- 196 Several studies had been undertaken by the University of Brighton and in 2005 a project started to pilot and seek agreements with local authorities/riparian owners for the Rivers Waveney, Mersey, Wear and Teme.
- 197 Following an initiative called 'Rivers Access Campaign', an Early Day Motion had been submitted to Parliament to allow canoeists and other users of non-powered craft similar access rights as those provided for walkers. Mr East advised that 117 cross party MPs have signed up to date
- 198 Mr East agreed with Rev Caffyn that the current situation regarding access to water in England and Wales is not acceptable and that elsewhere in the world there is linear access to waterways.
- 199 A copy of the presentation and handout is available on request to the Forum Secretary.
- 200 The Forum was asked to support the BCU in their work to improve access to and along water.
- 201 **Resolved:-** The Forum's advice to WSCC will be that the RoWIP includes a reference to 'access to water'
- 202 Mr Acraman commented that both the above speakers seem to be in the same position with access to water now as the ramblers and hikers were in the 1930s with access to land, and suggested a Private Members Bill may trigger Government action.
- 203 Mr Trinick agreed that legislation needs to be updated but with a balance between access interests and conservation interests, i.e. disturbance to wildlife. A blanket access to water approach is too simplistic, and a negotiated, equitable approach is needed.
- 204 Rev Caffyn responded that they have been trying to negotiate access to water for 40 years with very limited success.

Shoreham Slipways Group

- 205 The Forum received a presentation with slides from Brendan Whelan and Mike Wooldridge on the case for a new slipway on the River Adur in Shoreham, which continued the common theme of allowing access to water and rivers.
- 206 Three existing slipway sites in Shoreham were highlighted for their unsuitability for boat launching. Although the recent and ongoing development at the Ropetackle site had retained the slipway, there was very limited car parking facilities, if any, for cars with trailers.
- 207 Emerald Quay has a concrete slipway with again very limited parking. In addition there is only a 2-hour window either side of the fast flowing high tide.
- 208 Kingston Beach has a narrow wooden slipway that is very slippery and consequently considered dangerous for boat launching.
- 209 The Group's preferred site for a new slipway is the north-east corner of the Adur Recreation Ground. The benefits of this site include a uniform slope for the proposed roll-out concrete 'mattress' ramp, best provision of water access at low tide and adequate free car parking. It is estimated that the cost of the 'mattress' will be £25,000. This site is 200 metres from the canoe club and on the same side of the river.
- 210 The Forum was asked to consider support for a new slipway and, as this would be used by visitors as well as local people, to support in principle that WSCC should contribute funds for the project.
- 211 **Resolved:** that the Forum write to WSCC supporting the need for a slipway on the Adur
- 212 Mr Passmore commented that the Slipways Group preferred site and surrounding area was already used by Sea Scouts, sailing club, cruising club and canoeists and becomes very congested in the summer. He agreed that the Forum should back a new slipway but this should be at Ferry Road.
- 213 Mr Whelan responded that neither South East England Development Agency (SEEDA), consultants or Arun District Council have got any plans or costs for Ferry Road.
- 214 A Questions and Answers session followed for all speakers and key points are summarised below: -
- Should compensation to home/land owners for allowing access to rivers be considered
 - The River Rother is used by canoeists in partnership and after negotiation with the Cowdray Estate
 - There is a need to know more about where water is accessible and to target these areas

- Clubs are more likely to obtain access permission to water rather than individuals.
- Conflict likely between anglers and canoeists especially on smaller rivers
- Suggested that canoeists on river pay an licence fee similar to anglers for the use of the river
- The 5km per hour speed limit would need to be policed for canoeists
- Rivers in the pilot study are all very wide and therefore canoeists on these will have less impact on angling and wildlife than they would on a narrow river.
- If legislation had not required the Definitive Map for rights of way to be produced access to land would be in a similar way and users would have to negotiate access with all landowners.

Rights of Way Improvement Plan (RoWIP) Update

- 215 Jane Noble reported that although attendance at the event for Access Providers Event chaired by Mr Acraman in December 2005 was disappointing, the meeting produced useful debate and introduced groups such as landowners, WSCC Highways officers, Highways Agency etc to the RoWIP process and issues.
- 216 The RoWIP process had been endorsed by the WSCC Strategic Environmental Services Select Committee in January and the work of the Forum was acknowledged.
- 217 It was reported that a 30% response rate (over 1000 replies) had been received on a regional access questionnaire sent to National Farmers Union (NFU) and Countryside Landowners and Business Association (CLA) members. Analysis is now being carried out.
- 218 Members were advised that the Local Transport Plan (LTP) is going to print and identifies some funding for RoWIP projects that fulfil the aims and priorities of the LTP.
- 219 Jane Noble confirmed that the RoWIP workshop for Forum and Sub-Fora Members will be held on Friday 21st April at County Hall, Chichester. The meeting will allow members to feed back on the draft RoWIP to enable comments to be considered and incorporated where appropriate prior to its issue for public consultation in the summer.
- 220 An article in the WSCC magazine 'Connections' had generated interest and resulted in an invitation to present on RoWIP and access to the countryside to a group in Shoreham.

South Downs Advisory Forum

- 221 The Forum noted the report from Mr Sloan (copy attached to the signed minutes)

- 222 Mr Brown highlighted that the reference to landowners in the Report is an important issue.
- 223 Mr Jones advised that Ordnance Survey maps identify National Trust land with open access.
- 224 Jane Noble updated members that the South Downs Management Plan goes out for public consultation in June. Comments she had made in response to a stakeholder consultation included the light coverage on recreational horse riding, carriage driving and cycling.

WSSC and the Ramblers Association Liaison Group

- 225 The Forum noted the report from Mr Sloan (copy attached to the signed minutes)
- 226 Mr Passmore raised the issue of trail bikes causing nuisance to horse riders in particular. David Marshall responded that trail bikes are also causing problems in urban and urban fringe areas, the common thread being the perceived reluctance of police to become involved.
- 227 Jane Noble updated members on the initiative to ensure illegal and misuse of vehicles in the countryside is reported to the Police so they can build up a picture of activity and then take action as required. The scheme, called Sussex Pathwatch, is a partnership initiative which includes the Sussex Police, West Sussex County Council and the South Downs Joint Committee. It is expected the launch will be in May.
- 228 Wallet size cards are being produced with guidance notes and contact details so incidents can easily be reported to the police.
- 229 Mr Acraman welcomed the police interest and emphasised that all incidents must be reported and an incident number obtained as this enables the police to build up a statistical picture of the issues with, and location of, vehicles using the countryside.
- 230 It was highlighted that not all police are aware of legislation and they along with the public need educating.
- 231 **Resolved:** that the Forum write to Sussex Police to support this initiative to stop the illegal use of trail bikes on rights of way as well as in those other parts of the County where illegal use exists.

South Downs Advisory Forum

- 232 The Forum noted the report from the Chairman (copy attached to the signed minutes).

General Report

- 233 The Forum noted a general report on a range of issues and interest to the Forum. (copy attached to the signed minutes)
- 234 Jane Noble updated that the current Access Management Grant Scheme (AMGS) bid included work to put open access layers onto the WSCC web site interactive map. However copyright issues had been identified and are with the Countryside Agency (CA) for urgent resolution as the funding may be lost for 2006. The Countryside Agency will be running the AMGS again in 2006/7 and any suggestions for work on CROW open access sites should be forwarded to Jane Noble.
- 235 Comments were invited on the draft poster to be sent to Parish Councils.
- 236 Discussion took place regarding the planned new pedestrian bridge across the A27 at Tangmere. It was agreed that location for recreational users, particularly for equestrians, is critical, however although Tangmere may not be the best place for the bridge in relation to bridleways, it is currently and likely to remain the only place for the crossing.
- 237 It was suggested that it may be cheaper to provide a bridge that horses be led over rather than ridden over.
- 238 Mr Sloan reported that the Highways Agency carried out a major Feasibility Study into road crossing about 5 years ago and that the data should still be available to revisit.
- 239 **Resolved:** that the Forum write to the Highways Agency asking them to consider an upgrade of the bridge to accommodate equestrian access.
- 240 David Marshall informed the Forum of a significant budget increase totalling £900,000 that had been made available for improvements to the rights of way network over the next 3 years. Essentially, the focus on spending the new money would be on structures and bridleways and that users, such as equestrian groups had already contributed to the process by helping prioritise work projects. Mr Sloan asked if walkers could also be included in the process.
- 241 Mr Jones suggested it would also be useful for the SDAF to identify initiatives that may be suitable for consideration.
- 242 Jane Noble updated members that the Driving Standards Agency (DSA) is currently consulting on revisions to the Highways Code. This was identified from the Hampshire Countryside Access Forum meeting papers. Members to review the DSA web site and provide comments to Jane Noble for collation.

Matters Suitable for Press Release

- 243 Suggested items for future press releases were the Pathwatch initiative (subject to liaison with the police regarding their launch schedule) and the increased available funding for the rights of way network.
- 244 Press releases will also highlight and promote the work of CAFWS, current membership and provide the opportunity for recruitment of new members if appropriate.
- 245 **Action:-Secretary and Jane Noble to progress press releases**

Agenda for the next Meeting of the Forum

- 246 The theme of the June meeting will be improved access to woodland. Due to the high demand by neighbouring Access Forums, it had not been possible to secure speakers for the March meeting.
- 247 Suggested speakers to be approached are from the SE AONB Woodlands Office (SE regional mapping project), the Forestry Commission (FC) and the Cowdray Estate.
- 248 Members were requested to identify dangerous sections of roads where it would be high priority to provide a parallel route inside a woodland (specifically any on Forestry Commission land or the Cowdray Estate). Jane Noble could provide a map if required.
- 249 Tricia Butcher, British Horse Society, advised that they are already in consultation with the FC regarding access. Access for equestrians has been agreed through the woods the FC manages (and owned by the Goodwood Estate) at Selhurst Park.
- 250 Jane Noble asked members to submit photos, and any articles for the Annual Report as soon as possible as the 2006 draft Report will be presented at the June meeting.

Date of Next Meeting

- 251 The next meeting of the Countryside Access Forum will be held on 21st June 2006 at Capron House, Midhurst.

The meeting ended at 1.05 pm

Chairman