

TELFORD & WREKIN LOCAL ACCESS FORUM

c/o Telford & Wrekin Council, Wellington Civic & Leisure Centre, 1st Floor,
Civic Offices, Larkin Way, Tan Bank, Wellington, Telford TF1 1LX
Telephone: Telford (01952) 384615

Mrs J Clarke, Administrator to the Forum, 01952-383205 – 6 January 2017

TELFORD & WREKIN LOCAL ACCESS FORUM

A Meeting of the Telford & Wrekin Local Access Forum
will be held on Wednesday 18th January 2017 at 1.30 pm
in The Studio, Graham Building, Wrekin College, Sutherland Road, Wellington,
Telford TF1 3BH

*Disabled parking is available through the Black Gates in the
Headmaster's Car Park*

A Working Buffet Lunch will be available at the meeting from 1.00 pm.

A G E N D A

1. MINUTES
To consider the minutes of the last meeting and any matters arising.
Appendix A
2. APOLOGIES FOR ABSENCE
3. CHAIRMAN'S MATTERS
Appendix B
4. MEMBERSHIP MATTERS
5. CURRENT PROJECTS – REVIEW
6. REVIEW OF DEFINITIVE MAP MODIFICATION ORDER APPLICATIONS
7. RIGHTS OF WAY IMPROVEMENT PLAN
8. DATES OF FUTURE MEETINGS
Appendix C
9. ANY OTHER URGENT BUSINESS

WREKIN COLLEGE

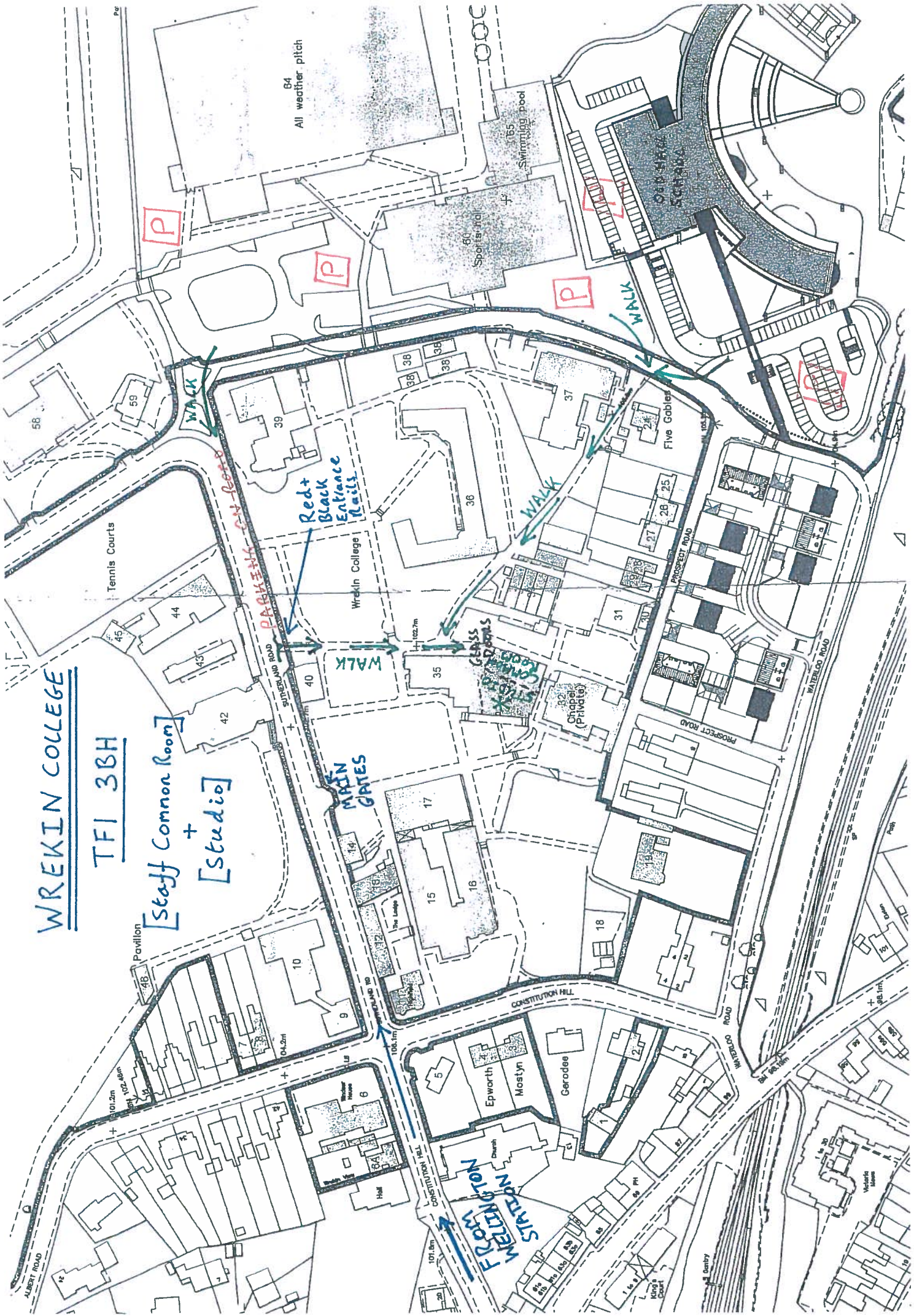
TFI 3BH

[Staff Common Room + Studio]

MAIN GATES

Red + Black Entrance Halls

FROM WELINGTON STATION



TELFORD AND WREKIN LOCAL ACCESS FORUM

**Minutes of the Meeting held on Wednesday, 5th October 2016 at 1.30pm
at The Studio, Graham Building, Wrekin College, Sutherland Road, Wellington,
Telford**

Present: Anthony Francis-Jones (Horse Riding / BHS), Fiona Smith (Disability), Bob Alton (Ramblers Association), Bob Coalbran (Wellington Walkers Are Welcome), Peter Holt (CLA/ Landowner), Jan Mees-Robinson (British Driving Association), Cadi Price (Severn Gorge Countryside Trust), Jane Bonner (Severn Spokes, UK Cycling Shropshire), Cllr Liz Clare (Telford and Wrekin Council)

In Attendance: Andrew Careless (Senior Rights of Way Officer, TWC), Stacey Worthington (Democratic and Scrutiny Services Officer, TWC)

LAF-10 Minutes

Resolved – the minutes of the meeting held on 7th July 2016 be confirmed and signed by the Chair.

LAF-11 Apologies for Absence

Paula Doherty (Rights of Way Projects), Malcolm Morris (STROWP), Ann Sharkey (Legal Assistant, TWC), and Sarah Faulkner (NFU)

LAF-12 Chairman's Matters

The Chair reported on the following issues:

Definitive Map - Update.

The Rights of Way Officer reported that an apprentice had started on the Map update two weeks before. He had been transferring data from the 1965 definitive map into a modern map base. The apprentice was focusing on the rural areas initially, before moving onto more urban areas, as it was imagined these would be more complex. Once this work has been completed, there would be a new definitive map. The Rights of Way Officer advised he was unable to state how long this work would take.

The Chair enquired if this work had been driven by Con 29, The Rights of Way Officer replied it had not specifically driven by Con 29, however, Con 29 was important as it had been made a mandatory question. The map needed to be accurate as there were financial and reputation risks if not.

The Rights of Way Officer, in response to a question from the Chair, advised that an electronic copy of the map could be the definitive version; however, it could not be altered. Once the current work had been completed, the officer could see no reason

why an update definitive map could be produced every twelve months, as the base would remain the same, with updates added yearly.

The Rights of Way Officer advised that he checked the work completed by the apprentice, but it was inconceivable that there would not be an error in the complete map, given that there were over 1000 Rights of Ways to be recorded. Cllr Clare advised that the team were very pleased to have the apprentice and time should be given to allow him to get settled in with the work.

Jan Mees-Robinson asked how long the apprentice's contract was for, the Rights of Way Officer confirmed he had a twelve months initial contract, however, there was the opportunity to extend this if necessary. Jan Mees-Robinson stated that an eye should be kept on the apprentice and asked how much experience he had with GIS; the Rights of Way Officer advised the apprentice was experienced with GIS, this was the basis of his apprenticeship.

The Rights of Way Officer stated that the majority of the map would be completed with approximately three months, however, there would be a lot of time spent on the 'nitty gritty'. With the scale of the map used, there would need to be some judgement calls to make on the exact locations of the rights of way.

TWC website update

The Chair advised that Paula Doherty had sent her apologies to the meeting. Paula had provided an update for the meeting, Paula advised that she had requested a map for the local community website in her area and mentioned that it would be beneficial to have a map available for all parish clerks.

The Rights of Way Officer noted that once the definitive map is complete; this would be available on the Council website. The Council had a statutory duty to have a register of DMMO applications and deposited statutory declarations. The ICT department were arranging for this to be added to the Council website. Although it is not a requirement, the Rights of Way officer had requested that current applications for Public Path Orders be included on the website.

Path clearance groups update – Ramblers and Wellington Walkers are Welcome

Bob Alton reported that the Ramblers had been hard at work. To his knowledge, the path had been cleared in Lime Kiln Wood and the group had completed the work in Lilleshall.

Bob Coalbran advised that a lot of work had been completed in Lime Kiln Wood as part of the working group. The Ramblers have helped to clear a path to the south of Steerway Farm. Paths in Wellington Town have also been cleared and nearly all of the lighter work which had been identified had been completed. They have tried to make the paths as useable as possible.

UK Coal restoration site (Huntington Lane, Little Wenlock)

The Rights of Way Officer advised that it was envisaged that the fencing would be completed within 12 weeks. Jan Mees-Robinson asked if a kissing gate was going to be installed; the officer replied that a horse stile will be installed next to the gate within the next three weeks. A Kent Carriage Gap would be installed on the Restricted Byway that leads to Short Woods at its junction with New Works Lane.

A discussion was held regarding driving on the tracks. Jan Mees-Robinson suggested that Restricted Byways signs be put up stating that no vehicles were allowed. The Rights of Way Officer noted that the site was clearly not for vehicles and this would be very clear without signage; Cllr Clare agreed that signs do not help if the area is not policed and enforced. Peter Holt agreed that the signs have no effect on the Wrekin.

Shropshire Way consultation and way marker ideas

Bob Coalbran stated that he was a member of the Shropshire Way Association and advised the group on the consultation over the proposed new route. The most popular proposed route was a figure of eight, so three working groups had been established to map new routes based on this; a North group which focused on Oswestry to Whitchurch, a South Group for the Shropshire Hills and a smaller, central group which looked at the area of Haughmond Hill to Much Wenlock and Ironbridge.

In terms of strategic walks, it was suggested that the Shropshire Way link to the Silkin Way, however, there were issues with this. It would be looked into at the meeting of the sub-group which had been scheduled for the following week.

There had been a separate sub group established to look at the design of the way markers. Pink was not a universally popular colour, however, the buzzard design was to be retained. The design was more likely to a more 'rigid' bird, which pointed in the direction of travel. The colours and precise design were still to be agreed.

The green prescription model – New Zealand

The Chair advised that there had been a trial in New Zealand where doctors prescribed walking. It was noted that GPs in the UK can prescribe gym sessions.

Off Road cycling survey

Ann Suffolk advised that all Cycling UK members had been asked to complete this survey. The Chair felt it was positive that other groups were looking into Rights of Way.

National Travel Survey

The Chair stated that the report forgot that people walk or ride for fun, and it noted that the population was more vehicle bound than ever.

Cycling on public footpaths

The Chair advised this information had been shared previously.

Rail Crossings

A discussion was held regarding local level crossings, especially in Allscott. The Chair asked members to keep their eyes on the issue.

LAF-13 Membership Matters

There had been no requests made for new members. The Rights of Way Officer had attempted to gain a representative from the HCA, however, the office was in Birmingham, which made it more difficult for a representative to be present. A suggestion was made that a representative from the HCA could present a talk at one meeting.

Jan Mees-Robinson advised that there was no representation from bridleways and suggested a member could be sought from the Telford Bridleways Association.

LAF- 14 Current Projects - Review

This item had been discussed under the Chairman's matters. The Rights of Way Officer stated that most of the work that had been done was remedial issues.

Members brought several issues with various routes to attention. These were noted.

LAF- 15 Review of Definitive Map Modification Order Applications

The Chair advised that Ann Sharkey had sent her apologies to the meeting and had provided an update, which was included as Appendix C in the agenda. The Chair noted the huge leap forward that had been made by Ann's contribution.

The Rights of Way Officer noted that the issues with opposed orders; at the time, any applications that had received objections had to be taken to the Secretary of State for determination. The De-Regulation Act was to give the Council power to object to irrelevant objections. This placed pressure on the Local Authority to decide what an irrelevant objection was.

LAF-16 Rights of Way Improvement Plan

This item had been added to the agenda in error.

LAF-17 Future Meeting Dates

Future meeting dates were noted in Appendix D of the agenda.

LAF-18 Any other urgent business

Bob Coalbran advised that the walking festival had gone well and positive feedback had been received. A committee meeting was to be held the following day so that an overall picture could be gained.

Cadi Price stated that a new trail had been opened in Ironbridge Gorge, called the Tile Trail. The trail was made of 18 tiles in a circle walk and had been created as part of the stabilisation plan in the Gorge.

The Chair thanked everyone for their attendance and noted that the next meeting of the LAF would be held on the 18th January 2017 at The Studio, Graham Building, Wrekin College at 1.00pm for 1.30pm start.

The meeting ended at 3.37pm.

Chairman:

Date:

Chairman:
Anthony Francis-Jones
Bayley House
Stanley Road
Wellington
TELFORD
TF1 3LX

Email: anthonyfj@hotmail.com
Tel: 01952 265661



Vice Chair:
Fiona Smith
34 Fox Avenue
St Georges
TELFORD
TF2 9ES

Email: fionarrs@hotmail.com
Tel: 01952 371941

B

Think – 'If we had no network of PRow how much would it cost to put it in?'

Chairman's Matters

January 2017

A brief summary of the projects that the Chairman and LAF members have been involved in since the last meeting

- 1) AF-J Attended LA21 (Wellington) and CPRE meetings
- 2) Definitive Map – update. AF-J seen work being done on the TWC GIS
- 3) TWC website update + Hincks signage (Lilleshall) Paula Doherty
- 4) 'T&W Cycling and Walking Strategy' Workshop
- 5) Path clearance update – Ramblers and Wellington Walkers are Welcome
- 6) UK Coal restoration site/Steeraway/RB51 (Huntington Lane, Little Wenlock)
- 7) Shropshire Way consultation/route issues
- 8) Cycling and horse riding – multiuser routes (see attached letter)
- 9) BHS List of Streets consultation (see attached)
- 10) SCC Outdoors Membership scheme - £36
- 11) Shropshire Council's Countryside Access Strategy document
- 12) Locked gate – Horsehay – DMMO still to be determined
- 13) Bridleway issues at Greenways Recycling – Ketley/Overdale
- 14) The effect of Brexit on PRow
- 14) Big Path Watch – Survey results (see attached newspaper cutting)

<http://www.ramblers.org.uk/get-involved/pathwatch/the-state-of-our-paths-report.aspx>



Patron Her Majesty The Queen
Fulfilling your passion for horses

Please reply to:

The British Horse Society
Abbey Park,
Stareton,
Kenilworth,
Warwickshire CV8 2XZ

Email enquiry@bhs.org.uk
Website www.bhs.org.uk
Tel 0844 848 1666
Tel 02476 840500
Fax 02476 840501

Sandy Hopkins
Chief Executive
East Hampshire District Council
Penns Place
Petersfield
Hampshire
GU31 4EX

7 November 2016

Dear Ms Hopkins

Re: Botley Relief Road

British Horse Society and Cycling UK refer to the above scheme.

We understand that, at a meeting on 19th October, planning officers were asked why horse riders had not been included in the pedestrian/cycle way alongside the road, and that they answered by claiming that 'horses and cyclists do not mix'.

BHS and CUK believe this is overly simplistic. It was certainly not the view of the Secretary of State when granting permission for the proposed A14 Cambridge to Huntingdon Improvement Scheme. You will note from paragraph 3 of the attached decision letter that the strategic objectives of the scheme are stated to be to combat congestion, unlock economic growth, improve connectivity and safety, and provide enhanced facilities for cyclists and equestrians.

We would add that the legal definitions of bridleways and byways explicitly support shared use by the two groups'. In practice they can mix perfectly acceptably where there is sufficient width for the levels of usage, i.e. an effective width of at least 3m. That is the normal minimum recommended by Government guidelines (e.g. Local Transport Notes 2/08 and 1/12, or Design Manual for Roads and Bridges TA 90/05) for two-way cycle tracks shared with pedestrians. The additional demand for equestrian use in this case makes it all the important at least to meet, and preferably to exceed, this standard. It should also be perfectly achievable, given that it is being built through open countryside.

The British Horse Society is an Appointed Representative of South Essex Insurance Brokers Limited who are authorised and regulated by the Financial Conduct Authority.

Registered Charity Nos. 210504 and SC038516. A company limited by guarantee. Registered in England & Wales No. 444742

We therefore urge the Council ensure that the scheme provides enhanced facilities which permit walkers, cyclists and equestrians alike to use the route. We hope you can advise us of the Council's intentions in this respect.

Yours faithfully,



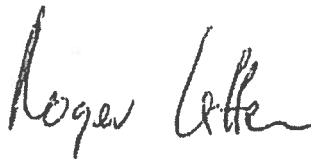
Mark Weston

Tel : 02476 840515

Email : mark.weston@bhs.org.uk

Director of Access

The British Horse Society



Roger Geffen

Tel : 01483 238322

Email : roger.geffen@cyclenguk.org

Director of Policy

Cycling UK

Auditing the list of streets: a role for local access forums

1. The stakeholder working group on rights of way recommended that: "Routes identified on the list of streets/local street gazetteer as publicly maintainable, or as private streets carrying public rights, should be exempted from the cut off.¹" The British Horse Society expects this recommendation to be given effect in regulations made under section 54(1)(d) of the Countryside and Rights of Way Act 2000, exempting routes from the cut-off provisions in Part 2 of the 2000 Act.
2. The 'list of streets' is maintained by every highway authority under section 36(6) of the Highways Act 1980: "The council of every county, metropolitan district and London borough and the Common Council² shall cause to be made, and shall keep corrected up to date, a list of the streets within their area which are highways maintainable at the public expense." The list should contain every way which is maintainable at the public expense, regardless of whether the way is, in fact, currently maintained. Most public rights of way are maintainable at public expense³, and 'street' being defined so as to include paths⁴, ought to appear on the list; however, very few highway authorities are believed to have included all publicly maintainable public rights of way on their list. But it is not unusual to find urban alleyways and some byways open to all traffic on the list of streets.
3. An exemption for routes on the list of streets may be valuable in preserving routes not on the definitive map and statement which would otherwise be extinguished by the cut-off in 2026, primarily:
 - unsealed routes (often referred to as unclassified county roads, UCRs, and frequently marked on Ordnance Survey maps as 'other route with public access', ORPA⁵) which, on evaluation, are found to be public footpaths or public bridleways⁶;
 - urban footpaths, alleyways, ginnels *etc.*
4. Surveying authorities and rights of way researchers may wish to rely on the exemption (if granted) for routes on the list of streets so that scarce resources may be focused on applying to record other routes which will not be exempted. However, an exemption is dependable only if:
 - the terms of the exemption apply to a particular route,
 - a route is currently shown on the list of streets⁷, and the route will continue to be shown on the list of streets at a date (expected to be close to 2026) specified in regulations.

¹ *Stepping Forward — The Stakeholder Working Group on Unrecorded Public Rights of Way: Report to Natural England* (NECR035): proposal 25.

² *i.e.* of the City of London.

³ Some public rights of way, particularly many ways presumed to have been dedicated since 1949 through long use, are not publicly maintainable.

⁴ Section 329(1) provides that, "except where the context otherwise requires—...street has the same meaning as in Part III of the New Roads and Street Works Act 1991". Section 48(1) of the 1991 Act provides that: "a "street" means the whole or any part of any of the following, irrespective of whether it is a thoroughfare—(a) any highway, road, lane, footway, alley or passage, (b) any square or court, and (c) any land laid out as a way whether it is for the time being formed as a way or not."

⁵ For a fuller explanation of ORsPA, see pannageman.craddocks.co.uk/#post32.

⁶ There is no provision to extinguish any type of roads (*i.e.* carriage roads of whatever character) in 2026, except roads which are shown in the definitive map and statement as a public footpath or public bridleway and which are not otherwise excluded from extinguishment.

5. Rights of way user groups and researchers believe that some highway authorities amend their list of streets without any external oversight or engagement: it is alleged that, in those authorities' areas, numerous minor or unsealed routes have been deleted without due process or accountability. Of course, it is a requirement that the authority "shall keep [the list] corrected up to date" to reflect, for example, new roads which are adopted by the authority, publicly maintainable streets which are stopped up under a legal instrument, and publicly maintainable streets which cease to be maintainable on the order of a magistrates' court⁸. But a highway authority should not remove a street from the list simply because it no longer wishes to maintain it, or because it sees no value in maintaining it, without following a statutory procedure to relieve it of the obligation of maintenance, or to extinguish it. Even if the highway authority believes an entry in the list to be mistaken, the Society believes that the authority should follow a transparent, accountable process to corroborate its belief. Given that reliance may now be placed on entries in the list being retained up to and beyond 2026, the Society asks local access forums to address highway authorities' present practice, and where that is found to be deficient, to press for a transparent, accountable process and public engagement where appropriate.

6. The Society recommends that the following questions could be addressed by the forum to highway authorities in the area covered by the forum:

- *What unsealed highways have been removed from the list of streets since 1998 (the year in which the Ordnance Survey collected such data for the purposes of showing ORPAS on leisure mapping)?*

If the forum is concerned that routes have been removed from the list of streets prior to 1998, an earlier date might be substituted and appropriate evidence presented.

7. If the response to this first question is 'we don't know', then clearly, the highway authority has no easily accessible record of changes made.

- *What procedures apply to any proposal to remove a highway from the list of streets, other than in response to a legal event (such as a magistrates' court stopping up order, or a Town and Country Planning Act diversion order)?*

8. If the response suggests that changes, including removals, may be made by officers without any reference to a council committee, and without any external consultation, it is not safe to rely on a route being exempted owing to its inclusion on the list of streets, because that route is vulnerable to removal at any time.

9. Assuming that the response to these questions is insufficient, the forum may propose that—

- *No highway (or part highway) should be removed from the list of streets, other than pursuant to a legal event, unless to correct a mistake where there has been consultation with local interests (such as the local access forum and parish council), the correction is fully documented for archiving and indexation, and the decision is taken transparently within the authority on the basis of a report by officers (e.g. by a committee or by the executive).*

7 The exception from extinguishment may apply to routes added to the list of streets in the future, but before the date specified in regulations. However, until such routes are added, they are not obvious candidates for protection from extinguishment.

8 Sometimes referred to as a 'cessor order': see [section 47](#) of the 1980 Act.

10. Highway authorities may be reluctant to engage in time-consuming, costly processes to amend the list of streets. But the question remains: what power does the authority have to amend the list other than consequential to a legal event? And if the intention is to correct what is perceived to be an 'error', then the evidence for such a correction should be presented in a report after engagement with local interests, the decision taken by local authority members, and details of the correction should be made available to the public. Removing a route from the list of streets, where that route is not recorded in the definitive map and statement, has the same impact as removing a public path from the definitive map. The latter process involves a familiar and fair public process. Why should we accept anything less for deletions from the list of streets?



TIMES

Monday November 14 2016 | thetimes.co.uk | No 72067

Only 80p to subscribers £1.40

Walkers blocked from thousands of paths

Ben Webster Environment Editor

Thousands of miles of footpaths are blocked by barbed wire, broken stiles and dense undergrowth, according to the biggest survey of the nation's public rights of way.

Almost a tenth of the 140,000-mile network in England and Wales is difficult or impossible to use and some of the worst problems are in areas popular with walkers, including Snowdonia, the Norfolk Broads and Exmoor.

Another third of the network needs improvement, according to the survey organised by the Ramblers, a charity for walkers. In many areas, walkers would

struggle even to find paths, with 20,000 signs reported as missing. In Shropshire alone, 743 signs were missing.

Reductions to local authority teams looking after footpaths are partly to blame, the report said. A fifth of the workforce has been cut over the past five years. A total of 59,000 problems were recorded by 3,250 volunteers between July last year and January.

The volunteers walked every path in almost half the total area of England and Wales, assessing the condition of routes in each square kilometre and recording positive and negative features. Fifty-five per cent of features were negative and included muddy,

ploughed or potholed paths, electric fences and barbed wire strung across the route, unsafe stiles, locked gates, heavy undergrowth, overhanging plants and trees, and missing, broken or misleading signs.

The volunteers pinpointed problems using a specially created phone app and uploaded more than 46,000 photographs. Barbed wire that was too close to or blocking paths was a particular problem in Cornwall, accounting for a quarter of all the obstructions listed. South Gloucestershire had the worst problem with overhanging vegetation and Wiltshire

Continued on page 3, col 1

Continued from page 1

had the highest proportion of electric fences across paths. The state of routes was poorer in the southwest, West Midlands and Wales than for England and Wales as a whole.

Among national parks, Snowdonia had the highest proportion of poorly kept paths, with 16 per cent either difficult or impossible to use.

The Peak District had the best maintained paths, with only 3 per cent in poor condition.

More than 70 per cent of English councils cut their rights-of-way management budget between 2009 and 2012. A third reduced the budget by more than a quarter and 55 per cent cut the size of their team responsible for maintaining paths.

One Rambler found an electric fence across a path in Lincolnshire and re-

ported it to the county council with a photograph. He was told that it was a low priority and "would be fixed when funds were available". He recently returned to find the obstacle still there.

The report called on councils to recognise the health benefits of having attractive, accessible paths. The NHS recommends that adults aged 19-64 undertake at least 2 hours 30 minutes of moderate aerobic activity, such as cycling or fast walking, every week. Health problems caused by physical inactivity cost the NHS £1.8 billion a year in England, the report said.

Nicky Philpott, a Ramblers spokeswoman, said that more than nine million people in England went walking as a leisure pursuit but the survey showed many were encountering obstacles and having to abandon their journey.

"Although local councils are respon-

Obstacles in the way

59,000
problems reported by
3,250 volunteers

20,000
missing signs

20%
cut in local authority
staff employed in
maintaining footpaths
between 2015 and 2010.

72%
of English councils cut
their rights of way



management budgets
between 2009 and 2012

Source: The Ramblers' Big
Pathwatch survey of foot-
paths in England and Wales



Some footpaths were
too overgrown to allow
access and others were
obstructed by
contractors' equipment

sible for maintaining our paths, we're acutely aware that rights of way are competing... for a share of increasingly squeezed budgets," she said.

"It shouldn't just be up to local authorities to ensure the upkeep of our paths. We all have a part to play, which is why we want everyone to take responsibility for their paths.

"It can be as simple as regularly using local paths. If you see a problem, use the Pathwatch app to report it and we'll pass the information on to the local authority. Problems reported early that would be quick and cheap to fix can become difficult and costly over time.

"So when you're out walking, pick up rubbish, carry a pair of secateurs and snip away overhanging vegetation."

The Ramblers have a goal for every right of way in England and Wales to be well maintained by 2020.

Walkers abandon paths cut off by barbed wire and electric fences

Provisional Meeting Dates 2017/2018

Wednesday 12th April 2017 (School ½ term – Easter)

Wednesday 12th July 2017

Wednesday 18th October 2017

Wednesday 31st January 2018