

Lancashire Local Access Forum

Tuesday, 15th January, 2019 at 10.30 am in Committee Room 'C' (The Duke of Lancaster Room) - County Hall, Preston

Please note the meeting will commence once the meeting of the Public Rights of Way Access Forum has come to a close. (The meeting of the PROWAF is at 10:00am)

Agenda

No. Item

1. **Apologies for Absence**
2. **Minutes of the Meeting held on 9 October 2018** (Pages 1 - 4)
3. **Matters Arising**
4. **Birds of Prey in Lancashire's Upland Areas**
(Stephen Murphy, Natural England)
5. **North West Regional LAF Chairs Meeting**
6. **Level Crossings on the Rail Network** (Pages 5 - 10)
7. **Collaboration Between LAFs** (Pages 11 - 12)
8. **Access Land in Lancashire - Officer Responsibilities**
9. **Warcop, Hilton and Murton Lose Common Land Status** (Pages 13 - 14)
10. **£50,000 Award to Test Cycle and Walkway Along Arnside Viaduct | Morecambe Bay Partnership** (Pages 15 - 16)
11. **Any Other Business**
12. **Date of Next Meeting**
The date of the next meeting is Tuesday 9 April 2019 at 10:30am in Conference Room 1, First Floor, Old Town Hall, Blackburn.

County Hall
Preston

L Sales
Director of Corporate Services

Agenda Item 2

Lancashire Local Access Forum

Minutes of the Meeting held on Tuesday, 9th October, 2018 at 10.30 am in Savoy Suite 1 - County Hall - The Exchange

Present:

Chair

J R Toon

Committee Members

County Councillor Ian Brown
Arthur Baldwin
Peter Edge
Ralph Henderson
David Kelly
Steve Kirby
Paul McKeown
Mike Prescott

Officers

Lorraine Mellodey, Blackburn with Darwen (Capita)
Paul Withington, Blackburn with Darwen (Capita)

1. Apologies for Absence

Apologies were received from County Councillor Cosima Towneley and Keith Westley.

Tribute to Michael Helm

The Chair, Richard Toon, paid tribute to Michael Helm who sadly passed away. Michael's history with the Lancashire Local Access Forum stretched back to its early days. He made a great contribution to the promotion and improvement of the public rights of way network in Lancashire and for working with colleagues in Lancashire and the Forest of Bowland on access and conservation issues.

He was a keen horse rider and had a great enthusiasm for bridleways and rural parishes. He was instrumental in promoting new routes. He was extremely knowledgeable and active in the local community.

A minute's silence was held in his memory.

2. Minutes of the Meeting held on 3 July 2018

The minutes of the meeting held on 3 July 2018 were agreed as a correct record.

3. Matters Arising

It was pointed out that the numbers of members on the forum had dwindled and it was important to get the numbers up again to maintain the balance of interest. The Highways Authorities must be contacted for replacements.

Regarding the coastal access, concerns were raised over the delay of the Whitehaven to Silecroft route. The delays had lasted about 3½ years and the forum wanted to know what was going on. Natural England would be invited to the January meeting of LLAF to give an update.

In terms of wildfires the Met Office and Natural England were reviewing their methodology and it was noted that if warnings had been triggered earlier police and other services could have been more proactive. United Utilities were looking at drainage for the prevention of wildfires.

4. Update on the Countryside Service

The Forum was informed that there was no more to report on the countryside service. Things were still the same. Tim Blythe, the Countryside Asset Manager, had been tasked with managing the county council's portfolio of 90 countryside recreation, open space, rural car parks, picnic and forestry sites and keeping them in a condition that was suitable for free and open recreation. Essentially keeping them safe. Around 45 of these were regarded as key recreation sites. That was those with infrastructure i.e. tracks, trails, visitor centres, toilets, car parks, etc.

Tim had also been tasked with looking to find new ways of working, a new volunteer offer, concessions, forestry harvesting, and, local management arrangements with districts, parishes and other local and volunteer organisations.

Member organisations could contact Tim if they could suggest ways they could help, sponsor a trail, man a visitor centre or make a donation for a piece of work.

5. Birds of Prey in the Lancashire's Upland Areas

The Chair informed the Forum that there had been a report published by the Yorkshire Dales National Park (YDNP) on birds of prey. The report pointed out the Yorkshire Dales National Park's determination that the illegal persecution of birds of prey in the Dales should end so that iconic species can return to the uplands. The uplands should support healthy numbers of birds of prey but like many areas of northern England, the population of some of these species was low.

The hen harrier was currently the species in the spotlight and highlighted the current conflict between raptor conservation and shooting interests.

It was reported to the Forum that there had been one successful nesting of the hen harrier which had fledged four young in the YDNP.

6. Bolton Council - Rights of Way Improvement Plan 2018-2028

The Forum was informed that Bolton Council had published its draft Rights of Way Improvement Plan 2018 – 2028 and it was open for consultation. It was felt that the plan did the job and reflected Bolton's priorities. The ROWIP set out an assessment of the current rights of way network and identified steps which the council intended to take in partnership with various stakeholders to improve the network for the benefit of the public. The draft ROWIP contained a particular emphasis on the way the network was managed in the context of challenging public finances and addressing the challenges and opportunities which arose as a result of the continued high level of development within the council area. Bolton had an active Public Rights of Way Team.

The Forum enquired if there was any reference on discussions with Lancashire on initiatives. There had been a consultation on the last plan on what people would like in Bolton.

Bolton had a lot of Ministry of Defence land and in certain areas there was problems with red flagging.

It was pointed out to the Forum that the consultation was still open on the Bolton ROWIP. The LLAFC complimented Bolton and stated it was vital to maintain contact with surrounding areas. There were still a lot of issues with cross boundaries. The LLAFC would reflect back to Bolton.

It was noted that the countryside was now being used by people in different ways. It was felt that public services using the parks and countryside for commercial gain should be charged.

The issue of signage identifying the National Cycling Network (NCN) in Lancashire was raised. It was felt that signs were encouraging cyclists to dominate paths designed also to be used by pedestrians and horse riders. Some cyclists had an aggressive attitude when using the routes. Local authorities were not helping by using signs and road markings which appeared to give priority to cyclists rather than pedestrians and horse riders.

Lancashire County Council, which was responsible for signage on the paths, stated it was actively promoting the network as being suitable for different users. The charity Sustrans, which developed the NCN, stated it encouraged respectful use of the network for the benefit of everybody. Multi-user routes were getting busier and it was important that people respected the needs of others when using the routes. There was potential conflict with all user groups and user conflict had to be resolved.

The Forum felt it was important to discover from other relevant authorities what their strategies were on multi-user groups and also what provision they had regarding education on bridleways, etc. LCC was keen to encourage people, whether they were cyclists, horse riders or pedestrians, to get out and about to enjoy Lancashire's countryside.

7. Any Other Business

Members of the Forum were surprised there had been no further information or updates on the Lancashire Local Transport Plan 4 especially with regards to the future consultation with stakeholders.

There were concerns from the Forum that no LCC officers had attended the meeting. There had to be a political will and an administrative will for the Lancashire Local Access Forum.

8. Date of Next Meeting

It was noted that the next meeting of the Forum would be held on Tuesday 15 January 2019 at 10:30am in the Duke of Lancaster Room (former Committee Room 'C') at County Hall, Preston.

L Sales
Director of Corporate Services

County Hall
Preston



Public Rights of Way

Level Crossings on the Rail Network

Memorandum of Understanding between Network Rail, ADEPT and IPROW

Introduction

This Memorandum of Understanding has been developed by representatives of Network Rail (NR), the Association of Directors of Environment, Economy, Planning & Transport – Rights of Way Managers' Group (ADEPT) and the Institute of Public Rights of Way and Access Management (IPROW). The aim is to improve working practices between NR and Local Highway Authorities (LHAs) where PRoW use level crossings on the rail network in England and Wales.

It is not intended for this Memorandum of Understanding to be legally binding. This document contains high level principles aimed at encouraging clearer communication and building collaborative relationships between NR and LHAs. This will encourage the most effective dialogue when changes are proposed to a level crossing which affects a PRoW.

This is an important step towards working together to ensure that users remain safe when using the PRoW network in England and Wales.

This Memorandum of Understanding may evolve over time as the working relationship between NR, ADEPT and IPROW develops. It does not detail any agreed processes; these will be set out in future documentation.

Scope of the Working Group

The working group membership comprises members of ADEPT and IPROW as well as appropriate NR representatives who deal with Level Crossings.

1. Discussions between NR, ADEPT and IPROW will continue for the foreseeable future to identify examples of best practice and where there are areas for improvement.
2. Both parties shall keep all information acquired from or disclosed by the other as a result of this Memorandum of Understanding or its procedures (e.g. Working Group meetings etc.) confidential unless:
 - Any of the parties are obliged by law, by any governmental or other regulatory authority, or by a court or other third party authority of competent jurisdiction to disclose that information; or
 - That information is or generally becomes available to the public other than as a result of its disclosure by a recipient of that information in breach of this clause; or
 - That information was available to the recipient of that information on a non-confidential basis prior to such disclosure,

in which case, the obligation to keep such information confidential shall not apply. All of the parties shall take reasonable steps to comply with the provisions of this paragraph and shall also take such reasonable steps to see that its employees, agents, contractors and subcontractors similarly comply.

Scope of the document

This document covers all of the interactions that NR has when dealing with Public Rights of Way and Level Crossings and includes temporary works (including emergency closures) as well as longer term proposals such as bridge works, permanent closures, diversions and downgrades.

This document will evolve to reflect the work that is currently proposed. A continued dialogue and work program will take place between ADEPT / IPRoW / NR which will be reflected in the following outputs: -

1. Where PRoW level crossings are affected, NR will integrate PRoW legislation and processes alongside its project management tool (GRIP). This includes an ongoing dialogue about the processes used for the closure or diversion of PRoW and how the GRIP tool can be best adapted to take into account of the various factors, including timescales.
2. The production of further documents may be appropriate to encourage best practice when dealing with emergency or temporary closures.
3. IPRoW and ADEPT will use best endeavours to promote best practice and consistency amongst LHAs.

Memorandum of Understanding

1. Objectives

- 1.1 To promote safety at level crossings
- 1.2 To ensure effective communications and working partnerships between NR and LHAs
- 1.3 To encourage a consistent approach to managing PRoW level crossings.
- 1.4 NR is a safety critical organisation and keeping people safe on the railway is at the heart of everything it does.
- 1.5 LHAs have a responsibility to secure the convenient, safe and unrestricted movement of pedestrians on the PRoW network.

2. Communication between NR and LHAs

- 2.1 NR and LHAs will examine the best course of action given the constraints available when examining options for the future of any level crossing and will discuss as appropriate. NR and LHAs will work together, acknowledging that each has different areas of expertise. NR has the experience and understanding of the interface between railway operations and level crossing safety. LHAs are better placed to understand the impact of the crossing on the wider PRoW network.
- 2.2 NR recognises the knowledge and expertise of LHAs regarding the PRoW network and will consult with the LHA at the earliest appropriate opportunity. NR retains the discretion to decide how it ultimately approaches level crossings.
- 2.3 A range of meetings are available to discuss PRoW issues, such as Road-Rail Partnership Group meetings, ADEPT regional meetings and local level public consultations, and involvement with these is encouraged.
- 2.4 NR and LHAs will continue to work together to identify the best methods of communication to promote continuous improvement.

- 2.5 LHAs will inform NR of any issues that arise in addressing an application submitted by NR, including any further information required, as soon as is reasonably practicable.
- 2.6 NR will investigate any perceived concerns brought to its attention and attempt to address them to the best of its ability.
- 2.7 ADEPT and IPRoW will expect PRow staff and managers to better understand level crossing processes and to form working relationships with local Level Crossing Managers / Liability Negotiation Advisers within NR.
- 2.8 NR will seek to broaden the understanding of those in the Rights of Way profession, in relation to the current means of risk assessing Level Crossings.
- 2.9 ADEPT / IPRoW will seek to broaden the understanding of PRow legislation of relevant NR staff where this is required.
- 2.10 LHAs will expect NR employees involved in schemes which affect the closure of level crossings to engage with its Liability Negotiations Team.
- 2.11 In line with NR's responsibility for the safe operation of the railway, where it identifies that a level crossing poses an urgent safety risk to the public and requests a temporary emergency closure, the LHA will give a high priority to engaging with and responding to NR.
- 2.12 For all other level crossing applications the LHA will prioritise accordingly based on the evidence supplied and will explain the reasons behind any decisions taken.

3. Level Crossings and Public Rights of Way Changes

- 3.1 Where there is a need to make changes to the PRow network, both LHAs and NR agree that:-
 - a) The correct application forms will be used for any application. Information will be provided in a clear and concise format which meets the legal requirements for such an application.
 - b) NR will develop its own internal checklist for improving evidence it provides in support of applications.
 - c) Where LHAs identify areas where further information is required, the nature and reason for the information will be communicated as early as possible. NR will provide additional information, where possible, and engage with the LHA to resolve any issues that are raised.
 - d) Although this Memorandum of Understanding does not apply to private rights, when dealing with private crossings or bridges, NR will engage with LHAs to establish if there are pre-existing PRow over crossings under consideration.
 - e) Meetings between NR and the LHA Rights of Way Officer will be scheduled as appropriate and continue throughout the process as necessary, with the aim of resolving highlighted issues and monitoring progress.
- 3.2 It is recognised that each level crossing will have a number of factors that need to be considered, of which PRow will be one aspect. There may be a number of options available and, although NR will consider the views of the LHA, it is recognised that NR may consider a different option as the most appropriate course of action.
- 3.3 NR carries holds the safety case for railway operations and applications under sections 118A and 119A of the Highways Act 1980 are promoted by NR on public safety grounds. All safety related applications should be progressed promptly by a LHA. Non-safety related

secondary issues or outstanding issues at other sites should not be used as a means to delay progressing safety related order applications

- 3.4 It is recognised that the statutory test applied by the LHA to make an extinguishment or diversion Order under the Highways Act 1980 is, primarily, expediency and the making of an Order is at its discretion.
- 3.5 If the decision of the LHA is that it will not progress an application it will inform NR at the earliest opportunity, providing reasons for its decision. If the LHA does not progress the application NR reserves the right to apply to the Secretary of State in accordance with s120 of the Highways Act 1980.
- 3.6 NR will maintain dialogue with DEFRA with a view to establishing responsibility for the maintenance of highway surfaces on structures that replace level crossings. In the interim, NR will engage with LHAs to reach a decision on a case by case basis (as appropriate to the legislation).
- 3.7 Where NR is considering the use of Transport and Works Act powers it will inform the LHA(s) of this as soon as possible along with the reasons for this decision.

4. Pre-Application Consultation

- 4.1 NR is conscious of ensuring that the public has the opportunity to input into the proposals it makes for changes to level crossings and PRow, and will carry out pre-feasibility consultation work wherever possible. This can include mailings to stakeholders, discussions with the LHA, obtaining permission and public meetings, etc.

5. Confidentiality

- 5.1 NR may ask any LHA in an individual case to keep some information regarding changes to crossings confidential. If this is the case then NR staff need to make this clear from the outset.

6. Freedom of information

- 6.1 With regard to the ongoing discussions and meetings of the Working Group all parties acknowledge that:
 - (a) There may be requests through the Freedom of Information Act 2000 and/or the Environmental Information Regulations 2004 (collectively, the **Information Acts**), to disclose information relating to the subject matter of this Memorandum of understanding; and
 - (b) Notwithstanding any other provision in this Memorandum of Understanding, Network Rail shall be responsible for determining in its absolute discretion whether any information is exempt from disclosure in accordance with the Information Acts.
- 6.2 ADEPT and IPRoW shall provide all necessary assistance and cooperation as reasonably requested by Network Rail to enable it to comply with its obligations under the Information Acts.

For:

Network Rail Infrastructure Limited

ADEPT

IPRoW

.....
Name:

Title:

.....
Name:

Title: Chairman

.....
Name:

Title: President

Representing the constituent Local Access Forums of:
Barnsley, Bradford, Calderdale, Doncaster, East Riding and Humber, Leeds, North Lincolnshire, North Yorkshire, North York Moors, Rotherham, Sheffield, Wakefield and Yorkshire Dales.

Public Rights of Way, Level Crossings on the Rail Network,

Draft Memorandum of Understanding (MOU) between NR, ADEPT & IPROW.

Forum Members have now had the opportunity to consider the scope and content of the Draft MOU that you kindly sent to us in July. As we note from your email, a new team will be working with ADEPT and IPROW to finalise the document, and the Forum Members have asked me to write to you with their comments.

We recognise that you have an overriding responsibility to manage the Network Rail estate with the utmost safety in mind, and that every level crossing carries with it a risk. However, our position is that rights of way are also a national asset and we are concerned that not enough is being done to ensure that the numerous closures do not lead to a wholesale disconnect of the PRow network.

The unanimous feeling among members was that:

- The document is opaque, and seemingly drawn up exclusively for the benefit of NR; allowing it as much leeway as possible to alter or stop up public rights of way (PRow).
- There is too much emphasis on keeping the development of what appears to be a national protocol '*confidential*', whilst restricting the input of PRow Stakeholder Groups to local consultations where the outcomes may have already been pre-determined under this agreement.
- NR should extend its working group to include recognised Stakeholders who represent the users of PRow, i.e. The Ramblers, The British Horse Society, Byways and Bridleways Trust and The Open Spaces Society.
- Objectives: Para 1.5. The wording wrongly confines the scope of LHAs to secure '*safe and unrestricted movement of pedestrians to the PRow network*' only. This should be changed to include the full range of their responsibilities i.e. equestrians and cyclists.
- All proposed closures should include a risk assessment of the safety of PRow users who may be forced onto busy roads as a result.
- There should also be a responsibility for NR and local authorities (LAs) to negotiate new access to the nearest convenient crossing down the line.

Representing the constituent Local Access Forums of:
Barnsley, Bradford, Calderdale, Doncaster, East Riding and Humber, Leeds, North Lincolnshire, North
Yorkshire, North York Moors, Rotherham, Sheffield, Wakefield and Yorkshire Dales.

Reply:

Hi Didy

Thank you for your constructive comments; I may have some good news for you.

NR representatives met with ADEPT and IPRoW representatives last Friday and a final version was agreed (subject to typing up the further amendments that were incorporated during that meeting).

With regards to your first bullet point; this was neither the intention and is not the case. The document addresses the interface at level crossings and is trying to promote clarity and consistency of approach. It is also an advisory paper and not mandated. Although we would like many LAs to sign up to it, should a LA chose not to do so then that is their right.

The confidentiality clause was only in play whilst the paper was still under discussion and this was necessary due to the constant changing of the document. As we have now finalised the MoU this paragraph has been removed in full.

I accept your point on 'pedestrians' at 1.5 and I will recommend the change that you propose.

A clause has been added relating to road safety assessments where a proposed diversion moves users onto existing highways.

Your last bullet point is also one of the options which are openly considered when proposing a diversion, and NR is also prepared to consider any counter proposals that a HA may make. We believe it preferable to work constructively with a LA rather than being in opposition.

You will undoubtedly receive further details and a copy of the final MoU from your ADEPT and IPRoW rational representative in due course.

Kind regards

Jerry

Jerry Greenwood

Head of Liability Negotiation

Safety, Technical & Engineering

NW Regional LAF Chairs meeting – 27 November 2018

Agenda Item 7

Collaboration between LAFs – some suggestions

1. In the past Natural England has served to co-ordinate LAF activities, and where appropriate feed views into government. Now, NE has more or less disappeared from our world, starved as it is of resources (a situation which is unlikely to improve in the foreseeable future). In my view, this means that we must take more responsibility ourselves for collaboration, and strengthening the impact of LAFs.

2. At both regional and national level, issues arise which may at present be dealt with by individual LAFs, but which have wider ramifications and could be more effectively handled if there was a greater degree of collaboration. For example: Merseyside was active in addressing the problem of rail crossings, but this was something which concerned us in Cheshire East and probably others as well. In CE, we have spent a good deal of time recently on considering the impact of HS2 – and at least two other NW LAFs will be facing the same questions and seeking the same answers as the route north of Crewe is developed. Indeed, HS2 illustrates the need for national co-ordination: we have not had the opportunity to learn from the experience of LAFs in the southern sections of the route. Another aspect of the need for national collaboration relates to feed-in to government agencies and policies. We have made submissions on road safety for NMUs and changes to the Highway Code, and also on implications for countryside access in the recent agriculture bill. I cannot but think that more notice would be taken of a national, or even regional, voice than that of a single LAF. There are issues upon which LAFs need to confer and speak with a unified voice.

3. At a regional level, I think we have the capability to be more active in exchanging information and co-ordinating activities. Accepting that there are differences in structure and resources, I would suggest that our experience in Cheshire East could provide a starting point for discussion. As a Forum, we meet quarterly; that is a reasonable and practical programme, but inevitably the timing is less than ideal. For example, it would often be impossible to meet deadlines for responding to consultations; I am sure that other LAFs are in the same position. Between times, our main communication tool is e-mail. Individual members may use it to draw attention to local issues, to comment on draft documents (e.g. consultation responses) prepared by the chairman or secretary, or to produce their own drafts on their areas of special expertise (e.g. the needs of equestrians or cyclists; planning issues). Occasionally (e.g. meetings with collaborators, complex drafting of guidance for building access into neighbourhood plans) it is necessary to supplement the e-mail system with ad hoc working groups. I would guess that all this is true of other LAFs; I simply set out the bones of a system which I think could be adapted to meet regional needs.

4. Luddite though I am, I have learned that I can have a Group in my e-mail which allows me to communicate with all my members at the touch of a key; if the NW Chairs all had a similar Group (and the inclination to use it), it would facilitate communication among us. It would not be necessary (or desirable) to circulate details of strictly local issues (e.g. footpath diversions, planning applications – unless they raised wider issues of principle), and major questions would still need consideration at the Chairs meeting. But it would mean that we could communicate instantly if something of general interest arose (e.g. I only learned of Merseyside's rail crossings at one of our six-monthly meetings), and also that we could circulate draft documents of regional significance. A major issue would not be the technology, but the culture of using it – making judgments about what should usefully be shared with others. In itself I think that this relatively simple practice would strengthen the work and identity of the region.

5. The national issue is of course more problematic. I have long advocated the need for a National Association of LAFs, to provide leadership and a national voice to government. I would presume that the council, or whatever it is called, of such an association would be the regional chairs. I don't underestimate the problems. Leaving aside the very basic question of whether there would be general support for such an organisation, there are issues of structure, governance, finance and resourcing to be faced. However, these are not necessarily insuperable, and I think that the decline in NE support means that the time may be right to attempt movement on this front. As a starting point, I would suggest that the Chair of the NW Chairs write to other regional chairs sounding them out, and suggesting a meeting to discuss the possibility further. At least the region should earn some credit for trying.

6. These views are my own, born out of my perception of how things stand at present. I feel that LAFs generally do not have the impact which they should have, and I genuinely fear that, deprived of NE support, we could slide into obscurity. I am not offering a blueprint: I am making suggestions as a basis for discussion and consideration.

Bob Anderson, Cheshire East

Warcop, Hilton and Murton Commons lose commonland status

The Ministry of Defence's (MoD) application to deregister Warcop, Hilton and Murton Commons as commonland has been accepted, despite opposition from ourselves, the Open Spaces Society, and others. We are shocked and saddened for the precedent that this sets for the future of all of our common land.

The Development Control and Regulation committee of Cumbria County Council on 6th December voted to adopt the Inspector's recommendation to remove common land status from the historic commons of Warcop, Hilton and Murton (a small area of Murton Common called 'Area Victor' was excluded from the committee's decision and will retain its common land status).

Following a protracted and complex public inquiry which began in September, the Inspector ruled in favour of the MoD.

But the story began in 2001, when a Public Inquiry was held into the desire of the Ministry of Defence (MoD) to compulsory purchase all the common rights on Warcop, Hilton and Murton Commons to enable them to have more flexibility in their training and intensify use. At our request, the MoD also gave an undertaking that they would never seek to deregister the land as common land.

Until this year when they applied to do just that - something that we, and other partners have strongly opposed throughout a protracted and complex inquiry.

In early December, the Inspector appointed to conduct the inquiry made a recommendation in favour of the MoD.

At the subsequent Cumbria County Council Development Committee Meeting held on December 6th in Kendal, 11 members voted in favour, 1 against and 1 abstention to accept the Inspectors report and recommendation.

The outcome of the Inquiry and this decision are hugely important. Not just because these commons represent 1% of our stock of common land in England - 3,200ha will now be deregistered - but because of the precedent that this sets for all of our common land.

Jan Darrall, Policy Officer,

"We are shocked and saddened for the precedent that this sets and for the future of all of our common land. We are deeply concerned about the outlook for Warcop,

Hilton and Murton commons as there will now be very few restraints on the MOD there.

“The inquiry was complex but the consequences of deregistration are simple enough and illustrate why we have fought so hard to oppose this application.

- **Access:** The three commons of Warcop, Hilton and Murton amount to 3% of Cumbria’s common land. A decision to deregister these commons puts their cultural heritage at risk and gives the MOD discretion to deny local use. We believe that our rich common land should remain for all to enjoy.
- **Protection:** The land will lose protection against encroachment and development since works on common land require the consent of the Secretary of State for Environment, Food and Rural Affairs in addition to any planning permission.
- **Heritage:** It will bring to an end hundreds of years of tradition of upland communing. The farming community, which used to have vital grazing rights over this land, will now be denied any opportunity in future to graze their stock there.”

Cumbria County Council as Commons Registration appointed Alan Evans from Kings Chambers, Leeds to conduct the Inquiry. The MoD, led by QC David Elvin had a six strong team. The lead opponents were the Open Spaces Society who appointed QC George Laurence. Other objectors included ourselves, Foundation for Common Land, Federation of Cumbrian Commoners, Hilton Commoners Association and Murton Parish Council.

£50,000 award to test cycle and walkway along Arnside Viaduct

Striding towards a new route across Morecambe Bay

An award of £50,000 to Morecambe Bay Partnership will cost and explore the opportunities of a walking and cycling route alongside Arnside viaduct.

The idea has been around for years. A community Group Arnside to Grange (AToG) have been working with Morecambe Partnership and others to see how this could happen. The idea comes from the local community who had looked forward to walking across the viaduct on Christmas Day. 10 years ago the tradition was stopped for safety reasons and the idea to build a new footpath/cyclepath along the side of the viaduct was born.

Susannah Bleakley, Chief Executive of Morecambe Bay Partnership said: “We are excited to be leading this project, working closely with the local Arnside to Grange community group, investigating whether or not it’s possible to cross the Bay on foot and by bike using Arnside viaduct, linking communities along the coast. We will be exploring where the route could go, if it’s worth the investment and whether there would be more positives than negatives. If the studies show it’s a good investment we’ll have everything we need to fundraise to build the route.”

This connection will create a vital link in the English Coastal Path, and offer a new route for the Bay Cycle Way creating a new circular route starting from either Grange or Arnside stations. At 2,800 miles, the England Coast Path will be the longest managed and waymarked coastal path in the world when it opens fully in 2022. The present plans are for the Coastal Path to have a halt between Grange and Arnside with the railway forming the link. This footway link could plug that gap.

Evidence from other long distance cycling and walking routes suggest that more walkers and cyclists could bring a very significant boost to the local economy.

Susannah added, “We need to know how much the crossing would cost, what the challenges are, and what the additional benefits would be in terms of visitor spend. Take a scenario where the cost of the crossing is estimated at £3M, and the increase in spend from cyclists and walkers is estimated at over £0.5M annually. In this case, the crossing looks like a reasonable investment and it may be possible to make this case to attract the finance. Until we do further studies we really don’t know – these are just educated guesses.”

What is clear is that the idea has a groundswell of local support. There have been numerous messages of support and encouragement on social media since the announcement. In 2011 a survey in Arnside showed that 80% were in favour of the idea and 100% of the school children.

The award will mean that studies can be done – studies critical to find out if the bridge and route should go ahead, to find out how much it will cost, what benefits and challenges it will bring and how it should be designed to help manage visitors positively. Several studies will be carried out over the winter to see how we can make this idea real.

Network Rail has supported initial feasibility and will work with us and other partners to evaluate and test the route, economic impact and costs.

Partners include: Morecambe Bay Partnership, Arnside to Grange Community Group, Arnside & Silverdale Area of Outstanding Natural Beauty, South Lakeland District Council, Cumbria County Council, Lake District National Park, Natural England, Sustrans, Cumbria Rail Partnership, Dallam Estate, Holker Estate.

