



Hertfordshire Local Access Forum Final



The 24th Local Access Forum Room B154, College Campus Lane, University of Hertfordshire, Hatfield, on 3rd December 2009

- Members present Liddy Lawrence - (Chair)
 Lynn Myland – LAF member
 Diana Collingridge – LAF member
 Norman Jones – LAF member
 Debbie Hougie – LAF member
 Bill Storey – LAF member
- Officers: Richard Cuthbert – Head of Rights of Way (RoW)
 Bob Fenton – Countryside Access Team Leader, HCC RoW
 Ros Shaw – Definitive Map Team Leader, HCC RoW
 Anna Mangini – AMIVA (UK) Ltd – LAF Secretary
- Public: Attended by eleven members of the public
- Apologies: Roger Thomas, Rosemary Gilligan

2. Minutes & matters arising

- Minutes from last September's meeting were approved.
- Recruitment update: we have received several applications and are still receiving some. We will go through them and expect to have some new members by the new year and to introduce at next public meeting. It was agreed that the LAF needs another horse rider and another land owner among the members. Diana, Roger and Lynn will pick them up with contacts.

3. Members updates

- LM informed that she had responded to the request from Amanda Earnshaw for LAF members to be part of a small working group looking at the situation of cattle and PRow users.
- LM has received a response from Mark Weston, member of the Equestrian Access Forum and British Horse Society which states:
"Members of the Equestrian Access Forum are currently drafting a Vision for Equestrian Access which it hopes to issue in the spring of next year 2010. One of the Forum's proposals will be that a single status for footpaths, bridleways and restricted byways should be adopted, which as you suggest would make a huge difference for equestrians. We also believe that just as cyclists have a legal right to use bridleways horse riders should have a legal right to use cycle paths and tracks."

The forum has representatives on Natural England's Stakeholder Working Group on Rights of Way – this group will be issuing its report early next year. Members of the forum have had meetings with Natural England to ensure that we are involved with the proposals for the determination of the coastal path to ensure that wherever possible we can get higher rights for horse riders. Today at the All Party Parliamentary Group for the Horse I raised with the Minister of the Horse the paucity of off road access that is available to equestrians when compared to walkers and cyclists. The Society is currently lobbying against Forestry Commission England's discriminatory practice of charging equestrians for a permit to access certain forests when walkers and cyclists have free access".

- LL attended the WT tree planting event on 28th November at Heartwood Forest in Sandridge and planted 3 trees. More events at the same site are planned for 16 Jan, 14 Feb and 21 March 2010.
- LL confirmed a Herts LAF Conference is planned for May 2010, date will be confirmed soon. The conference will be aimed at Parish Council representatives to discuss development plans, their responsibility and how to understand what comes through, so that they can respond in a positive way. Speaker will be provided by DH, and a consultant will be contracted to help people to get the best out of the conference.

LL/DH

4. Road Crossings and School Project & other updates

- Road Crossings: LM confirmed that a lot had been happening on the Road Crossing front. A meeting in November had taken place with David Burt, cycling strategy manager for HCC; Lynda Clarke, SRTS (safer routes to school), NJ, Hilary Freeman and Julian Thornton from HCC RoW. The meeting had been very positive. HF had provided a useful insight on the problems for crossings. Also positive that LAF had been instrumental to bring these different people together and achieved a good sense of communication among the various parties. NJ added that there is a two year schedule put together by RoW and Highway, so if/when we propose improvements it will take two years to go on the scheduled list and possibly two more years before being implemented. DH confirmed that RoW is represented in each Parish on the travel plans. At the safer road crossings project meeting it was agreed that the list from the RoWIP of severed crossings be passed to DB and Highways officers to look at their integrated works programme for common actions and then a consultant to meet with the group. BF mentioned they had been invited to the New Forest to see what was happening there with regard to the trunk roads and so forth. BF, LM and HF to visit the New Forest in the new year.
- School Project: DH confirmed that various meetings had been taking place with DC and RT. She mentioned that ca. £2,500 worth of funding is available to develop a project for the benefit of the Schools and communities in Herts; the idea is to engage the schools in one area of Herts by running a competition (i.e. taking photos, making a small film, developing a map, etc.) and/or perhaps linked to the geography of the place (i.e. animals, litter, etc.). Also to help the school to develop a health walk route for all ages and linking it to walk4life initiatives. Naomi Rose, geography coordinator for University of

Herts suggested involving top users in the primary schools, yr.2 onwards. It was thought the project could take place in June, and be submitted at the end of the month with the winner announced before end of term – mid July. With this tight schedule the schools will need to be informed by March 2010 via the school heads. Useful link to the Sustrans Safe Routes to School Campaign: <http://www.sustrans.org.uk/what-we-do/safe-routes-to-schools>

- NJ informed us he had taken part in several meetings on Green Infrastructure. RT, RC and BF also attended. The local Transport Plan 3, on local consultation, is a very positive document and NJ agreed with what the council has produced although it might not be achievable in practice.
- Following the Forestry Commissions' correspondence in September regarding the Woodland Trusts "EIA" for Heartwood Forest, LM asked LL to raise the following at the England Access Forum. LM concerns are more with what appears to be the forestry commissions standard format for contracts, in particular:
 - **Point 11:** *Public Access ...* "You need not provide any other public access." This is reference to maintaining public rights of way and no more. LM would like them to encourage the woodland trust or any other applicant to promote additional access.
 - **Point 32:** *Grants for public access...* "let the general public, free of charge have access to walk between dawn and dusk ..." this is a reference to the forestry commission offering grants for walkers access. LM would like to see the FC encourage access to multi use, including cyclists and horse riders.

LL/DH

LM to send email to LL for EAF.

- LL reminded us that the Herts LAF website (www.hertslaf.org.uk) has been running for one year. Since then photos, updates and answers to common questions have been regularly posted on it. The public can download documents or find links to others that might be relevant to topics touched by the LAF. The aim of the website has been throughout to inform the public with easy access. This has been achieved at very little cost, leaving precious funds to be spent on Access issues.
- Dates to upcoming events were mentioned:
 - 27 January 2010, Field Trip of LAF members at Wall Hall, Watford to check redeveloped area of new housing and s106 funds to be used to develop network and links of FP/BR/RB and to Rail Freight Terminal to check progress ahead of decision.;
 - 17 February, East Anglia LAF Conference in Ely;
 - 25 February, Chilterns Access conference, Ballinger;
 - 3 March, EAF Cambridge.

5. Surfaces, by Bob Fenton (Access Team Leader)

BF gave a very interesting presentation on the problems encountered by RoW when dealing with surfaces. This included flooding, potholes, etc.. Who is responsible for the up-keep and, in some cases, for the damage and what is to be done.

In Law there is a duty to keep in repair these paths and it falls to the public purse to do so. BF told us it is all mainly due to DRAINAGE. Most problems can be solved by getting the drainage right. We were shown a couple of cases

(Deadwoman's Lane and Watton-at-Stone) where after extensive works the routes were restored from impassable swamps into respectable paths at any time of year. Sometimes RoW have to enforce such improvements and this makes the exercise even more lengthy.

In some cases the path is an actual river (i.e. Oakridge Lane) which has been used historically sometimes to the benefit of cart drivers as the stony river bed was easier than mud and therefore need to be preserved as they are.

Drainage can be achieved by placing porous pipes underneath the surface. Surfacing material is a matter of concern as we have no natural stone in the county. The principle is to keep as much as possible local. Unfortunately in some cases is necessary to 'import' materials from as far a-field as Scotland. The decision on what materials to use is complex and takes into account several aspects for each case (Suitability, Import, carbon footprint, SSSIs Ph neutrality, Archaeology, Crushed Concrete, Recycling, road planning, rubber crumb), (Fly ash might be considered in the future).

There are some cases where the cost can in part be reclaimed from private parties, a) if it is deemed that the path in question was damaged unlawfully e.g. vehicles on FP/BR; or b) lawfully by private easement to use the land/path (i.e. Bell Lane, Abbots Langley).

When the paths/surfaces are used by horses the surface material is critical factor for safety especially on slopes. Crushed concrete might be a solution but it must be finely crushed.

In some cases, where there is a multi user path and the width allows it, the surface can be divided/used 50/50 and have a harder surface say for cyclists on one side and a softer to the other for horses and walkers.

BF also told us that sometimes a path can suddenly become a problem only because the use of the land nearby has changed (i.e. field enclosure may be a cause, where a path might have had some flooding at times and people before could have walked around the area during wet times; once the restriction is in place, people are forced to go through and contribute to making the problem worse).

BF stressed that in a lot of cases RoW need to cultivate a good relationship with all interested parties. This helps preventing damage and tensions among various parties and maintaining paths and surfaces to the enjoyment of all concerned and with longer lasting results.

6. Defra guidance on the DDA in relation to gates & stiles etc. on rights of way

Mr C Beney kindly informed us about the DDA guidelines and British Standard BS709 and this review of Defra guidelines, i.e. on how to make kissing gates.

RC explained that CB is very active with BS for Gaps, Gates & Stiles to conform, inform and educate local Authorities. He does two things in particular:

1. Bear in mind DDA;

2. Bear in mind BS for Gaps, Gates & Stiles with least restrictive choices and principles. He has been working for 9yrs + in Herts and hopefully now these principles are imbedded in the local culture, so they do not restrict access. CB also makes sure the documentation is in order when putting structures in place, which HCC/RoW need to approve.

It was noted that there are technical / legal restrictions mentioned in the guidelines that might need the detail to be worked-up, but overall seen as very good stuff. The 3rd draft is much better in terms of useful guidance to Authorities and others, rather than the previous too draconian drafts.

An issue which arises is where landowners are changing pasture to arable or arable to pasture. Solutions are needed which follow the least restrictive option principle, for the public use of the way, but at the same time take account of the needs of the landowner and the changing land use.

N Agar suggested that these were issues for cultivators and animal husbandry, and why was RoW getting involved. RC replied that managers of the land apply to put these structures in place. 1st step should be: with the DDA, service provider to public; and then RoW to say if they can be authorised, are reasonable and implementable.

The Herts LAF endorsed the paper in general and were also asked: Do you think this document should cover cattlegrids and bridges?

It was agreed that clarity of which structures are covered and why is needed at the top of the document. It is also suggested that the document does include references and guidance on cattlegrids and bridges to provide a comprehensive set of guidance on structures, with the following comments.

Cattlegrids: should be allowed when possible, but they must be safe and provide a bypass route.

Bridges: need to be clear about the issue of widths as a route passes over a bridge. Mentioning these as a limitation in the definitive statement is overly bureaucratic; an inefficient use of limited staff resources in RoW; and will lead to problems for the ordinary maintenance / replacement with wider bridges in the future.

Other issues:

Clarity on structures which are currently not mentioned in the TCPA'90 is also needed for planning authorities, to be consistent with all other RoW orders and so needs to be included in this document.

7. RoW, News and updates: Truncated routes & RoWIP

Due to time constraints it was decided that the report will be circulated to all LAF members and posted on the website.

8. Any Other Business - None

The meeting closed at 21.46.