

WEST SUSSEX LOCAL ACCESS FORUM

At a meeting of the Forum held at Capron House, Midhurst on 20th January, 2004.

Present: Mr. Elliott (Chairman)

Mr. Acraman	Mr. Deedman	Mr Sloan
Mrs. Baldwin	Mr. Evans	Mr. Trinick
Mr. Belden	Cllr. Mrs Janes	Mr. Whitbread
Mr. Bidwell	Mr. Jones	Mr. White
Mr. Brown	Mr. Passmore	Mrs. Wright
Mr. Couzens	Mrs. Perrin	

Observer: Dr. Nicola Redwood, Strategic Access Officer for South Downs.

In attendance: Cath Hart (Hampshire Countryside Access Forum Officer), Andrew Whitnall East Sussex Access Forum Officer, Keith Tyrell (South Downs Access Forum Officer). Eric Rimmer (Representative of Graffham Parish Council.)

Officers in attendance: Lisa Creaye-Griffin, Patrick Ellis, Christine Luff, David Marshall, Rosemary Pugh and Roland Seber.

APOLOGIES

Apologies for absence were received from Mrs Barnes and Mr Quinton.

WELCOME

Mr Acraman and Mr Couzens were welcomed to their first meeting as members of the forum. The Chairman welcomed Patrick Ellis to the meeting as West Sussex County Council Principal Solicitor. The Chairman also welcomed Nicola Redwood, Cath Hart, Andrew Whitnall, Keith Tyrell and Eric Rimmer to the meeting.

MEMBERSHIP OF THE FORUM

48. Rosemary Pugh reported that Mr Acraman had become a new member of the West Sussex Local Access Forum to replace Mr Stainton who had had to resign due to ill-health. Mr Acraman is policy advisor to the County Council's Cabinet Member for Strategic Planning and Environment.

49. Mr Couzens had also been appointed to the Forum to replace Mr Billingham as agreed at the last meeting.

DECLARATIONS OF INTEREST

50. There were no declarations of interest.

MINUTES

51. The minutes of the meeting held on 24th September, 2003 were signed by the Chairman as a correct record.

MATTERS ARISING

52. On minute 37 (National Countryside Access Database), Rosemary Pugh reported that the Countryside Agency had thanked the Forum for its interest in taking part in the pilot scheme for the establishment of a National Countryside Access Database. They estimated that work would not commence on the pilot scheme until the middle of 2004.

DEFRA GUIDANCE ON PART 1 OF THE COUNTRYSIDE AND RIGHTS OF WAY ACT 2000: FUNCTIONS OF ACCESS AUTHORITIES

53. The Forum discussed the DEFRA guidance, in particular the difficulties of identifying land where there were no physical boundaries and the risk of over-signage in the countryside.

54. Bill Acraman observed that the guidance given in paragraph 17 was not clear. There was no clear directive on whether the Access Authority or the landowner would be obliged to pay for erecting and maintaining new notices.

55. Members of the Forum agreed that there was an urgent need for a co-ordinated public relations campaign, to be carried out before August 2004, the expected date for the commencement of the new access arrangements. All organisations including the Countryside Agency, the Ordnance Survey and West Sussex County Council should participate.

56. Resolved -That (1) the Forum advises the Highway Authority about its concerns on funding and the urgent need to inform both the providers and users of land about the implications of the new access arrangements.

(2) A statement outlining the concerns be prepared, to be considered at the next meeting.

Action: Lisa Creaye-Griffin Roland Seber

OTHER LOCAL ACCESS FORUMS IN THE SOUTH-EAST

57. Roland Seber reported that he had attended the AGM of the Hampshire Countryside Access Forum in October. The Hampshire Forum had received their annual report and a presentation from Simon Shibli on research carried out towards the pilot Rights of Way

Improvement Plans. Roland Seber advised the Forum that he had been able to draw on this work in the construction of his questionnaire to Rights of Way users.

58. David Marshall reported that he had attended a meeting of the East Sussex Local Access Forum at Crowborough Golf Club on 7th January 2004. David Marshall reported that the East Sussex Local Access Forum were keen to encourage the participation of Parish Councils in their work. Peter Brown supported this idea and suggested that members of West Sussex Parish Councils could be invited to meetings of the West Sussex Local Access Sub-Forums in the future. It was agreed that Officers would examine this idea and consider how it could be achieved practically.

Action: Lisa Creaye-Griffin/Roland Seber

59. Andrew Whitnall (East Sussex Access Development and Forum Officer), reported that the meeting at Crowborough Golf Club had highlighted the problem of identification of excepted land, particularly golf courses.

60. Cath Hart (Hampshire Countryside Access Forum Officer) reported that the Chairman of the Hampshire Countryside Access Forum had written to the Countryside Agency expressing concern about the identification of excepted land and had requested that an ongoing register of excepted land be set up. The Forum supported this view and suggested that the West Sussex Local Access Forum should write to the Countryside Agency in support of concerns expressed by the Hampshire Countryside Access Forum.

Action: Lisa Creaye-Griffin/Roland Seber

COUNTRYSIDE AND RIGHTS OF WAY ACT 2000 PART 1

61. Christine Luff reported that regulations for restriction/exclusion of access had been in place since 17th November 2003.

62. Phil Beldon observed that the 'spirit of the Act' should not be lost in the regulations. Closure should not always be sought immediately, he observed that management solutions be considered before restriction and finally closure. Glynn Jones reminded Forum members that closures could be temporary.

TERMS OF REFERENCE FOR THE SUB-FORUMS

63. Patrick Ellis (Principal Solicitor, West Sussex County Council) outlined the background to the report on Terms of Reference for Sub-Forums. He explained that the main objection to the original Terms of Reference was the manner in which advice would be passed from the South Downs Sub-Forum to the West Sussex Local Access Forum and then to the Highway Authority, but could not be changed although it could be added to and forwarded as combined advice. The Forum agreed that it was important to have a sense of ownership over the manner in which the advice is dealt with.

64. The Chairman observed that the South Downs Access Sub-Forum differed slightly from other three West Sussex Sub-Forums in that it crossed four local authority boundaries, and that it did have its own role as a strategic access forum for the whole of the South Downs.

65. The following recommendation was proposed by Glynn Jones and seconded by Nigel Sloan.

"The West Sussex Local Access Forum notes the concerns expressed in the report about the original Terms of Reference for the South Downs Access Sub-Forum and considers that those terms of reference could be improved and clarified. It therefore requests that, as a matter of urgency, officers of West Sussex County Council meet with officers from the South Downs Access Sub-Forum and the other 3 Forums forming the Access Sub-Forum to discuss revisions or clarifications to the draft Terms of Reference. A revised report should then be brought to the next meeting of the West Sussex Local Access Forum."

Resolved - That the recommendation be accepted by the Forum. (There was one abstention.)

Action: Officers of West Sussex County Council

66. Peter Brown observed that there were differences between Appendix A and Appendix C, paragraph 4.5, he suggested that there should be uniformity for all sub-forums on the length of time members are appointed to the sub-forums.

67. On paragraph 3.1 of Appendix A it was agreed that the word 'utility' be changed to 'communication'. Peter Brown suggested that 'communication' be included in paragraph 3.1 for all Sub-Forum terms of reference.

Action: Patrick Ellis/Mark Henshall

REPORTS FROM THE SUB-FORUMS

68. Lisa Creaye-Griffin circulated the draft work programme for the Sub-Forums, (copy attached to the minutes). The programme was supported by the Forum. Derek Deedman referred to 'giving advice on restrictions to use Access Land', and observed that this should be in the short to medium term programme, rather than the medium to long term.

Action: Lisa Creaye-Griffin/Roland Seber

69. With reference to cross-forum representatives, Lisa Creaye-Griffin reported that Hampshire Countryside Access Forum have recently agreed that the role of the cross-forum representative should be that of representative of the main County Access Forum, rather than as a member appointed to represent their own interest on the Sub-Forum. It was agreed that the West Sussex Local Access Forum would adopt the same principle.

70. Verbal reports were received from Helen Baldwin (Coastal Plain Sub-Forum), Ted White (Low Weald Sub-Forum) and Roland Seber in Nicky Webber's absence (High Weald Sub-Forum). A key issue for all sub-forums was to increase their membership.

71. Nigel Sloan reported on the latest meeting of the South Downs Access Sub-Forum and circulated a work programme. (Copy attached to the minutes).

72. The Chairman observed that the work programme for the South Downs Access Sub-Forum needed to mesh with and complement the work programmes of the other Sub-Forums. A two way process in the planning of work programmes was needed. He recognised that some strategic issues would be specific to the South Downs Access Sub-Forum.

73. It was agreed that in future the reports/minutes of sub-forum meetings should be included with the agenda papers for the West Sussex Local Access Forum.

Action: RP for agenda

RIGHTS OF WAY IMPROVEMENT PLAN

74. Christine Luff reported on a Government proposal to remove the duty to prepare a Rights of Way Improvement Plan, from excellent authorities. Nevertheless, the County Council believes it should continue to prepare the Plan.

75. Ronnie Perrin congratulated West Sussex County Council for being an excellent authority and welcomed the fact that the County would still be going ahead with the Rights of Way Improvement Plan, one of the key areas of work for West Sussex Local Access Forum.

76. Roland Seber reported that he had had a good response so far on the questionnaire to Rights of Way users. The information received had been entered onto a database and analysis of the results would be reported at the next meeting in April.

77. It was agreed that at the next meeting in April the members would have the opportunity to take part in workshops. The issues raised by the questionnaire would be one of the items to discuss.

DEFRA CONSULTATION PAPER: USE OF MECHANICALLY PROPELLED VEHICLES ON RIGHTS OF WAY

78. The Forum received and noted a summary paper for the DEFRA consultation document.

79. On Proposal 2, David Marshall advised the committee that revision of the publication Making The Best Of Byways was welcomed. The original document published in 1997 had contained useful advice but had been overtaken to a large extent by the Restricted Byways provisions in the Countryside and Rights of Way Act 2000.

80. On Proposal 1, the Forum agreed that the final sentence needed to be more emphatic, indicating more resources should be made available for enforcement.

81. Glynn Jones observed that the problems caused by lawbreakers using mechanically propelled vehicles in the countryside was not high on the police agenda and he urged members to report all incidents to the police in writing.

82. On Proposal 4, John Couzens observed that a one year cut off date was impractical and on this point he did not therefore agree with the Forum's proposed response. It was noted that Mr Couzen's objection could be raised through his own organisation's response to DEFRA's consultation.

83. The Forum agreed that Christine Luff would respond to the Mechanically Powered Vehicles Consultation on behalf of West Sussex Local Access Forum, amending the response to proposal 1 using Forum member's comments.

Action: Christine Luff

AGENDA FOR THE NEXT MEETING

84. The agenda for the next meeting will include:

- A report on the results of the questionnaire to Rights of Way users
- Identification of parcels of common land with no public access
- To consider the draft Annual Report

Any additional items for the agenda please contact lisa.creaye-griffin@westsussex.gov.uk.

DATE OF NEXT MEETING

85. The next meeting of the West Sussex Local Access Forum will be held at 10.30 am on Wednesday 7th April, 2004 at Adur District Council, Shoreham.

Members should note that the April meeting of the South Downs Access Forum is 30th April and not 15th April.

CHAIRMAN

