



Meeting of the West Sussex Local Access Forum Wednesday 24 April 2019 - AGM

A meeting of the West Sussex Local Access Forum (WSLAF) was held at **10.30am**
Wednesday 24 April 2019 at **County Hall, Chichester, PO19 1RQ.**

Minutes

Present

Graham Elvey (GE) – Chairman
Tricia Butcher (TB) – Vice-Chairman
Helen Baldwin (HB)

Geoff Farrell (GF)
Christine Johnson (CJ)
Jason Lavender (JL)

In attendance

Potential new members

Monica Collingham (MC)
David Green (DG)
Ian Hunt (IH)

Carol Montgomery (CM)
Tim Thomas (TT)
Clare Weston (CW)

Officers

Jane Noble (JN) Forum Officer, WSCC
Charlotte Weller (CW) Countryside Services Manager, WSCC
Jon Perks (JP) Principal Rights of Way Officer, WSCC
Anthony Donithorn (AD) Volunteer Coordinator (PRoW), WSCC

Observers – None

1. Welcome and apologies

GE welcomed all present, in particular the potential new members in attendance. Each introduced themselves and their interest in relation to countryside access. Others present then introduced themselves for the benefit of those attending their first meeting.

Apologies had been received from Nicol Beard (NB), Pete Bradbury (PB), Paul Brown (PEB), Duncan Crow (DC) and Derek Whittington (DW).

2. Minutes of the Forum

a) The minutes of the WSLAF meeting held on 31 January 2018 were approved as correct.

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

5ai. **Current Consultations: Agricultural Bill, Call for evidence** – After reviewing the papers GE had decided WSLAF would not respond. He explained the Bill reflected views that WSLAF had submitted to a previous related consultation.

5bi. **WSLAF responses to consultations: A2300 (near Burgess Hill) improvements** – WSLAF had responded to WSCC's A2300 improvement consultation in October 2018, requesting safer crossings of the road for non-

motorised users (NMUs)/links across the route. A response had been received from WSCC that:

- Acknowledged the proposed scheme will sever routes although these are not PRow.
- Referred to non-motorised user (NMU) counts that indicated very few horse riders crossed the A2300.
- Stated any form of controlled crossing, such as toucan or pegasus, will have a negative impact on the business case and could put funding in jeopardy.
- Stated that the proposed dual carriageway will be de-restricted and therefore a 70mph speed limit will apply.

A short discussion took place, which included the following concerns:

- It is not surprising the NMU counts showed few horses crossing as there is currently no safe place to cross. There is a desire line and a suppressed need for a crossing (especially at the western end of the road), for all NMUs.
- It is harder to gain a new/improved crossing once a scheme has been built, so if not included now the opportunity will be missed.
- A new development is planned to the south of the new route. Residents from this will be denied safe NMU access to the wider countryside to the north.

It was agreed WSLAF should reply to WSCC and include reasons why access improvements for NMUs could aid the business case, e.g. health and wellbeing and sustainable transport, including encouragement of cycling.

Action - GE will circulate details. All to send him suggestions for including in a response to WSCC.

3. Feedback from informal WSLAF meeting – 13 February 2019

WSCC supports 2 formal meetings a year. Forum members have chosen to hold meetings held between these. The first informal meeting was held in February in Chichester. GE reported that he felt this structure could work. Others commented on the more chatty, relaxed nature of the informal meeting and the importance of regular meetings to keep momentum and focus.

CW reminded members that although their highest priority RoWIP (Rights of Way Improvement Plan) schemes had been added to WSCC's Local Transport Improvement Programme (LTIP) list, it is still useful for the Forum to work and develop these schemes. LTIP covers a wide range of schemes including cycling and walking, passenger transport, road casualty reduction and school access as well as countryside access (Public Rights of Way (PRow)). The demand for improvements via LTIP far outstrips both resources and funding. The result is that WSCC has to prioritise via a scoring process. Having community involvement and support is important and increases the priority of a scheme. She also highlighted that JP is to produce guidance for communities delivering PRow improvement schemes. GE said the Forum would be happy to work with JP on this.

JN is willing to book rooms for meetings in County Council offices, including Buchan Country Park, if needed.

4. Any urgent matters to be considered not on the agenda

None

5. WSCC Public Rights of Way work

JP reminded members the WSCC PRow Annual Report had been circulated with the meeting papers. He stated that WSCC PRow service aims to provide facilities for

people to enjoy the West Sussex countryside safely. As well as maintaining the PRow network, the service also inputs into Local and Neighbourhood Plans and delivers schemes to support sustainable transport and healthy lifestyles.

AD presented pictures showing a wide range of projects carried out by volunteers, ranging from installing 6m bridges and flights of steps to vegetation clearance.

A question, answer and general discussion followed, which included the following points:

- **Volunteer work** – The work of the volunteers is really appreciated and included installing some kissing gates provided by interest groups.
- **Selsey to Medmerry link** – Concern was raised that a new link from Selsey to Medmerry was not available to equestrians. JP explained landowners, when approached at inception of the scheme, were not prepared to agree to horse access; they agreed only to foot and cycle access. To achieve this the route has been established using a modified Highways Act 1980 Section 38 agreement as there is no provision within legislation to create a PRow for solely these modes. He recognised the disappointment for horse riders but emphasised it is important that equestrians refrain from using the route as this could jeopardise any future opportunity to gain access for them. TB and HB emphasised how unsafe and dangerous local roads on the Coastal Plain now are for equestrians as a direct result of development increasing vehicle numbers. The exclusion of one class of vulnerable road user from a safe route was regrettable and it was not surprising that for their own safety riders had used it. It was advised that proactive signage, to make clear there is no equestrian access to this route, would need to be provided on site.
- **Routine maintenance and inspection cycle** – In response to a question asking about the impact of extending the period between inspections from 9 to 15 months, JN noted that there have been more vegetation issues reported; as a consequence more paths have been added to the WSCC Summer surface clearance programme. She also advised that now WSCC has access to better landowner data (from the Rural Payments Agency) more letters are being written requesting clearance of side and overgrowth. It is also noticeable that more health and safety issues are being sent to the routine contractor outside of the routine maintenance schedule.
- **Cycle ways**– JP confirmed that cycle ways alongside roads are a Highways matter, not PRow.
- **Budgets** – In response to a question regarding the reduction of revenue budget JP said the service has made some cuts; for example, to the budget to replace stiles with gates and a small reduction in the routine maintenance budget. JP also stated £315,000 of capital funding had been secured for the coming year for improvement projects, which included some developer contributions. CW explained this is split between two capital programmes – the highways maintenance block which includes replacing bridges on the network and most surfacing work; and the LTIP, which is for improvements such as a new route, an upgrade or works to an existing PRow where use is expected to significantly increase, for example due to development. Each is awarded based on the business case and it is a competitive process. Currently works for 2020/21 are being identified.
- **CAMS** – an update on CAMS Web (a map-based system to enable the public and volunteers to report issues on the PRow network) was requested and JN explained this is still being pursued but is dependent on IT resources.
- **Planning** – JP confirmed that strategic planning applications and other planning applications affecting PRow are considered and responses sent as needed. Where

appropriate, funding is requested for PRow improvements from developers. CW added that a number of schemes for delivery in 2019/20 are funded by Section 106 contributions, including works to improve the Downs Link at Christs Hospital, where £293,000 has been secured, topped up by £7,000 from WSCC. TB added that it is important to input scheme suggestions when consulted by planning authorities that use the Community Infrastructure Levy (CIL), as it is generally schemes on those lists that are considered for delivering through planning contributions.

GE thanked JP and AD.

6. Consultations and advice given

a) **Future WSLAF responses** – GE explained that at the informal meeting it had been agreed the Forum would suspend responding to Local Plan consultations due to limited number of members. It is hoped this activity will be able to resume once new members have been appointed. TB reflected on the importance of ensuring appropriate access policies are in these documents as they can usefully be quoted in related consultation responses.

b) **Current consultations** – A29 Realignment Scheme – WSCC

JN distributed the consultation booklet outlining the proposals for the A29 realignment. A discussion took place covering:

- The A29 north south crossing of the PRow at the northern end should be available to all NMUs (grade separation or pegasus)
- It is noted a footpath/cycleway is being provided along both sides of the route and that this would not be available to all NMUs. Concern was expressed about the connectivity to safe routes at each end of the new road.
- Concern was raised that the new A29 should not become a barrier to access for any NMUs, and that safe link routes to the wider network outside of the Scheme area are provided.
- Development planned south of the proposed route will generate a desire to access the countryside north of the road. The development and new A29 provide opportunities to improve PRow and safe routes for all NMUs.
- It was noted there are in the region of 300 to 400 horses kept in the area, who are becoming increasingly isolated due to the lack of a safe network of routes on the Coastal Plain. Difficulty of access to the Fontwell underpass now means those who are able to box to access the extensive bridleway network in the South Downs.
- Counts of NMUs trying to cross the existing A29 are understandably low, as users, horse riders in particular, are not currently trying to cross as it is considered too dangerous.
- The nomenclature of proposed infrastructure on the Preliminary Design plan in the consultation booklet is not consistent.

Action – GE will recirculate details. All to send him suggestions for including in a response to WSCC.

c) **Response to consultation responses since last meetings** – the following responses were noted:

i) **Southwater Neighbourhood Plan** – Southwater Parish Council

ii) **Chichester Local Plan Preferred Approach** – Chichester District Council

7. Stewardship Higher Level Scheme access in West Sussex

GE explained WSLAF had decided to carry out site visits to assess the usefulness of

access provided through the Higher Stewardship scheme, funded by Defra. The last agreements expire in 2020. So far 4 of the 11 schemes had been visited and the general feeling is that these are nice to have but not essential.

GE asked if WSLAF should continue to assess the other routes or wait until the outcome of Brexit on agricultural payments is clearer. CW explained that if a route adds value to the existing network WSCC could offer a permissive agreement, where WSCC would take some maintenance responsibilities for the route in line with Rights of Way, or could even seek dedication of the route.

TB pointed out that South Downs Local Access Forum had already sent letters to landowners in their area and responses generally indicated that future provision of access would be dependent on payment available.

It was agreed to survey the remainder paths. GE advised there is a survey form to record findings.

Action – GE to organise inspection with willing members, possibly with a group walk

8. Improvement Projects (see General Report)

TB explained WSLAF historically kept a list of project suggestions (the RoWIP project list). The highest priority suggestions identified as worth progressing have been put forward and included in WSCC's LTIP.

TB provided the following updates to the information provided in the General Report:

HW135 Bridleway 3727, Balcombe – this path is now open.

LW34 A23 bridleway, Newtimber bridleway – The A23 widening severed a bridleway. The link on the west has been put in and the path on the east side has also been created but is too dangerous to use despite potentially being a great link. The South Downs National Park Authority has requested a species survey before HE talks to landowners to try and get a better route. This will be a long term scheme. *Since the meeting HE has advised that many schemes have been cut as the budget across the country is over committed. HE is still trying to go through the impact of this and will update when it can.*

LW14 Downs Link crossing A281 Rudgwick – This is in a rural area and probably won't meet criteria for a user-controlled crossing. TT asked if cutting back vegetation would help. This work is not suitable for volunteers as is on the highway verge; however, such issues can be reported via [WSCC Highways web pages](#). It may help to include key words such as safety and sustainable transport. TB mentioned that signage is also an issue as it blocks sight lines; WSCC Highways is investigating how this can be remedied.

9. WSLAF matters

a) **Work Programme** – JN tabled the latest copy of the WSLAF work programme. GE invited all to suggest items to add or remove, suggest speakers and to notify him if anyone wants to get involved in any particular work areas.

Action - JN to circulate an electronic work programme. All to consider

b) **Annual Report** – Hard copies of the annual report were provided (electronic copies had previously been provided to members). JN requested suitable access/countryside photos for future WSLAF Annual Reports, with a reminder that people must give consent for their picture to be used.

Action – All to send JN suitable publicity photos

10. General Report

The General Report was noted and the following comments made:

Item 3 2026 cut-off date for adding path to the Definitive Map on historical evidence – GE stated that Cornwall County Council had sent a letter to the Government requesting the 2026 cut-off date be extended to 2031 in the first instance, and in due course extended further to 1 January 2051, giving a further 25 years to carry out the work.

A short debate followed including the following comments:

- The Deregulation Act will change the DMMO application process and timescales – no date yet for when it will be enacted.
- All recent claims that have been considered by WSCC Rights of Way Committee have been turned down. All have been appealed. It is disheartening as much work goes into researching and preparing the evidence when making a claim.
- Generally landowners are likely to want to retain the original date to give them some certainty as to paths on their land.

Action – GE to recirculate letter and invite views if WSLAF should do similar.

Item 7 – Future meetings. TB asked members to consider if speakers are wanted at informal meetings. JN reminded members she can arrange training if required.

11. Election of Chairman and Vice-Chairman

GE handed over control of the meeting to JN. She explained only full members were entitled to vote. HB 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 unanimously elected as Chairman.

JN then asked for nominations for Vice-Chairman. As none were forthcoming TB offered to re-stand for election. She was unanimously elected as Vice-Chairman.

12. Dates of Next Meetings

Informal – Wednesday 17 July 2019, venue Buchan Country Park.

Formal – Wednesday 23 October 2019, 10.30am, County Hall North, Horsham.

Further dates are in the General Report.