

SOMERSET LOCAL ACCESS FORUM MINUTES FOR THE MEETING 14th MAY 2014 AT STOKE ST GREGORY VILLAGE HALL

SLAF Members attending:

Greg Jones – Chair; Peter Kidner; Patricia Coombes; Julia Gadd; Ann Finn; Wendy Welland; Paul Heal; Roger Conway

SCC Officers attending:

Pete Hobley - Rights of Way Service Manager, Richard Phillips – Senior Rights of Way officer, Definitive Map; Lisa Portman and Emma Parsons – Joint Secretary to SLAF

1. Welcome, Apologies and Notes of absence:

Apologies accepted from Penny Richards; Clifford Puddy; Cllr Harvey Siggs; David Perris

Pete Hobley chaired the meeting until item 2 – Election of Chair and Vice-Chair

2. Election of Chair and Vice-Chair.

Candidates for Chair were invited – Greg Jones as the only candidate for Chair, was proposed by Roger Conway and seconded by Julia Gadd. He was voted unanimously and therefore elected as Chair until May 2015.

Candidates for Vice-Chair were invited – Penny Richards as the only candidate for Vice-Chair, was proposed by Peter Kidner and seconded by Ann Finn. She was voted unanimously and therefore elected as Vice-Chair until May 2015.

3. a) Minutes from the meeting of 16th October 2013 were agreed and signed off as a true record.

b) Matters arising – Item 13.2.7a, investigating whether Bridleways Association (BA) are able to assist with modification orders. It was queried whether this had been progressed. Pete Hobley and Richard Phillips have discussed briefly and it was agreed to keep this as an action, feeding back to the Forum at the next meeting. At the previous meeting in October 2013, Hugh Warmington had queried about upgrading a footpath to a bridleway and whether the BA could assist with this. Pete Hobley explained that aspirational dedications are on hold due to the significant resource required to deal with them. He suggested that Hugh could allow permissive access but would need to have regard for the upkeep of the path. Pete Hobley to discuss with Glenn Martin, the area warden.

Item 13.2.2 Greg Jones confirmed that Cllr Harvey Siggs has agreed to sit on the Forum, in place of Cllr David Hall. In terms of recruiting members to and

promoting the Forum, it was agreed that an article would be included in the autumn edition of 'Your Somerset'.

ACTIONS: a) Item 13.2.7a Keep as action for Pete Hobley to investigate and feed back.

b) Pete Hobley to discuss Hugh Warmington upgrade of path with Glenn Martin.

c) Lisa and Emma to write article for inclusion in Autumn edition of 'Our Somerset'

4. Discussion on the effects of flooding on the Rights of Way network

Pete Hobley gave a summary of the effects of the flooding during the winter of 2013/14. After presenting his paper, there was a general discussion.

Peter Kidner raised the fact that unclassified roads can be problematic as they remain covered in thick mud and hold back water. Greg Jones asked whether there is a mechanism in place where paths are closed during a period of flood. Pete Hobley said that there wasn't, it was a matter of the public using some common sense to ascertain if it was safe to access. Pete Hobley explained that as part of the 20 year Flood Action Plan, one of the workstreams will look at farming practices e.g. ditch clearance etc.

ACTION: Forum members to feed back to Pete Hobley about the state of the network and if there are any particular issues.

5. Discussion on logical way forward for completing our highways record

Richard Phillips gave an overview of how historically, road records and definitive map records have evolved. The legislation for maintaining definitive map records has been tightly defined by legislation, practice and research etc. Road records haven't been maintained or legislated in the same way, historically having generally been used by only highways engineers. They are records held previously by the local highways authorities (i.e. rural councils) and are based on transfer maps from the 1950's. Therefore it's difficult to ensure that both sets of records are joined up in a cohesive way. There are many ambiguities which will be highlighted in the run up to the cut off date for modification applications in 2026. In theory, every highway not recorded on the definitive map will be extinguished. However, there will be exceptions which will be covered by regulations not yet drawn up. The draft Deregulation Bill is going through at the moment so when this is issued, we will have a better understanding of the ambiguities which will be covered by exception.

Queries raised from the Forum

Peter Kidner – Concern that UCRs (Unclassified Roads) and UUCRs (Unsurfaced Unclassified Roads) are falling into neglect as aren't recorded

adequately on highways records. South Somerset Bridleways Association are particularly concerned about this.

Bridleways Groups are concerned as they want routes recorded on OS maps, though the Ordnance Survey are not keen. Paul Heal asked if the public could access the definitive map online, to which Richard replied that they can via the SCC website.

Peter Kidner fed back that the Ramblers Association Autumn report 'Paths in Crisis' raised issues about the state of the RoW network. Somerset County Council heads the table for the highest number of outstanding modification orders in the UK. He asked if SCC had resolved to take any action, especially in light of the fact that applications are being submitted prior to the 2026 deadline. Pete Hobley explained that SCC continually looks to improve processes and that modification orders are being determined more quickly than they used to. However it would take 30 years of current resources to clear the backlog. Pete said that he is looking to try and expand the Definitive Map team as the recruitment freeze has been lifted. Patricia Coombes raised that as a landowner, she is not overly concerned if there was an outstanding order on her land. Richard Phillips put forward the case that it may well be in the landowner's best interests to get the order resolved as it's a burden on the land until it is (either way). **The Forum agreed that it should be noted that they are concerned about the backlog of modification orders and that it is in the general public interest to get them resolved asap. The Forum also agreed that greater resource is needed to deal with them and will write to Cllr Harvey Siggs to express their concern.**

ACTION: Greg to compile a formal response on behalf of SLAF.

6. **Annual report** – The annual report for 2013-14 has been completed and will be submitted to Natural England by the June deadline. **It was agreed to add a note to the annual report about the Forum's concern re the backlog of modification orders.**
7. **ROWIP2** – Pete Hobley distributed a paper summarising the draft Rights of Way Improvement Plan 2. It was initially started in 2012 but was put on hold because of other priorities. Sarah Littler who is now working within the Major Projects team, has compiled it. He welcomed feedback from Forum members but stressed that it is confidential at this stage. It will be consulted on formally when public consultation is carried out. Julia Gadd queried whether the impact of a well maintained rights of way network on health and tourism had been considered. Pete Hobley explained that the ROWIP does pick up on the County Plan which contains threads about the promotion of tourism and health benefits.

Ease of Access improvements – Julia Gadd said that ease of access to RoW need to continue to improve. She explained that the stiles on the Stoke St Gregory permissive path would be difficult for older people to negotiate – Pete Hobley said to contact the local warden, George Montague, and he will look at

this. Pete Hobley explained that resources need to be prioritised and so fault resolution, especially on routes used by tourists, dog walkers etc., need to be the priority. Ann Finn raised a query about high stiles on the East Dean Way. Pete Hobley asked her to log on PROW and that the local warden would look at it. There was a discussion about funding for improvements, whether s.106 money or Community Infrastructure Levy funding can be secured. Pete Hobley responded that CIL money goes into a central pot, with little reaching RoW.

Greg Jones asked members to email Pete Hobley with any comments and suggested that a working party is set up to look at a cohesive response from SLAF.

ACTION: a) Greg Jones to set up working party to respond to the ROWIP consultation

8. Feedback reports from Members
 - a) Clifford Puddy not in attendance so unable to feed back about LAF conference.
 - b) SW Chairs meeting – Greg Jones
 - i) Most SW LAFs have lost resource, receiving little secretarial support. Funding has been cut generally across the SW.
 - ii) Greg fed back to the Chairs meeting about the coastal path consultation. The view was that those parts of the path running along the beach, were not particularly safe.
 - iii) Local nature partnerships – LAFs were invited at an early stage but have since received little information.
 - iv) Routes across railway crossings - The implications of Network Rail's proposals to close some crossings was discussed at the meeting. It was highlighted that LAFs need to respond to any consultations about this.
 - c) Quantocks JAC – Roger Conway attended this recently. Very little to report on access issues although he has been involved in some interviews with the local media.

Peter Kidner reported back on a recent Persimmon application for phase 2 of their development in South Petherton. Footpaths have been lost because of the development and he expressed disappointment that it had been approved without any commitment from them to improve paths for the public. Peter also fed back that as 12 years as a PPLO (Parish Path Liaison officer), he has raised ongoing issues about a landowner continually cutting down a signpost and not clearing a field. He reported a fault in 2013 about a barbed wire obstruction on a footpath which took SCC 12 months to clear. He said that SCC should be more confident in its' legal obligations. He also felt that SLAF were not as effective as they should be and so declared he was handing in his resignation as of 14th May 2014. Greg Jones as Chair, accepted his resignation.

Ann Finn raised a concern about the herepath at Neroche. As a result of the way it was constructed, there are now some faults on a section of it, making it unsafe for the public. SCC closed the section of the path down in August 2013 as the Neroche Project has now ceased and the path is unsafe. The 500m section of path now closed means that walkers are unable to complete the round circuit of it. Pete Hobley fed back that SCC have tried to secure funding for it but there are concerns about the existing surface, so this needs to be resolved. The Forestry Commission have responsibility to assess the surface defects and need to talk to the contractor who carried out the work in the first place. Once the Forestry Commission have carried out their investigations, SCC can meet with them to discuss a joint maintenance agreement. Ann was concerned about the amount of time it has been closed and asked if SCC could approach the contractor direct but Pete replied that as SCC didn't fund the project (it was lottery funding), the Forestry Commission are responsible for it.

Wendy Welland – asked if SCC were aware of the Brean cross sluice project, which starts at Weston and crosses the River Axe at Brean. Pete Hobley said he was only made aware of it a couple of weeks ago. Greg said it would be useful for SLAF members to view details of the proposal.

Wendy Welland – queried if there is any legislation about footpaths which run through land where there is a prevalence of T.B. If a farm is closed, is the footpath closed also? Pete Hobley responded that he was not aware of any directive from Defra and we would be led by them.

Patricia Coombes – similarly with cases of neospora, do we tell walkers about this. Pete Hobley said that the dog walkers leaflets held by SCC give useful information regarding this. It was agreed that it would be useful for SLAF to update parish councils .

ACTIONS: a) Pete Hobley to chase up Forestry Commission about the Neroche path.

b) Lisa and Emma to send details of the Brean Cross sluice project to SLAF members

c) Patricia Coombes to provide cover text for Lisa/Emma to send an email and the leaflet to Parish Councils.

9. Members reviewed the consultations received by the Forum between Oct 2013 and May 2014. They had been unable to reach a consensus on 2 consultations – Canal and River Trust consultation on sharing towpaths and the Dept for Culture, Media and Sport proposal to authorise motor sport events on public roads, so members responded individually to these.

10. Date of next meetings 22nd October 2014 and 13th May 2015.

As there are only 2 formal meetings per year, Greg Jones asked if members were interested in 'training' events which would enable them to meet more often. He asked members to email him with suggestions for suitable walks etc. Paul Heal suggested combining the working group set up to respond to the ROWIP2 consultation with an informal site visit.

Summary of Actions Arising

Item Number	Details	Update/Outcome
13.2.7a	Pete Hobley to investigate whether Bridleways Association are able to assist with modification orders and investigate increased use of volunteers within the Modification team.	
14.1.3b	Pete Hobley to discuss Hugh Warmington upgrade of path with Glenn Martin.	
14.1.3b	Lisa and Emma to write article about becoming a SLAF member for inclusion in Autumn edition of 'Your Somerset'	
14.1.4	Members to feed back to Pete Hobley about the state of the network as a result of the winter flooding and if there are any particular issues.	
14.1.5	Greg to compile a formal response on behalf of SLAF regarding their concern about the lack of resource to deal with the backlog in modification orders, and send to Cllr Harvey Siggs. Deadline start of July for response to be discussed at next SLAF meeting in October.	
14.1.6	Emma/Lisa to add note to Annual Report re concerns about backlog of modification orders	Emma added this and submitted annual report to Natural England 21/5/14
14.1.7a	Greg Jones to set up working party to respond to the ROWIP2 consultation	
14.1.8a	Pete Hobley to chase up Forestry Commission about the repair/funding of the Neroche path.	

14.1.8b	Lisa and Emma to send details of the Brean Cross sluice project to SLAF members	
14.1.8c	Patricia Coombes to provide cover text for Lisa/Emma to send an email and the dog walking leaflet to Parish Councils re neospora	
14.1.10	Members to email Greg with suggestions for training events or site visits	