



## Meeting of the West Sussex Local Access Forum Wednesday 19 April 2023

A meeting of the West Sussex Local Access Forum (WSLAF) was held at **10.30am, Wednesday 19 April 2023**, at County Hall Chichester, PO19 1RQ.

### Minutes (Unconfirmed)

#### Present

Graham Elvey (GE) – Chairman	Ian Hunt (IH)
Tricia Butcher (TB) – Vice-Chairman	Phil Miles (PM)
Monica Collingham (MC)	Carol Montgomery (CM)
David Green (DG)	

#### WSSC Officers

Jane Noble (JN)	Forum Officer, WSSC
Neil Vigar (NV)	Countryside Services Manager
Nick Scott (NS)	Principal Rights of Way Officer
Ami Dye (AD)	Senior Rights of Way Officer (Path Orders)
Donna Trethewey (DT)	Planning and Communities PRoW Officer

#### Observer

David Purcell, Ramblers

#### 1. Apologies and welcomes

Apologies had been received from Geoff Farrell (GF), Nicol Beard (NB) and Christine Johnson (CJ).

GE welcomed the WSSC Officers and the observer David Purcell, from the Ramblers.

Helen Baldwin has resigned from the Forum. Helen has been on the Forum since the beginning and her expertise and local knowledge of the Manhood and Coastal Plain will be greatly missed. Helen will still attend GLaM meetings and feedback to WSLAF.

#### 2. Minutes of the Forum

##### a) Minutes of formal meeting of 19 October 2022

- i. The minutes of the formal meeting held on 19 October 2022 were approved as correct.
- ii. Items relating to actions and matters arising are either on the agenda or had been completed other than:

**Item 2aii) Old Ford to Hunston Canal (Greenway)** – GE had written to Chris Sprules. He will be invited to a future meeting.

**Item 4ai) B2144, Oving Road, Chichester, between A259**

**Needlemakers and A27/Oving Road junction consultation - WSLAF** decided not to respond.

b) **Minutes of informal meeting of 9 February 2023**

- i. Items relating to actions and matters arising are either on the agenda, have an update in the General report or have been completed other than:

**Item 9 – Planning application DM/22/3806 Bluebell Railway –** Response has been sent. A revised application has been submitted. PM to monitor. JN to circulate plans for re-routing of the permissive path and to check farm vehicles won't use it for access.

**Action – PM to monitor revised planning application**  
**Action – JN to circulate proposals to reroute permissive path**

3. **Any urgent matters to be considered not on the agenda**

None

4. **West Sussex Rights of Way Annual Report 2022**

The report had been circulated with the meeting papers. Nick Scott (NS), WSCC Principal Rights of Way Officer, talked through the key points, highlighting work achieved on the Rights of Way network in 2022. The flexibility of WSCC's PRow routine contractor, County Tree Surgeons, has been much appreciated, as had been the input from volunteers, both helping with inspections and doing practical tasks, including work done by Horsted Keynes Hackers.

A question and answer session followed including:

- **Volunteer inspector hours** - It was noted the volunteers' hours spent on practical tasks were included in the report but not hours spent inspecting. NS said he would look to include these figures in future reports. PM offered to provide hours spent on PRow work by Horsted Keynes Hackers.
- **Gates for stiles** – In response to a question asking how WSCC decides where to provide gates, NS said it is down to the Access Rangers to identify where the need is greatest. The available budget does not go far, so generally well used routes are selected that bring about best access improvements to as many people as possible and where the existing stiles are in poor condition. It does rely on landowners being willing to change stiles for gates and to instal and maintain the gates in future.
- **England Coast Path (ECP)** - MC provided positive feedback on the ECP signage, often benefitting both ECP and local Rights of Way, in particular where there are private estates.
- **Budgets** – It was asked how PRow budgets are doing in the current economic climate. NV said the budget has had a significant increase, over and above inflation, to cover the increased costs in delivering the routine maintenance contract. Other PRow budgets have received a smaller increase to cover inflation. As part of Local Highways Operations PRow looks to work across teams where possible, for example some repairs to surfaced urban paths will be delivered by Highways colleagues.
- **Bridges** – it was asked what WSCC is doing to minimise the slipperiness of bridges. NS responded saying this is an on-going challenge that can be expensive to resolve and WSCC is still looking for an appropriate solution. JN

added that nearly all plank bridges are now installed with handrails to aid users.

- **Logged issues** – It was noted the report details the number of issues logged, along with those closed, in 2022, but does not state the outstanding number of issues. It was also asked if the types of issues being reported had changed. NS said we would consider including the number of live issues in future reports. After the wet winter there are understandably a lot of reports about surface condition and drainage and also there have been a lot of trees down reported after windy periods.
- **Planning and Rights of Way (RoW) Committee** – It was noted a lot of these meetings had been cancelled. AD explained that since the Planning and RoW Committees merged meetings are scheduled monthly, where previous RoW meetings were held quarterly. She also mentioned that there is less RoW business currently as WSCC still has not re-opened applications for diversions and some decisions were delegated to officers several years ago.
- **Definitive Map Modifications Orders (DMMOs)** – It had been noted a significant number of DMMOs had been turned down by WSCC that went on to be appealed. AD explained this is not due to lack of expertise, but the process is very time-consuming involving lots of investigation.
- **Equestrian access delivery through the development process** – It was raised that the Rights of Way Management Plan states that WSCC will push for bridleways through the planning process, however, there seems only to be delivery of cycle routes and no new access for equestrians particularly where there is a known shortage on the Coastal Plain. NS explained that this is not through lack of trying, but WSCC can't insist on the provision of a bridleway and sometimes the site is not suitable, e.g. limited width, ancient woodland etc. Often master plans look encouraging, but access often gets diluted by the time it is delivered - Kilnwood Vale is an example of this. It can be difficult getting short sections upgraded where there is no connecting route, but the upgrade process needs to start somewhere. DT added that WSCC is a consultee and that the local planning authorities (LPAs) are the ones who decide what additions are necessary to make the development work. She reiterated that getting landowner consent is often the issue.
- **WSCC PRow Staffing** – JN announced that she had received resignations from Access Rangers for Area 2 (around Worthing / Arundel) and Area 6 (east of the county from Crawley to Shoreham). She will be looking to recruit to these posts as soon as possible, but it will put the service under pressure until new staff are in post and trained.

GE thanked NS and the PRow team for their hard work.

## 5. **Public Rights of Way Legal Orders**

Ami Dye, WSCC Senior Rights of Way Officer, gave a presentation outlining the process involved in Public Path Orders, which include diversions and extinguishments, permissive agreements and also the DMMO process. This was followed by questions and answers.

### **Action – JN to circulate slides and other related documents**

- **Diversions through the planning system** - DT, AD and NS are meeting with LPAs in May to encourage understanding and early engagement with WSCC PRow service over PRow matters.

- **Alerts for planning applications** – In response to a question asking if you can sign up to alerts for applications / consultations by parish, AD explained that there is a dedicated webpage but unfortunately you can't sign up by parish. As statutory consultees parish councils are consulted on DMMO applications, along with LPAs, and will be for PPOs when the application process re-opens.
- **Support for DMMOs** – AD advises that there is little benefit in WSLAF supporting a DMMO as evidence is the key and having people (public, WSLAF, WSCC PRoW officers etc) state that a proposed route would be a useful addition to the network is not relevant to the consideration of the legal tests.
- **Costs for appeals** - AD explained that for PPO diversions and extinguishments the cost can be recovered up to the order being confirmed, but not if goes to Planning Inspectorate. All costs associated with a submitted order and any resulting local public inquiry are covered by WSCC. For DMMO's, WSCC has to bear its own costs for the investigation of applications as well as all costs associated with any appeal or public inquiry. If an opposed order (PPO or DMMO) is being dealt with at an inquiry or a hearing any party can apply to the Inspector for an 'award of costs' if anyone involved in the order has cost any party money by behaving unreasonably.
- **WSCC support at appeal** –In cases where the County Council considers that the evidence supports the making of a DMMO, if opposed and submitted to the Planning Inspectorate for determination, the County Council's role at any forthcoming inquiry will be by way of written submissions only. Applicants for the DMMO are expected to take the lead in promoting the order for confirmation. WSCC officers will be in attendance, however, in most cases this is in an administrative capacity only.

GE thanked AD for an informative presentation.

## 6. Consultations and advice

### a) Current consultations

- A259 Bognor Regis to Littlehampton – WSCC (deadline 23/4/23) – The Forum's response is ready to send.

**Action – GE to send A259 response**

- Worthing Sustainable Transport Corridors; Walking and Cycling Improvements – WSCC (deadline 30/4/23) – The Forum's response is ready to send.

**Action – GE to send Worthing response**

### b) Consultation responses, advice given

Members noted the responses sent since the last formal meeting:

- Rampion 2 – Modifications to the onshore cable route (sent 29/11/22)
- Mid Sussex District Plan Regulation 18 (sent 15/12/22) – MSDC has published responses.
- Kithurst Hill Car Park – WSCC / South Downs NPA / Horsham DC (sent 7/12/22)

- iv. Reinstatement and re-opening of the former Horsted Keynes to Haywards Heath branch line (Bluebell Railway); Planning application DM/22/3806 – Mid Sussex DC (sent 13/1/23)
- v. Ford to Hunston Greenway project – Chris Sprules (sent 8/2/23)

## 7. WSLAF matters

- a) **Terms of reference** – It was agreed to delete ‘...by a maximum of one further year.’ from the end of section 5 of the Forum’s Terms of Reference (ToR) to read:

### **5. Chairman and Vice-Chairman**

*5.1 The Forum will have a Chairman and Vice Chairman elected annually by the members of the Forum. These posts can be held for a maximum of 3 years at any one time, unless agreed by the Forum and the Appointing Authority when this period may be extended.*

#### **Action – JN to update ToRs, circulate to members and update web**

**Website, including e-mail alerts** - The WSLAF website working group (GE, TB, CM, JN) has met, having reviewed other Local Access Forum’s websites, most of which are fairly basic. Basic changes being pursued to WSLAF webpages are:

**Email alerts** – JN is still working with WSCC IT to get the alert officer notifications working again.

#### **Action – JN to continue to work to get WSLAF email alerts**

**Leaflet** – CM is working on adapting the WSLAF leaflet to a more web-friendly format.

#### **Action – CM to update draft revised web-friendly WSLAF leaflet**

- b) **Members’ interests** – Members have provided their interests in relation to the Forum to JN. These will be incorporated into the Members’ listing on the website.

#### **Action – JN to update Members’ information on the web**

- c) **Members’ priorities (future topics/training)** – GE invited Members to email him with their suggestions / priorities for speakers/ topics/ training to cover at future meetings.

#### **Action – All to email suggestions for future meetings to GE**

- d) **Recruitment** – A number of members had resigned in the last year or so, so it is felt a recruitment drive is needed.

#### **Action – JN/GE/TB to plan further recruitment**

## 8. General Report

The General Report was noted with some additional information provided by TB:

**Downs Link – A281 crossing at Rudgwick** - a Pegasus crossing was very unlikely to be possible due to the ground levels. Due to WSCC’s current Active Travel score, the County Council is not expected to be able to bid for Active Travel England funding for a bridge when bidding re-opens in June 2023.

**NMU crossing of the A283 at Washington** – An alternative option to the preferred A283 crossing would be to use the available S106 funding at the underpass at the Washington roundabout, however this would likely not be suitable for equestrians.

## 9. **Election of the Chairman and Vice-Chairman**

JN took control of the meeting. When invited there was no interest from members to put themselves forward for the role of Charman or Vice-Chairman. It was raised that GE and TB do a very good job and Members thanked them for their work. GE encouraged others to think about helping out / getting more involved, as GE and TB would like to hand over the reins soon.

GE was asked if he was willing to re-stand as Chairman, which he was and was unanimously voted in.

TB was asked if she was willing to re-stand as Vice-Chairman, which she was and was unanimously voted in.

Control of the meeting was handed back to GE.

## 10. **Dates of Next Formal Meetings**

- Informal: Wednesday 12 July, Venue TBC
- Formal: Wednesday 11 October 2023 – Expected to be in Chichester

## 11. **AOB**

None

The meeting finished at 12.45pm