



**Minutes of the West Sussex Local Access Forum
Wednesday 20 April 2016
County Hall, Chichester**

Present:

Sam Wright (SW) - Chairman	Paul Brown (PB)
Bill Acraman (BA)	Tricia Butcher (TB)
Helen Baldwin (HB)	Geoff Farrell (GF)
Nicol Beard (NB)	Glynn Jones (GJ)

In attendance:

Jane Noble (JN)	Forum Officer (WSCC Senior Access Officer)
Jon Perks (JP)	WSCC Principal Rights of Way Officer
Anthony Donithorn (AD)	WSCC Volunteer Coordinator
Laura Floodgate (LF)	WSCC Solicitor (part meeting)
Val Rawlings (VR)	Disabled Ramblers
Bob McLellan (BM)	Disabled ramblers

Action

		Action
1. Apologies and Welcome		
SW welcomed Jon Perks and Anthony Donithorn from WSCC Rights of Way team and Val Rawlings and Bob McLellan from the Disabled Ramblers Apologies were recorded from Bill Acraman, Duncan Crow, Graham Elvey, Roger Hobbs, Derek Whittington, David Whyberd and Charlotte Weller. PB commented that no Councillors were present. JN reported that there was a Members' training / information event that was not publically publicised. In future years she will liaise with the relevant officer to avoid such clashes.		
2. Minutes of the Forum		
WSLAF minutes from 27 January 2016 were approved as accurate.		
3. Actions and matters arising not covered by the agenda		
Item 5 England Coast Path – GF reported that Felpham and Middleton Parish Councils had not been contacted regarding Natural England's (NE) drop in sessions. NB confirmed they did take place as she had attended. GF would like WSLAF to contact NE. Action - JN to contact NE		JN
Item 7c Neighbourhood Plan – JN has checked district / borough / parish websites for progress on Neighbourhood Plans. Most are being done on a parish basis although some cover multiple parishes and some do not cover parish areas_ e.g. Shoreham Beach, Crawley Down and Copthorne. 53 parishes are wholly within the South Downs National Park and so outside the remit of WSLAF. Of parishes within WSLAFs area 62 have had their Neighbourhood Plans made (completed) or are very close; 22		

	<p>seem to be in early stages and it may be possible to influence these; and 24 are either not doing a plan or JN was unable to find any information about their plans.</p> <p>TB reported that she, with comments from others, had produced a draft Neighbourhood Plan Position Statement. JN to send to relevant PCs.</p> <p style="text-align: center;">Action - TB/PB/SW to finalise Statement JN to send out to relevant PCs</p>	TB/SW /PB/JN
4.	Any urgent matters to be considered not on the agenda	
	<p>Minor Highways – TB had been to a conference where she learnt that some highway authorities had been known to delete Minor Highways from the List of Streets, either accidentally during transfer to an electronic system, or because they are mistakenly not believed to be of any consequence. If these Minor Highways (e.g. G roads) are not on the List of Streets in 2026 any unrecorded 'public rights' will cease to exist, unless their 'rights' are formally recorded before the 'cut off' date. In view of this TB believes WSLAF should ask WSCC Highways:</p> <ol style="list-style-type: none"> 1) Are the Minor Highways that we know about, the list of 49 G roads circulated in May 2006, still on the List of Streets? 2) What is the process for removing any Minor Highways from the List of Streets? 3) Is there a clear audited process and consultation that enables people (e.g. LAFs) to engage in the process and make representation, and see changes which have already been made? 4) How many Minor Highways have been removed since ORPA (Other Routes with Public Access) routes were shown on OS maps? <p>Prior to the meeting Dave Kitt, WSCC Highway Information Team Leader, had provided this information: 'All G roads are on the List of Streets that get sent to the geoplacement hub each month [Geoplacement is a public sector partnership between the Local Government Association and Ordnance Survey, whose role is to create and maintain the National Address Gazetteer and the National Street Gazetteer]. None have ever been deleted by mistake in West Sussex, and only through a legal agreement or where information has been forwarded through the internal procedures by Legal Services / Land Charges teams would changes be made as all information must tie in with the highway boundary layer information.'</p> <p>Several members commented that this did not allow those outside WSCC to know about proposed changes.</p> <p style="text-align: center;">Action - SW to write and request that WSLAF be consulted and that a publicly available record be kept of any deleted roads</p> <p>HB reported that she was involved with an audit many years ago of approximately 50 G roads as these are particularly important for carriage driving. These are all still in existence.</p>	SW
5.	WSCC Rights of Way Annual Review	
	<p>Jon Perks (JP) introduced the report that had been provided with the meeting papers and explained that it provided an overview of works undertaken last year on public rights of way (PRoW). He also reported:</p> <ul style="list-style-type: none"> • The forward budget is similar to last year. • We are almost at the end of first full 15 month inspection and maintenance cycle. High priority and health and safety issues are sent 	

to the contractor as required, otherwise work waits until the parish is visited as part of the schedule cycle.

- Volunteers, both Parish Path Inspectors (PPIs) and Volunteer Rangers, continued to be valued and play an important role in the service.
- It has been a challenging year with what seems to be increased expectations from many.

Q PB - reported that he had used on-line reporting system to report two problems. Both times he had had a polite reply but no priority was provided.

A JP - Priorities are published on the website. They are a guide and help officers to plan work load.

Q HB - asked if the public can clear vegetation that blocks paths.

A JP - Technically overhead / side vegetation is the property of the landowner so the Council can't give authority to clear. However, landowners are in practice unlikely to object if vegetation is cut back to allow legitimate users to pass and, in fact, you could be seen to helping them.

Comment NB – Her impression is that there are more and new users out using paths which can put pressure on them, and also means more people reporting problems.

Q GF /PB? - Could WSCC do a presentation to PCs so they understand what is happening? It is useful for PCs to know as some people report issues to them.

A JP – We provide PCs with the inspection and maintenance schedule and contact PCs prior to inspections. WSCC is also in process of sending a letter out to PCs with a report of what work was carried out last year along with information on how PCs can help manage PRow.

Q PB – The report shows West Hoathly 25 has been surfaced. Why is it still closed?

A JP – Works were not completed before the wet conditions last winter, which led to the machinery damaging the path further so we withdrew from site. Now the ground is drier the contractor will soon be returning to complete the works and the path will be re-opened as soon as possible. All closure notices are copied to various parties including PCs.

Q TB – Is WSCC more likely to do work if it receives lots of reports?

A JP – Complaints received are considered as one of a number of criteria against which a project is evaluated. Several reports will be given a higher score than a single report, while reports from Parish Councils and WSCC Members will be higher still.

Q TB - this year it looks as if less work is planned as there are only 5 surfacing projects and 4 bridges planned for 2016/17.

A JP – the size of the projects needs to be considered. This year we have two major bridges, a footbridge over the River Adur and one taking the Downs Link over the River Arun which will be expensive. Section 106 and other funds have been secured for some other projects.

Anthony Donithorn explained he had recently become the Volunteer Coordinator and that he coordinates the PPIs and the practical Volunteer Ranger work. He brought along a task programme that members could look at later to see the range of work and locations planned.

Q GF – Why do PCs not know who their PPI is?

A JN/TB – the working relationship is between the PPI and WSCC (AR and Volunteer Coordinator). The Access Ranger is very knowledgeable about

	<p>PRoW issues and would be in a much better place to answer PC questions.</p> <p>SW thanked JP and AD.</p>	
6.	WSLAF Matters	
	<p>a) Annual Report – JN had not had any input from Forum members so had produced a very draft annual report that she tabled at the meeting. Any comments are welcome otherwise she will work with SW and TB to complete it. Distribution will be via e-alert (830 subscribers), WSLAF website and by email to PCs, district and borough councils and other organisations (e.g. Chichester Harbour Conservancy, National Trust, RSPB, Forestry Commission, Ramblers, British Horse Society etc.)</p> <p style="text-align: right;">Action – JN / SW/TB to complete</p> <p>b) Recruitment</p> <p>Val Rawlings, Disabled Ramblers, has submitted an application form.</p> <p style="text-align: right;">Action – JN to process and appoint as appropriate</p> <p>Chichester Harbour Conservancy has expressed an interest in having someone on the Forum. JN has explained members represent an interest rather than an organisation, though has sent an application and hopes someone will apply.</p> <p>The letter being sent by WSCC to PCs (see 5 above) will include a paragraph asking if PCs know of any landowners who may be interested in joining WSLAF.</p> <p style="text-align: right;">Action – JN to include recruitment information in PC letter</p> <p>NB had approached three landowners but none were interested in joining WSLAF.</p> <p>c) Work Programme</p> <p>GF - Felpham Cycle route: could WSLAF involvement help to get the surface improved on the short section which becomes very wet after rain? Some members felt that WSLAF could not make a difference</p> <p>SW – Access to Water: JN said this had been considered several years ago when it had been decided not to have this on WSLAF's work programme, however this can be reviewed if the Forum wish to included it.</p> <p>SW – the National Trust (NT) is proposing a charge for use of its land. There are 21 pilots, including Slindon and a £5 charge to visit bluebells in one wood. SW is concerned that this may set a precedent. A discussion followed and agreed SW to ask NT for facts before any WSLAF action.</p> <p style="text-align: right;">Action –SW to find facts</p> <p>GE – Network Rail (NR): asked for an update on its ambitions to close PROW crossings. TB advised NR staff have changed.</p> <p>Other – future presentations suggestion from National Trust or Canoe England. One member was not in favour of inviting people to come along unless they add to items on the work programme as it is important for time to be made for discussion at meetings.</p> <p style="text-align: right;">Action – JN / SW / TB to complete work programme</p>	<p>JN/SW /TB</p> <p>JN</p> <p>JN</p> <p>SW</p> <p>JN/SW /TB</p>
7.	Current / Future Consultations and advice given	
	a) Current Consultations –	

	<p>i) Draft Cycling and Walking Strategy consultation – GF to lead. Closing date 22 June 2016. GF commented that the biggest challenge will be to get it implemented. All to send comments by mid-June. Action – All to provide comments</p> <p>ii) Draft West Sussex Joint Minerals Local Plan Consultation - Closing date 17 June 2016. GE had offered to collate comments. All to send comments to by early June. Action – All to provide comments</p> <p>b) Consultation responses sent - The Forum noted responses that had been submitted (previously circulated to members):</p> <ul style="list-style-type: none"> i) South Downs Local Plan ii) Thakeham Neighbourhood Plan 	<p>ALL</p> <p>ALL</p>
	<p>Local Plan Updates</p> <p>Adur District Council – TB reminded the Forum that WSLAF had previously responded to Adur DC regarding the Sussex Pad junction. Now there is a further consultation on proposed amendments, taking out reference to ‘removal of existing traffic lights’. It has also added a reconfigured access at Sussex Pad which will be essential to ensure safe crossing of A27 to South Downs National Park. This is all very positive. TB proposed WSLAF responds to support these two items. The deadline is the 11th May.</p> <p style="text-align: right;">TB to respond to Adur DC</p>	<p>TB</p>
<p>8.</p>	<p>Improvement Projects</p>	
	<p>a) North of the Downs Projects</p> <p>TB has met with Sue Philipson (SP), WSCC Access Ranger, to review the list and projects that cannot be delivered have been deleted.</p> <p>GE and TB have input projects into the WSCC Cycling and Walking Strategy list; Safe crossing of the Downs Link over the A281 at Rusper, Bw 1550/1 to Tower Road and also to Blackhorse Road (both Colgate near new development at Kilnwood Vale), Safe route for the Downs Link at Partridge Green to avoid the B2135, Horsham to Crawley cycle route.</p> <p>Update on projects:</p> <p>Kilnwood Vale - Pegasus crossing across A264 – The lights will be phased to limit time spent on the centre island – better but not ideal</p> <p>Balcombe Bw 3727 – WSLAF had written to WSCC regarding this path. JN reported that the Head of Transport and Countryside Services has written to Natural England (NE) and asked them to reconsider their decision not to assent the surfacing works on BW3727. Copies of correspondence received from interested parties were also passed on to them. WSCC have offered a further site meeting to assess any damage which might be done to the SSSI as a result of users using alternative routes. WSCC has also asked them to consider a diversion through the DMMO process if they are unable to ascent the works.</p> <p>TB - not keen on the proposal to divert as the obvious route is via the sunken lane. PB – Walkers are using the bridleway which is signed.</p> <p>Willets Bridge to Weirwood Rocks – PB was aware of some changes here that may provide an opportunity. TB reported that SP is already pursuing this.</p> <p>HW110, Horsted Keynes 5 – PB knows some people who may be able</p>	

	<p>to help. PB to contact SP to discuss.</p> <p style="text-align: right;">Action - PB to call Sue to discuss.</p> <p>b) South of the Downs Projects</p> <p>No progress to report</p>	PB
9.	<p>Deregulation Act 2015– Laura Floodgate (LF), WSCC</p> <p>LF gave an informative presentation on the Deregulation Act 2015 and how it affects Rights of Way; Procedures for Definitive Map Modification Orders (DMMOs), Introduction of Definitive Map and Statement cut-off provisions, Right to apply for Public Path Orders (PPOs) (diversions and extinguishments), Changes to procedures for PPOs and Gates on RBs and BOATS.</p> <p>She emphasised that the Act had not yet come into force and that the government (Defra) was still to provide guidance, so exactly how it would be implemented and the timescales are not yet known. Following the presentation members asked questions:</p> <p>Q PB – In Horsted Keynes a footpath has been ‘upgraded’ to a bridleway, would this have been managed differently if dealt with after the deregulation Act comes into force.</p> <p>A – The Deregulation Act could possibly have made the process simpler and quicker.</p> <p>Q – Is the aim to speed up?</p> <p>A – Yes, definitely.</p> <p style="text-align: right;">Action JN to circulate presentation to members</p>	JN
10.	<p>General Report</p>	
	<p>Southwater Orders; Prior to the meeting PB and GF had submitted questions and written responses were obtained from WSCC Legal Services.</p> <p>Q - At the Rights of Way Committee on 20/10/2015 it was determined to extinguish and divert public ways in accordance with Highways Act 1980 s118B&C and s119B&C and dedicate a new bridleway in accordance with s25. I notice that the Order that was made on 17/4/2016 is now made in accordance with s118B and s119B. Please can explanation of this change be provided?</p> <p>A - The committee report contained a typing error. The relevant provisions within the Highways Act are found in Sections 118B and 119B and it is those Sections that the Orders have been made under.</p> <p>Q - Should there be even just one objection, I understand that WSCC can either do nothing in which case, the process stops, in which case the school will probably call for inquiry; or WSCC calls for an inquiry itself. In terms of the process, what will happen next, should there be more than one objection?</p> <p>A - Legislation prevents the County Council from confirming an opposed order. In line with the County Council's practice in such cases, objections received to an order are reviewed and evaluated at the end of the objection period. At this stage the County Council will decide after discussion with the applicant whether, in view of the substance of objections received, to proceed with the orders and submit them to the Secretary of State for determination.</p>	

	<p>JP –This application is to divert the bridleway under s118B and s119B not s25, which relates to creation of new routes. The relevant tests, which are different from other diversions tests, have been considered to be met. The aim is to provide a good route all way thorough form the Downs Link DL to Two Mile Ash. This will be surfaced with compacted stone.</p>	
<p>11.</p>	<p>Date of Next Meeting</p> <p>TBC – JN to advise (Post meeting: confirmed as 10.30am on Wednesday 20 July 2016 at Parkside, Horsham)</p>	