

# Minutes of the meeting of the Local Access Forum

Date: 03 June 2009  
Venue: Wigan Town Hall



## Action

### 1 Introduction

EE welcomed the group.

#### Present:

Edgar Ernstbrunner	Ramblers Association - Manchester area
Trevor Boardman	Cycle Liaison Group
John Pimblett	Wigan & District Ramblers Association
Judith Burton	British Horse Society
Peter Burns	Peak & Northern Footpath Society
Jackie Roberts	Crankwood Bridleways Group
Barry King	Long Distance Walkers Association
Brenda Gaskell	Leigh, Atherton & Tyldesley Bridleways Group
Ruth Killen	Landowner
John Gurhy	Disability Forums

#### Officers:

Elizabeth Parry	Public Rights of Way Officer
Vicky Bowskill	Rights of Way Improvement Plan Officer

### 2 Apologies

None

### 3 Minutes of the last meeting

3.1 5.4 – Leigh 177 & 178, Moss Industrial Estate. This item was raised by BG, not EE.

3.2 The minutes were then accepted.

### 4 Matters arising

4.1 3.1 – Greenheart. EP advised that Martin Purcell had been appointed as the new Greenheart Programme Manager. This had only been recently confirmed so he will be invited to give a presentation at the next LAF meeting on Greenheart.

- 4.2 5.1 – Claims Register. EP explained that some progress had been made but it is not yet complete. She then gave a demonstration of the system, showing how it will work and explaining how it will look when the remaining issues have been resolved and the full information is available.

One of the issues of compatibility between IT systems will be resolved when Public Rights of Way information is moved from MapInfo to ESRI ArcView which is the mapping system used by the rest of the Council. This will also make it easier to make the Definitive Map and Statement available on line.

EP then showed the Public Rights of Way webpages that can be accessed by the public.

- 4.3 5.2 - Leigh Guided Busway. EP advised that following the defeat of the congestion charge an announcement was made on 13<sup>th</sup> May that an agreement had been reached by the Department of Transport and that the Leigh Guided Busway is one of the schemes that has been granted funding. The scheme will still need to be commenced by 2010 to avoid having to go back to Parliament. BK highlighted that further details can be found on the Greater Manchester Integrated Transport Association (GMITA) website at [www.gmita.gov.uk](http://www.gmita.gov.uk).
- 4.4 5.3 Definitive Map & Statement. EE asked for an update. EP advised that this will be progressed once the definitive map information has been transferred from MapInfo to ESRI ArcView.

EE queried the scale and base map of the new Definitive Map. EP confirmed that it is at a scale of 1:10,000 and is available to view at the Civic Buildings, New Market Street, Wigan.

EE queried the format of the List of Streets. EP confirmed that it is a paper list with no plan and is also available to view at the Civic Buildings. EE pointed out that other authorities have online mapping that show both public rights of way and adopted highways, can Wigan look into providing similar? EP will make enquiries.

- 4.5 5.4 – Leigh 177 & 178, Moss Industrial Estate. EP stated that this has not yet been looked at due to lack of officer resources.
- 4.6 EP advised that the Maintenance Officer vacancy is still on hold, she has taken the opportunity to amend the job description to include enforcement as well as maintenance.

Rights of Way are being moved once again, this time from the Construction and Rights of Way Group to the Environmental Planning Group under Gary Harold, Mike Worden (Head of Planning &

EP

Transport Strategy) and Steve Normington (Service Director, Development Division). This is generally felt to be a positive move for PROW. As a result the support of Clerks of Works in inspecting PROW issues is being withdrawn and a backlog is now building in PROW due to lack of officer resources. GH will be taking the opportunity to restructure the whole team so extra resources for PROW work may be identified in this way.

EE asked how maintenance work is being prioritised and dealt with in the meantime. EP advised that David Scrivens has been coordinating the annual maintenance. Other maintenance issues that come in are dealt with according to apparent impact on the network. There are not enough resources to deal with the current workload and it is not yet clear how this will be addressed. GH has recently returned from leave and will be looking at this issue in the near future.

BK raised a strong concern regarding the constant reorganisation within the Council and the effect this has on officers' ability to carry out their duties. JR voiced concern about the Council continuing to take on an increasing number of senior staff and reducing the number of officers implementing works on the ground.

The group agreed that the reluctance of the Council to fill the vacancy of Maintenance & Enforcement Officer is a matter of significant concern.

- 4.7 4.6 – New management at Haigh Hall. EP advised that Allan Murphy has been appointed as the new Parks Officer and will be based in The Stables when the refurbishment is complete next month. Alison Campbell-Smith is researching the issue of access at Haigh. Stuart Murray has suggested an officer meeting to look at the various issues throughout the Park. EP and VB will attend and try to arrange for future consultation with the LAF regarding access and a presentation to the LAF or HUG.

JR stated that she had drafted a letter regarding access issues at Wigan Flashes and Haigh, asking that it be sent from the LAF. BK suggested that a separate letter be sent regarding each site to the relevant officer. JR will amend her letter to refer to Wigan Flashes only. JB will draft a letter regarding the issues at Haigh. These drafts will be forwarded to EE to send on behalf of the LAF.

**JR/JB/EE**

- 4.8 7.1 – CROW Funding. Not progressed as EE/EP have received no further information regarding this.

- 4.9 9.5 – Towpath. EE asked for an update. VB advised that British Waterways are awaiting feedback from their senior management regarding dedication of a public bridleway along the canal. Once they've had this feedback a meeting will be arranged with VB and EP

**VB / EP**

to progress this scheme.

- 4.10 10.2 – PROW Accessibility Policy. EE asked if feedback had been received. VB confirmed that some good feedback had been received from JG as well as the Council's Access Officer. Taking this into account further consultation will be carried out before a final version is produced.

VB

## 5 England Access Forum / NW Regional LAFs

- 5.1 Gating Orders. Natural England is reluctant to press for a change in primary legislation so this remains a problem.
- 5.2 NW Regional LAF. Christine Entwistle from Lancs CC has been appointed NE Regional LAF Coordinator.
- 5.3 EE advised that the Pennine Fringe LAF was felt to be too big so it has been split to form two more targeted groups.

## 6 Gating Orders

- 6.1 EE asked if anyone had seen any problematic orders. None were raised, however JR, RK and JR are not receiving these so will need to be added to the circulation list. EE has asked that any concerns be raised through the LAF so they can be objected to and if necessary taken to the EAF/NW Regional LAF.
- 6.2 JR raised the issue of a non-definitive route being gated in Abram. This has forced horse riders of all ages onto the busy and dangerous Warrington Road. EE commented that if the route was well used prior to gating but had no legal status a DMMO claim could be submitted. JR commented that Slag Lane is also impossible to use now due to weight of traffic, there are several stables on this road.
- JG pointed out that the proposed route along the canal from Bamfurlong to Dover Lock would provide a good alternative to Warrington Road. VB confirmed that this scheme is being progressed but will take time. JR advised that she is working with VB on potential alternative routes under the ROWIP.

VB / EP

- 6.3 BK asked whether Gating Orders will be made available on the web. EP to check.

EP

## 7 ROWIP Implementation Progress

- 7.1 EE requested a presentation from LTP on LTP3 and the ROWIP. EP advised that Carmel Foster-Devine, LTP Delivery Manager, will be going on maternity in the next few weeks. Emma Barton, Senior Engineer, has agreed to give a presentation at the next LAF meeting.

7.2 BK raised concerns regarding the security of ROWIP funding in view of the reorganisation. EP advised that this will not change for the time being but that all LTPs will have less funding under LTP3. This may benefit smaller schemes such as the ROWIP if fewer large schemes can be accommodated.

JR pointed out that the ROWIP budget for 09-10 is £100K less than it was for 08-09. As such would it be possible for s106 monies to be used for ROWIP schemes? EP advised that communication has improved on planning applications and PROW requirements are highlighted wherever possible for s106 monies. JB and TB highlighted cases they are aware of where s106 monies have been used to improve access.

BG queried what had happened to the plans for Parsonage retail site in Leigh. EP advised that the desired PROW improvements had been put in but nothing further had been heard. The plans are being amended and will be resubmitted with the bridleway improvements still in place.

7.3 VB gave an update on ROWIP progress as follows;

#### **08-09**

- Leigh 155, new bridge to be completed soon to finish this scheme. The legal upgrade still needs to be advertised once works are complete before the new legal status comes into effect. Only then can the new route be added to the definitive map.
- Abram. Surfacing works are complete. Barrier issues will be addressed under Disabled Access below. Legal are still processing the upgrade so the new legal status is not in effect yet.
- During 08-09 we have improved approximately 5325m of PROW under the ROWIP, of which;
  - created 1650m
  - upgraded 3270m
  - resurfaced 3400m
  - replaced one footbridge with bridle bridge
  - removed 9 inaccessible barriers, replacing 5 with accessible
  - removed 5 horse stiles and installed 3 new horse gates

#### **09-10**

- Budget significantly less than 08-09, £200K down to £100K, a proportion of which funds ROWIP Officer post and running costs.
- New bridleway Hindley 53 / Bickershaw traveller site to Low Hall Park. Physical works are now complete and were delivered in two

phases between 08-09 and 09-10. Legal are still processing the upgrade so the new legal status is not in effect yet.

- Towpath, Bamfurlong to Dover Lock. A follow up meeting with British Waterways is required to progress this for potential implementation this year.
- Wigan 91, dismantled railway from Clap Gate Lane to Beech Walk, Winstanley. This route is being investigated for potential implementation this year due to its value as a route to school and other local facilities.

**VB**

**VB**

7.4 Railway Street. EP gave an update on the current situation. Whilst planning permission had been refused for the fences that had blocked this path and they had been removed, the path is still blocked by locked gates and other obstructions. This is not a definitive public right of way and has no legal status, as such there is nothing further the Council can do in this case.

The land was sold by British Rail to the current owner subject to a conveyance stating that the path remain available for access by customers and staff to Hindley Station. It is now a private matter between Network Rail and the current owner. EP has written several times to Network Rail to ask that they enforce the conveyance but so far they have been unwilling to do this. There is a DMMO claim on file for this route that will be dealt with in turn if no resolution has been secured prior to it reaching the top of the list. EP will request a senior Officer at the Council write to Network Rail in an attempt to get them to enforce the conveyance.

**EP**

7.5 Whelley Loop canal crossing, Whelley. TB had written regarding the lack of provision for horses to follow the Whelley Loop at the canal crossing. The bridge across the canal is not suitable for horses, who currently have to travel further along to another bridge crossing and along an unmarked, circuitous route through a housing estate to rejoin the Whelley Loop. A shorter route via a public footpath and a Wigan path that used to be used could be followed now if a metal barrier were removed.

VB advised that the barriers were put in some years ago by Planning against motorbikes and mark the boundary of Council owned land. It is not possible to simply remove the barriers in the short term as the route is not currently considered safe due to surfacing and gradient. If the barriers were simply removed the Council could be held liable for any accidents that occur. Planning are in agreement with upgrading this route to public bridleway under the ROWIP when landownership of the entire route has been established and budget is available to make the necessary improvements.

**VB**

7.6 Disabled Access and Barriers on PROW. EP highlighted the new barriers in Abram and the issues that have been highlighted by JG. A report produced by JG was circulated illustrating the problems. A site meeting was attended by JG, EP, VB, Nick Metcalfe and Simon Calderbank from Planning. As a result amendments will be made to the barrier and JG will be asked to check if it is then suitable for use with mobility scooters. Once use of these barriers is satisfactory the dimensions will be used as a template for future barriers. A plaque has also been designed giving information on the use of the barrier by mobility scooter, the design was circulated for comment.

JG asked that the LAF be consulted on all new barriers. BG/JB showed photos of new barriers that exclude horses having been erected on the new section of the National Cycle Network Route 55 between Atherleigh and Leigh Road. EP advised that this is an LTP scheme and she will ask Mike Orrell from LTP to contact BG regarding these. JG advised that all new barriers should have a risk assessment and equality impact assessment carried out, copies of which could be requested. It was suggested that the LAF write to LTP asking to be consulted on schemes affecting PROW and access.

EP outlined the situation with the new-style barrier at Crankwood Road. The adjacent landowner is not convinced that this barrier will keep out motorbikes so is periodically locking a gate across Crankwood Road itself. As the status of Crankwood Road is unclear the Council have been unable to do anything about this and it has caused significant problems for horse riders in particular. It was generally felt that the design of the new barrier is fine for most path users. However there is not enough turning space for mobility scooters to enter/exit the barrier, and concrete blocks on the Crankwood Road side present a danger to horses. The barrier should act as a deterrent to motorbikes but it is possible to negotiate, as is any horse-friendly barrier and this is the major concern of the local landowners who had completely blocked the path with a low metal bar for many years before the current improvements. In order to try and resolve the issues of access in this location a site meeting is needed and EP asked for two representatives of the LAF to attend and represent local users. JG, JR and RK volunteered with TB as first reserve.

JG advised that he had attended a Local Health Walk organised by the Active Living Team of Wigan Leisure and Culture Trust. At the start of the walk he had been unable to access a barrier with his mobility scooter and so he had simply been left behind. He asked that the LAF send a letter of complaint regarding this and JG will send a draft to EE to send.

**EP**

**EE**

**VB / EP**

**JG / EE**

## 8 Any Other Business

- 8.1 JR raised the UU east-west pipeline. She had attended a Township meeting where a presentation on the project was given by UU. They had said that all affected PROW would be closed for the entire duration of the scheme, being two years, the route would be very wide and temporary diversions would only be put in place if possible.

EP advised that a package of temporary closure orders had been submitted, each for a six month period, but that each path will only be closed whilst works are actually being carried out on it. Most of the affected PROW are on the south side of the East Lancs Road. Copies of the temporary closure orders, which take effect from 4<sup>th</sup> June, should soon be available on the Public Rights of Way Noticeboard on the Council website (address below) giving details of which routes are affected, but not the exact dates the closure will be in effect on the ground.

<http://www.wigan.gov.uk/Services/GettingAbout/PublicRightsOfWay/Noticeboard.htm>

JR is concerned that neither the PROW Team nor the LAF was consulted about a scheme that has such a major, if temporary, impact on PROW. This will have been known about for some time. EE stated that temporary impacts on the PROW network are not a matter for the LAF but should go to the HUG.

- 8.2 TB raised the issue of the very dangerous crossing of the East Lancs Road at Newton Road, Lowton, stating that there have been a number of pedestrian casualties at this crossing. There is an underpass on a dismantled railway nearby that could provide a safe alternative and leads to Culcheth Linear Park. It has no current legal status but could be a good route for improvement under the ROWIP. TB to write to VB with full details.

TB / VB

## 9 Date and Venue for Next Meeting

- 9.1 The next meeting will be held at Leigh Town Hall on Wednesday the 2<sup>nd</sup> September 2009. Sandwiches and refreshments will be provided from 17:30 with official business starting at 18:00.