



**Notes of a meeting of the Leicestershire Local Access Forum held at County Hall, Glenfield on 11 November 2014.**

**Present**

Mr. R. Denney (Chair), Mr. B. Sutton, Mrs. R. Camamile, Mr. J. Bullock, Mr. C. Faircliffe, Mr. J. Law, Mr. J. Howells, Mr. T. Kirby, Ms. H. Brown, Mr. S. Warren, Ms. A. Pyper, Dr. G. Mason, Ms. V. Allen, Mr. S. Salmor, Ms. L. Forman, Mr. P. Tame, Mr. A. Hillier-Fry.

**Officers in Attendance**

Mr. E. McWilliam and Mr. B. Holihead

**99. Welcome/Apologies for absence**

Apologies were received from Mr. H. Eppel. No other apologies were received.

**100. Minutes of the meeting held on 12 August 2014**

*That the minutes of the meeting held on 12 August 2014 be approved subject to the following changes:*

*Minute 91: Membership of Committees.*

That Mr. J. Law be written as Chairing and co-ordinating the Network Opportunities Committee.

*Minute 97: Open Access Land Surveys.*

That "Alter stones" should spell "Altar Stones".

**101. Matters arising from those minutes not otherwise on the agenda.**

There were no matters arising.

**102. To advise of any late items which the Chairman agrees are urgent.**

The Chairman agreed to take the following two items as urgent:-

- (a) Renewal of Membership
- (b) Public spaces protection orders

**103. Declarations of Interest.**

Mrs Camamile CC declared an interest in the item entitled 'Barrow Rail Crossing' which might lead to bias as a member of the County Council's Development Control and Regulatory Board. She undertook to leave the meeting during consideration of this item.

#### **104. Items of correspondence.**

The Forum considered an item of correspondence regarding support for the Black to Green Project, a copy of which is filed with these minutes marked 'Item 6'. In addition to this, officers also presented a verbal update regarding consultations and orders under Section 116 of the Highways Act 1980.

Arising from discussion the following points were raised:-

- (i). Whilst it was not a legal obligation to provide consultation on Section 116 orders, the local Parish or Town Council, District Council and statutory undertakers were always consulted prior to the making of an application to the court, with the application not progressing until a 'no objection' had been received from all parties;
- (ii). It was reported that notification of an application made to the court was always displayed in the local newspaper, and on-site for a considerable period of time prior to the court hearing. There was also an intention to publish notification of applications made to the court on the County Council's website in future;
- (iii). Following disappointment in the consultation process expressed by some members, the Forum requested that in future it be notified of any relevant orders.

AGREED:

- a) That the items of correspondence be noted;
- b) That LCC be requested that the list of consultees for S116 Orders should include the LLAF and appropriate users groups.

#### **105. Updates from Committees and Working Parties.**

The Forum received reports on the work undertaken by each of the subgroups. A copy of the written reports are filed with these minutes marked 'Item 8.A', 'Item 8.C', and 'Item 8.D'.

Arising from discussion the following points were raised:-

- (i). In regards to the Watermead pilot project, members expressed that their disappointment in the County Council for not co-ordinating the

production of literature. It was reported that they were in discussions with district councils and would report back on any progress made;

- (ii). It was raised that Mr. J. Law took part in a walk arranged by Dementia Adventure at Abbey Park, accompanied by Mr. S. Warren. It was noted that the idea was to encourage dementia sufferers to walk and that they were supported by carers during the walk. Mr Law cited an instance where the support of carers was particularly useful, and showed that the guides would be able to provide these walks based on how dementia sufferers reacted to the environment. It was reported that these walks would be highly beneficial to dementia sufferers. The Forum commended the work of Mr Law and offered its assistance where possible.

AGREED:

- a) The Forum noted the updates;
- b) Members requested that their disappointment in the County Council not developing the literature requested by Mr Law.

#### **106. Reports from representatives on outside bodies.**

The Forum received various updates which summarised the work undertaken by a number of the sub groups. A copy of the briefing notes received in writing are filed with these minutes marked 'Item 9.A', 'Item 9.E', 'Item 9.F', 'Item 9.G', and 'Item 9.I'. The remainder of the reports were given verbally.

Arising from discussion the following points were raised:-

- (i). It was reported that a meeting of the National Forest Access and Recreation Group had been arranged with the new Chief Executive of the National Forest due to attend;
- (ii). It was expressed that National Forest sites could potentially be other locations for Dementia Adventure to carry out walks.

AGREED:

That the reports be noted.

#### **107. Advices given and consultation responses.**

Members discussed the advice they had provided to organisations through formal correspondence and consultation responses.

Gratitude was expressed by some members that the comments regarding the solar panel farm in North West Leicestershire were toned down so that the Forum did not give the impression of being anti-renewable energy, but had raised concerns entirely on an access basis.

AGREED:

That the advices provided by the Forum be noted.

**108. Barrow Rail Crossing.**

(Mrs. Camamile CC, having declared a personal interest which might lead to bias, left the meeting during consideration of this item).

Members discussed the proposal by Network Rail to extinguish the Barrow Rail Crossing. A response was provided to Network Rail outlining the Forum's opposition to this proposal on 14 October 2014.

Following discussion the following points were raised:-

- (i). Members queried the premise of Network Rail in closing the crossing due to lack of cost-effectiveness. They also commented on the lack of explicit figures of any of the potential options for the crossing. However it was advised that there was no necessity at this point to provide detailed figures on the proposals, however Network Rail would have to provide more detailed information once they had made a decision;
- (ii). Officers advised that the Network Rail had carried out a preliminary consultation process and that Network Rail had paused in taking any action at the request of the County Council in order to consider the views of interested parties. Some members also expressed their satisfaction at the public meeting held by Network Rail;
- (iii). The Forum requested to be copied in to any consultation that takes place on the issue.

AGREED:

The Forum agreed to send the advice it provided to Network Rail to the County Council so they had a record of correspondence.

**109. Cycling guidance.**

The Forum discussed concerns around the behaviour of cyclists and guidance that had been published in regard to their behaviour. A report is filed with these minutes marked 'Item 12'.

Arising from discussion the following points were raised:-

- (i). Concerns were raised that guidance for cyclists was not being followed (examples were cited such as cycling on the left and unnecessarily cycling on pavements). Members queried how much guidance was handed out at cycle hire locations, citing families hiring bikes as an example of groups not necessarily following guidance. The Forum

noted that there were multiple areas from which information could be disseminated (Hicks Lodge, local bike shops etc);

- (ii). Some members expressed that it was a perception issue and that the 'good' cyclists were never remembered. However it was recognised that there were issues regarding cyclist behaviour, clothing and that some cyclists did not know where they could and could not cycle;
- (iii). It was noted that Leicestershire County Council supported cycle training initiatives, particularly in schools. The Forum queried if symbols could be placed on signs to indicate if cycling was allowed on that path or road;

AGREED:

That the East Midlands Local Access Forum Chairman be asked to consider the issue of cyclist behaviour and that we would consider the issue further at the next meeting.

#### **110. Orders update.**

The Forum considered a report of the Director of Environment and Transport on the Public Rights of Way Legal Orders and Other Ongoing Cases. The report is filed with these minutes marked 'Item 13'. Mr McWilliam also presented a verbal report on Public Space Protection Orders (PSPOs).

Arising from discussion the following points were raised:-

- (i). The Provision of Anti-Social Behaviour Powers were largely focused to urban issues, however they could have an effect on public access. The power to apply Public Space Protection Orders would fall with district councils and not Leicestershire County Council, and any breach of order would be dealt with as a criminal offence;
- (ii). It was advised that where a local authority may be considering issuing an order, it could also hold a public meeting as to why the order could be put in place. Leicestershire County Council could request all district councils to consult on any PSPOs;
- (iii). A PSPO could be in place for three years with the only form of appeal being through the High Court. It was advised that there was no formal local appeals procedure;
- (iv). It was advised that this was significantly different to previous gating legislation which was very prescriptive. In response to queries regarding how long it takes for a PSPO to be implemented officers stated that it would have to be in relation to ongoing incidents rather than a single event. However there was no set time period for this but was at the discretion of local authorities;

- (v). Members discussed the current positions of various Public Path and Modification Orders (attached as appendixes 13.1 – 13.16 with these minutes).
- (vi). Concern was raised over the alternative paths on Appendix 9;
- (vii). The new paths being laid out as part of the Bardon quarry extension were brought up. Members were concerned if there was adequate signage in place. Officers responded that they would follow this up.

**AGREED:**

- a) That the Orders be noted;
- b) That the Forum writes to each Chief Executive of the district councils to request the LLAF be consulted on PSPOs.

**111. Access Land Surveys.**

The Forum considered the surveys of four open access areas. The report and appendices is filed with these minutes marked as 'Item 14'. The four locations considered in this report were Loughborough Meadows, Charnwood Lodge, Billa Barra Local Nature Reserve, and Altar Stones.

Arising from discussion the following points were raised:-

- (i). A concern was raised that not all the paths on Loughborough Meadows were where they were indicated. Members expressed an awareness that as it was farmed land, the public were not sure where they could walk;
- (ii). It was reported that the Charnwood Lodge survey indicated that it was not clear that users were on a Public Open Access Site and there was a significant lack of signage;
- (iii). It was advised that the Billa Barra Local Nature Reserve had changed significantly due to re-fencing that had been undertaken. The Forum expressed regret that it had not been consulted on the re-fencing which a significant amount of money had been invested into. It was reported that a Leicestershire County Council maintained stile at the end of a path had not been maintained properly. Members advised that there was a large equestrian centre at Billa Barra and requested that its informal access to Billa Barra land be retained. A meeting had been arranged on site with Hinckley & Bosworth to discuss the issues and suggestions;
- (iv). It was reported that the Altar Stones reserve had been well maintained and signposted. It was reported that when concerns were raised regarding barbed wire above a stile, the Leicestershire & Rutland

Wildlife Trust fitted piping to the barbed wire so that it could be crossed safely. Further discussions with the Trust were in hand about all three of their locations that had been inspected;

- (v). Concerns were raised regarding Rawnscliffe common land which was entirely closed to the public despite its status as common land. It was reported that Markfield Parish Council had been written to but no response had been received.

AGREED:

That the Access Land Surveys be noted.

#### **112. Annual Public Report.**

AGREED:

That the Annual Public Report be noted and distributed to parish and district councils and libraries.

#### **113. Delegation.**

The Forum expressed a desire for a better way to work between meetings particularly in regards to correspondence being sent on behalf of the Forum and its committees and sub-groups.

Arising from discussion the following points were raised:-

- (i). That there may be occasion for a response to consultation be made on behalf of the Forum without having to consult the Forum at a formal meeting. It was expressed that trust be placed in the Chairman of the committees to take such decisions when necessary in consultation with the Forum Chairman;
- (ii). It was noted that it would be necessary to ensure a balanced view in line with the principles of the Forum if powers to respond to consultation were given to Chairman of the committees

AGREED:

The Forum noted its ambition to delegate responsibilities to Chairman of the committees, subject to a response from officers regarding how this would fit with the Forum's terms of reference.

#### **114. Unrecorded Ways Policies.**

AGREED:

The Forum moved that the item be deferred until the next meeting to allow further consideration.

**115. Generic Planning Advice.**

The Forum considered an update of the generic planning advice regarding footpaths, cycleways, bridleways and access land, which was issued by the Forum to local authorities and developers. A copy of the advice is filed with these minutes marked as 'Item 18'.

Subject to corrections to spelling and grammar, the Forum noted the updated planning advice.

**116. Any other items which the Chairman has decided to take as urgent.**

There were no other items.

**117. Future meetings and programme.**

The Forum considered the proposed meeting dates of the Forum in 2015. Arising from discussion the Forum amended the proposed start time of 6.00pm to 5.30pm to ensure adequate time to discuss items. The Forum also agreed to an informal meeting on the 4<sup>th</sup> Tuesday of each month where there was no formal Forum meeting arranged.

Members were informed that they would be contacted via email regarding their continued membership of the Forum and were asked to reply to the email to indicate their intentions.

6.00pm – 8.17pm  
11 November 2014

CHAIRMAN