

Peak District Local Access Forum

Minutes of the meeting held on Saturday 14 March 2009 at Losehill Hall, Castleton

Members Present:

Bob Berzins	Sue Fisher
Jon Clennell	Henry Folkard
Andrew Critchlow	Terry Howard
Felicity Edmeston	Mike Innerdale
Edwina Edwards	James Kellie
Richard Entwistle	Andrew McCloy (Chair)

Others Present:

Mike Rhodes (PDNPA) Secretary	Judy Merryfield (PDNPA)
Wayne Bexton (DCC)	Gill Millward (DCC)
Genni Butler (Cheshire County Council)	Max Norris (Inst for Outdoor Learning and Lindley Education Trust)
Richard Campen (PDNPA)	Sue Smith (PDNPA)
Sharon Davison (Minutes)	Richard Taylor (DCC)
Roy Malkin (Kirklees Council)	Bob Young (PDNPA)

The Chair spoke briefly about Sir Martin Doughty, who sadly passed away recently. Martin was a true champion of access and the Peak District National Park and made a remarkable contribution to this area in particular and access generally. Andrew Critchlow added that he was supreme at seeing the big picture, with a deep understanding of the natural environment and made things happen. Martin will be greatly missed and the Forum expressed their thanks and gratitude for his contribution.

1. Apologies

Apologies had been received from Charlotte Bright, Andrew Murley, Geoff Nickolds, Dick Peart and Jacque Bevan.

2. Minutes from the last Meeting

The Minutes of the meeting on 4 December 2008 were agreed as a correct record.

3. Matters Arising

a) Part time ranger review. A copy of the report had been circulated and should be self explanatory.

b) Motor vehicle strategy update. Information had been circulated by e mail. Mike Rhodes gave a brief report written by Richard Pett who couldn't be here today.

Management plans for the 8 routes in most urgent need of improved management were approaching completion. DCC engineers have surveyed and are currently working out

costings and specifications for plans to improve sustainability. When reports are received all options available will be discussed with the relevant highways people. Andrew Critchlow requested a list of the 8 routes.

ACTION: MR

With regard to Operation Blackbrook, the co-operation with Derbyshire Constabulary has been very pleasing. The operation is about improving information and educating users, in addition to clamping down on those deliberately flouting the law. Richard Taylor told the meeting that 3 very successful police operations have taken place since November. He agreed that the police had been very positive and vehicle users very supportive. 'Section 59' notices have been served. 2 more operations are coming up and the message is being spread far and wide.

Mike showed the Forum the new signage - an information sign highlighting the code of respect with user groups and one explaining the consequences of non compliance. The signs have been well-received by vehicle user groups – there is potential for a strong partnership but it is accepted that action will be taken if needed. Bob Berzins asked about the lack of signage on Long Causeway. Mike explained that both DCC and Sheffield City Council are involved in how to manage that particular route. It is on-going but signs cannot be put up without Highway Authority approval.

Following a short discussion about signs, Mike explained that he expects highway authorities will take responsibility for their maintenance and repair duties once the management solution is determined, but it is a partnership and the National Park Authority is happy to do what it can to help. It was felt that the agreed approach is absolutely right and the work that Richard Pett does behind the scenes was acknowledged. Richard Taylor added that the work done so far has helped raise the profile of these routes with the highway engineers. Richard Campen is meeting a senior Sheffield CC Highways director shortly and will feed back his findings to the LAF meeting in June.

ACTION: RC

Mike confirmed that if signs are defaced or there are any other issues to report, landowners and users can contact either the National Park Authority or DCC, there is good communication between them.

c) DCC vehicle policy review. The Chair spoke about the joint LAF workshop and thought it was an extremely worthwhile event producing good ideas. Wayne Bexton thanked those who attended the event at Willersley Castle. The information obtained is useful and will be fed into the draft policy document which should be available for wider consultation in June. It will be circulated either at the next LAF meeting or separately to Forum members.

ACTION: WB

Jon Clennell was encouraged by wide attendance and that consensus can work. He felt that sustainability needs bringing in to the revised policy document. There were also comments on the write up from the workshop which had been circulated. Terry felt that under section B) on page 2 removing the word 'possible' from the phrase 'ways that can clear backlog' would read better. Also need to give a higher profile to working with adjacent local authorities. On page 3 – 'Not maintaining some routes to provide a range of challenge might be acceptable' – he feels challenge is a dangerous word to use and ought to be removed. Wayne made notes of comments and thanked the Forum. The Chair thanked Wayne for this report.

d) NPA asset review. Matt Croney's paper had been circulated and the Chair felt this speaks for itself. He will invite Matt Croney along for more detailed discussion when the Roaches are due to be considered.

ACTION: CHAIR

Andrew Critchlow declared a pecuniary interest in two tenancies of National Park land. He felt that partners have to bring something to the table and not just be partners for the sake of it, which could complicate the management process. Woodlands have been

an issue for over 20 years and a routine part of the NPA's work. He was comfortable with the disposal of small assets – the world of land management has changed dramatically in recent years.

James Kellie arrived at this point

Terry reported back on Ughill and Rod Moors. He had made a site visit with Sue Smith and Sue had met with the landowner of Rod Moor yesterday (13 March). She will respond to his concerns and also with what could be offered to manage access. Sue will update the LAF at the next meeting and continue to liaise with Terry. **ACTION: SS, TH** With regard to Moss Road and Houndkirk Road, this is an agenda item at Sheffield LAF's next meeting which Mike Rhodes will also be attending.

4. NPA Access Budget

Richard Campen, National Park Director of Operations, gave a presentation and set the access and rights of way budget in the context of the wider NPA budget. The operations directorate has a budget of nearly £3m. He illustrated the breakdown within the budget for various areas showing volunteer rangers, footpaths, area teams and trails. The next slide compared actual expenditure on rights of way since 2002. Spending peaked in 2005/06 – reflecting CRoW work. The downward trend since then is now expected to plateau. Defra funding for NPs is expected to be low for the next few years (with 2011/12 onwards unknown) and may involve difficult decisions. However, last week Defra offered more cash to English National Parks to create environment in the 'green' sector. This potential extra funding is for 1 or 2 years only and is only a maybe at the moment.

Members thought it was very helpful to see this information. Henry said it was appropriate for the Forum to make comment as the statutory body rather than be informed after the event. His advice on any extra funds was not to under-bid. Richard confirmed that Authority budget planning took place in October to December and was finalised in February. The Chair reported that he had spoken with Richard Campen and Jim Dixon regarding the role of the Local Access Forum as a strategic advisory body to advise beforehand rather than afterwards – those points had been taken on board.

Sue Fisher felt it was such small amount of money, spread thinly and would be interested to see the geographical spread of spend and would like to see where external funding is spent too – and the total. James Kellie asked if a specific amount was allocated for bridleways and horse riding. Mike could provide those details at year end, both geographically and where spent. **ACTION: MR**

Andrew Critchlow felt that despite reassurance he has concerns that actual budgets are so low. We were reassured that CRoW would be at no cost to landowners – he feels that insufficient is being spent by access authorities and that the budget should not go any lower, but increase. He felt that the National Park will struggle to maintain at this level and this was agreed generally.

With regard to the spending profile, Richard expects to see a shift in budget allocation across departments as key strategies are developed and delivered over time. Targets in the NP Management Plan are access related and there is a need to improve performance/ outcomes in these areas to meet Government agendas for social inclusion, health etc. The budget was set against difficult decisions, statutory duties have to be fulfilled but budgets cannot be protected. Mike Innerdale said that it was widely acknowledged that National Parks in general are very much under-funded.

The Chair felt that NPA members have not prioritised access or recreation – he is concerned that the graph will continue to decrease rather than plateau. The LAF will be

watching carefully and lobbying for sufficient resources. Andrew C felt the LAF should send a formal statement to the Authority from today's meeting, seeking reassurances that before next year's budget setting, this Forum will be fully consulted on its projection for wider strategies and spending. LAF involvement in advising on the access and recreation budget setting is fundamental. Edwina agreed the LAF should be part of the consultation process – partnership working seems to be reducing with the consequent reduced spend. Forum members must keep pushing for an increased budget.

In response to Jon's suggestion that the Forum should prepare a budget, the Chair stated it was not its role to prepare actual costings, but to have a strategic role to stress why it is important, identify trends in the figures and lobby. He will write to the Chair of the NPA to flag up concerns and emphasise that the LAF wants to be engaged at an early stage in the process, not just by senior officers but also by NP Authority Members. **ACTION: CHAIR**

Henry said that recreation generates returns to the local economy and Sue felt that there was a lack of understanding about the economic benefits of access and recreation and what it can directly generate in terms of jobs and local income. Richard Campen said he would take on board what has been said. He will think about how to consult the Forum in general ways rather than using actual figures (this cannot be done prior to NPA members being informed) to input into budget. The Chair thanked Richard for attending and felt it was a shame that more Forum members were not in attendance today, but it would certainly be an area the LAF will be examining again.

5. CRoW Mapping

Henry spoke regarding the ten year review of CRoW Mapping and suggested the Forum sets up a sub group to identify procedural and substantive mapping errors. A simple audit of what has or has not worked would be useful. The Chair thought this should wait until Natural England gives some clear idea on the consultation process. Henry felt it was a good thing to pre-empt - it would be a good learning curve/ refresher.

Terry had written to the Chair regarding the CRoW Act review and suggested a presentation or workshop, revisiting CRoW would be appropriate for the next meeting taking into account new membership of the LAF. It was felt that the Forum should use its expertise to inform Defra/ Natural England at an early stage in the process. The Chair will give this some thought and discuss with Terry and Henry. **ACTION: CHAIR**
Mike Innerdale left at this point

6. Consultation on reviews of directions to restrict access

A paper had been circulated and Sue Smith explained that we are approaching the required 5 year statutory review of several long term directions that restrict access. Sue said that this is very much about information gathering and she will shortly be meeting with the applicant of the first direction to be reviewed. This is the first in a series of consultations over the next few weeks. It was thought that creating a LAF sub group would be the best way to proceed. If so there may be up to two meetings of the sub group before June, when a full report will be given to the Forum. **ACTION: SS**

The Chair thanked Sue and thought a sub group was the way forward, looking at each review in depth in conjunction with officers. Volunteers for the sub group were: Terry Howard, Henry Folkard, James Kellie and Andrew McCloy. Mike will e-mail members not present to ask if they would be interested. Dates to be arranged. **ACTION: MR**

Henry felt the National Trust should be consulted as they are the owners of the immediately contiguous land. Sue confirmed that Deer Hill was chosen for the first consultation as it is a cross border site and is being reviewed in conjunction with Natural England.

7. Derbyshire's Rights of Way Improvement Plan Progress Report on RoWIP Delivery in 2008/09

Gill Millward had circulated a progress report for September 2008 to March 2009. Highlights included continuing to improve accessibility of the network generally and also specific routes across the area, such as the Monsal Trail, Limestone Way and Sett Valley Trail. A horsebox parking scheme was being trialled in the north east of the county and work had started to promote walking for health on a countywide approach. A detailed monitoring report for 2008/09 will be presented to the Forum in June.

Wayne Bexton reported that the West Derbyshire and High Peak Greenway Strategy was now complete and that copies were available to take away today. The existing East Derbyshire Greenway Strategy (produced in 1998) is now being reviewed to update the identified routes and bring it in line with the other two more recent Greenway strategies. Further details were available for interested LAF members and responses requested by 26 June.

There was some discussion about DCC's £2m gritting overspend and the adverse impact this might have on rights of way budgets. Richard Taylor explained that it cost £30,000 every time gritting takes place, some days 3 times per day. The budget was under immense pressure from this and other demands. If efficiency savings are to be made, other pots of funding will be looked at to help protect access and rights of way budgets. As these are statutory functions it can be very difficult to get external funding. The LAF's support was much appreciated and helped raise the profile. The Chair thanked Gill and Wayne.

8. DCC Rights of Way Charter

Richard Taylor introduced the DCC draft Rights of Way Charter. This is a brand new document which follows on neatly from RoWIP. The aim is to de-mystify rights of way and provide a guide to the level of service that can be expected. The LAFs are the first groups to be consulted before the document goes out to county wide stakeholders.

The key thing on page 6 explains how enquiries received about the county's network of paths will be prioritised and identifies four priority categories. Of the 1,743 new enquiries, there are 69 in category A (emergencies, public safety and non rights of way issues); 885 in B (issues directly affecting or limiting access); 479 in C (issues that do not affect access to a significant degree) and 310 in D (to be dealt with as soon as practicable). A total of 55% are in A and B which shows their importance. Most of the 5,000 enquiries received each year are dealt with by rights of way inspectors (soon to be increased to ten) who each currently have a backlog of 1200 to 1500 enquiries.

The Chair was surprised that unauthorised use by vehicles was in Priority C. Richard Taylor responded that all enquiries are assessed on a case by case basis - if there were public safety implications then it would move into A. This needs to be made clear. Terry made several comments on the Charter which Gill noted. The Chair asked for any other comments to be passed to Gill by 10 April. **ACTION: ALL**

James Kellie asked if there was a database for enquiries in progress. Gill will provide figures for enquiries in this area at the next LAF meeting. **ACTION: GM**

Responding to a question on how the PDNPA fits into this charter, Mike said there is a system for dealing with rights of way enquiries and complaints. A decision is made at the point of contact whether to refer the enquiry to the highway authority (if it needs a more formal legal approach such as enforcement action) or if the NPA can deal with it through the ranger service.

9. Draft LAF Annual Report 2008

The Draft LAF Annual Report had been circulated and comments received so far noted. Sue Fisher asked to be described as just a mountain biker not a fell runner as well. Mike thanked Sue Smith and the Design Team for their excellent work. The final report will be on the website. Terry suggested that members' photos be included in the report next year.

Mike thanked the Forum for its work over the past year. He said that the influence of this Forum on the management of various access issues is absolutely fundamental; the consensus and partnership approach to managing recreation is enshrined, and this cannot possibly be done without the involvement of the LAF and its individual members.

Richard Campen reminded the meeting that 'Working Together', the document concerning National Park Management Plan outcomes is available. Copies will be sent to LAF Members. **ACTION: MR**

10. NPA Recreation Strategy

Judy Merryfield thanked the LAF sub group for prioritising the action plan. The draft Strategy is going to design shortly and will be available for public consultation from mid April to end May. There will be an on line survey but paper copies can be provided. Over 200 consultees have been identified. It is intended to get considered responses from key stakeholders rather than individuals. LAF comments to be made via Andrew McCloy. **ACTION: ALL**

The draft will be re-written in June and a launch is planned for September.

Judy anticipates an annual recreation forum (steering group) and an implementation group (to include some LAF members) – more information shortly. It was pointed out that there is a need to avoid duplication with this Forum. Henry spoke of economic drivers which seem to be missing from the Local Development Framework (LDF) consultation document and was concerned how the recreation strategy related to the National Park's core strategy.

The Chair thanked Judy and looked forward to seeing the final document.

11. Feedback from Members

Chair

Andrew attended the 3rd England Access Forum meeting in Sheffield last week on behalf of the East Midlands. They talked at length about gating orders, it is a major cause for concern that alleyways are being gated up and historic rights of way lost in urban areas. There was an interesting presentation on how LAFs should engage their local authorities in terms of local area agreements. This is potentially important in terms of lobbying for priority spending and identifying targets for access and recreation. It will be raised as an agenda item for this Forum in the near future. **ACTION: CHAIR, GM**

There was also a presentation about the on-going Natural England initiatives in terms of equality and diversity, LAFs influencing highway authorities. NE updated on its emerging policies and confirmed that the access policy is almost in place; a review of National Trails and recreational routes is on-going and useful feedback has been received from LAFs in particular - including this one. RoWIP awards will be taking place shortly. Future agenda items include access for horse riders on Forestry Commission estates, local transport plans and the impacts on rights of way from major road improvements.

Members

Terry referred to previous meetings where this Forum was looking at PDNPA woodlands re dedications. These woodlands are now appearing on the OS Dark Peak Explorer map as open access. Similarly Sheffield City Council and Barnsley Metropolitan Borough Council owned woodland is also being shown as open access. This is very positive and a major achievement.

Henry reported that the Backdale Quarry case went to the Appeal Court on 11/12 February – the NP Authority's position was represented by Counsel who stated that the previous judgement was described as 'fundamentally flawed' which was gratifying. The Marine Bill was taking time to go through the Lords and is still in committee. Coastal access yet to be reached (stage 9) may happen the week after next.

12. Any other business

The Forum has been approached by Chris Dean, Moors for the Future Programme Manager to offer a joint site meeting with the West Yorkshire LAF at Black Hill. The Chair felt this was a good cross boundary communication opportunity. Mike and Chair will provide possible dates. **ACTION: MR, CHAIR**

It was suggested that following the June meeting, there is a site visit to the Houndkirk Road improvements. Terry suggested members of the Sheffield LAF also attend. Mike said this was a really interesting case study in access management. **ACTION: MR**

A paper was tabled on the PDNPA draft Local Development Framework (LDF) consultation. Members were encouraged to give comments individually. The paper contains further details and contributions are requested by 10 April. **ACTION: ALL**

A presentation on climate change will be given by the Chair at September's meeting.

13. Items for information

- a) Responses to Natural England's consultation on National Trails and Recreational Routes
- b) Rights of Way Improvement Plans – National Evaluation Report

14. Dates of Next Meetings

Thursday 18 June at Aldern House
Saturday 26 September at Losehill Hall
Thursday 3 December Aldern House

The meeting ended at 1.05pm

A site visit to Buxworth Basin to look at Greenway issues took place in the afternoon.