



Joint Local Access Forum (JLAF)

for Bath & North East Somerset, Bristol City and South Gloucestershire

JLAF 05

Draft Minutes of meeting of Friday 05NOV04

Date: Friday, 5th November 2004
 Time: 2:00pm
 Venue: The Council House, College Green, BRISTOL. BS1 5TR.
 Present: Bill Blyth, Ann Fay, Cllr. Howard Gawler (South Gloucestershire Council), John Gunnery, Rae Harris, Robert Killen, Alun Morgan (JLAF Chair), Ray Newbigin (JLAF Vice Chair), Cllr Christopher Orlik (Bristol City Council), Ron Phelps, Andrew Short, Adam Stratton, Chris Weedon (JLAF members)
 Rennie Dickins (South Gloucestershire Council), Chris Hogg (JLAF Secretary), John Roy (Bristol City Council), Lesley Coates (South Gloucestershire Council), Emma George (Bath & North East Somerset Council), Eamon McClelland (Bristol City Council)
 Steven Carnie, Amanda Goverd (Wansdyke Bridleways & Byways Association), Hilary Sandon, John Winless (Avon Wildlife Trust)

		Action
1	Introduction and Housekeeping	
2	<p>Apologies</p> <p>David Colbourne, Cllr Chris Cray (Bath & North East Somerset Council), Bill Dawson, Peter Hart, Angela Nicoll, Janet Wallis, Robin Winfield, Paul Wynne (JLAF members)</p> <p>Mike Amos (N Somerset LAF), Denise Chandler (Wiltshire County Council), Cllr. Pat Hockey (South Gloucestershire Council), Cllr. Sir Elgar Jenkins (Bath & North East Somerset Council), Will Steel (Bath & North East Somerset Council), Alison Stewart (Wiltshire County Council), Dave Morrison (South Gloucestershire Council).</p>	
3	<p>Declarations of interest</p> <p>There were no declarations of interest raised under this item.</p>	
4	<p>Minutes of the last meeting on 9th July 2004</p> <p>The minutes were <i>agreed</i> as an accurate record of the meeting</p>	
5	<p>Access Land</p> <p>a) Update on Access Land.</p> <p>The government issued new circular (Defra Circular 02/2004) to Access Authorities in September. This was distributed at the meeting and can be found on the renewed Defra internet site at www.defra.gov.uk. Access Land was opened at 'commencement' for the 'Lower North West' and 'South East' regions on the 19th September. Experience from authorities in the South East, where Access Land has a broadly similar character to the JLAF area, was that there has been no great increase in use of Access Land and little increased correspondence regarding Access Land. Commencement of Access Land will be on the 14th December in the JLAF area, part of region 3: Central Southern England. Further information is contained within the background paper.</p>	

b) JLAF discussion group on Access Land, meeting 2 and matters arising:

The group met on Friday, the 15th of October to consider Access Land in Bath & North East Somerset. The group will meet again on the 8th December to consider Access Land in South Gloucestershire. Refer to background paper for notes from the meeting of the 15th of October.

i. Priorities for plots of Access Land in Bath & North East Somerset

The discussion group had discussed the Access Land in Bath & North East Somerset. The open country plots were generally small and dispersed; in addition there were a few registered common land plots that were of some significance. There might be a general problem at commencement on the 14th December if some members of the public believe that they will have a right to roam anywhere – this must be addressed in any press releases by the Countryside Agency and the Access Authorities.

The discussion group had considered priority plots suggested by Bath & North East Somerset officers. These were: four plots in Radstock; a plot north of Engine Wood near South Stoke; Knowle Hill; and Burledge Common. The Vice Chair gave an overview of the sites following his visits in preceding weeks.

There was some discussion on the criteria used to select these plots of access land. Criteria suggested included: resource availability, whether the plot sets a precedent, distance from a conurbation and the size of that conurbation, whether the site had impressive views or other attractive features, accessibility to the site by non-motorised traffic and availability for parking other traffic. The selected plots should also be distributed across the area. There was some discussion on whether Salisbury Hill should be added to the list demonstrating that some Access Land is already open to the public. It was suggested that it should not be heavily promoted initially as it this might cause traffic problems. There was some discussion as the JLAF's role in whether there was a conflict in promotion visits to sites that might increase car journeys. There was also some discussion on particulars relating to each site, for example on the use of 4x4s on Burledge Common.

The JLAF *agreed* the plots in Radstock; a plot north of Engine Wood near South Stoke; Knowle Hill; and Burledge Common for prioritisation.

There was some discussion on the approach to the publicity of Access Land. It was suggested that there should be a 'softly-softly' approach to this from the opening of Access Land – it might be more effective to let the knowledge seep in rather than heavily promote small dispersed sites. It was noted that the difficulty of parking at some sites should be included in any publicity. It was requested that the Chew Valley Gazette newspaper be included in any press releases.

It was suggested that any Access Land site boards be put onto the council internet sites, and this was supported. Such plans could show nearby car parking places. This would supply information to the public if they were looking for it without marketing the sites. All information on Access Land should be as clear as possible.

ii. Access Land Restriction Case 2004080065

The JLAF welcomed Mr Carnie, who had applied to the Countryside Agency for the restriction. In turn, Mr Carnie thanked the JLAF for its submission to the Countryside Agency regarding the case.

The Chair thanked the ten members of the JLAF who had responded to the JLAF and urged a response from every member in future, even if that response is 'no comment'. The Chair also commented that the site visit undertaken by the Chair, Vice-Chair and Secretary with the applicants was invaluable, and that if there had been more time it would have been useful to have organised a site visit for more members of the JLAF. Members said that they were happy for such a small group to visit the site for a straightforward case, but in any contentious or complex case, it would be better for more members to see the site. Site visits would therefore have to be considered on a case by case basis.

The members generally supported the JLAF's submission sent to the Countryside Agency on this case.

iii. Matters relating to the process when the maps of Registered Common Land and Open Country are reviewed

Following the discussion above on the restriction itself, there followed a long discussion on the Access Land mapping process, including that landowners had not been directly consulted if their land had been mapped as Access Land. Whilst there was now no opportunity for JLAF members to suggest changes to the maps, the possibility was raised that a letter from the JLAF to the government minister could make suggestions for any future mapping process. It was suggested that the lack of direct consultation had not given a fair opportunity for objections and was also suggested that a JLAF objection might undermine the mapping process that had already been undertaken and was now complete in this area. The discussion did not result in agreement.

The secretary reported that the JLAF must reach consensus before sending a letter. At a vote, eight were in favour of sending a letter to the minister on the mapping process; three were against; there was one abstention. A question was raised on the matter of 'consensus': the secretary will clarify this in the minutes.

***NOTE ADDED TO MINUTES:** At the meeting the secretary recalled that the actions of the JLAF had to be undertaken with consensus. In fact this is not the case. The following quotes are relevant:*

In the JLAF terms of reference

(<http://www.jlaf.org.uk/documents/06%20JLAF%20Terms%20of%20Reference%20FR040703.pdf>):

"5. The Joint Local Access Forum will work to:

...d) engage in constructive debate and seek consensus wherever possible;

e) where consensus is not possible, make clear the nature of differing views and suggest how they might be resolved."

In the government's statutory guidance to Local Access Forums

(<http://www.jlaf.org.uk/documents/03%20lafguidance.pdf>):

"Local access forum members will be expected to demonstrate a commitment and an inclusive approach to the improvement of recreational access to the countryside, engaging in constructive debate and seeking consensus wherever possible."

And in the same guidance, particularly commenting on Draft Maps:

"Local access forums should seek to achieve a consensus when providing comments on the draft maps. Forums should decide for

Secretary

	<p><i>themselves the best way of facilitating this, for example, more than one forum meeting may be needed before they are able to comment.”</i></p> <p><i>So while the JLAF should seek consensus, it is not a necessity. And if consensus is not achieved, then a reflection of opinions can be reported in such a letter.</i></p>	
<p>6</p>	<p>The Joint Local Transport Plan</p> <p>Emma George gave a presentation on the Joint Local Transport Plan. Bath & North East Somerset, Bristol City, North Somerset and South Gloucestershire Councils are producing a single joint Local Transport Plan where previously there have been individual council documents.</p> <p>Local Transport Plans (LTPs) are documents that outline council plans for transport over a period of five years, and are the main mechanism for obtaining central government funding for transport, including capital transport improvements. The first Local Transport Plans covered the period 2001-2006; this second (joint) Local Transport Plan will cover the period 2006-2011. Some improvements to Public Rights of Way have been funded by the government through these plans (through LTP settlements) in past and current years. This joint document will therefore be important, not only for public rights of way, but for the users of public rights of way on the road network.</p> <p>The Local Transport Plan will follow the government’s stated priorities: Congestion, Road Safety, Air Quality and Accessibility. The document must be completed by July 2006, and a joint team has been set up, based at Wilder House in Bristol. They have a website at www.greaterbristoltransportplan.org. At the moment, work is progressing using the Draft Guidance on LTPs issued by the Department for Transport. The final guidance is expected by the end of the year.</p> <p>Officers from each council commented further on LTPs and their relationship with Rights of Way Improvement Plans. In South Gloucestershire and Bath & North East Somerset, the first LTPs referred to public rights of way; in Bristol, the LTP did not contain any reference to public rights of way. However, in all three authorities, money from LTP settlements has funded improvement works on routes, for example about £75,000 in one year in South Gloucestershire. A good reference to public rights of way in the upcoming LTP document would ensure that funds can be identified for public rights of way. The first LTP was based on the principle of a hierarchy of users, where seven categories of transport users are prioritised, the highest priority afforded to the pedestrian, and the lowest priority afforded to the private car. This has been especially useful in promoting the users of public rights of way.</p> <p>The four councils producing the Joint Local Transport Plan have produced a draft document, the ‘Draft Strategic Framework for developing the Public Rights of Way and Wider Access Network’ (background paper). The final document will feed into the Joint Local Transport Plan and also provides a first step in producing Rights of Way Improvement Plans.</p> <p>Officers identified two areas to consider for both this ‘Strategic Framework’ document and rights of way improvement plans:</p> <ol style="list-style-type: none"> 1. The government’s ROWIP guidance refers to Local Rights of Way, which are Public Rights of Way and Cycle Tracks created under the Cycle Tracks Act 1984. Should the ROWIP(s) in the JLAF area be confined to these, or should it have a wider remit – for example to include the ‘access network’? 2. An ‘access network’ would covers access managed by other sections of the councils, and access managed by other organisations, for example Defra. If this is included in the ROWIP(s) how could delivery of the 	

	<p>ROWIP(s) be undertaken?</p> <p>Comments, both on the draft 'Strategic Framework' document and on the two points above were requested by the officers. Immediate comments were that there was no mention of the word 'equestrian' – it was acknowledged that equestrians were also not included in the hierarchy of users within the first Local Transport Plan; the document states that users 'are often perceived as vulnerable' but it was pointed out that users also often see themselves as vulnerable; and that mentioning 'off-carriageway' implies that carriageways are not for vulnerable users.</p>	Members
7	<p>Updates:</p> <p>a) on the City of Bath Definitive Map Project</p> <p>With reference to the background paper, members expressed that it is pleasing to see that the project, managed by the Bath Definitive Map Officer in Bath & North East Somerset, is pushing forward well.</p> <p>b) on Correspondence from Alun Micheal, Secretary of State, to all Local Access Forums in England.</p> <p>The letter contained reference to potential access to watercourses for canoeists. The members felt that this was an area that they had little expertise in – although there might be some relevance in the local area, for example, canoeing on the River Avon (including access to the river) and access to lakes in the area. As a balanced forum, the JLAF might consider both benefits and drawbacks of such access. The secretary will seek an observer with knowledge of the subject, and invite Geoff Audcent of Defra to address the JLAF at a future date.</p> <p>The reference to 'dissemination of good practice' in the letter was welcomed.</p>	Secretary
8	Any Other Business	
9	<p>The next meeting, JLAF07 (in Bath & North East Somerset) and proposed agenda items</p> <p>Friday 4th March at 2:00pm in Bath & North East Somerset, at Fry Club, Somerdale, Keynsham.</p> <p>That 'consensus' be clarified: see note at item 5 b) iii above.</p> <p>An item on the Avon Cycle Maps was requested for the next meeting, with the attendance of the South Gloucestershire Cycling Officer, as by that time one year would have passed from the original given publication date.</p>	Secretary