

Minutes of the meeting of the Local Access Forum

Date: Wednesday 3 December 2008

Venue: Charter Suite, Wigan Town Hall



1 Introduction

Edgar Ernstbrunner (Chair) welcomed everyone to the meeting.

A request was made for items 5, 8 and 9 to be brought forward due to early departures.

Present:

Edgar Ernstbrunner	Ramblers Association - Manchester area
John Pimblett	Wigan and District Ramblers Association
Trevor Boardman	Cycle Liaison Group
Peter Burns	Peak & Northern Footpath Society
Judith Burton	British Horse Society
Eileen Rybka	Standish & District Bridleway Group
Jackie Roberts	Crankwood Bridleways Group
Barry King	Long Distance Walkers Association
Brenda Gaskell	Leigh, Atherton & Tyldesley Bridleways Group

Officers:

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

2. Apologies

None.

5 Changes to LAF Membership

- 5.1 EP advised that following the request for nominations for Chair and Vice Chair, the only nominations were EE for Chair and JR for Vice Chair. A show of hand gave full support for both candidates to be reappointed to their post.

- 5.2 EP advised that Dave Allen and Edna Booth had responded and stood down from the LAF. Andy Glover from Forest Enterprise and Keith Osborn from LARA/TRF failed to respond and as such have been removed from the list.
- 5.3 EP advised that two new membership applications had been received from the following people and that Wigan Council recommends acceptance of these applications;
- Ruth Killen representing landowner interests
 - John Gurhy representing disabled interests

There were no objections and both applicants were accepted as LAF members, to be invited to the next meeting.

3 **Minutes of the last meeting**

- 3.1 Item 4.3 – ER stated that her point was that all users should be courteous and respectful to all other path users, rather than placing the responsibility on one user group to give way to another.
- 3.2 Item 4.5 – EE stated that he would be writing to the Chief Executive regarding the claims *register* rather than the claims themselves.
- 3.3 Item 5 – EE pointed out that the Chair of the Cumbria LAF is Duncan Graham, not Graham Duncan. Natural England wanted to take control of the ‘forum’ rather than just the ‘meeting’ and that there was ‘only limited’ funding rather than ‘no further’ funding for the North West Regional LAF.
- 3.4 Item 7 – JP could not recall the meaning of his comments regarding the objections to the diversion of Haigh 18 and asked for them to be removed.
- 3.5 Item 7 – EE stated that his objections were not made ‘purely’ on technicalities but also on the route itself. He also stated that he had requested that the LAF endorse his objection and they agreed.
- 3.6 Item 7 – BK stated that he was concerned that the new route should have an ‘appropriate’ surface, not necessarily a ‘new’ surface.
- 3.7 The minutes were then accepted with the above amendments.

4 **Matters arising**

- 4.1 Item 4.1 – EP has had an email from Steve Hubbard to say that he will follow up with the web master on his return from holiday next week regarding getting the Claims Register available on the web.
- 4.2 Item 4.2 – EE confirmed that he has received a copy of the LAF logo as requested.
- 4.3 Item 4.4 – BG circulated a letter regarding the Leigh Guided Busway stating that it will be dedicated as a public bridleway. It was suggested that a letter be sent both from the LAF and Wigan Council reminding them of this commitment and requesting confirmation that this has not changed.

BK declared a previous interest in this matter stating that he used to work full time on this project. He confirmed that GMPTE would need to seek an alteration order to change the conditions stated in the original order and this would take some time so it is not likely that they will be trying to amend any of the agreed terms. He suggested that a letter is written pointing out the wording in the original order and simply asking if they intend to make any changes.

EE pointed out that whilst a public bridleway can also be termed a multi-user route, a multi-user route is not necessarily a public bridleway. This may simply be a confusion of terms.

EP will check the wording of the original order and advise JR of some appropriate wording for her letter.

EP, JR

- 4.4 Item 4.6 – EP stated that she has spoken to Gary Harold and Jo Harrop regarding the Greenheart Board and Steering Group. Jo Harrop had prepared a paper that was circulated, she has also offered to come and give a presentation to the LAF on the Greenheart project and EP will invite her to do this at the next meeting.

EP

- 4.5 Item 6.1 – EP stated that she has emailed Susan Fulford and BK has been added to the mailing list for Gating Orders.
- 4.6 Item 7 – EE stated that the order for Haigh 18 had been amended and reissued and he had objected to it again.
- 4.7 Item 9.4 – EP stated that she has spoken to Stuart Murray from Wigan Leisure & Culture Trust. There were some items in the local press regarding refurbishments to the roof of Haigh Hall and improvements to the visitor centre but no developments had taken place to the path

network. Stuart had advised that the Park manager and Deputy Manager had left this year and that interviews were being held for a new Park Manager on Monday 15th December. Once the new manager is in post will be the time for the LAF and ROWIP to make an approach regarding improvements to access in the park.

8 **ROWIP implementation progress**

8.1 VB circulated maps showing proposed schemes and outlined schemes that are due to be completed this financial year as follows;

- Leigh 181 – resurfacing works complete
- Leigh 155 – main works to be completed Jan/Feb 09
- Abram/Kingsdown Flash – works planned for Feb/March 09
- Gidlow Lane to Standish Wood Lane – works planned for early 09

8.2 VB outlined provisional schemes for the 09-10 financial year;

- Towpath – Bamfurlong to Dover Lock
- Bickershaw Lane to Low Hall Park
- Bamfurlong to Amberswood
- Top Lock area, from the Whelley Loop to Aspull/Haigh
- Martland Park

Most of these schemes are dependant at least in part on the agreement of private landowners so they are only provisional at this stage.

8.3 Beyond 09-10. Future plans include (but are not limited to);

- Three Sisters to Wigan Flashes
- Further sections of towpath, depending on the success of the Bamfurlong to Dover Lock section
- Dismantled railway from Slag Lane to Newton Road
- Drovers Road/A580
- Leigh/Atherton/Tyldesley area
- Orrell/Ashton/Standish area

8.4 VB circulated the newly printed landowner guidance notes and pointed out that the leaflet had been added to the Rights of Way web pages on the Council website, along with a number of other pages, including a page for the LAF. The web address is; www.wigan.gov.uk/Services/GettingAbout/PublicRightsOfWay

8.5 EP stated that a list of invitees and draft remit had been prepared for the ROWIP Steering Group but that the first meeting has been postponed due to ongoing reorganisation within Environmental

Services affecting the Assistant Director who will be requested to Chair the meeting. The Steering Group will be progressed when the outcome of this is known.

- 8.6 BK highlighted the need for consistent signage and the creation/promotion of named/historically themed routes. EP explained the lack of budget available for leaflets/signs but that we may be able to work in partnership with other projects (such as Greenheart) to achieve this. VB asked that members contact her with any ideas of local interest/history that could be used for this.

9 Definitive Map and Statements

- 9.1 EP advised that the LEMOs are now complete. CAMs is being updated next week so it will then be possible to set up an inspection regime and to print off a report of the Definitive Statement. A digitised Definitive Map layer will be saved but it will not be available on line in the foreseeable future due to lack of funding.

- 9.2 BK pointed out that he is a Councillor for Shevington and that parish councils have a duty to contribute to path maintenance. He asked if it was possible to get a print out of the digital Definitive Map for his area and a copy of the inspection regime when available. EP stated that this should not be a problem once the technical issues have been resolved and the inspection regime set up. EE asked if A4 printed map extracts will be available to anyone on request and EP stated that she would need to check on this but it should be possible.

EP

- 9.3 JP asked how the work arising from the inspection regime would be funded. EP said that once the required works have been identified these will be presented to management as justification for an increased budget. The defects identified will be given a priority so urgent issues can be dealt with first.

- 9.4 JP asked if we can work to chase up problems where it is the landowners responsibility to rectify the defect. EP stated that we are trying to work with landowners in the first instance to resolve issues, bearing in mind land management issues. This is followed by working with the Legal Division to escalate any issues that we have not been able to resolve with the landowner direct.

- 9.5 PB asked for clarification on which paths are publicly maintainable. EP explained that there is no blanket rule and each path would need to be looked at individually. As a guide, most paths are publicly maintainable unless they have come into existence through a DMMO, in which case the Council does not take on responsibility for maintenance.

9.6 PB asked whether boggy paths, churned up by the landowners activities are the Councils responsibility to maintain, given that the Council is responsible for the surface of paths. EP explained that it depends on the cause, if water is being deliberately drained onto the path this is something we can take action on. If it is simply a naturally wet area we cannot stop the landowner carrying out necessary land management works. This can cause a conflict with path use but it is not a simple issue to resolve and we do not have the budget to deal with all cases so the best course of action is to report specific cases so they can be investigated. BG and JR pointed out that the last two years have been unusually wet and landowners are having difficulty with ground conditions in all areas, not just on public rights of way.

6 English Access Forum//NW Regional LAF'S

6.1 A number of handouts were circulated relating to the England Access Forum (EAF) and North West Regional LAF.

EE gave an update following the last meeting of the NW Regional LAF. The EAF meet quarterly and the NW Regional LAF functions as a working group/sub-committee. They meet every 2 months but are still finding their feet. One issue that still needs to be resolved is the appointment of a NW Regional Co-ordinator, preferably from one of the local authorities. An advert had been circulated to LAF secretaries but had not been circulated further as it was not clear what was being asked for, e.g. is this intended to be a secondment? EP said it would be better addressed to the Chief Executive of each authority to give a wider circulation within authorities. EE will suggest this at the next meeting if no one has been appointed.

Natural England has produced a Draft Access Policy which EE will distribute.

EE

EE requested that any ideas for items that the NW Regional LAF should address should be returned to him on the form circulated (Paper Two).

All

7 Gating Orders

7.1 EE stated that he had not seen any gating order that pose a problem recently. EP stated that we had recently objected to an order in Tyldesley, calling into question what constitutes a 'high crime' area. EE asked if we would be able to continue to stave off gating orders affecting prows. EP could not guarantee this, each order will be looked at on its own merits. One important area is to work with the police to ensure accurate reporting of incidents so problems can be properly assessed. EE asked that members bring any orders they are concerned about to the LAF as they can be objected to by

All

individuals, by the LAF and by members' respective organisations.

10 **Any other business**

10.1 BG asked about a culvert on Leigh 178 that had been put in and is draining onto her land and also Council land. The waste water appears to be polluted with oil/diesel. EP to check with Jason Smith and Drainage.

EP

10.2 EP advised that Jason Smith is leaving the Rights of Way Team at Christmas and moving to LTP upstairs.

11 **Date and venue of next meeting**

11.1 The next meeting will be held at Leigh Town Hall on Wednesday the 4 March 2009. Sandwiches and refreshments will be provided from 18:00 with official business starting at 18.30.