

**MINUTES OF THE MEETING
OF THE
LOCAL ACCESS FORUM
WEDNESDAY 9th June 2010
WIGAN TOWN HALL**



1. INTRODUCTION.

Edgar Ernstbrunner (Chair) welcomed everyone to the meeting.

Present:

Edgar Ernstbrunner	Ramblers Association - Manchester area
Jackie Roberts	Crankwood Bridleways Group
John Pimblett	Wigan and District Ramblers Association
Peter Burns	Peak & Northern Footpath Society
Judith Burton	British Horse Society
Brenda Gaskell	Leigh, Atherton & Tyldesley Bridleways Group
John Gurhy	Disability Forums

Officers:

Elizabeth Parry	Public Rights of Way Officer.
Katie Jackson	ROWIP Officer
Chris Leather	Planning Officer (Greenheart)

2. APOLOGIES.

Barry King	Long Distance Walkers Association
Ruth Killen	Land owner
Trevor Boardman	Cycle Liaison Group

3. MINUTES OF THE LAST MEETING

3.1 The minutes were accepted as a true record

4. MATTERS ARISING

4.1 Item No: 4.1 – Definitive Map & Statements.

EP advised that the problems with the computer network systems and ROW software had recently come to a head, as such, Exegesis were able to gain remote access to certain areas of the computer systems, with the aim of rectifying some of the issues. During this access resolution of the problem of producing reports of the statements for all districts was also sought.

As a result of this EP confirmed that reports which show all the statements by district can now be produced, and a complete set will be printed off for the public to access at the Civic Buildings. Each district report will be saved as a pdf file which will be made available directly from the web page so that people will be able to view the statements and presumably print off as they require.

JG asked if people would be able to alter the files and print them out.

EP explained that the Council has security features in place to prevent certain documents being printed but doesn't think they would be in place for the statements.

EE advised that files can be password protected so that users cannot alter the content of a file without knowing the password. He is sure the Council will do this.

EP advised that the quality of information on the original statements from 1953 is not good, for example there are no limitations mentioned in the statements for some districts when there are in fact limitations on the ground. This will be pointed out on the webpage.

EE asked whether there would eventually be an update on the statements

EP stated that this wouldn't be likely to happen any time soon, albeit if an Order is done affecting the path the statement can be amended.

PB asked whether the consultants who walked the footpaths could have updated the statements.

EP stated that this couldn't be done as any alteration to a definitive statement is a legal process.

EE advised that the same issue regarding the accuracy of definitive statements had also been mentioned at Bury ROW that day.

EP advised that any barriers and stiles not shown on a definitive statement could be deemed an illegal obstruction.

JG stated that he had previously offered to map the footpaths he walks in his area

EP stated that ROW are aware of the footpaths, but that the statements cannot be altered without a legal modification order.

JP asked if there would be chance to update the old borough map.

EE advised that when the definitive map for the wigan borough is produced

the definitive statements will accurately describe the route showing limitations.

JB stated that she has a book on the Wigan borough footpaths that she believes the Council produced and would try to bring it to the next meeting.

JP advised that there was previously a Wigan Footpath Society and it could be that they wrote it.

JG advised that there is a passage in a statement from Defra that states disabled people need to plan their route so that they don't meet obstacles unlike able bodied people who can go over and around stiles.

EP advised that new footpath signs showing who the route was suitable for would be used, particularly on ROWIP routes.

EE enquired when the statements would be online.

EP is hopeful that the statements will be online by the next LAF meeting.

EE officially removed the item from the agenda

4.2 Item No: 4.2 – Railway Street

EP advised that she had spoken with Graham Dickman who said that enforcement notices had been served however they had not been complied with and the matter is now going to court. EP also advised that there are concerns that if the Council were successful in court that the fine would not create much of a deterrent.

JP asked if Network Rail had served notice.

EP was unaware if notice had been served as this was something mentioned by Ruth Killen at the previous LAF meeting.

4.3 Item No: 6.1 – Disabled Access Issues

EE advised that he wasn't able to attend the last EAF so he wasn't able to raise JG's issue. He is going to Kendal on 10th June to the NW Access Forum meeting so will be able to raise it there

EP stated that the Defra guidance on stiles and barriers as she understands it is complete and ready for publication, however due to the timings of the election and protocols it could not be printed prior to the election.

JG enquired how long before it will be published and if it would be made law?

EP is unsure when it will be published but the document is for guidance and will not be made a legal document.

JG stated that although it may not be a legal document it can be adopted as best practice

4.3 Item No: 8.1 – Gating Orders

EE wrote to Susan Fulford regarding the gating order on Snowden Avenue, but hadn't had a reply.

EP advised that the Alley Gates team were moving back under Steve Normington and that the Snowden Avenue gating order will not go to cabinet yet, and has been put on hold.

5. GREENHEART UPDATE: ACCESS STRATEGY & CONSULTATION FEEDBACK

5.1 CL stated that he had received comments on the access strategy from Joe Healan, chair of the Access Committee, fully supporting the aim of the document.

CL stated that one of the main points from the Access Strategy is to have accessible toilet facilities, for example at Wigan Flashes. Schools are reluctant to visit the site due to a lack of toilets. CL advised that it would be important for the toilets to be accessible at weekends and to be compatible with radar keys. The document Accessibility to PROW on Council Owned Land, produced by the ROW team also supports this. There is also the need for a formal entrance to the site and car parking facilities. A visitor centre is also a long term aspiration for the site

CL advised that access in Haigh Country Park specifically further into the plantations isn't easy and it is an aspiration to make it more accessible. CL is also hoping to use the Greenheart website to provide information of the suitability of routes (not just in Haigh Hall) for different user groups before going on site. Direct Enquiries already have this information for National Parks.

JG stated that Martin Mere has information on which paths and hides are suitable for mobility vehicle users. This allows him to plan his day much easier.

CL stated that this is definitely something for Greenheart to look into and perhaps leaflets could be produced.

CL stated that Trevor Boardman had made comments on the Access Strategy and had suggested a 5th objective – for Greenheart to support and encourage traffic free routes to places of employment. However there are already four objectives and the vision for Greenheart has already been set. CL advised that Trevor's suggestion had already been covered in the

existing objectives.

CL advised that there are 26 projects identified in the Action Plan to improve the core route network. The footpath between Three Sisters and Wigan Flashes had been a long term aspiration, but now due to the LTP scheme it will be moved forward.

CL advised that the projects have been identified as being gaps in the route network or areas that have poor access. The plan is to deliver them all; however Greenheart doesn't have a budget so partnership working is essential, for example with British Waterways and the ROWIP. Some of the projects are long term for example the Leigh Guided Busway.

EP stated if the LGB scheme is specifically mentioned as being put on hold in the budget announcement then there should be a big push for a bridleway in its place. EP advised that she had previously raised this with Salford but they were unwilling at the time to accommodate horse riders on the dismantled railway.

CL stated that horse access through Haigh Country Park is in the Action Plan and an attempt to meet the parks officer has been made, however he is currently off sick.

EP stated that Stuart Murray would be a good person to contact regarding this matter and that a route through the plantations is highlighted in the UDP as a Greenway

JB feels that horses are discriminated against in Haigh and hopes that the ROW team and Greenheart do not miss the opportunity to finally provide a route for horses through Haigh.

JB stated that Gary Harold had mentioned another route through to Adlington

CL advised that this is the route that leads up to Adlington via Red Rock Lane, and that this was a route within the Greenheart Action Plan.

EP and KJ will investigate this route further

EP/KJ

EE asked if there had been any negative feedback to the access strategy and access plan, and would CL be able to circulate copies of the documents?

CL replied that there had been no negative feedback and that he would make the action plan and strategy available online hopefully by the end of the week. The Action Plan will be continually updated as and when, and if anyone had any ideas of strategic routes that had been missed then to let him know.

JB and BG asked for paper copies of the action plan and strategy

EP stated that paper copies could be circulated with the minutes

6. **ASTLEY BRIDGE & WIGAN FLASHES**

6.1 Wigan Flashes

KJ circulated letters received from BG, JR and TB.

EP advised that the desire for a route through Wigan Flashes had already been mentioned in part by CL. EP explained that LTP had recently come forward with a proposal to do work in this area. The ROW team called a meeting to discuss the proposals and to highlight the need for a comprehensive scheme within the area to provide access for all.

EP stated that the footpath through the farmyard at Park House Farm actually goes through the yard and not around as shown is intended to be diverted around the farm

JP informed that there is currently a barbed wire fence preventing access across the field.

EP advised that if an approach is made to the landowner with the proposals he may use the opportunity to request the closure of the footpaths across the fields. If the landowner is opposed to the proposed bridledways then a public path creation order, could be progressed, the landowner may then argue for compensation.

JP stated that the next meeting of the Wigan and District Ramblers Association is on 30th June so they would need more time to comment on the proposals.

PB stated that he had a reference number of a diversion order

EE asked for TB's letter to be added to the agenda of the next meeting.

KJ

EP advised that Gary Harold had received an email from the Lancashire Wildlife Trust regarding 3 horse riders on Wigan Flashes. The horse riders had made their way through a stream and into the fen at the edge of Scotmans Flash, onto the area cut for waders to feed. EP feels that incidents such as this emphasise the need for a specific route. EP also advised that the Lancashire Wildlife Trust is concerned with conservation rather than recreation

JR asked who had seen the horse riders on the flashes

EP stated that she was unsure who saw the riders, but it was possibly a voluntary warden for the Lancashire Wildlife Trust. They were seen coming from Landgate Lane.

BG feels that this will be used against horse riders

EP stated that there is the definite need to get one dedicated bridleway route through the flashes and to get it well publicised.

EE requested that TB's letter be added to the agenda for the next HUG meeting.

KJ

JG stated that he hadn't seen a copy of TB's letter but had seen a photograph of the barrier on site that made it inaccessible for him.

EE agreed that this issue is worth raising

6.2 Astley Bridge

EP advised that the issue at Astley Bridge had been raised by a number of horse riders as modifications were made to a narrow canal bridge, reducing the traffic to single file with traffic lights. Safety concerns have been raised and the engineers were looking at putting an equestrian phase on the lights.

BG stated that she had seen vehicles moving too fast over the bridge after waiting a long time at the traffic lights. The surface of the road is slippery for horses so they need to go slowly over the bridge. If cars were restricted to 10mph over the bridge this may help.

EE asked how many horses use the bridge.

BG replied that horse riders were now too scared to use the bridge so very few use it, perhaps a dozen at weekends

EE enquired if it would be possible for a Pegasus crossing to be installed?

EP stated that there would be a phase on the traffic lights for equestrians.

BG stated that this wont stop cars from going quickly as the horse passes over the bridge

EP advised that as she understood it that there would be a separate set of lights for horses to cross. The equestrian lights would show green but the lights controlling all other traffic would be on red, so that horses would be able to cross the bridge safely.

EP also confirmed that a full safety audit had been requested specifically looking at cycling, equestrians and pedestrians which will be carried out imminently. In addition some alternative off-road routes have also been proposed, which may be processed under the ROWIP. However at the moment these routes are not a priority. This of course will be dependent on the safety audit.

7. ROWIP UPDATE

7.1 Martland Park phase 2 – north section

KJ advised that an ecological survey is currently in progress and that Great Crested Newts have been found in 3 of the water bodies surveyed. The ecologist is now carrying out Population Class Assessments of the water bodies where GCN are present. The work to resurface the footpaths is likely to be licensable. This means a GCN licence from Natural England will be needed to carry out the intended works. The ecologists report will highlight any mitigating measures that will need to be in place to carry out the work, for example newt proof fencing. KJ will revise quotes and work will commence ASAP.

7.2 Wigan 91

KJ advised that there had been one objection to the creation order received from National Grid. The legal department are currently working to remove the objection. Once this is removed the Council can confirm the order, quotes for the work can be obtained and work will commence ASAP.

7.3 Lowton St Mary's Railway Line

KJ advised that as there were water bodies within 250m of the Lowton St Mary's dismantled railway line that runs from Brancaster Drive in the north through to Wilton Lane in the south, that an ecological survey was required to determine the presence or absence of Great Crested Newts.

KJ advised that she met on site with the owner of the land either side of the dismantled railway, Mr Adamson from Carr Farm, to seek permission for the ecological survey. Permission to access his land and carry out the survey was refused unless the Council would fence the entire length of the line with metal high security fencing, to prevent trespassing on his land and the time frame for carrying out such surveys had now closed.

BG advised that Mr Adamson may be receiving a ponds grant from Defra. They would have a record of any newts that may be in the ponds.

KJ had also discovered that Wigan Council own much more of the dismantled railway line than previously thought, up to Wigshaw Lane in Warrington. United Utilities had previously carried out ecological surveys south of the East Lancs and GCN were not found. The results of the ecological surveys are valid and so works could be carried out south of the east lancs road. An ecological walkover survey is being carried out from Brancaster Drive to Wilton Lane; this will highlight any habitats that may need protecting.

Access to the line is limited to carry out works, the track at Brancaster Drive is narrow, however access via Wilton Lane may be possible. If we can gain

access then clearance works may be carried out, possibly by the Future Jobs Fund.

7.3 Three Sisters to Wigan Flashes

KJ advised that she had no further comments on this scheme as it had been mentioned in detail by EP and CL.

7.4 Towpath Schemes

KJ advised that a recent meeting between the ROW team, Greenheart and British Waterways representatives had been organised to discuss potential Schemes. The schemes discussed were Three Sisters to Wigan Flashes, Bamfurlong to Dover Lock, Dover Lock towards Plank Lane and the Towpath at Pennington Flash Country Park. British Waterways were positive towards dedicating Bridleways along sections of the canal towpath. It was agreed to meet again in six weeks time with British Waterways providing costings of potential schemes. The LTP Group also have proposed schemes along the towpath from Bamfurlong Bridge to Plank Lane, so the ROW team will be working in partnership with LTP, Greenheart and British Waterways on these schemes.

EP stated that previously British Waterways had been in favour of dedicating sections of the Towpath as Bridleways however they also wanted to tie in more costly improvements, (this now appears to have changed). British Waterways were also positive about horses using the Bridge at Wigan Flashes.

EP advised that the proposed ROWIP scheme along the track from Dover lock towards Plank Lane would bypass the unadopted sections of Crankwood Road and as such avoid the conflict with landowners.

JG stated that Mrs Hibbert owns the track and so using it may not be possible.

EP stated that British Waterways own the track but that land ownership will be checked.

8. REVIEW OF THE ENGLAND ACCESS FORUM

8.1 EE advised that he has the impression that Natural England wasn't interested in the EAF as a consultancy body. He was unable to attend the EAF on 27th May so isn't able to give an update. EE stated that he is meeting with the North West Access Forum including Duncan Graham, who is the chairman of the EAF on 10th June.

EE advised that there is nothing positive to report on the EAF at the moment, and that the NW Access Forum may be more useful in forming LAF policies within the region. No one is sure what the role of the EAF is; the Forum itself has one view whilst the Government has another.

9. **ANY OTHER BUSINESS**

9.1 Barriers at Windermere Estate

JG had already left the meeting so this item will be added to the agenda of the next meeting.

9.2 Incident Report Form

EP advised that a request was made to make this form available on the website, however prior to doing this EP would welcome any comments people would like to make. At the moment the form deals with incidents, EP asked if the Forum want to broaden this out to incorporate near misses or dangerous locations.

JR stated that she had previously taken the forms to all the riders near her, but people don't use them

EE asked for this item to be added to the agenda of the next meeting for discussion.

9.3 Standish 49

EP advised that notice of the dedication of Standish 49 was published in the Wigan Observer on 13th April 2010.

9.4 Highway Code for Mobility Vehicle Users and Mobility Vehicle Training

EE asked for this item to be added to the agenda of the next meeting as JG had already left the meeting.

10. **DATE AND VENUE OF NEXT MEETING**

10.1 The next meeting of the Local Access Forum will be held at Wigan Town Hall on Wednesday 8th Sept 2010. Sandwiches and refreshments will be provided from 5.30pm with official business starting at 6.00pm.