



Meeting of the West Sussex Local Access Forum Wednesday 31 January 2018

A meeting and AGM of the West Sussex Local Access Forum (WSLAF) was held at **10.30am Wednesday 31 January 2018** at in **County Hall, Chichester, PO19 1RQ**.

Confirmed Minutes

Present

Graham Elvey (GE) – Chairman	Paul Brown (PEB)
Tricia Butcher (TB) – Vice-Chairman	Duncan Crow (DC)
Helen Baldwin (HB)	Geoff Farrell (GF)
Pete Bradbury (PB)	Derek Whittington (DW)

In attendance

Jane Noble (JN)	Forum Officer, WSCC
Jo Dixon (JD)	Countryside Services Manager, WSCC
Caroline West (CW)	Principal Planner, WSCC

Observers: 2 - Ralph Smith (BHS)
Julie Robinson (Arun and Chichester Districts Bridleways Group)

Action

1. Welcomes and Apologies

GE welcomed CW and the two observers.

Apologies had been received from Nicol Beard (NB) and Jason Lavender (JL).

2. To approve the Minutes of the Forum

The minutes of the WSLAF meeting held on 18 October 2017 were approved as correct.

3. Matters arising from WSLAF meeting of 18 October 2017

All actions from the previous meeting had either been completed or would be covered later in the Agenda, other than:

3-9. Draft positioning statement for multi-user route proposals – to be added to the Forum's Work Programme.

GE/JN

5b. A27 near Arundel Bypass Scheme - Possible adjacent NMU A27 crossing improvements (Potwell Copse/Poling Crossroads) – apply to HE for funding - to be added to the Forum's Work Programme.

GE/JN

5c Sheep Worrying – PB had contacted Katy Bourne, Sussex Police and Crime Commissioner, on behalf of WSLAF regarding sheep worrying in West Sussex. Her response, acknowledging concerns and outlining actions has been circulated to members. HB reported that they had replaced stiles with metal stock proof kissing gates on their land, through the WSCC stiles for gates programme, and these have the advantage that dogs can't jump them

so have to wait for their owners. JN to feed this back to the NFU.

JN

11. WSCC web - DMMO lists - JN had made enquiries about the list not being up to date and had provided the latest list to PEB. The list can be viewed on [WSCC's website](#).

4. Any urgent matters / any other business to be considered not on the agenda

TB raised the proposed modifications to the WSCC Minerals Local Plan consultation. GE agreed to cover this under agenda item 7.

5. Election of Chairman and Vice Chairman

GE handed over control of the meeting to JN. JN thanked GE and TB for their work as Chairman and Vice-Chairman over the past year.

JN asked for nominations for the role of Chairman. As none were forthcoming GE offered to re-stand for election. He was proposed by TB and seconded by HB. He was elected as Chairman unanimously.

JN then asked for nominations for Vice-Chairman. As none were forthcoming TB offered to re-stand for election on the understanding she would not seek election as Chairman in the coming years. She was proposed by GF and seconded by HB. She was elected as Vice-Chairman unanimously.

6. Planning Presentation – Caroline West, Principal Planner, WSCC

Before CW started her presentation JN outlined how WSCC PRoW service engages with the planning process:

Planning Applications – All planning applications affecting PRoW are reviewed by the Local Access Ranger who responds to the relevant planning authority (District, Borough, South Downs National Park Authority (SDNPA)). Where appropriate s106 contributions are requested to carry out mitigation works on PRoW in order to make the development acceptable in planning terms. The decision to award s106 funding largely lies with the district or borough planning officer and has to be agreed with the developer. Some useful improvements to existing PRoW have been carried out using S106 monies, e.g. Rampion, bridleway link in Horsham, off Hammerpond Road.

Pre-application advice - Pre-application advice is sometimes sought from the PRoW team e.g. New Monks Farm. Advice given can inform and influence submitted planning applications and master plans for strategic developments.

Neighbourhood Plans - The PRoW service provides comments on many Neighbourhood Plans, both at the draft and consultation phases, encouraging inclusion of PRoW in the vision and objectives. Sometimes there are individual +schemes included in the Plans and these need to be considered for practicality and realism (funding / partners / topography / existing land use / consents etc.). While inclusion of schemes doesn't ensure delivery, having it in a policy document is advantageous, particularly for gaining funding via future CIL funding. There is an obligation for Parish Councils to review the content of the Neighbourhood Plans every five years. The SDNPA has launched a new [Neighbourhood Planning Consultancy Service](#), and now shares its expertise beyond the National Park's borders.

Strategic Planning – the PRow service works closely with WSCC Strategic Planning to influence strategic developments. There is a broad ambition to include some off-road NMU access enhancements per strategic site. Ambitions are intended to be shared with the developers at the very outline stage with the hope of influencing the master plan process.

Local Plans – PRow comments on review of Local Plans to ensure appropriate access policies are included, as well as commenting on Community Infrastructure Levy (CIL) agreements and related Section 123 lists.

JN introduced CW who delivered a presentation to the Forum covering:

- Background to the planning system and roles of the County Council
- Funding for Improvements
- Strategic Transport Investment Programme (STIP) – WSCC schemes over £1m
- Local Transport Investment Programme (LTIP) – schemes WSCC wants which are prioritised for delivery
- Community Highway Schemes (CHS) – schemes identified by the community, must have approval of Local Member support. Added to long list of schemes and prioritised. 5 year delivery plan.
- Developer Contributions (s106 and CIL) - The planning authorities are the 'CIL charging authorities' and set and collect the Levy and decide how it should be spent. Worthing BC, Chichester DC, Crawley BC, Horsham DC and SDNPA have adopted and implemented CIL. Arun and Mid-Sussex DC are yet to adopt CIL and Adur have decided not to adopt a CIL. Each area will adopt their own Governance arrangements for CIL so there will be different mechanisms across the county. WSCC is not a CIL authority and has to work within the governance arrangements of CIL authorities to identify, prioritise and request CIL for infrastructure projects/programmes. Can't 'double dip' and have both CIL and s106 funding an infrastructure project. CIL rates are set out in adopted CIL documents. CIL authorities are required to give 15% of CIL to the local parish council (PC) affected by the development. This increases to 25% should the parish council have an adopted Neighbourhood Plan. The PC can decide their own priorities for how to spend this, within guidelines, which could include improving off-road access (not maintenance), for example surfacing a PRow to make it wheel chair accessible. Access has to compete against other priorities. CW felt WSLAF commenting on local plans and neighbourhood plans is useful to ensure access policies and identify potential schemes/priorities.
- Strategic Infrastructure Packages (SIP) / Infrastructure Delivery Plan (IDP) - To support delivery of local plans, WSCC prepares 'Strategic Infrastructure Packages' (SIP) that sets out the infrastructure improvements and new infrastructure required to enable the provision of County Council services to meet the needs of new strategic development identified in the respective Local Plan, these include PRow schemes and these are submitted during the preparation of the Local Plan and other documents to the planning authorities. Other partners and planning authorities themselves also have requirements the submit to the Local Council. All suggestions go into an

infrastructure delivery plan (IDP) or similar, prepared by the planning authority. The planning authority select and prioritise infrastructure schemes from the IDP, for up to 5 years, 5 to 10 years and 10 to 15 years, and to allocate accrued and expected CIL funds to deliver those infrastructure schemes through their governance arrangements.

The presentation slides are attached to the minutes. A question and answer session followed the presentation.

Following the meeting CW provided the following links:

Chichester DC's website regarding CIL. The leaflets at the bottom of the page for parishes and developers might be helpful and list what Parishes can spend their money on etc.:

www.chichester.gov.uk/article/27023/CIL-administration-and-collection

Chichester District Council also have a helpful FAQ page:

www.chichester.gov.uk/article/26490/Community-Infrastructure-Levy-CIL-FAQs

In response to a query on Reg 123 Lists - In accordance with Regulation 123 of the CIL Regulations 2010, as amended, the regulation 123 list is a list of the types of infrastructure (an 'infrastructure list') that the Council (CIL charging authority so Districts and Boroughs in West Sussex) intends, will be, or may be, wholly or partially funded by CIL. As an example this is a direct link to the Chichester Regulation 123 list:

www.chichester.gov.uk/CHttpHandler.ashx?id=25720&p=0

Predicted CIL receipts for Parishes in Chichester District – please see the link below and open the Infrastructure Business Plan document and go to page 44-49 For the list of predicted CIL receipts in Chichester District:

www.chichester.gov.uk/article/27165/Infrastructure-Business-Plan-including-CIL-Spending-Plan

Government Guidance on how CIL- This guidance explains what the Community Infrastructure Levy is and how it operates:

www.gov.uk/guidance/community-infrastructure-levy

7. Current / future consultations and advice given

a) Current Consultations

i) **Main Modifications to the Arun Local Plan (2011-2031)** - Arun District Council (Closing date 23/2/18). TB reminded the Forum that they are only asking for comments on the main modifications. However, TB has read the Plan and has concerns about the lack of a commitment to multi-use (walker, cyclist, and equestrian) routes on the Coastal Plain. TB to lead on WSLAF response, so all comments to her by Friday 16 February.

TB/All

ii) **Land West of New Monks Farm, Mash Barn Lane, Lancing, West Sussex – amended plans, ref AWDM/0961/17** – Adur and Worthing District Councils (Closing date 17/2/18). – TB to contact James Appleton, Adur and Worthing Planning Officer to try and find out more detail about the amended plans, to ascertain if a WSLAF response is needed. If needed GE, GF and TB to draft a response.

GE/TB/
GF

iii) **Proposed Modifications to West Sussex Joint Minerals Local Plan** – WSCC and SDNPA (Closing date 15/3/18). Consultation on the soundness and legal compliance. PEB to look at Modifications, to ascertain

PEB

if a WSLAF response is needed.

b) WSLAF response to consultations / advice given since last meeting

i) **England Coast Path East Head to Shoreham** – Natural England. NB coordinated WSLAF response to this consultation. The response has been circulated to Forum members separately and can be viewed on the Forum web pages: www.wslaf.org.

ii) **South Downs Local Plan Pre-submission Consultation** – South Downs National Park Authority - SDNPA. It was decided that a Forum response was not required as the consultation was looking at the soundness and compliance of the Plan. It was noted that the Plan included some good access policies.

iii) **Maddox Cottage planning application (ref 17/02581) / Centurion Way** – Chichester DC. GE commented that the Forum had been contacted by a former member about this application and impact on the access to the Centurion Way from the new development. GE had taken the view that as this was a small development of only 10 houses and there is other access to the Centurion Way it was not sufficiently strategic for the Forum so no response was sent.

8. West Sussex Rights of Way Improvement Plan

a) Consultation – JN summarised the responses received via the on-line consultation hub to date.

- 445 responses had been received via the consultation hub from a spread of users.
- At least 87% of responses agreed or strongly agreed with the Vision, the Objectives and the Challenges and Opportunities, with the majority strongly agreeing.
- 76% of responses agreed or strongly agreed with the Action Plan, although there is a noticeable shift from strongly agree to agree with only 25% strongly agreeing. The combined percentage of people who either disagree or strongly disagree is 10%.
- The key points from the free text responses were outlined.

JN explained that once the consultation closed later today all comments would be considered and the Plan amended as required with the aim of publishing the final Plan in late Spring.

b) WSLAF response – GE explained that several members had attended a workshop and following this a draft response had been produced which had been circulated to all Forum members. He had received no further comments from members who had not attended the meeting. He stated that he had also circulated WSCC's initial response, subject to WSCC Cabinet Member for Environment's approval, to WSLAF's draft response, which explained that it was proposed to amend the Plan to make it clear that the main delivery mechanism is through LTIP not the West Sussex Walking and Cycling Strategy. JD stated that providing anyone looking for the West Sussex RoWIP was directed to the West Sussex Rights of Way Management Plan it is acceptable to use the alternative name. JN explained that WSCC has a duty to publish a RoWIP but no duty to deliver improvements. GE confirmed the draft circulated was to be the Forum's response.

9. Improvement Projects – North of the Downs

TB provided the following updates:

HW3 – Kilnwood Vale (Pegasus crossing of A264) - Works will start on the 5 February 2018 and be completed March/April. At the same time, on the south side of the road, a 3m bridleway will be constructed to link with Colgate bridleway 1550/1. This will run on highway land next to the road, but separated from it by a verge and fence, and will have a grass/topsoil surface. However, a proposal for a more robust surface for the path will be included in an LTIP bid being prepared by Buchan Park Rangers.

LW10 –Downs Link (Christ’s Hospital) off-road link - Horsham CLC reported in November that this Community Scheme had been reviewed and accepted as meeting criteria for progression, subject to budget (£300k) approval. The scheme will be designed in 2017/18 with delivery 2018/19. The delivery date is subject to complexity of scheme, consultations, etc.

HW135 – Greentrees Farm (Balcombe), Bridleway 3727 - WSCC has still not received a diversion application from NE, so is now in the process of making a bid for funding for design and delivery to make the existing definitive route useable as a bridleway.

LW12 - Downs Link (Partridge Green) - consultation expected late Autumn/early Winter has not materialised. An update has been requested from Countryside Services.

LW34 – A23 Newtimber – Confirmed by Felicity Drewett, Deputy Route Sponsor (South Central – Sussex), Highways England, that feasibility study is programmed for this financial year which ends 31 March 18.

10. Stewardship Higher Level Scheme access in West Sussex

GE explained it was timely to be looking at such access in light of recent Government announcements concerning post-Brexit subsidies. He had been in contact with SDLAF and tabled a simple form to collect data on each of the current Higher Level Stewardship access schemes in West Sussex (outside the South Downs). GE will coordinate. NB and TB offered to help assess sites.

GE, NB,
TB

11. Brexit Paper

Following Michael Gove’s announcement in January regarding subsidies after Brexit, which included paying farmers and landowners to improve public access to their land, WSLAF agreed to prioritise drafting its own paper along the lines of Mid and West Berkshire(M&WB) LAF in support.

TB,GE,
GF

TB has spoken to Janice Bridger, Chair of M&WB LAF, who confirmed they are happy for us to use all or any part of their paper in our own, and has suggested additional points they feel they should have mentioned in their paper.

12. WSLAF matters

a) Future dates and frequency of meetings – It was considered if three meetings a year would give more time for members to do work between meetings. After some debate members felt the number of meetings should remain at four. It was however felt new members are urgently required and it was agreed a working group be set up to plan recruitment and training.

GF,GE,
TB,JN

b) Work Programme – JN needs input from members to be able to plan

meetings and invite appropriate speakers. Suggestions included:

- Network Rail – JN to check if any proposed crossing closures are within West Sussex
- Sustrans – what is happening in West Sussex/ what are its priorities?
- Community Highway Schemes – build on useful presentation by CW
- Workshop to map WSLAF RoWIP schemes.

JN

JN/GE to update the work programme and circulate before next meeting.

JN,GE

13. General Report

The General Report was noted.

14. Dates of future meetings

JN to identify suitable dates and circulate to members

JN

The meeting closed at 1.40pm.

Action Summary

	Item	Who	When <small>NM=next meeting</small>
3.	3-9. Draft positioning statement for multi-user route proposals – to be added to the Forum’s Work Programme.	GE, JN	NM
3.	5b. A27 near Arundel Bypass Scheme - Possible adjacent NMU A27 crossing improvements (Potwell Copse/Poling Crossroads – apply to HE for funding - to be added to Forum’s Work Programme.	GE, JN	NM
3.	5c. Sheep worrying. Feedback to NFU that a Forum member reported that kissing gates force dogs to wait for their owners.	JN	NM
7a	i) Main Modifications to the Arun Local Plan (2011-2031) - Members to send comments to TB. - TB to produce WSLAF response.	All TB	16/2/18 23/2/18
7a	ii) Land West of New Monks Farm – amended plans, ref AWD/0961/17 - TB to contact James Appleton, for more detail to ascertain if a WSLAF response is needed. - If needed GE, GF and TB to draft a response.	TB TB,GE,GF	10/2/18 17/2/18
7a	iii) Proposed Modifications to West Sussex Joint Minerals Local Plan - PEB to check docs to ascertain if a WSLAF response is needed.	PEB	28/2/18
10.	Higher Level Scheme Stewardship access in West Sussex - Coordinate review of existing stewardship access - Assist assessing existing access	GE TB,NB	NM
11	Produce WSLAF Brexit Paper	TB,GE,GF	NM
12a	Recruitment –Working Group to meet regarding WSLAF recruitment	JN,GF,GE, TB	NM
12b	Work Programme - JN to establish if NR are proposing closures in Forum’s area - Meet to update work programme	JN GE,JN	NM NM
14	Dates of meetings – JN to circulate dates	JN	9/3/18