



JLAF08: Additional Background Papers

Agenda item 7: Defra Consultation on diversions of rights of way: (1) for the protection of sites of special scientific interest (SSSIs); and (2) temporary diversions for dangerous works.

This draft response has been prepared for the consideration of JLAF members.

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DRAFT

Dear Ms Lee-Bapty,

Thank you for the opportunity to comment on your consultation document regarding diversions of public rights of way.

I have summarised the views of the JLAF for Bath and North East Somerset, South Gloucestershire and the City of Bristol, and commented on each of your proposals in turn.

- Q1. The Notes to the Application Form should include notifying the LAF at para 2.
- Q2. In our opinion, the LAF should always be notified when English Nature propose such a diversion. This should ensure that, at any Inquiry, the public's perceived need to continue to use the specified area is presented in a balanced manner to the views of English Nature.
- Q3. The reason why the site of special scientific interest is of special interest should be given in the form.
- Q4. No
- Q5. Any diversion involving dangerous works, other than for emergencies, will have been planned well in advance. Consequently, the minimum notice for such a diversion should be 30 days.
- Q6. The notes to Annex 3 should include the LAF at section 2.
- Q7. 7 days for notice of a diversion is inadequate, it should be increased to 30 days.
- Q8. Notices of diversions should be in place 30 days before the diversion begins.
- Q9. Notice of any diversion should be 30 days minimum.

Thank you for the opportunity of commenting on your document,

Alun Morgan
Chair.

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Agenda item 8: Rights of Way Improvement Plan

b. JLAF responses and ROWIP update

Rights of Way Improvement Plan Documents – updated from letter of July 2005

All of the following documents are available on the internet. If you have any difficulty in accessing them, or printing them, please contact the secretary for assistance. Some of the links below can be found on 'links' page of the JLAF website.

ROWIP Guidance Documents:

From Defra: <http://www.defra.gov.uk/wildlife-countryside/cl/publicrow.htm#rowplans>

ROWIP demonstration projects on the Public Rights of Way Good Practice Guide:

Nine 'exemplar' ROWIPs were 'prime' funded as demonstrations/ pilots by the Countryside Agency. The extra work and research that this money enabled can be used by other authorities in the preparation of their ROWIPs. These 'exemplar' projects looked/ are looking at particular subject areas in detail:

Research programme 2003

(from

[http://www.countryside.gov.uk/WiderWelcome/Countryside Recreation/rightsOfWay/rowImprovementPlans/index.asp](http://www.countryside.gov.uk/WiderWelcome/Countryside_Recreation/rightsOfWay/rowImprovementPlans/index.asp))

Area	Research studies (2 per area)
Northumberland / Newcastle-upon-Tyne / Northumberland National Park (part of whole in each case)	Study of condition of network, and use and demand study
Cheshire(North - south swathe, area of Weaver Valley Regional Park)	Study of health benefits from ROW, and links between ROW improvements and sustainable travel
York(whole authority area)	Study of needs of the disabled, and the wider network of routes
Bedfordshire(whole county)	Study of economic benefits from ROW, and the needs of walkers
Dorset("Blackmore Vale", isolated area in north and west of county)	Study of access to the countryside and access to services
Nottinghamshire(Sherwood or Greenwood area)	Study of recreation needs, and needs of lawful vehicular users
Hampshire("Forests" of Bere and Eversley)	Study of needs of horse riders, and use and demand study (Separate study of walking festivals)
Shropshire / Telford	Study of consultation methods, and needs of cyclists and horse riders

The work resulting from these is on the PROW Good Practice website, www.prowpgp.org.uk that is due to be brought up to date by the end of this year. Membership for some of this site is restricted, but the section on ROWIPs is open to all. Click on the link to ROWIPs/section 5.2. Research reports that have so far been published (including some draft ROWIPs) are available here.

Notable documents produced by other councils:

Devon: Devon's ROWIP is now available on their website.

http://www.devon.gov.uk/index/transport/public_rights_of_way/rowip.htm

Cambridgeshire: Their ROWIP is at:

<http://www.cambridgeshire.gov.uk/environment/countryside/access/rowip.htm>

More information can be readily found by typing "rights of way improvement plan" into a search engine on the internet such as:

www.google.co.uk

www.uk.yahoo.com

www.search.msn.co.uk

www.lycos.co.uk

www.bbc.co.uk/search/advanced.shtml

You may also find information that has been published by other organisations you may be involved with, for example the Ramblers Association, CLA or the BHS. If you discover information that may be particularly useful in the preparation of the ROWIP you may wish to pass it on, to the councils, to the chair/vice chair/secretary of the JLAF or to other members.

Agenda item 10: Regional meeting of LAFs and National Countryside Access Forum (NCAF)

Agenda of the 21st meeting of the NCAF

The NCAF is to be held at 100 Temple St, Bristol on Monday the 14th November 2005.

(10.45am coffee)

1. Introduction and apologies – 11.00am
2. Minutes of the 20th meeting held on 23rd March 2005
3. NCAF 21/1 – Matters arising from the 20th meeting
4. NCAF 21/2 – Diversity review action plan
Jacqui Stearn (CA) – 11.15am
5. NCAF 21/3 – Enjoying the outdoors – a recreation strategy for Natural England.
Wendy Thompson (CA) – 12.05pm
6. Lunch – 1.00pm
7. LAF presentation by the Joint Local Access Forum (JLAF)
Alun Morgan (Chairman for JLAF) – 1.45pm
8. NCAF 21/4 – Local Access Forum's research 2005 – Discussion
David Gear (CA) – 2.05pm
9. NCAF 21/5 - Coastal Access – update - 2.20pm
10. NCAF 21/6 – Public Rights of Way research 2005 - 2.30pm
11. NCAF 21/7 - Dogs in the countryside – 2.40pm
12. NCAF 21/8 – CROW Act 2000. Information note on Schedule 2:
Iain McMorrin & Louise Tierney – 2.50pm
13. NCAF 21/9 – Forthcoming review of the statutory guidance to relevant authorities –
Paper for information only
14. Future NCAF agenda items – 3.00pm
15. Any questions from the audience

Close (3.00pm approx)

Agenda item 11: National Review of LAFs and Defra consultation on Local Access Forum Regulations

Consultation relating to the amendment of the Local Access Forums (England) Regulations 2002

Draft response to consultation from the JLAF. *Additional comments are in italics.*

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DRAFT

Dear Mr Audcent,

Thank you for the opportunity to comment on your consultation document regarding amendments to the Local Access Forums (England) Regulations 2002.

I have summarised the views of the JLAF for Bath and North East Somerset, South Gloucestershire and the City of Bristol, and commented on each of your proposals in turn.

Proposal 1. We support this proposal.

Proposal 2. We can see the advantages of this proposal, but we should not wish to see a forum abolished unless it was subsumed into another nearby forum. *Please also see comments made at view C, below.*

Proposal 3. We consider that the authority should be required to consult other forums in the area before any changes are implemented as a result of Proposal 2.

Proposal 4. Whilst members from the "defunct" forum should be allowed to be considered for selection, we feel that *all* vacancies for the new forum should be advertised in the normal manner.

Proposal 5. We strongly support this requirement.

Proposal 6. This should be automatic, and would provide the Countryside Agency, *Defra and other forums* with an annual summary of the activities, and health, of the forums in England.

Proposal 7. There is a danger that such a forum could become dominated by local authority members. On balance, we consider that the minimum number should remain at 10.

View A. On the basis of our experience, we consider that English Nature, the Environment Agency and the AONB Conservation Boards should be included. This should ensure that conflicting policy decisions are avoided at an early stage. *Please also see comments made at view C, below.*

View B. The only additional area which has been suggested is the public's right of access to rivers and the shore. However, this may involve considerable legal expertise regarding riparian ownership etc, which may be difficult to obtain in a volunteer to the LAF.

View C. Under the current regulations it does not appear possible to appoint more than three members who are also members (Councillors) of a participating Appointing Authority. In order to address a difficulty where there might be more than three authorities involved in a Joint Local Access Forum, we suggest that the regulations could be amended to state that there should be a maximum of three councillors in a Local Access Forum, or a maximum of one Councillor from each appointing authority in the case of Joint Local Access Forums.

Whilst LAFs have a function to provide advice to those organisations specified in regulations, there is no duty for such organisations to consult or inform LAFs, attend LAFs or otherwise support LAFs. We feel that there should be an obligation for these organisations (including appointing authorities) to involve LAFs sufficiently for LAFs to undertake this advisory function. This might include setting a minimum attendance, and specifying how advice will be deemed to be considered by the 'advised'. This might appear in guidance. Regulations might also cover the formation of sub-groups of LAFs.

View D. Guidance is always useful when setting up a new forum - why reinvent the wheel. Probably the most critical factors will be the previous experience of the chair and vice-chair, and having a dedicated secretary. *As it is proposed that regulations will require LAFs submitting their annual reports, it might be advantageous for any guidance to include specific guidance on annual reporting. As many LAFs have Terms of Reference, guidance might also be provided on the necessity, the status and the contents of such*

documents. Guidance might also include the manner by which the advice of the LAF should be considered by the 'advised'.

View E. Our JLAF has a dedicated and experienced RoW Officer which has been a major reason why our JLAF has functioned satisfactorily. The examples of good practice listed in the CCRU report should be used to develop the guidance for members of the forums in England.

Thank you for the opportunity of commenting on your document,

Alun Morgan
Chair.

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Agenda item 12: Updates

e. Liaison Groups

There follows a copy of the Agenda for the most recent meeting of each of the three Public Rights of Way Liaison Groups, together with the date of the next meeting. These meetings are not statutory as the JLAF is, and meetings are not held in public. If you would like further information, contact the JLAF secretary in the first instance.

Bristol City Council Public Rights of Way Liaison Group (PROWLG)

Thursday 1st September, 2005

Agenda

1. Minutes of PROWLG meeting on 2.06.05:
Matters arising. [enclosed]
2. Severn Way update
3. Health Walks Initiative update
4. Alley Gating
Newly published police guide 'Alley Gating in Your Community'
5. Matters raised by members:
 1. Right of way abutting Hartcliffe school site
 2. Monarchs Way (Sparke Evans Park and beyond)
 3. Filton Golf Course and approaches (e.g. from Pen Park Road)
 4. Triangle Waymarking & Sign posts for walking routes
6. PROW Update
Matters arising [Recent update report to PROW&G Committee on Current Claims, Public Path Orders, Actions and Public Inquiries enclosed]
7. Any Other Business
The next meeting – 1st December 2005

Bath & North East Somerset Council Public Rights of Way Liaison Group (PROWLG)

Wednesday 12th October, 2005

Agenda

1. Welcome
2. Apologies
3. Notes from last meeting held on 20 April 2005 and matters arising
4. List of possible Major Works on PROW
5. Register of Definitive Map Modification Order Applications
6. Clean Neighbourhoods and Environment Act 2005 – Gating Orders and Dog Control Orders
7. Prosecution for Wilful Obstruction at Fairwater Farm, Chew Magna
8. Update on Public Path Order Policy
9. Current PROW Legal Orders update
10. City of Bath Definitive Map update
11. Any Other Business
The next meeting – 18th January 2006

South Gloucestershire Public Rights of Way Liaison Group (PROWLG)

Thursday 13th October 2005

Agenda

1. Minutes of 14July and matters arising
2. Priorities
3. Booking System for visits to Office
4. Unable to Appoint and Implications
5. S130s supersede Priorities
6. Update on CAMS
7. RA Groups revision of map and parishes
8. Completion of Severn Way upgrade
9. Ten Trails update
10. Any Other Business
The next meeting – 12th January 2006