

Lancashire Local Access Forum

Tuesday 11 July 2023 at 10.30 am - Teams Virtual Meeting

Agenda

No. Item

1. **Apologies for Absence**
2. **Minutes of the Meeting held on 17 January 2023** (Pages 1 - 4)
3. **Matters Arising**
4. **Terms of Reference discussion** (Pages 5 - 10)
5. **Lancashire's Unsurfaced, Unclassified Roads**
6. **New Government Time-limit on Registering Rights of Way**
Richard Toon.
7. **Progress on the Rights of Way Improvement Plan**
Richard Toon.
8. **Update on the King Charles III England Coastal Path**
David Kelly.
9. **Diversion Backlog**
County Councillor Hind and County Councillor Towneley.
10. **Enforcement Policy**
David Goode.
11. **Any Other Business**
12. **Date of Next Meeting**
To be confirmed.

H MacAndrew
Director of Law and Governance

County Hall
Preston

Lancashire Local Access Forum

**Minutes of the Meeting held on Tuesday, 17th January, 2023 at 10.30 am –
Teams Virtual Meeting**

Present:

Chair

Mike Prescott

Forum Members

County Councillor John Shedwick

David Kelly

Chris Kynch

Others

County Councillor Carole Haythornthwaite

County Councillor Sue Hind

Brian Dearnaley

Neil Herbert

Rosemary Hogarth

Shirley Northcott

Chris Peat

Officers

Alison Boden, Wyre Borough Council

David Goode, Lancashire County Council

Joanne Mansfield, Lancashire County Council

Lorraine Mellodey, Blackburn with Darwen

1. Apologies for Absence

Apologies were received from County Councillor Cosima Towneley, Councillor Phil Riley, Richard Toon, Arthur Baldwin, Khaleel Desai, Peter Edge, Steve Kirby, Paul McKeown, Dean Spencer and Keith Westley.

Michael Prescott took the Chair in Richard Toon's absence.

2. Minutes of the Meeting held on 12 July 2022

The minutes of the meeting held on 12 July 2022 were agreed as a correct record.



3. Matters Arising

David Kelly asked that the relevant team be asked to confirm whether the Rights of Way Improvement Plan was to be incorporated into the Local Transport Plan for Lancashire.

An update was requested on the concessionary routes issue. It was reported that, if a route was of sufficient public utility, it ought to be maintained and managed and the best thing would be to create it as a public right of way. If the route was not of sufficient public utility, the county council should not and were not putting resources into these routes. It was all about prioritising the permissive routes. If they were considered as essential and there was sufficient public utility to create, the powers existed for compulsory creations and the test was for public utility balanced against the other interests. It was suggested that this was something the Forum could look at, rather than saying a route was important enough to look into but not important enough to do anything statutorily with.

In relation to a question about permissive routes, it was reported that we had permissive routes that were not managed by Lancashire County Council as the resources were not available – the previous team who dealt with these no longer existed. Where these routes existed and were not a problem, there was no reason why they could not continue to exist. However, where resources were needed to be put into routes, a decision needed to be taken on whether it was feasible to do so.

A question was raised on whether non-statutory footbridges would be replaced or repaired if they were on access land as the public had a right to use them. It was reported that there was an issue with legislation for this as there were not clearly defined areas of responsibility.

4. Reappraisal of Forum

It was reported that the statutory scope of the Lancashire Local Access Forum (LLAF) was to advise the access authority. The LLAF had been set up after the Countryside and Rights of Way Act 2000 when there was access land mapping to be involved in and rights of way improvement plans were being invented. Comments were invited on what the LLAF could do to contribute to the delivery of the service to the public and how this could be done.

Alison Boden asked whether the Forum would be considering where amendments needed to be made to access areas and also the England coastal path. It was hoped that the England Coastal Path would be created within the next year or so - Lancashire would be the statutory agent on behalf of Natural England. Alison was particularly interested in how the Forum could look into how the network could be improved e.g. all estuary crossings were quite challenging so there may be opportunities for these to be looked at.

A lack of balance on the Forum was mentioned. However, it was noted that although the membership was quite balanced, attendance was not good.



County Councillor Shedwick stated that the Terms of Reference needed to be looked at, to see if they were still appropriate. It was agreed that the Terms of Reference would be circulated for comments and that a report be brought to the next meeting.

5. Lancashire's Unsurfaced, Unclassified Roads

This item was deferred to the next meeting.

6. Update Regarding the Provision of the England Coast Path

Julie Paton reported that the Secretary of State had now given approval for the majority of the coastal path sections, excluding the north of the county – Silverdale to Cleveleys.

In relation to section CPH4, surfacing works had been completed and drainage works were currently being carried out between Tarleton Locks and Fiddler's Ferry. It was expected that that section would be opened mid-April 2023. The next stage was to look at the entire length between Tarleton Locks and the boundary with Blackpool. Although Secretary of State approval had been given, some reports had been written in 2018 so the entire length had to be walked to re-assess all the infrastructure to see if any changes needed to be made. It would then need to be costed, split down into packages of work and the grant applied from Natural England – only at that stage could the works be implemented. There was approximately another 12 months of work to be carried out before it would be completed; the Forum would be kept updated on progress.

It was noted that only an entire section of a coastal path could be opened. Working back up from Tarleton to the Lytham/Blackpool boundary, each one of those sections in turn would be able to be opened. The easy hitting works that could be done were the ones on existing public rights of way so the public could be using them, even though the England Coastal Path signposts would go in at a later date.

Michael Prescott asked about the river crossing at Tarleton. It was reported that the crossing was not included in the report although this could be looked at, should money become available. It would cost £2m (pre-Covid cost) to put a crossing in over the River Douglas and this had not been included within the England Coast Path monies. This would have to be a partnership agreement although local Parishes were looking at various options as to whether or not they could put in a pedestrian bridge over the River Douglas, so although it is outside the remit of the England Coast Path, discussions were taking place locally on possible available options.

David Kelly stated that there were gaps in the England Coast Path in Cumbria and that no money was available to put bridges in over the River Esk and River Duddon. Chapter 1 of the Silecroft to Silverdale had been opened and the other chapters would come later.

Julie Paton reported that as work was completed on a particular chapter of CPH4, these parts would be opened but only for that specific chapter as work may end up being completed across all 4 chapters at various stages.



Rosemary Hogarth asked if there was any progress on the Silverdale/Cleveleys section. It was reported that the sections that had objections on had been looked at together with the Planning Inspector, but then a different Planning Inspector was appointed so the visits had to take place again. Nothing could therefore be done on those stretches until the Planning Inspector had provided recommendations to Natural England. In addition, there was a section at Warton, Lancaster that required consent which could not be given until the outcome of the report had been received, so it was expected that the Warton section would be the last to be approved. It was reported that the section between Pilling and Cockerham was included in this.

County Councillor Shedwick asked if there was any progress in relation to the Hambleton section, due to the major planning application expected. It was reported that this was not known although Wyre were looking to do improvements and, as part of this, any existing coastal access rights would be subject to temporary diversions. Once those works were completed, for example, on the front at Fleetwood, the section would be opened but the signage would go in afterwards at completion so if access was not available, the county council would co-ordinate with Wyre at that stage. This would not hold up the opening of that section if everything else was good to go. Alison Boden added that the Hambleton scheme was not on the England Coast Path as it was assumed the ferry could be taken from Knott End to Fleetwood to cross the River Wyre, although this could be affected by the tide and weather. The route around the estuary was a mixture of concessionary routes, public rights of way and highways. The Environment Agency had consulted on the works with Rights of Way Officers and Wyre in terms of the impact on the Wyre way and recreational routes. Wyre had done their best to include the route so hopefully there would be some impact and diversions would be put in place during the works, some of which were major, which would take people onto the main highways through Hambleton.

7. Any Other Business

County Councillor Hayhurst reported that she had received enquiries from local Councillors in relation to concerns about a footpath near Hyndburn Bridge Hotel. CC Hayhurst was advised to contact the Public Rights of Way Team in relation this issue and was provided with the contact email address.

8. Date of Next Meeting

A provisional date of Tuesday 11th July 2023 was requested for the next meeting.

L Sales
Director of Corporate Services

County Hall
Preston



Title

1. The Lancashire Local Access Forum as defined by the administrative boundary of the County Council and the unitary authorities of Blackburn-with-Darwen and Blackpool Borough Councils.

Role and responsibilities

2. Section 94 of the Countryside and Rights of Way Act 2000 places a statutory duty on highway authorities to establish advisory bodies to be known as Local Access Forums. The primary purpose of the Lancashire Local Access Forum is to provide advice to the authorities and to the Countryside Agency on how to make the countryside more accessible and enjoyable for open-air recreation, in ways that address social, economic and environmental interests. The Forum will encourage and assist access provision, giving advice on issues of particular local relevance.
3. The Lancashire Local Access Forum will give advice on three main topics:
 - a. development of recreation and access strategies that cater for a wide range of people.
 - b. improving the rights of way network; and
 - c. implementation, management and review of the statutory right of access to the countryside.
4. The Lancashire Local Access Forum will work to:
 - a. develop a constructive and inclusive approach to the improvement of recreational access to the countryside;
 - b. respect local circumstances and different interests while operating within national guidance;
 - c. provide advice on issues of principle and good practice, which is consistent with national guidance;
 - d. engage in constructive debate and seek consensus wherever possible; and
 - e. where consensus is not possible, make clear the nature of differing views, and suggest how they might be resolved.

In carrying out these functions the Forum shall have regard to:

- the needs of land management;
- the desirability of conserving the natural beauty of the area for which it is established, including the flora, fauna and geological and physiographical features of the area;
- guidance given from time-to-time by the Secretary of State; and
- proper liaison with neighbouring authorities.

Membership

5. The membership will:
 - a. be balanced to avoid dominance by any single interest group or coalition of like interests; and
 - b. include a cross-section of local interests in the Countryside.
6. The membership will include:
 - a. an independent chair; and
 - b. an optimum number of 12-16 and a maximum of 20 members.
7. Members in total must bring a wide range of experience, including:
 - a. recreational use, for example walking, riding, climbing, cycling;
 - b. land management, for example, tenants, landowners and occupiers, and others with an interest in the land; and
 - c. nature conservation, heritage, tourism, health, business, trade unions and transport.
8. Members not experienced in the topics at 7, or aligned with any particular interest group will be appointed and known as independent members.
9. Each forum should contain roughly equal number of members ascribed to each of the categories in 7a, b, c and 8. Members who genuinely have experience and credibility in relation to more than one category in 7 will be particularly useful.
10. Members will be appointed by the authority according to selection criteria, which assess if candidates have sufficient experience of access to the countryside in the local area to be able to make an informed and constructive contribution to improving access provision.

11. Before appointment members will be asked to confirm:
 - a. their support of the positive purpose of local forums;
 - b. commitment to working within the terms of reference and achieving the aims of the local forum through constructive working with other members; and
 - c. that they are able to devote the necessary time to attend meetings, training and to network with a wide range of interest outside meetings.

Substitute Members

12. Occasional substitute members will be permitted to attend meetings of the forum, in place of the nominated member, provided that the substitute is adequately briefed and represents the member's category of interest and can therefore, contribute effectively to the meeting.

Attendance

13. In accordance with paragraph 11c, members are expected to be able to devote the necessary time to attend meetings. Where a member misses two consecutive meetings the forum shall review his/her position (a review shall be carried out even where the member has sent a substitute).

Subject to a review at paragraph 12 and it is agreed by the forum that a member be replaced, the replacement member should ideally be from the same interest group and the appointment shall be subject to the usual selection procedure (organised by the lead authority).

Administration

14. Meetings will be held at least twice a year, and more frequently when necessary. One of these meetings will be the Annual General Meeting at which the Chair and Vice Chair shall be elected.
15. Meeting agenda will be agreed between the chair and the secretary.
16. Members of the Forum will be entitled to submit agenda items to the Secretary 14 days prior to the meeting.
17. Meetings will be advertised in advance and held in public.
18. Agenda, papers and minutes of meetings will be available to the public
19. The chair will invite observers to the meeting when appropriate.

20. Observers will be able to contribute to the proceedings at the discretion of the chair.
21. The public will be able to ask questions on the business of the meetings at the discretion of the chair.
22. The lead authorities will have the right to review the membership of the local forum on a three yearly basis if necessary.

Reporting Lines

23. The secretary shall prepare regular progress reports of the forum's business to the lead authority.

Appendix A

Lancashire Local Access Forum

11th July 2023

Comments on Terms of Reference

- Remove the Countryside Agency from the membership and possibly replace with Defra.
- Attendance – I recognise that many people will have missed more than 2 meetings so there needs to be either a rethink of membership or a note for dispensation.
- Substitute members – may have a lack of grasp of the issues.
- Terms of Reference seem fine. To echo the point around attendance, I've not been able to attend many meetings given the fact that I look after the whole of the North West and not just Lancashire. Noting the point around substitutes, it would be good, from a National Farmers Union perspective, if the option to attend could be shared between 2 or 3 people who could attend rather than just myself, which should hopefully mean that we would be more regularly represented at the forum.
- Consequences of Terms of Reference not being adhered to - e.g. we can't get a balance of members. Getting landowners committed to improving access is difficult.

