

Lancashire Local Access Forum

Minutes of the Meeting held on Tuesday, 18th January, 2022 at 2.00 pm in Zoom Virtual Meeting - Zoom

Present:

Chair

Richard Toon, Independent

Committee Members

County Councillor John Shedwick
Peter Edge, Lancashire Association of Local Councils
David Kelly, Ramblers Association
Mike Prescott, Cycling UK

Officers

David Goode, Lancashire County Council
Lorraine Mellodey, Blackburn with Darwen (Capita)
Paul Withington, Blackburn with Darwen (Capita)
Garth Harbison, Lancashire County Council

In attendance from the Public Rights of Way Access Forum were:

County Councillor Sue Hind
County Councillor Carole Haythornthwaite
County Councillor Stephen Clarke
Brian Dearnaley
Alison Boden, Wyre Borough Council

Ailsa Gibson, from the Institute of Public Rights of Way and Access Management, attended the meeting as an observer.

1. Welcome and Introductions

The Chair, Richard Toon, welcomed everyone to the meeting.

2. Apologies for Absence

Apologies received for the Lancashire Local Access Forum were from County Councillor Cosima Towneley.

Apologies received from the Public Rights of Way Access Forum were from County Councillor Mike Gouldthorp, Adam Briggs, Neil Herbert, Rosemary Hogarth and Chris Peat.

3. Minutes of the Lancashire Local Access Forum held on 26 January 2021

The minutes of the meeting held on 26 January 2021 were agreed as a correct record.

4. Minutes of the Public Rights of Way Access Forum held on 20 July 2021

The minutes of the meeting held on 20 July 2021 were agreed as a correct record.

5. Matters Arising

Regarding the replacement bridle bridge at Penwortham, the forum was informed that work on the bridge was not yet completed. This was due to some workers being off work with Covid. Work would start again in February 2022.

The forum enquired if there had been any change in the Traffic Regulation Order at Salter Fell. This had been raised by Roger Wright at the July 2021 meeting of the PROWAF. It was noted that Roger Wright, who was the Red Rose Land Rover Club representative on the PROWAF had since sadly passed away. Cards had been sent to his family from the PROWAF and the LLAf.

6. Highways Act Orders and Town and Country Planning Act Orders

Regarding Highways Act Orders, the forum was informed that Legal Services had 81 live files. Since the last forum they had received 2 new applications and 0 matters had been closed.

35 applications had not yet been to Committee and 7 applications were awaiting Order making. 4 Orders were in the objection period and 2 Orders were awaiting confirmation authorisation.

5 Orders needed to be submitted to the Planning Inspectorate as they had received objections. 1 Order had been submitted to the Planning Inspectorate.

2 Orders were awaiting confirmation as they required groundworks to be undertaken before they were confirmed. 25 Orders had been confirmed but were waiting to be certified fit for use.

It was noted that pre-Covid there had been 57 live files but the number had now risen significantly. Another Public Paths Order Officer had just been appointed to assist with the increasing live files.

Regarding Town and Country Planning Act Orders, Legal Services had 3 live files. 3 matters were waiting to be confirmed following further advice from the Rights of Way Team.

7. Definitive Map Modification Orders

The forum was informed that Legal Services had now 192 live files. Since the last forum they had received 16 new applications and 1 matter had been closed. 122 matters were either in the consultation period or were being investigated before going to committee.

6 matters were waiting Order making. 4 Orders had been made and were in the objection period. 53 Orders had received objections and would need referral to the Planning Inspectorate. 3 Orders had been submitted to the Planning Inspectorate for determination. 5 Orders were awaiting confirmation. 1 Order had been confirmed by the council and the high court application window had expired, this matter had been closed.

A lot of applications were still being received because of the 2026 deadline. The Planning Inspectorate was now back up to speed since the pandemic and was trying to catch up with the backlog. Legal Services had two more part time solicitors who would be working on Rights of Way matters. It was noted that bridleway users had been putting in more applications than other groups.

8. Review of Statement of Priorities

The Statement of Priorities had first been done in 2013 with the idea being how robust it would be in terms of how long it would be valid for. It was felt that now was a good time for review.

The Statement of Priorities covered the order that the team should look at diversions, maintenance issues and DMMOs. It covered the whole field of Rights of Way. It was only a statutory document as far as the DMMOs were concerned but LCC had expanded to include everything.

Brian Dearnaley stated that the Statement of Priorities was a completely new document as far as the Peak and Northern Footpath Society were concerned. The Society would provide written comments once its management team had reviewed and debated any issues in the Statement. The Society did agree with Section 1 of the document that the greatest benefit should be for the public.

There were issues over footpath signage in general and how this Statement fitted in with the policy presented at the PROWAF meeting in July 2021. There was also concern with the mention of Gating Orders in the Statement. Gating Orders had now been superseded by Public Space Protection Orders but the same principle still applied.

The Statement of Priorities would be going out to a wider consultation and the Public Rights of Way Team was inviting written comments regarding the Statement.

9. List of Footpath and Bridleway Anomalies

David Kelly, of the Ramblers Association, had sent a list of anomalies to the Public Rights of Way Team at Lancashire County Council and Definitive Map Modification Orders (DMMOs) had not been issued to correct these anomalies. There was concern that the backlog would get worse.

The forum was informed that the Public Rights of Way Team was aware there were a lot of anomalies. It was pointed out that anyone was open to making a DMMO application to take care of the anomalies or the team could do proactively itself. The team could also wait until 2026 to see what DEFRA would come up with regarding anomalies. There had to be a balance between what was a quick fix and what would benefit the public.

It was noted that there was not an official list of anomalies. It was estimated that there were about 4 or 5 thousand anomalies across the county but it depended on where the threshold was drawn. There was a lot of ambiguity with these anomalies.

10. Public Rights of Way Data

It was pointed out that it was important to get more staff in to clear the DMMO backlog. The forum was informed that another Public Paths Officer had been appointed to the Public Rights of Way Team as well as two more Maintenance Enforcement Officers. This would make a huge difference to the team and was acclaimed by members.

The Public Rights of Way Team had a thorough selection procedure. The applicants were given a two hour navigation test and they had to navigate and precisely. They then had to tell the officer they were with if they had to deviate from the line on the map or not. They also had to make a note of all the signs and structures on the path. Following this there was a written exercise based on their observations from the navigation test and then a panel interview.

The forum felt this was a fair and comprehensive procedure and very important to get the appointments right.

11. Circular Routes from the Lancashire Coastal Path

Work on the Coastal Path was still progressing and work was now being carried out on the southern section down to the border with Southport. It was not able to be called the England Coast Path yet until it joined to Wales.

The forum was informed that there would be no bridge put in over the River Douglas. The stretch from Hesketh Bank to Liverpool was still waiting approval from the Planning Inspectorate.

There was a lot of interest in circular routes nationally because of the awareness of the health benefits of short walks. Circular routes were beneficial to people who went on short walks.

Alison Boden, Wyre Borough Council, enquired about what was happening on the coastal path between Silverdale and Cleveleys, especially around the Pilling and Lane Ends area. The Order depended on where the objections were or were not. This dictated which parts of the path could or could not go ahead. Regarding Pilling and Lane Ends, this was still with the Planning Inspectorate.

12. Covid and Resourcing

The Public Rights of Way Team's way of working was not really affected by the pandemic as they mostly worked remotely anyway. The biggest difference for the team was not resourcing but that demand had increased hugely.

There was an understandable fear from landowners in the early days of the pandemic. There had been more obstructions and a lot of signs had gone missing. Due to this there

was a lot of residual work that needed to be done. There was some extra money the Public Rights of way Team had been able to tap into to help with this work.

13. Any Other Business

It was felt that the Local Transport Plan and the Public Rights of Way Improvement Plan should go hand in hand but the forum stated that the update of the Lancashire Transport Plan had not happened yet. There was a request for information on this.

There was a query about the implementing of signage. The forum was informed that this normally happened over the winter months and should be happening about now. David Goode, Public Rights of Way Manager, would look into this.

14. Date of Next Meeting

Date of next meeting to be confirmed.

L Sales
Director of Corporate Services

County Hall
Preston