



## JLAF14: ADDITIONAL Background Papers

### Agenda item 9f: JLAF Project Progress i. Chew Valley Lake

This letter was received by the JLAF from Cllr Charles Gerrish, the Cabinet Member for Customer Services at Bath & North East Somerset Council.



**BATH & NORTH EAST SOMERSET**

**Transportation and Highways**

Floor 2, Riverside, Temple Street, Keynsham, Bristol BS31 1LA  
Minicom: (01225) 394166 Action Line: (01225) 39 40 41  
[www.bathnes.gov.uk/BathNES/transportandroads](http://www.bathnes.gov.uk/BathNES/transportandroads)

Date: 5<sup>th</sup> March 08  
Our ref: 01225 394049  
Direct line: 01225 394049  
Fax: 01225 394335

Mr Ray Newbigin  
Chairman of JLAF  
19 Macaulay  
Bath  
BA2 6AT

Dear Mr Newbigin

**Re: Route around Chew Valley Lake**

There is still £75k allocated for this project in the draft traffic and safety works programme for 2008/09, however, it will not be possible to confirm this funding until the beginning of the next financial year. Schemes within the draft programme compete for inclusion in the annual Capital funded Works Programme, although the amount awarded by Central Government and changing priorities will influence which schemes are successfully included.

The planning application required for the construction of the route from the dam to Hollowbrook is being progressed by Sustrans with the intention of submission by early March. It must be noted that funding will also be dependent on planning permission being granted.

Sustrans are also negotiating with landowners to attempt to find a way through from Woodford Lodge to the dam.

With regard to adequate staff resources this will be dealt with when the funding has been confirmed and planning permission has been granted.

Yours sincerely

*pp A. Sherwin*

**Councillor Charles Gerrish**  
Cabinet Member for Customer Services

Cc: Matthew Smith, Assistant Director, Environmental Services

Making Bath & North East Somerset  
a better place to live, work and visit

---

# Agenda item 10: Any Other Business

---

## Rural Payments Agency and Cross-Compliance

---

**From:** Hilary Winter [mailto:hilary.winter@devon.gov.uk]  
**Sent:** 27 February 2008 13:25  
**To:** SW England LAFs  
**Subject:** Rural Payments Agency and cross-compliance

Shirley Growcott, Secretary of Cornwall CAF, has brought the issue of the Rural Payments Agency and Cross-Compliance to my attention following an item on an earlier Cornwall CAF agenda which indicated that the problem of obstructions could not be satisfactorily be dealt with as the Rural Payments Agency is the enforcing authority where farmers are seeking payment for rights of way under the Single Farm Payment scheme.

With this in mind, I have drafted a letter for consideration by all SW LAFs as it does seem an area where the LAFs on a regional basis could advise on an area which seems, on the surface, to have a sensible solution. I should therefore be grateful if you could bring this to the attention of your LAF Chairmen as soon as possible. It would be useful to send a letter as soon as possible, particularly with the new financial year looming when alterations to contracts could be made.

**<<DRAFT LETTER TO DEFRA.doc>>**

Regards

Hilary

*Hilary Winter*

*Regional Coordinator*

*SW Region LAFs*

## DRAFT LETTER TO DEFRA, WITH COPY TO REGIONAL DEFRA OFFICE

Dear xxx

### Rural Payments Agency and Cross-Compliance

The issue of Cross Compliance conditions in respect to rights of way has recently come to the attention of Local Access Forums in the SW. This letter constitutes formal advice from the SW local access forums and Defra is required, in accordance with section 94(5) of the CRoW Act 2000, to have regard to this advice.

We understand that the Rural Payments Agency has a responsibility to ensure that conditions relating to public rights of way under GAEC 8 are enforced. However, it has been brought to our attention that the RPA only has a duty to inspect 1% of holdings submitting claims under the Single Payment Scheme on an annual basis and, with limited resources, the RPA therefore may not be able to inspect all instances of a reported obstruction.

The 2006 inspection report of the Rural Payments Agency for GAEC 8 shows that of the 1% inspection, 17 failed, and land managers in some instances received a letter of warning followed by a reduction in payments for persistence negligence. The most common failures found during the inspection regime were rights of way ploughed and not reinstated within the correct timescale, obstructions and lack of maintenance of stiles/gates. Other problems included failure to reinstate rights of way within 14 days of ploughing and sowing, overhanging vegetation, locked gates and redirection of paths. These are problems all too familiar to wardens and rights of way officers in local highway authorities.

With other cross compliance conditions we understand that the RPA has negotiated a delegated authority with other agencies to provide evidence under a particular area of the regulations. This 'agreement' enables the RPA to act immediately rather than having a need to inspect first.

As local highway authorities have wardens in place who regularly inspect the rights of way network it would appear expedient for highway authorities to be given delegated authority to report obstructions to the RPA. This would assist the RPA in ensuring compliance with Single Farm Payment conditions on GAEC 8 and would also assist local authorities in working towards higher 'easy to use' public rights of way targets for their areas.

Local Access Forums in the SW would urge Defra to look into this option as a matter of urgency and looks forward to your response.

YF

Chairmen of SW LAFs