



JLAF16: Background Papers

Agenda item 6: Bristol City Council Draft Gating Order Policy

Bristol City Council have been developing a Draft Gating Order Policy. This Draft went to the Bristol City Council Public Rights of Way and Greens Committee to be noted. The report on this draft Policy is shown below; the **full Draft Policy is available on the JLAF website** and available to JLAF members as a paper document. See <http://www.jlaf.org.uk/meetings/default.htm#jlaf16>

Bath & North East Somerset Council are also putting together a Gating Order Policy and the JLAF will be consulted on this at forthcoming meetings. South Gloucestershire Council have an adopted Gating Order Policy.

BRISTOL CITY COUNCIL REPORT TO PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE

27 October 2008

DRAFT GATING ORDER POLICY

(Joint Report of the Director of City Development and Director of Neighbourhoods) (Ward: All)

Purpose of Report

1. To advise the committee of the draft Gating Order Policy, Procedure and Practice document and request their views and suggestions on its content, prior to final approval by the Executive Members for Sustainable Development and for Care, Tackling Deprivation and Crime.

Background

2. As reported to this Committee on 24 July 2006, the Highways Act 1980 (Gating Orders) (England) Regulations 2006 brought into effect discretionary powers under Sections 129A to 129G of the Highways Act 1980 for the Highway Authority to make and revoke gating orders for certain highways in order to prevent crime or antisocial behaviour (ASB) on or adjacent to the highway. The provision is intended to be used as a deterrent to allow temporary closures in those cases where it can be demonstrated that a highway is facilitating high and persistent levels of crime and/or anti-social behaviour. Following the reduction of crime or ASB, the restrictions can be varied or revoked.

Procedure

3. The consideration of applications for Gating Orders is a statutory function and the decision on whether to make an Order is currently an executive function. The draft policy document at Appendix 1 sets out in detail the extent of the new powers and a number of practical matters that must be addressed to ensure its effective administration. It outlines the legislative procedure and the recommended criteria to be met for Gating Order applications, as set out in the Regulations and associated government guidance. The Council will only exercise its discretion to make an order if it is satisfied that the order is capable of being confirmed (i.e. that the legislative tests are met) and it is reasonable to do so with reference to the criteria.

4. The policy makes clear that gating orders are not the only solution to tackling crime and ASB and that alternative interventions may be more appropriate and cost effective for tackling the problems associated with the highway. It is also made clear that these alternative interventions will be the responsibility of the applicant to resource and deliver, and not the Highway Authority.

5. Under Regulation 17, Bristol City Council is required to maintain a register of Gating Orders containing copies of published Notices of proposals for Gating Orders and Orders made and to ensure the same information is posted on its website. It is recommended that an annual review period is set and recorded in the Register for any Gating Order made.

Conclusion:

6. There are matters associated with the making of Gating Orders where a clear policy and process would be of benefit in enabling Officers and Members to reach an informed decision on each application, report objections to Orders and administer the statutory provisions effectively. The draft policy establishes clear guidelines on the criteria to be met and the financial obligations for applicants; in particular it is expected that the legal costs of processing orders and costs involved in the purchasing, installation, maintenance and operation of gates will be met by applicants.

7. An accurate assessment of the resources required for administering Gating Orders will not be possible until the provisions are widely understood following the initial processing of such applications. For example, Highways Asset Management have raised concerns regarding the routine maintenance of gated paths, e.g. lighting and gullies, and the need to ensure that works associated with the gating comply with appropriate legislation. Consequently, it is proposed that the draft Policy is kept under regular review.

8. Members are requested to forward any comments or suggestions that they may have on the draft Policy to the author of this report. Any comments raised will be taken into account in the final draft that will be submitted for approval to the Executive Members for Sustainable Development and for Care, Tackling Deprivation and Crime.

Consultation

Internal - Highway Asset Management, City Development;
Equalities, Community Safety,
Environmental Services and Anti Social Behaviour teams, Neighbourhoods.
External – Rights of Way Liaison Group

Other Approvals Necessary

The draft policy before this Committee has been set out with input from the Safer Bristol Partnership. It is also proposed to invite the Police and members of the Joint Local Access Forum (JLAF) to comment on the final draft before seeking approval from the Executive Members (Sustainable Development) and (Care, Tackling Deprivation and Crime). There is a statutory requirement to consult the JLAF over gating order applications.

Appendices Appendix 1 – Draft Gating Order Policy, Procedure and Practice Document (including Annex 1-4). **[available on JLAF Website]**

Policy Implications

Applications for orders will be dealt with under the criteria set out within the Policy, and any subsequent Orders will be made under s.129A-129G of the Highways Act 1980.

The new powers conflict with the Council's statutory duty under s.130 Highways Act 1980 to assert and protect the rights of the public to the use and enjoyment of highways, as gating does not extinguish the public right but does make it an offence to exercise that right (s.129A).

There is also a potential conflict with the Council's adopted strategies to increase levels of walking and cycling as outlined in the Bristol Local Plan and Joint Local Transport Plan: e.g. Safer routes to school, Walking and Cycling Strategies and the Joint Public Rights of Way Improvement Plan 2007-2011.

Consideration must also be given to s.17 of the Crime and Disorder Act 1998, which although without prejudice to any other obligation imposed upon this authority, requires authorities to consider crime and disorder reduction and community safety in the exercise of all their duties and activities.

Resource Implications

There are costs associated with the provision of other ways of addressing issues of crime and ASB - such as improvements, upgrading, cleaning, and lighting of the highway - which the Highway Authority will be required to consider and implement if appropriate prior to making a gating order. This will ensure that all requirements of the legislation are complied with to enable the Council to make an informed decision when making a gating order. It is anticipated that funds will be identified within the relevant cross directorate departmental budgets.

Officer time will also be incurred in carrying out the required preliminary investigation and informal consultation on each application before a Gating Order can be made. Should a proposal be received to gate a highway under Section 129A and objections are received from specified authorities, then a Public Inquiry must be held with the associated costs.

Legal Implications

As indicated in this report the new powers under Section 129A-129G of the Highways Act 1980 allows the gating of minor highways, which can sometimes be seen to facilitate anti-social/illegal behaviour. Gating Orders will provide local authorities with a means to erect, or allow the erection of, a physical barrier to restrict public access to a highway over which the public would normally have a right of passage.

It should be noted that the gating of a highway does conflict with the Council's duty both to 'assert and protect' the rights of the public to use the highway and to prevent obstruction. Therefore, a balance will need to be struck between the above-mentioned conflicting policies, strategies and duties when considering proposals for gating orders, where concrete evidence indicates that the proposal will prevent or reduce crime and anti-social behaviour.

Each case will inevitably raise questions of proportionality and balance depending on the facts. Access may be permitted for certain periods or times of the day or at all times. Access for occupiers of premises adjoining or adjacent to the highway cannot be restricted, nor where a way forms the only or principal means of access to dwellings/businesses. It will also provide for exemptions, such as for emergency service access. Gating Orders will not extinguish rights of way nor will the status of the highway be affected. It will also be possible to revoke or vary an Order at a later date.

The Secretary of State has, as already mentioned, made procedure regulations - including the need to advertise proposals and consideration of any representations. There is also provision for public inquiries in certain cases.

At the time of writing, there has as yet been no amendment to the Local Authorities (Functions and Responsibilities) Regulations 2000 to deal with this new power thereby making it a regulatory function. Until there is, the decision on whether to promote a Gating Order will be an executive function delegated to the appropriate Director.

The draft policy will be checked by the Legal Services Team and appropriate representations (if any) will be made.

(Legal Advice given by Kevin Hill, Senior Solicitor (Planning), Legal Division, Central Resources.)

Recommended: That the report be noted

Local Government (Access to Information) Act 1985

Background Papers

1. Report of 24 July 2006 to the Public Rights of Way and Greens Committee advising Members of the commencement of the provisions of the Clean Neighbourhoods and Environment Act 2005 (Section 2) in respect of Gating Orders and the related procedure regulations.
2. 'Clean Neighbourhoods and Environment Act 2005 – Guidance Relating to the Making of Gating Orders', The Home Office, March 2006.
3. The Highways Act 1980 (Gating Orders) (England) Regulations, 2006 (S.I. 2006 No. 537).
4. Cambridgeshire County Council Gating Order Policy, undated.
5. City of York Council Gating Order Policy, Procedure and Practice Document, 26 March 2007.
6. Birmingham City Council Deployment Flowchart, undated.

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Agenda item 8: Rights of Way Improvement Plan (ROWIP) Implementation

Joint ROWIP Business Plan



JOINT RIGHTS OF WAY IMPROVEMENT PLAN JOINT BUSINESS PLAN

Background

Our Joint Rights of Way Improvement Plan (ROWIP) was adopted in November 2007. It sets out our plans for developing and improving the rights of way network in Bristol, Bath and North East Somerset and South Gloucestershire. (For the time being a separate ROWIP covers North Somerset).

In the ROWIP we put forward a Statement of Action and an outline 5-year programme. We promised to set out the financial implications and detailed proposals in a Joint Business Plan. This is our first Joint Business Plan and we focus in particular on action we intend to take in 2008/09.

Funding

Between the three authorities we have almost £300,000 to spend on capital projects in 2008/09 to improve the network in addition to the revenue funding we put towards maintenance. Other potential sources of funding are from Joint Local Transport Plan programmes. Bristol City and South Gloucestershire Councils were successful in their bid for funding for Cycle Demonstration City and the works programme for this project will be determined by September this year. It is envisaged that many improvements can be made for walking and cycling from these funds.

Joint Business Plan

Our Joint Business Plan is set out in the following schedule and summarises our programme of work for 2008/09. Among the schemes and initiatives we propose for the first year of the ROWIP are:

Proposed ROWIP Actions for 2008/9

Theme	Statement of Action Task
1. Improving Maintenance and Safety	
• Vegetation schedule revision (South Gloucestershire)	1.1
• Implementation of a CAMS- integrated GIS and management database (Bath and North East Somerset)	1.2
• Full survey of the rights of way network (Bristol)	1.2
• Classification of routes being trialled	1.3
• Joint diversion policy for discussion and adoption	1.4
2. Signing Routes	
• Review of signs in Bristol (part of network survey).	2.1
• Install/ repair signs at junctions of paths with metalled roads	2.2
• Additional signpost information to be piloted building on work carried out on Cotswold Way and other promoted routes	2.3
3. Providing Information	
• Specifications for joint website and future online mapping	3.1, 3.2
• Promotional material e.g. Monarchs Way (Bristol and South Gloucestershire)	3.3
• Initiatives flowing from DEFRA Diversity Action Plan	3.6
• Promotion of public transport access, e.g. Severn Beach railway stations (Bristol)	3.8
4. Improving Access for Local Travel	
• Upgrading of multi-user route surfaces (Bath and North East Somerset, South Gloucestershire)	4.1
• Frome Valley Walkway surface and infrastructure improvements (South Gloucestershire)	4.1 and 4.3
• Projects to improve surfaces on well used links, e.g. routes to schools (All Councils)	4.2
• Installation of gates, kissing gates and bridges	4.3
• Schemes to enhance safety, e.g. realignment of junction of footpath with A368 in Chew Valley (Bath and North East Somerset)	4.4
• Discussion with JLAF and user groups to identify gaps in network	4.6

Schemes cover all three Council areas unless specified

ROWIP Joint Business Plan based on the ROWIP Statement of Action

Tasks	Work required	Resources	Latest progress/ issues	Target/ completion date
Theme 1 – Improving Maintenance and Safety				
1.1 Develop consistent Rights of Way Management Standards (ROWMS) for maintenance including cutting, cleansing, improvement and promotion	Define scope of ROWMS. Draw up standards taking into account route classifications (Task 1.3)	Officer time. Revenue budget implications	Management Standards Working Group set up. Scope of ROWMS being assessed. Detailed standards will depend on outcome of Task 1.2	2010/11
1.2 Undertake full infrastructure and network condition surveys	Draw up specification for surveys; investigate options for implementation; carry out surveys.	1 FTE Surveyor needed for approx 2 years plus management/ supervision by each Council	Scope of work being assessed. Bristol proceeding. In Bath & North East Somerset and South Gloucestershire full infrastructure and condition survey carried out on Cotswold Way National Trail Options for carrying out other surveys being investigated	Bristol 2008/09 B&NES and South Gloucestershire 2009/10
1.3 Classify all routes in line with the ROWIP	Look at classification using similar method to Wiltshire, Kent and Cornwall with 3 simple classes – basic to enhanced level of use. Desktop study then fieldwork. Classify links along paths	Officer time	Potential classification being trialled in each council area in 2008/09	2010/11
1.4 Develop joint diversion policy including specification of standards for new paths	Examine current approaches, identify future options, develop joint policy.	Officer time	Diversion Policy Working Group set up. Draft policy being developed for consultation with Members and Joint Local Access Forum	2008/09

Tasks	Work required	Resources	Latest progress/ issues	Target/ completion date
1.5 Develop an improved strategy for managing the Definitive Maps and Statements and legal order work	Examine current approaches, identify future options, develop joint policy	Officer time in developing strategy. Resources needed in carrying out Definitive Maps and Statements and legal order work to be identified	Working Group discussed outputs with focus on dealing with applications and a statement of priorities. Current legal packs being assessed Bristol undertaking a scoping exercise in 2008/09 to determine the scale of work required to consolidate the Definitive Map	Ongoing
Theme 2 – Signing Routes				
2.1 Complete a full review of signage in the area and produce signage guidelines	Inventory of signs. Identify deficiencies. Examine options for enhancements. Draw up guidelines	Officer time. Surveyor(s) needed for Task 1.2	Signage Working Group set up. Inventory depends on progress with Task 1.2. Signing options being assessed. Pilot schemes being organised to test options	Bristol 2008/09 Bath & North East Somerset and South Gloucestershire 2009/10
2.2 Ensure that 90% of path junctions with metalled roads are signed outside urban areas	Identify gaps in provision. Install new signs as appropriate	Officer time. Capital/ revenue expenditure to be identified	Gaps in provision to be identified through Task 1.2 inventory	2009/10
2.3 Ensure that signposts carry additional information for users where appropriate	Install signs as defined by Task 2.1 guidelines	Officer time. Capital / revenue expenditure to be identified	Scope of works depends on outcome of Task 2.1 and pilot schemes. Focus on major recreational and utility routes	2010/11

Tasks	Work required	Resources	Latest progress/ issues	Target/ completion date
Theme 3 – Providing Information				
3.1 Creation of a common website to promote PROW and give a single point of contact	Examine current approaches, identify future options, develop joint website with down loadable leaflets and forms and trip planning	Officer time plus set up costs	Publicity and Communications Working Group set up. Specification being drawn up, taking account of good examples from elsewhere and linking with Greater Bristol Bus Network travel+ and Cycling City initiatives	2009/10
3.2 Develop online mapping as an interactive tool available on joint website	Being assessed as part of work on Task 3.1	Officer time plus Revenue expenditure to be identified	Scoping exercise being undertaken in connection with Task 3.1	2010/11
3.3 Develop targeted promotional material (including equestrian, disabled and motorised users)	Proactive press strategy and marketing needed, standardise layout and DDA compliant	Officer time. Revenue expenditure to be identified	Scope of strategy and marketing being assessed and links with Greater Bristol Bus Network travel+ and Cycling City initiatives and Task 3.1. Routes for disabled ramblers being identified Material being produced for selected routes, e.g. Monarchs Way	Ongoing
3.4 Provide information, guidance and support to landowners	Examine current arrangements and future options. Implement	Officer time. Revenue expenditure to be identified	Potential use of websites being investigated and links with Task 3.1	2009/10

Tasks	Work required	Resources	Latest progress/ issues	Target/ completion date
3.5 Provide information in a range of formats and/or languages (links to 3.6)	Information to be provided on request, as needed	Officer time Revenue expenditure to be identified	Links with Task 3.3. Best practice being investigated including audio guides	Ongoing
3.6 <i>Explore opportunities for increasing participation of minority groups in countryside access in light of the DEFRA Diversity Action Plan</i>	Overarching issue to be taken into account in each task. Implications of DEFRA action plan to be assessed	Officer time Revenue expenditure to be identified	Publication of DEFRA Diversity Action Plan awaited	Ongoing
3.7 Promote improvement works and provide feedback on completed maintenance through press and newsletters	Examine options for promotion. Implement through press, newsletter and other media	Officer time Revenue expenditure to be identified	Links with Tasks 3.1 and 3.3. Working Group assessing possible formats for publicity including use of websites	Ongoing
3.8 Promote PROW that can be accessed by public transport	Being investigated by Communications Working Group taking account of good practice in place with Cotswold Way National Trail website and booklet	Officer time Revenue expenditure to be identified	Input into promotion of Severn Beach circular walks and Monarchs Way	Ongoing

Tasks	Work required	Resources	Latest progress/ issues	Target/ completion date
Theme 4 – Improving Access for Local Travel				
4.1 Identify improvements to enable travel for all by foot / on bike to:		Capital / revenue expenditure to be identified	Progress with Accessibility Action Plans:	Ongoing
▪ employment	Linked with Accessibility Action Plans for Aztec West/ North Fringe/ Cribbs Causeway.		S Gloucestershire Travel Forum and travel plan officers active; <i>Accession</i> mapping undertaken	
▪ health services	Linked to Accessibility Action Plans for Bristol Health Service Plan (BHSP)/ Southmead/ Royal United Hospital and to Active Bristol and Healthy Walking Initiative		<i>Accession</i> support provided for BHSP	
▪ education	Linked with school travel plans (links to Task 4.2).		School travel plans actively being produced	
▪ leisure	Linked with Task 4.6 and Parks and Green Spaces Strategy for Bristol		Schemes implemented to upgrade routes e.g. bridleways and Frome Valley Walkway	
▪ transport nodes	Linked with <i>Access for All</i> small stations schemes and with Greater Bristol Bus Network scheme		Successful <i>Access for All</i> 2008/09 funding bid for Severn Beach line and Patchway stations. Greater Bristol Bus Network scheme given go ahead by DfT May 2008	
4.2 Provide safer and shorter routes identified in Task 4.1 to enable easy access to and from public transport links and schools	Consider scope of work/ Joint Local Transport Plan links/ interface between rights of way and school travel plan officers	Capital expenditure to be identified	Discussions with school travel plan and public transport officers	Ongoing
4.3 Identify and carry out improvements for people with mobility difficulties and visual impairments	Identify potential improvements. Implement	Officer time. Capital / revenue expenditure to be identified	Discussions with access/ disability officers	Ongoing

Tasks	Work required	Resources	Latest progress/ issues	Target/ completion date
4.4 Identify road safety improvements that enable increased use of routes	Consider scope of work/ Joint Local Transport Plan links/ interface between rights of way and road safety officers	Officer time. Capital expenditure to be identified	Discussions with road safety officers	Ongoing
4.5 Work with employers and educational establishments through travel planning to promote use of local rights of way	WEPO to consider scope of work/ JLTP links/ interface between PRow and travel plan officers	Officer time	Discussions with travel plan officers	Ongoing
4.6 Identify gaps in the wider recreational network that will improve accessibility and connectivity	To be determined	Capital / revenue expenditure to be identified	Joint Local Access Forum invited to put forward suggestions	Ongoing
4.7 Produce joint guidance to secure appropriate improvements and additions to the PROW network through planning processes.	Assess impact of Dec 2007 Rights of Way Review Committee Practice Guidance Note 6. Agree scope, format and content of guidance	Revenue expenditure to be identified	Planning Liaison/ Development & Planning Guidance Working Group set up. Potential standard Planning Note being considered for issue with planning application forms	2009/10
4.8 Identify improvements and additions needed to the PRow network associated with regeneration and significant housing and employment growth	Assess implications of Housing Growth Point proposals and green infrastructure initiatives	Capital / revenue expenditure to be identified	Input into Development Plan and Supplementary Planning Documents/ Area Action Plans/ Proposals Maps under discussion	Ongoing
4.9 Carry out improvements to fill the gaps identified in Tasks 4.1, 4.6 and 4.8, subject to funding	Dependent on outcome of Tasks 4.1, 4.6 and 4.8	Capital / revenue expenditure to be identified	Schemes being implemented in 2008/09 under Task 4.1. Impacts of intervention being monitored	Ongoing

Agenda item 8: Rights of Way Improvement Plan (ROWIP) Implementation

Sign Review

A Joint Officer working group led by South Gloucestershire Council is undertaking this work for the three Councils. An update on this piece of work will be presented to the JLAF at the meeting where the Members will be encouraged to take part with their views on the design and placement of signs.

A website has been set up for this review that shows a variety of sign designs, some of which will be presented at the meeting. Please look at this website to be able contribute to any discussion on this item. Please contact the Secretary of the JLAF if you need any assistance with this.

The website can be found at:

www.jlaf.org.uk/wayfinding

Agenda item 8: Rights of Way Improvement Plan (ROWIP) Implementation

Publicity and Communications

A Joint Officer working group led by Bath & North East Somerset Council is undertaking this work for the three Councils. Two main areas of work are being targeted. Firstly, a joint website to be used as the basis for publicity and communication – a specification for this website is due to be compiled by the end of 08/09. Secondly, the ROWIP Assessment identified a lack of information on routes suitable for disabled users – this will be progressed following the findings of the Diversity Review carried out by Defra.

Agenda item 9: ITEMS FOR RATIFICATION & INFORMATION

a Correspondence and activities of the JLAF

JLAF members attend other meetings and events on behalf of, or in the interests of the JLAF. An Agenda meeting is held before each main JLAF meeting, and Minutes/Actions meetings are held after each main JLAF meeting, where the Chairman, Vice Chairman and the Deputy to the Chairman and Vice Chairman, with the Secretary administer the JLAF. A further meeting is to be held between main JLAF meetings to co-ordinate JLAF work.

Other local meetings include Public Rights of Way Liaison Groups, where Ray Newbigin attends the South Gloucestershire PROW Liaison Group for the JLAF, Robin Winfield attends the Bath & North East Somerset PROW Liaison Group for the JLAF and Ron Phelps attends the Bristol PROW Liaison Group for the JLAF. JLAF Members also meet PROW and other council officers, and managers to discuss individual matters. Other recent events that JLAF members have attended include:

- 08JUL08: Joint JLAF/North Somerset Green Infrastructure meeting, North Somerset
- 08JUL08: North Somerset LAF
- 28JUL08: Regional LAF Event, Exeter
- 28OCT08: Regional Meeting of LAF Chairs, Exeter

As well as further details of these events, matters of information are published between meetings of the JLAF on the JLAF website at:

www.jlaf.org.uk/meetings

This information is also shown in the table below, with the most recent additions first. Further information appears on the JLAF website or can be obtained from the JLAF Secretary. Any queries can be raised by members under this item at the meeting.

Here, those items that are dealt with separately at this meeting are in *italics* and marked with an asterisk (*). Underlined items in electronic versions of these background notes, or on the JLAF website, are links to full documents.

JLAF15-16: Information arising between meetings - JUL08-OCT08 **(most recent first)**

**** To be raised under item 9b at the meeting.***

29OCT08: There are two South West England positions on the England Access Forum (EAF) who are sent as representatives of SW LAFs, and drawn from LAF membership. There is a vacancy for one of these two positions and JLAF Members along with all SW England LAF members are invited to apply by the 14th November. Further details are in [this email](#) (PDF file, 73Kb, 1xA4 page) and by contacting the JLAF Secretary. This will be raised at the next JLAF meeting on the 7th November.

29OCT08: Natural England has agreed with the new England Access Forum (EAF) which will allow the appointment of part-time paid Regional Co-ordinators in all regions, plus some scope for training events and regional meetings, as well as the establishment and supporting of the EAF. Hilary Winter will once again be engaged by Natural England as SW Regional Co-ordinator for LAFs, initially for the period to 31 March 2009.

**** To be raised under item 9e at the meeting.***

27OCT08: The Cabinet of Bristol City Council will be considering a [report on the Cycling City Project](#) (PDF file, 1.4Mb, 16xA4 pages) at their meeting at 4pm on the 30th October 2008. Full details of the meeting and a webcast of the meeting are available on [this page of the Bristol City Council website](#). A related press release is [available on this page](#) (links to external websites). A [similar report](#) (PDF file, 1.5Mb, 13xA4 pages) went to the 15th October meeting of the [Planning, Transport and Strategic Environment Select Committee](#) (link to external website) of South Gloucestershire

Council.

*** To be raised under item 9di at the meeting.**

24OCT08: The Chairman of the JLAF, Ray Newbigin has today written to Bath & North East Somerset Council about a planning application for a new route by Chew Valley Lake. The [letter](#) (PDF file, 114Kb, 2xA4 pages) requests that the application is processed as promptly as possible if planning consent can be granted.

14OCT08: Natural England have revised and republished their short "guide to definitive maps and changes to public rights of way" booklet. This, and other useful information can be found on their [publications website](#).

14OCT08: The England Access Forum now has its own place on Natural England's website. See: <http://www.naturalengland.org.uk/leisure/access/eaf/default.htm>.

09OCT08: [A newsletter](#) (PDF file, 533Kb, 11xA4 pages) has been published for August to September 2008 by South West WHI (Walking the way to Health Initiative).

09OCT08: Following the government reshuffle, there is a new Minister at Defra with particular responsibility for matters relevant to the JLAF: Huw Irranca-Davies MP, Minister for the Natural and Marine Environment, Wildlife and Rural Affairs. Further information is on [this page on the Defra website](#) (link to website).

08OCT08: [This National Trail presentation](#) (PDF file, 263Kb, 9xA4 pages), as delivered at the England Access Forum meeting. At the regional coordinators meeting yesterday Peter Ashcroft, NE Secretary of EAF, said that if any LAFs wished to input into the three questions to LAFs at the end of the presentation please could he have comments next week (by Friday 17th October 2008). Bear in mind that the review covers strategic recreational routes and NOT just National Trails so this covers many more routes. Any comments will inform the final consultation document which he is currently writing. The final consultation will be out later in the year and there will, of course, be the opportunity to make full comments at this stage. Peter's e-mail is Peter.Ashcroft@naturalengland.org.uk. Please respond directly to this address with a copy to the secretary of the JLAF.

08OCT08: The [England Access Forum Minutes](#) (PDF file, 60Kb, 3xA4 pages) have already been published, along with a copy of the [English Access Forum Constitution](#) (PDF file, 67Kb, 4xA4 pages).

08OCT09: The England Access Forum met on the 23rd September. The minutes of the meeting will be posted here, but for now the Chairman of Devon's LAF who attended the meeting has written up [his notes of that meeting](#) (PDF file, 45Kb, 1xA4 page).

19SEP09: Clear links have been added to every page of this website to the [National LAF Members' Handbook](#) (link to another page on this site). This is a useful resource for JLAF members to compare best practice and ideas of other (J)LAFs around England.

19SEP08: JLAF Chairmen recently attended a meeting of the North Somerset LAF. At that meeting ([minute LAF75](#)) (link to website) it was suggested that the JLAF and the North Somerset LAF could work closely on some matters of joint interest. The JLAF and the North Somerset LAF also asked the councils to ensure that both Forums had copies of both Rights of Way Improvement Plans. North Somerset's ROWIP is found on [North Somerset Council's website](#).

18SEP08: The England Access Forum have their second meeting on Tuesday the 23rd September 2008 in Cheltenham. The [agenda and papers](#) (PDF file, 104k, 14xA4 pages) for this meeting have been published.

19AUG08: "The Rights of Way Review Committee is a non-statutory committee which reviews matters relating to public rights of way in England and Wales with the aim of agreeing, by consensus, proposals for action". This group had a meeting on the 10th July 2008 and here are the papers of that meeting: [Agenda](#) (PDF file, 80Kb, 1xA4 page), [Draft Minutes](#) (PDF file, 132Kb, 4xA4 pages) and [Membership of the Rights of Way Review Committee](#) (PDF file, 56Kb, 1xA4 page).

*** To be raised under item 4 at the meeting.**

12AUG08: The [Draft Minutes](#) (PDF file, 126Kb, 6xA4 pages) of the most recent JLAF meeting (JLAF 14) are now available.

12AUG08: [ACTION: JLAF Members invited to a joint Bristol City Council Councillor/ JLAF Member training session](#) (PDF file, 86Kb, 1xA4 page) on the 23rd October 2008 from 5.30pm - 9.00pm in the Council House (buffet tea will be provided). This session will be particularly useful for members of the JLAF who have recently been appointed. The course fee and expenses will be paid for JLAF Members who have not already been on such a course. Please [contact the secretary](#) for further details and to book a place.

12AUG08: Deadline: 26th August 2008. A job is being advertised by Bath & North East Somerset Council for a PROW Mapping Officer. [Further details](#) are on the council's Jobs website.

12AUG08: [Defra Access Newsletter Issue 35 - August 2008](#) (PDF file, 53Kb, 1xA4 page)

This newsletter refers to a [Joint parliamentary Committee report](#) (link to external website) issued on 30 July 2008. The committee has been considering the draft Marine Bill during pre legislative scrutiny and the report includes recommendations on the coastal access proposals at Section 10.

*** To be raised under item 9f at the meeting.**

12AUG08: Defra sent a [letter about the right to apply provisions](#) (PDF file, 71Kb, 4xA4 pages) in the Countryside and Rights of Way Act 2000 to the JLAF as the JLAF had submitted a response to a consultation on this subject a year ago.

12AUG08: Hilary Winter, Secretary of Devon LAF and ex-Regional LAF Secretary helpfully sent this information: "You may recall the SW LAFs responded collectively to the draft RSS in the summer of 2006. [The Secretary of State's proposed changes to the Regional Spatial Strategy](#) (link to external website) are now up for consultation until Friday 17th October. The most useful document is probably the Proposed Changes Composite Document as this shows what has been deleted and new additions to the RSS. Although the LAFs commented strongly on the need to incorporate the term rights of way in the RSS this does not appear from a cursory reading to have happened. Nonetheless there are some changes which do reflect the comments made and the sections on tourism and green infrastructure are stronger. There also seems to be a shift towards protecting green infrastructure from recreational pressures. I have put [the most interesting changes in this attachment](#) (PDF file, 77Kb, 4xA4 pages) highlighting text amendments. A large number of sections of the original RSS have been removed. I don't anticipate that the Secretary of State will go any further in including specific comments on rights of way if that has not taken place as part of the earlier process. However, individual LAFs may wish to pursue further."

12AUG08: [Defra Access Newsletter Issue 34 - July 2008](#) (PDF file, 59Kb, 1xA4 page)

12AUG08: Bob Harvey who attends the England Access Forum on behalf of South West England LAFs has provided some [notes of a South West LAF meeting](#) (PDF file, 62Kb, 2xA4 pages) held in Haldon Forest near Exeter on the 28th July.

12AUG08: Natural England will be undertaking an initial coastal access audit between now and the end of March 2009. This will involve an initial meeting with Local Authorities in September then further work. Natural England have provided a [briefing on this audit](#) (PDF file, 73Kb, 3xA4 pages). More detailed surveying and consultation will follow if the Marine Bill is enacted.

12AUG08: [Natural England issued a press release](#) (PDF file, 67Kb, 3xA4 pages) on the 17th July 2008: "Natural England has announced the membership of a new Stakeholder Working Group on Unrecorded Rights of Way". This follows Natural England's Discovering Lost Ways project.

Agenda item 9: ITEMS FOR RATIFICATION & INFORMATION

b National and Regional LAF Business

Papers for National and Regional LAF meetings are available on the JLAF website.

- England Access Forum

JLAF Members have been invited to apply to become a representative of Local Access Forums in the South West of England, and to attend meetings of the England Access Forum. Further details are in the email below and members can contact the Secretary of the JLAF with any queries.

-----Original Message-----

From: Hilary Winter

Sent: 29 October 2008 08:46

Subject: ENGLAND ACCESS FORUM - SW REPRESENTATIVES

Importance: High

Dear LAF Secretaries

The SW Chairmen (Vice Chairmen) had a useful meeting with Duncan Graham, Chairman of the England Access Forum, yesterday.

One of the items on the agenda was SW representatives to the England Access Forum. As some of you already know Claire Stuckey has resigned as one of the representatives due to a change of job and other commitments. Those at the meeting asked me to seek someone to replace Claire. Bob Harvey (Devon) is the existing representative and Robin Moore (Cornwall) is content to remain as the reserve person.

I should therefore be grateful if you could forward this e-mail to your LAF members and ask whether they are interested in standing for this position. If more than one person is interested an election will take place.

I thought it might be helpful to explain what the commitment might be now the EAF is actually up and running.

HOW OFTEN DOES EAF MEET AND WHERE?

Three or four times a year, in different places in the country.

HOW DO I CLAIM TRAVEL COSTS?

These are met by Natural England and not by the representative's LAF.

WHAT IS THE COMMITMENT BETWEEN MEETINGS?

There is a smaller working group of the EAF which deals with some business between meetings. You might be asked for views on specific documents, for example to assist in the pre-consultation development of policy. Where wider region views are sought the Regional Coordinator will assist in circulating LAFs and collating opinion. The Regional Coordinator will assist by cascading information/circulars from EAF to LAFs.

WHAT IS THE ROLE?

Representatives are on the EAF as representatives from their region. They are **not** mandated delegates and are free to express their views, based on their knowledge and experience gained as LAF members.

WHERE CAN I FIND MORE INFORMATION?

There is now a dedicated EAF website

<http://www.naturalengland.org.uk/leisure/access/eaf/default.htm> which gives information and details of past meetings.

HOW CAN I APPLY FOR A SW PLACE ON THE EAF?

Please let me have a short description of yourself and your interests and why you are interested in applying. I suggest this is no more than one page long. Please let me have this by **NOVEMBER 14th**.

Yours sincerely
Hilary Winter
Regional Coordinator
SW Region LAFs

- Regional Coordination of LAFs

Natural England has agreed with the new England Access Forum (EAF) which will allow the appointment of part-time paid Regional Co-ordinators in all regions, plus some scope for training events and regional meetings, as well as the establishment and supporting of the EAF. Hilary Winter will once again be engaged by Natural England as SW Regional Co-ordinator for LAFs, initially for the period to 31 March 2009.

Agenda item 9: ITEMS FOR RATIFICATION & INFORMATION

c JLAF Annual Report 2007-2008

JLAF Fifth Annual Report July 2007- July 2008

Summary

This is a report on the fifth year of the Joint Local Access Forum for Bath & North East Somerset, Bristol City and South Gloucestershire (the JLAF). This report fulfils the requirements of paragraph 13 of The Local Access Forums (England) Regulations 2007. Further information about the JLAF is available on the JLAF website at www.jlaf.org.uk.

Membership

The JLAF has 21 voluntary members, that is, one councillor from each authority involved and 18 other members.

Alun Morgan, Kay Bath and Mark McGuinness retired from the JLAF with effect 1st July 2008. The terms of six other JLAF members ended on the 30th June. A recruitment for JLAF members resulted in 24 applications for 10 vacancies on the JLAF. Appointments have been made for four new members and six reapplying JLAF members for a period until 30th June 2011.

Membership of the JLAF as at 1 st July 2008		
JLAF Member	Interest Category	Period of Membership
Councillor Chris Cray - Bath & North East Somerset Council	Nominated as Councillor Members	Nominated annually by each Council
Councillor Kevin Quartley - Bristol City Council		
Councillor Malcolm Bridge - South Gloucestershire Council		
*Janine Averis	Landowner	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>
David Colbourne	Other	Appointed to the JLAF for 3 years until 30/06/2009
Bill Dawson	User	Appointed to the JLAF for 3 years until 30/06/2009
Ann Fay	User	Appointed to the JLAF for 3 years until 30/06/2009
*Anna Ferguson	Other	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>
*Roger Fowler	User	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>
*Peter Gould	User	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>
John Gunnery	Landowner	Appointed to the JLAF for 3 years until 30/06/2009
Bob Hall	User	Appointed to the JLAF for 3 years until 30/06/2009
*Robert Killen	Landowner	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>
*Colette Linehan	User	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>
*Ray Newbigin	Other	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>
*Ronald Phelps	User	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>
Andrew Short	User	Appointed to the JLAF for 3 years until 30/06/2009
Adam Stratton	Landowner	Appointed to the JLAF for 3 years until 30/06/2009
Janet Wallis	Other	Appointed to the JLAF for 3 years until 30/06/2009
*Margaret Wilson	Landowner	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>
*Robin Winfield	Landowner	<i>Appointed to the JLAF for 3 years until 30/06/2011</i>

JLAF Observers

There are a number of observers of the JLAF. These are bodies or individuals that are invited to the JLAF meetings, who can provide information to the JLAF or receive advice from the JLAF. These include a member of the executive of each council, secretaries of adjacent local access forums and government and agency contacts.

Meetings of the JLAF

The JLAF held three main meetings during its fifth year, on 6th July 2007, 2nd November 2007 and the 7th March 2008. In addition to the three main meetings, the JLAF held meetings to consider the Rights of Way Improvement Plan, Right to Apply and Coastal Access. Papers for all of the meetings of the JLAF are available from the secretary and on the JLAF website.

JLAF Website

A JLAF website has been maintained at www.jlaf.org.uk. The website includes all meeting papers of the JLAF, documents produced by the JLAF and other information that relates to the work of the JLAF.

JLAF Work Programme 2008/9

The JLAF has a statutory interest in the following areas of work:

- Access Land. Following the new right coming into force in December 2004, the JLAF maintains a statutory interest, for example in considering applications for restrictions on access land. The JLAF will wish to review work on access land in its area.
- Rights of Way Improvement Plans (ROWIPs). The JLAF is a statutory consultee for Rights of Way Improvement Plans. The JLAF has an interest in ensuring the Councils implement this plan effectively.

In addition, the JLAF is keen to liaise closely with authorities, ensuring effective management and promotion of Public Rights of Way and any related subjects, including planning, stimulating demand and to promote the significant benefits that this can bring. The JLAF will continue to develop its relationships with other bodies, including adjacent LAFs and the Public Rights of Way Liaison Groups arranged by each council.

JLAF Forward Programme 2008/9

The table below shows meetings proposed for 2008-9. This does not include any additional meetings including sub-groups that might be arranged.

Meeting Date	Location	Agenda items submitted by	Agenda meeting, week of	Papers available
07 NOV 2008	Fry Club, Somerdale, Keynsham	10 OCT 2008	13 OCT 2008	24 OCT 2008
06 MAR 2009	Fry Club, Somerdale, Keynsham	06 FEB 2009	09 FEB 2009	20 FEB 2009
03 JUL 2009	Fry Club, Somerdale, Keynsham	05 JUN 2009	08 JUN 2009	19 JUN 2009
06 NOV 2009	Fry Club, Somerdale, Keynsham	09 OCT 2009	12 OCT 2009	23 OCT 2009

Agenda item 9h: Public Rights of Way 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.

South Gloucestershire Public Rights of Way Liaison Group (PROWLG) Thursday 23rd October 2008

Agenda

1. Apologies
 2. Notes of last meeting 24th July 2008 and matters arising
 3. Site Access Difficulties
 4. Coastal Access – Marine Bill
 5. The DDA and Alan Kind's Objections
 6. Priority Issue Progress
 7. CAMS resolved feedback
 8. New method of working with Streetcare
 9. Progress reports from User Groups
 10. Parish representation
 11. Cat Grove Link (Hill Parish)
 12. Resignation of Ray Newbigin
 13. Any Other Business
- The next meeting – 22nd January 2009, then 23rd April 2009, 23rd July 2009

Bristol City Council Public Rights of Way Liaison Group (PROWLG) Thursday 4th September 2008

Agenda

1. Introduction to Officers from Bristol City Council's Anti Social Behaviour Unit and Safer Communities Team, and the Community Safety Unit, Avon & Somerset Police
2. Bristol City Council's Draft Gating Order Policy
3. Minutes from PROWLG meeting of 5th June 2008
4. JLAF Update
5. Chairperson
6. Any other business
5. Provisional date of next meeting – Thursday 4th December 2008

Bath & North East Somerset Council Public Rights of Way Liaison Group (PROWLG) Wednesday 25th June 2008

Agenda

1. Welcome
2. Apologies
3. Notes from last meeting held on 25th June 2008 and matters arising.
4. Chew Valley Trail Update
5. Update on Footpath claim Combe Down to Claverton Down AQ78
6. Multi-use trial
7. Open Spaces Society bid to Aggregate Levy Sustainability Fund for replacing stiles with gaps / gates
8. Overgrown hedges around stiles, gates and signposts
9. Haycombe Lane
10. Rights of Way Improvement Plan update
11. Criteria for prioritising major works on PROW
12. Major Works on PROW 2008
13. Current PROW Legal Orders update
14. City of Bath Definitive Map update
15. Any other business
16. Dates of next meeting – 25th February 2009

Agenda item 12: The next meeting JLAF17

(in Bath & North East Somerset on the 6th March 2009)

Proposed Agenda Items

The following items are proposed for the meeting on the 6th March 2009:

- Cotswold Way and National Trails review
- ROWIP Publicity and Communications

Subsequent Meeting Dates

The following are dates for full meetings of the JLAF, following a pattern of once every 4 months, on the first Friday of the month:

Meeting Date	Location	Agenda items submitted by	Agenda meeting, week of	Papers available
06 MAR 2009	Fry Club, Somerdale, Keynsham	06 FEB 2009	09 FEB 2009	20 FEB 2009
03 JUL 2009	Fry Club, Somerdale, Keynsham	05 JUN 2009	08 JUN 2009	19 JUN 2009
06 NOV 2009	Fry Club, Somerdale, Keynsham	09 OCT 2009	12 OCT 2009	23 OCT 2009