

THE ENGLAND ACCESS FORUM

The Board Room
John Dower House
Crescent Place
Cheltenham
Glos GL50 3RA

15 May 2008

AGENDA

- 12.30 Buffet Lunch – LAF members and Natural England staff
- 13.15 Welcome and Introductions by the Interim Chair for the day, Duncan Graham, and James Marsden, Executive Director of Policy & Evidence, Natural England
- 13.30 Draft Constitution - to agree (copy attached)
- 13.40 Round up of LAF's Strategic Progress and Challenges
- 14.10 Briefing on Major Access Initiatives
- a) Discovering Lost Ways (Amanda Earnshaw, Natural England) - the way forward, access to collected data, the stakeholder group, streamlining legislation and simplification of procedures for new routes etc.
 - b) Review of National Trails and Routes (Terry Robinson, Natural England)
 - c) Coastal Access (Paul Johnson, Natural England)
- 14.40 Making LAF's more effective
How good practice can best be shared amongst all LAFs
Developing and supporting Regional level working and organisation
National Newsletter
National Conference
- 15.20 Other Issues raised by LAFs
Rights of Way Improvement Plans
Gating Orders
Advising Sustrans
- 15.30 Working together to influence the broad agenda on the economy, health, sport etc
- 15.40 Next steps, date of next meeting, close
- LAF members only**
- 15.45 selection of Chair of the England Access Forum for future meetings

ENGLAND ACCESS FORUM (EAF)

MEMBERSHIP (MAY 2008)

(* = reserve)

<u>Region</u>	<u>Member</u>	<u>LAF</u>	<u>E-mail address</u>
North-West	Duncan Graham Dr Edgar Ernstbrunner Geoff Wilson* Richard Toon*	Cumbria Wigan Lake District National Park Lancashire	grahams@wendun.fsnet.co.uk hx65@dial.pipex.com
North-East	Pam Brooks Steve Scoffin Alan Pollock*	Northumberland JLAF Tees Valley Tyne & Wear	Pamela.brooks4@btinternet.com stevescoffin@aol.com alanfp@gmail.com
Yorks & Humberside	Richard Holmes Hazel Armstrong Michael Bartholomew*	Wakefield East Riding & Hull JLAF Yorkshire Dales	afowler@wakefield.gov.uk kate.jackson@eastriding.gov.uk rahel.briggs@yorkshiredales.org.uk
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East Midlands	Andrew McCloy Andrew Shirley	Peak District National Park Derbyshire & Derby	Andrew.mccloy@btinternet.com Andrew.shirley@cla.org.uk
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South-East	Matthew Balfour Alan Marlow	Kent Hampshire	matthew.balfour@tmbc.gov.uk atmarlow@aol.com
South-West	Bob Harvey Claire Stuckey Robin Moore*	Devon North Somerset Cornwall	clyston@waitrose.com Claire.Stuckey@cla.org.uk

ENGLAND ACCESS FORUM - DRAFT CONSTITUTION for comment and approval on 15 May 2008

At a meeting on 24 January 2008, between representatives of Local Access Forums and Natural England, it was decided to establish a national forum on access.

We propose the name: the England Access Forum.

Its purpose is to:

- provide balanced views and feedback to Natural England about all relevant access matters;
- exchange information;
- co-ordinate effective joint lobbying across Government;
- provide accurate information on policy initiatives and feedback on their implications and implementation; and
- to exchange best practice.

It will be organised as follows:

- its constitution (this document) will be simple and informal;
- the forum will meet three times per year, March/April, October/November and one other, normally in the summer;
- membership will comprise 16 Local Access Forum (LAF) members, two nominated by each region (the process for nomination to be agreed by LAFs within their own region), and a smaller number of Natural England staff sufficient to provide support, expertise and Director level representation.
- The term of office for all individuals will be up to three years, but not exceeding their period of office as an individual LAF member:
- the Chair will be appointed from the LAF members;
- venues will be in Natural England offices around the country;
- the secretariat will be provided by Natural England who will liaise with the Chair. Papers could come from either the LAFs or Natural England;
- communication between LAFs and the forum will be through LAF Regional Co-ordinators who will be involved in raising agenda items, disseminating papers, etc;
- Natural England will reimburse travel expenses according to its transport and subsistence policies; i.e. travel by sustainable means on public transport at standard rates. A simple mechanism for claiming expenses will be used;
- appropriate liaison will be fostered with equivalent UK and European bodies.

The value of LAF volunteer time and additional professional support members can draw on is recognised as a vital contribution to the Forum.

Additional points

- the Forum must be a constructive partnership not an occasion for LAFs simply to hold Natural England to account The emphasis is on understanding and working together;
- LAF members will be representatives not mandated delegates;
- there can be substitution for LAF members but every effort should be made to ensure continuity;
- each LAF region is free to determine how its two members are chosen;
- opportunities for regional development and inter-regional liaison will be explored;
- LAF regions will be encouraged to submit agenda items and to discuss agenda items prior to meetings. LAF Regional Co-ordinators have a key role to play.

4 April 2008

Discovering Lost Ways

Briefing prepared for the England Access Forum meeting on 15 May 2008

Following a year long review Natural England has concluded, and recommended to Government, that our focus should move from archive research to facilitating the discussion that will lead to a re-evaluation of the legislation and procedures for recording historic routes.

We are, therefore, in the process of closing down the Discovering Lost Ways project and, in its place, setting up a Stakeholder Working Group to consider all the issues surrounding unrecorded rights of way.

DLW review findings

Discovering Lost Ways has been successful in developing a method of research that enables the identification and submission of evidence for lost ways to local authorities throughout England. However, it does not result in any quicker determination of claims under the current system for recording these routes on the Definitive Map where it takes an average of three years for a route to be processed and recorded.

We have also learnt more about the character of historic routes and our research to date would suggest that Discovering Lost Ways is in fact a misnomer as over 50% of the routes identified are in regular use but not legally recorded. These routes provide vital links and connections to the recorded network often getting people away from busy roads. An unexpected consequence of the cut-off date could have been a net loss of access particularly in urban areas.

On the basis of the review findings our advice to Defra, which has since been endorsed by the Minister, was that Natural England should

- withdraw from a programme of research that seeks to identify “lost ways” throughout England
- focus on convening and facilitating the discussion that will lead to a re-evaluation of the relevant law and procedures
- recommend that Government should make clear its intention not commence section 53 of CROW until the stakeholder working group has reported.

Next steps

As part of the close down activity for the DLW project we will be discussing with the wider stakeholder community how best to share information, lessons learned and good practice as well as encouraging networking amongst those with an interest in unrecorded rights of way.

The data collected by the Archive Research Unit is being transferred to Natural England and the following products will be made available, via our Enquiry Service. Copies will be supplied to the relevant local authorities (Cheshire, Shropshire, Nottinghamshire, Wiltshire and Dorset). It should be noted that there is not comprehensive coverage for these historic counties and the full range of products is only available for those areas where detailed research was undertaken and completed.

Image library

Collection of images of all the historic documents photographed by the ARU during the course of researching lost ways

Document Catalogue

Database containing the catalogue information from each of the national and local archives where research has been conducted. The database includes document-specific information for example the document title, condition etc.

Document Spatial Index

The geospatial polygon of the boundary of researched documents

Document List

List of all documents researched by the Archive Research Unit

Case Files

Final output of the research provides details of the route, together with a summary of findings and full dossier of evidence.

We have been discussing with Cheshire, Shropshire and Nottinghamshire County Councils their proposals for handling the case files we pass to them and there may well be a role for the respective LAFs in prioritisation linked to ROWIP objectives.

A full list of the data and information that is available, together with details on format and how to obtain copies, will be published on our website. In addition we will be making available reports prepared in order to inform the review and the research standards used by the ARU researchers.

Although we are withdrawing from archive research Natural England remains supportive of a project which seeks a sensible use of historic rights to improve the rights of way network for public benefit. This can best be achieved by setting up a Stakeholder Working Group that brings together representatives of the key relevant interests nationally:

- to consider the issues and difficulties associated with the recording of pre-1949 public rights of way that are not currently shown on the definitive map and statement maintained by highway authorities; and
- to work together with the aim of reaching agreement on a balanced package of strategic reforms in law and procedure that in the Group's view would bring real benefit to the various interests potentially affected by the claimed existence of such rights.

In our view it is essential that there should be a clear numerical balance between the three sectors of interest in this subject i.e. land management user and local authority, but that the group is small enough to permit workable debate on complex issues.

We are currently seeking internal sign off for the chairmanship, membership and proposed terms of reference. It is hoped that the first meeting will be in late June/ early July.

It is our intention to provide opportunities for interested parties to submit evidence to the Group and to provide regular updates on the topics under discussion via an E-bulletin.

REVIEW OF NATIONAL TRAILS AND ROUTES

Introduction

There are 13 National Trails in England, providing around 2,200 miles of high quality routes for walking, cycling and horse riding across our finest landscapes and mainly along public rights of way. They have been established by the National Parks and Access to the Countryside Act 1949. According to the Long Distance Walkers Association there are around 600 other strategic recreational routes which have been created without the benefit of these national statutory powers, procedures or funding arrangements.

Natural England holds the statutory responsibility for planning and establishing National Trails. Their day-to-day management is carried out by the relevant highway authority with the majority of the costs of this work supported by grants from Natural England and before that, from the Countryside Commission and Countryside Agency.

Purpose of the Review

The purpose of the review is to identify a sustainable, customer focused and prosperous future for long distance routes for walking, cycling and riding across England, including National Trails, and to define Natural England's role in relation to them.

The review will:

- examine how the family of trails and routes work together;
- find out what users and potential users want compared to what they get;
- identify new options for their management, funding and marketing;
- indicate what Natural England's role should be; and
- recommend a way forward.

Timescale

By the end of June we will have defined the scope, agreed the questions to be answered and commissioned the necessary research and consultancy,

By end of September we will have completed the market research and have devised the management options.

By the end of December we will have completed consultations with stakeholders.

By the end of March 09 decisions will be made and plans ready for implementation.

Involving Stakeholders

This is an open review with all aspects accessible to those with an interest.

The review is being advised by a steering group which represents our main stakeholders including National Trail Officers, highway authorities, the National Trust and Visitbritain.

Opportunities for LAF engagement

LAFs will be invited to advise on the review options from September. This could be the focus of a more detailed presentation at the next England Access Forum meeting?

Meanwhile LAFs will be kept informed of progress through reports sent to the LAF regional coordinators.

The review is being project managed by Peter Ashcroft, who would welcome comments and suggestions from LAF members at any time.
(peter.ashcroft@naturalengland.org.uk).

COASTAL ACCESS, MARINE BILL, AND LAFs ROLE

Briefing

The draft Marine Bill recognises the involvement of local access forums in the process of Natural England aligning the coastal trail and considering what access land should be included en route and what access management is required. Building on what the draft Bill says, these are in summary our plans as explained in our outline statutory 'Scheme' for the Project:

- Before submitting recommendations about the alignment of the trail along each section of coast to the Secretary of State, we will consult the LAF as well as owners and occupiers of affected land, local authorities, English Heritage, and the Environment Agency.
- After taking such views into account, we will publish on a website the report that we intend to submit to the Secretary of State for that section of coast.
- We will send copies to LAFs as well as to all owners and occupiers of affected land that we have been able to identify, and to English Heritage, and the Environment Agency.
- LAFs will be able to make representations to us regarding the report, as will owners and occupiers of affected land, English Heritage, the Environment Agency, and any other interested parties.
- Once we have taken these representations into account, we will send the report to the Secretary of State.
- We will include with the report any representations we have received from LAFs, from affected owners and occupiers, and from English Heritage and the Environment Agency, together with our comments on them.
- We will also summarise any other representations made to us about our report, and send this summary together with any comments that we consider appropriate to the Secretary of State.

Ben Nichols