

Minutes of a meeting of the
Cheshire Local Access Forum
held on Friday, 10th December, 2010 at Castle Park, Frodham, Cheshire,
WA6 6SE

PRESENT

Forum Members

John White (in the Chair)
Robert Anderson
Rhoda Bailey
Neil Collie
Ken Edwards
Andy Gildon
Dale Langham
Andrew Needham
Keith Osborn
John Taylor.
Kath Wurcbacher

Officers and others

Genni Butler, Cheshire East Council
Rachel Graves, Cheshire East Council
Amy Rushton, Cheshire East Council
Hazel Barber, Cheshire West and Chester Council
Sharon Blackshaw, Cheshire West and Chester
Council
Jeanette Dodd, Cheshire West and Chester Council
Denise Snelson, Cheshire West and Chester Council
Councillor Richard Short, Cheshire West and Chester
Council
Graham Dutton, Warrington Borough Council

Action

37 APOLOGIES FOR ABSENCE

Apologies were received from Helen Connolly, Keith Pennyfather and Angela Simpson.

The Chairman reported that Michael Scott had resigned from the Forum and that the Forum would need to think about a replacement member.

38 MINUTES AND MATTERS ARISING

Matters Arising

Minute 34 – Reports from Members

(1) - Bollington Walking Festival

Ken Edwards reported that the Bollington Walking Festival had been an extremely successful event.

(2) - Whitegate Way

Denise Snelson reported that signage was to be installed in the horse box bays in the near future.

Minutes 35 - Annual Report

The Draft Annual Report for 2009/10 had been circulated with the Agenda. Genni Butler reported that there were a couple of additional reports to be included and asked Members to let her have any further additions by the second week in January so that it can be finalised and published. Copies would be distributed to libraries, information points, Councillors and be available on the Forum's website. It was suggested that they be sent to Town and Parish Council to raise the profile of Cheshire Local Access Forum.

ALL

RESOLVED: That

- (1) the minutes of the meeting held on 17 September 2010 be agreed as a correct record, subject to the following amendment:

Minute 32 – Rights of Way Improvement Plan Update
Under the list for Cheshire West and Chester – 'Bishop Barnet Way Road' be amended to read 'Bishop Bennet Way Road'.

- (2) any additional items for the Annual Report to be sent to Genni Butler by the second week in January 2011.

39 CHESHIRE EAST RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP) IMPLEMENTATION PLAN PRIORITISATION SYSTEM

Genni Butler reported on the progress with the Cheshire East Rights of Way Improvement Plan (ROWIP) 2011-2026.

Consultation had taken place on the Draft ROWIP and 80 comments received. An amended version would be put before the Public Rights of Way Committee on 13 December 2010 with final sign off by the Portfolio Holder for Health & Wellbeing in 2011.

The Forum's suggestion in relation to Safety Improvements had been incorporated into two walking initiatives – Footway and footpath improvements and New walking routes.

Suggestions for improvement projects had been submitted by members of the public. In order for these to be fairly assessed, a prioritisation methodology was required. Three options for the methodology had been suggested and the Forum was asked to select the most appropriate.

Forum members felt that Option 2 – Focus on Need, was the best

methodology to use and requested that an additional criterion be added in relation to safety for non motorised user. It was also suggested that the format should be changed to a matrix so it showed those schemes which were high benefit/low cost.

RESOLVED:

That Option 2 – Focus on Need, be the selected methodology and that an additional criterion be added in relation to safety for non motorised users and the format be changed to a matrix.

GB

40 CHESHIRE WEST AND CHESTER LOCAL TRANSPORT PLAN

Jeanette Dodd and Sharon Blackshaw from the Local Transport Plan (LTP) Team at Cheshire West and Chester Council gave a presentation to the Forum on the 2nd round of consultation now taking place.

The 1st round of consultation had taken place between October 2009 and January 2010, when a total of 392 questionnaires were returned. From the information received, six priorities for the transport strategy were identified as follows:

Top priorities

- Supporting the Economy
- Tackling Climate Change
- Managing well maintained roads

Support priorities

- Better safety, security and health
- Improving accessibility to jobs and services
- Improving quality of life

A number of options had been developed to help achieve the above priorities and the Council was now consulting on these proposals. T

Copies of the consultation questionnaire were handed out and it could also be completed on-line. Members were encouraged to complete the questionnaire. The deadline for responses was 31 December 2010.

ALL

41 NUMBERS OF PPOS, DMMOS AND ANOMALIES

The Forum received a report on the number of Public Path Orders (PPOs), Definitive Map Modification Orders (DMMOs) and Anomalies currently in progress in Cheshire West and Chester. The Council was currently dealing with 7 pieces of legacy work relating to PPOs, DMMOs and RTOs and was also presently working on 7 PPO and DMMO applications under delegated powers, which could be viewed on the Council's website. There were also 130 outstanding

anomalies, which could increase once the final report of the Exegesis network survey was received.

For Cheshire East, Amy Rushton reported that there was a backlog of 23 DMMOs. There was 16 PPOs outstanding and an officer had been appointed to deal with these; their salary covered by the income from the applications. There was a backlog of 15 public interest cases which required investigation along with 293 identified anomalies on the Definitive Map, of which 35 related to planning issues.

42 LOCAL SERVICE DELIVERY

The Forum had been briefed at its last meeting on Cheshire East Council's proposal to devolve powers to Town and Parish Councils.

Genni Butler informed the Forum that there was nothing further to report at present as the report that was due to go to Cheshire East Council's Cabinet in December had been put back to June 2011. It was understood that a frequently asked questions leaflet was in the process of being produced.

43 WORKING GROUPS (11.10 - 11.25)

Members of the Working Groups gave an update on their progress to date:

Finance

Neil Collie and Ken Edwards reported that they had agreed on the Terms of Reference for the Group. Their aim was to collate details of the funding arrangements for rights of way work including maintenance and the ROWIP, and also to look for external funding sources. The Group had attempted to produce a detailed breakdown for 3 years funding and it was agreed that the Group would provide a template form to Amy Rushton and Denise Snelson so that they could populate with the information required.

KE/AR/DS

Under Represented Groups

Members of the Group had prepared a report which had been circulated prior to the meeting. The Group had identified a list of people who could be classed as being under represented in the access/use of the countryside. They had also identified the benefits and the possible negative implications of countryside recreational activities and also barriers to use of the countryside. The Report also suggested ways of promoting the use of the countryside and it was agreed that these should be further developed and brought back to the Forum.

Health

John White reported that the Group had found that there was

evidence to show that health could be improved through access to the Countryside and that there were plenty of opportunities to do so, through initiatives such as Walk4Life, walking groups established by local authorities and education programmes. The Group had also considered the barriers which stopped people accessing these initiatives and the Countryside.

Best Practice Recommendations to Parish Councils

Andy Gildon reported that the Best Practice leaflet had been distributed to parish councils via the Cheshire Association of Local Councils. The next stage would be to decide how to follow this up with visits to the parish councils.

44 CHESHIRE WEST AND CHESTER DOG CONTROL ORDER

Denise Snelson reported that Cheshire West and Chester were looking to establish a Borough wide Dog Control Order making it an offence to fail to remove dog faeces. The Order, if adopted, would remove a level of public confusion that existed. Much of the Borough's area was already covered by the Dogs Fouling of Land Act 1996 but there were also pockets of land where Dog Control Orders had been adopted.

Dog Control Orders were seen as the most appropriate and proportionate mechanism through which dog fouling could be addressed. There was widespread public support for orders concerning the removal of dog faeces and an acceptance by dog owners that cleaning up after their dog had fouled was their responsibility.

As the Council was considering making a Dog Control Order which would affect open access land, it was required to consult with the appropriate access authority.

The Forum was asked for their views on the proposal in respect of open access land in Cheshire West. Members were not against the making of an order but felt that enforcement should be considered at the same time to ensure that resources would be in place to ensure that it was effective.

45 CHESHIRE WEST AND CHESTER - BENEFITS OF DELEGATED DECISION MAKING

Councillor Richard Short, Culture and Recreation Portfolio Holder, Cheshire West and Chester Council, was in attendance for this item. He reported that Cheshire West and Chester Council had introduced delegated decision making for public rights of way matters in July 2010.

The delegated process included the preparation of a Report on the

particular Definitive Map Modification Order, Public Path Order or Village Green application. The Report would contain a statement of the relevant facts, an outline of the consultation responses received and an analysis of the application of the relevant law. The Report would be published on the Council's website and members of the Public Rights of Way Committee, Local Ward Members and any other interested Councillor would be advised of the publication. Any Member of the Council could, within 28 days of publication, call-in the matter to be determined by the Public Rights of Way Committee. If no call-in was received, the Head of Culture and Recreation was entitled to confirm the recommendation contained in the Report as a decision of the Council.

The benefits of the new streamlined procedures included:

- the process was based on the existing planning delegated decision making and therefore reflected a clear, uniform model for all Cheshire West and Chester regulatory decision-making
- the processing of Legal Orders could be achieved more efficiently – few of the decisions were so sensitive or contentious that they warranted the additional time and delay involved in generating and preparing a committee report and justifying the subsequent attendance at the Public Rights of Way Committee by both Members and Officers
- decisions were not held up waiting for a Committee to meet and provide a decision
- the Reports were readily accessible on the website so there was an increased transparency of process and a wider readership and public awareness
- the Call-in procedure provided a safeguard for the process

46 RIGHTS OF WAY IMPROVEMENT PLAN UPDATES

Members were updated on the Rights of Way Improvement Plan (ROWIP) for Cheshire. The report received outlined details of the current projects on the general infrastructure, access for equestrians and off road cyclists, accessibility and event and promotions.

Progress on the following projects was reported:

Cheshire East

- Bollington – bridge over canal at Clarence Mill
- Bollington – upgrade of footpath to bridleway
- Connect 2 Nantwich to Crewe Greenway
- Nantwich Riverside Loop
- Publicity for Rights of Way and access matters

Cheshire West and Chester

- Cuddington – new footpath to link bowling green to FP21
- Flintshire to Neston Cycleway

- North West Coastal Trail
- Weaver Way and associated projects
- Publicity for Rights of Way and access matters

47 FEEDBACK FROM NORTH WEST REGIONAL CHAIRS' MEETING

The Chair fed back from a meeting of the North West Regional Chairs in October. The main topics which had been discussed included:

- status of national England Access Forum
- Regional training plan and funding for training
- Merger of Cumbria and Lake District Access Forums
- Lack of resources for rights of way in some North West Local Authorities

The Chief Executive of Natural England had issued a letter which gave an update on the progress of transferring delivery of their access and engagement and related work. Natural England was seeking opportunities to transfer assets which currently supported the delivery of their public engagement work relating to:-

- National Nature Reserves
- One Million Children Outdoors Programme
- Walking for Health
- Volunteering
- Statutory access work and provision of new access

48 REPORTS FROM MEMBERS

Bus Travel

John Taylor reported on the accessibility of buses on the Crewe to Macclesfield route – he was able to get from Crewe to Congleton on wheelchair accessible buses but not always from Congleton to Macclesfield as double decker buses were used. It was suggested that he respond to the consultation on the Cheshire East Local Transport Plan with this information.

Cheshire Walks

Genni Butler reported that the January 2011 edition of Country Walking magazine had a feature on walks in Cheshire.

Cheshire West and Chester Draft ROWIP

Denise Snelson handed out copies of the Cheshire West and Chester Draft Rights of Way Improvement Plan and asked that any comments be sent back to her. **ALL**

49 DATES OF FUTURE MEETING

The dates of future meetings of the Local Access Forum were noted as follows:

Friday 25 March 2011
Friday 24 June 2011
Friday 23 September 2011
Friday 16 December 2011