

**DENBIGHSHIRE LOCAL ACCESS FORUM**

Minutes of the Denbighshire Local Access Forum held in Conference Room 1, County Hall, Ruthin on Tuesday, 12th December, 2006 at 2.00 p.m.

**PRESENT**

J. Hughes (Chair), D. Berry, K. Culhane, Councillor M.Ll. Davies, G. Jones, E.L. Hart, C. Marshall, M.T. Parry, A. Pennant, G. Roberts, S. Roberts, P. Scarll, V. Walker Jones and R. Williams.

**ALSO PRESENT**

A. Walls (DCC Rights of Way Officer and Secretary to the Forum), H T. Evans, P. Owen and D. Shiel (DCC Countryside Services), P. Mitchell (Countryside Council for Wales), R. Hickey and D. Marshall (PROW Services) and C.I. Williams (Administrative Officer).

**1. APOLOGIES FOR ABSENCE**

No apologies received

**2 MINUTES**

The Minutes of the Denbighshire Local Access Forum held on Tuesday, 11th July, 2006 were submitted for information.

*Resolved – that the Minutes be received.*

**3. RIGHTS OF WAY IMPROVEMENT PLAN SEMINAR – ROY HICKEY (PUBLIC RIGHTS OF WAY SERVICES)**

The Chair welcomed Mr Roy Hickey and Ms Deborah Marshall, Consultants in Access and Public Rights of Way, to the meeting and explained that their services had been engaged to assist with the production of the Rights of Way Improvement Plan.

The Forum Secretary provided an outline of the requirements of Section 60 of the Countryside and Rights of Way act 2000 which requested that Local Authorities have a Rights of Way Improvement Plan in place by the 1<sup>st</sup> November, 2007. The Plan to consist of 2 elements, an assessment of the local rights of way and a statement of the action Local Authority proposes to take for the management of local rights of way and for securing an improved network of local rights of way. An outline of the work involved was provided for Members of the Forum which included assessing the present condition of the Network, examining the Definitive Map records, ascertaining the aspirations of the Network users, such as the community and land owners, and to examine closely all relevant publications and strategies.

He referred to the initial lack of funding, which had now been addressed, and highlighted the problems currently being experienced with regard to time constraints and meeting the specified deadlines. Members were informed that in order to meet the requirements of the Act to produce a Rights of Way Improvement Plan, Consultants had been engaged and providers of computer soft had been approached with a view seeking assistance in ascertaining information with regard to the condition of the public rights of way network within the authority.

In response to a question from the Chair, the Forum Secretary provided details of the timescales involved and confirmed that it would be unlikely that the specified deadline for the completion of the Plan would be met. However, he explained that the Welsh Assembly Government had intimated that a slight slippage in respect of the designated timescales would not be unacceptable.

With the aid of a power point presentation Mr R. Hickey provided Members of the Forum with detailed information in respect of the following areas and issues pertaining to the production of the Rights of Way Improvement Plan:-

How often do you use Rights of Way  
Where are the paths and Tracks you use  
What are the paths and Tracks used for  
Priorities for the Rights of Way Improvement Plan  
How strongly do you agree or disagree with statements made  
Response received by post code

Reference was made to the questionnaire published in Denbighshire's County Voice news paper for October, 2006 which sought reader's views and opinions on Rights of Way in the Countryside. Responses received would be used to assist in the preparation of the Rights of Way Improvement Plan by seeking basic information on issues such as how many people enjoy using rights of way, how often and what for. A more detailed version of the questionnaire had been made available but the number of responses received had been disappointing and subsequently the deadline for the receipt of the completed extended version of the questionnaire had now been extended. It was explained that at least 100 responses to the questionnaire would be required and each Member of the Forum agreed to distribute 5 copies for completion in their respective areas. In reply to concerns raised that members of the public had expressed a reluctance to provide their names and addresses when completing the questionnaires, the officers explained that the purpose of requesting the inclusion of names and addresses had been for inclusion in the free draw and it was confirmed that the inclusion of a post code would suffice.

Members agreed with the view expressed by Councillor M.LI. Davies that the findings of the questionnaires be published in County Voice, together with, a photograph of the winner of the raffle.

The importance of seeking and obtaining the views of all disabled persons, which included those with physically and mental disabilities, in relation to their requirements and needs in respect of the service provision was highlighted by the Forum Secretary.

The Forum Secretary referred to the importance of involving local Community Councils in the consultation process and Members agreed that the Forum Secretary write to all respective Community Councils inviting them to nominate a representative to attend a meeting of the Local Access Forum to put forward their respective Councils views with regard to the production of the Rights of Way Improvement Plan. Members of the Forum also agreed with the suggestions made by the Forum Secretary that the Community Councils should be requested to indicate and identify paths within their respective areas, highlight any problems which had or are being experienced and request details in respect of any deficiencies.

Members agreed that the following six Groups be established within the Local Access Forum to cover the 6 relevant areas to tie in with Government policies, together with, the membership as outlined below:-

Walking – Mr R. Williams and Ms V. Walker Jones  
Equestrian – Ms E. Hart, Ms J. Lord and Ms S. Roberts  
Cycling – Mr C. Marshall  
Adventure Tourism – Mr A. Walls (Forum Secretary)  
Health and Ability – Ms K. Culhane  
Economic Benefit – Ms S. Roberts and Ms E. Hart

Members also agreed that the Forum Secretary meet with Land Owners, Farmers and their respective Unions to discuss issues relating to the Rights of Way Improvement Plan and to ascertain their views on the production of the Plan and its subsequent format.

In reply to the view expressed by Mr D. Berry with regard to the importance of Denbighshire adopting a proactive approach towards a maintenance policy, the Forum Secretary confirmed that this issue would be addressed during the process of the production of the Rights of Way Improvement Plan.

The Forum Secretary informed Members of the Forum that, following the initial research, there would be a further opportunity for everyone to comment on the ideas that might be included in the Improvement Plan.

*Resolved – that*

- (a) the report be received.*
- (b) each Member of the Local Access Forum distributes 5 copies of the questionnaire for completion in their respective areas.*
- (c) the Rights of Way Officer writes to all respective Community Councils inviting them to nominate a representative to attend a meeting of the Local Access Forum to put forward their respective Councils views with regard to the production of the Rights of Way Improvement Plan.*
- (d) the following six Groups be established within the Local Access Forum to cover the six relevant areas to tie in with Government policies, together with, the membership as outlined below:-*

- Walking – Mr R. Williams and Ms V. Walker Jones*
- Equestrian – Ms E. Hart, Ms J. Lord and Ms S. Roberts*
- Cycling – Mr C. Marshall*
- Adventure Tourism – Mr A. Walls (Forum Secretary)*
- Health and Ability – Ms K. Culhane*
- Economic Benefit – Ms S. Roberts and Ms E. Hart*

- (e) the Forum Secretary meet with Land Owners, Farmers and their respective Unions to discuss issues relating to the Rights of Way Improvement Plan and to ascertain their views on the production of the Plan and its subsequent format.*

#### **4. COUNTRYSIDE RIGHTS OF WAY RIGHTS OF WAY ACT 2000 – DRAFT STATUTORY GUIDANCE UNDER SECTION 69 OF THE ACT – WAG/CCW CONSULTATIONS**

A copy of a letter from the Environment, Conservation and Management Division of the Welsh Assembly Government, seeking comments on the contents of statutory guidance to local authorities on issues they should consider when authorising the erection of gates on footpaths and bridleways to reflect the needs of people with mobility problems, together with, a copy of the document “By all reasonable means, Inclusive Access to the Outdoors”, had been circulated with the papers for the meeting.

The Forum Secretary explained that Section 69 Of the Countryside and Rights of Way Act 2000 (“CROW Act”) made provision for furniture, principally stiles and gates, across public footpaths and bridleways to be better suited to the needs of people with mobility problems. He informed Members of the Forum that the Act also contained powers for the National Assembly for Wales to Issue guidance to which the relevant Local Authorities must then have regard when exercising these functions.

He referred to the consultation document which related to the statutory guidance to be issued by the Assembly under Section 69 of the CROW Act, the contents of the statutory guidance having been developed on a joint basis by the Countryside Council for Wales and the Countryside Agency, Natural England. It was explained that prior to the advice being submitted to the Welsh assembly Government and DEFRA the Agencies had circulated the draft guidance to certain interested parties for comment.

Members of the Forum were informed that the guidance referred to other relevant guidance and as part of the consultation the Welsh Assembly Government had also invited views on the Countryside Council for Wales recent publication “By all reasonable means”.

Details of the questions to which the Welsh Assembly Government had requested a response had been included in the documentation circulated with the agenda. It was confirmed that an eight week period of consultation had been assigned and comments had been invited by the 26<sup>th</sup> January, 2007. Members of the Forum were informed that any views or comments could be sent in writing to the Forum Secretary for submission to the Welsh Assembly Government.

In response to questions from Members of the Forum in respect of the draft statutory guidance to local authorities on issues they should consider when authorising the erection of gates and stiles on footpaths and bridleways to reflect the needs of people with mobility problems, the Forum Secretary agreed to consult and liaise with interested agricultural groups, such as landowners, farmers and the respective farmers unions, with regard to any concerns or problems pertaining to the Act, particular reference having been made to the types structures to be utilised and erected and live stock security issues.

Mr D. Berry referred to three of his recent publications covering the Clwydian Range, Vale of Clwyd and Dee Valley and confirmed that the majority of problems had arisen in the Vale of Clwyd area.

*Resolved – that*

- (a) the report be received.*
- (b) The Rights of Way Officer consult and liaise with interested agricultural groups, such as landowners, farmers and the respective farmers unions, with regard to any concerns or problems pertaining to the types structures to be erected.*

## **5. WELSH AUDIT OFFICE 'PUBLIC ACCESS TO THE COUNTRYSIDE'**

A copy of the Wales Audit Office, Public Access to the Countryside, which had been prepared by the Auditor General for Wales for presentation to the National Assembly under the Government of Wales Act 1998, had been circulated with the papers for the meeting.

In the absence of the Principal Countryside Officer (Warden Services), it was:-

*Resolved - that the report be received.*

## **6. RIGHTS OF WAY UNIT REPORTS - MAINTENANCE AND DEFINITIVE MAP WORK**

Copies of the Local Access Forum Maintenance Report for Public Rights of Way and Definitive Map Report were circulated to Members of the Forum at the meeting.

The Countryside Access Officer, T. Evans, provided Members of the Forum with detailed summary of the Definitive Map Report which included the following areas:-

- (a) General Work Load – Members were informed that work was continuing on the backlog of legal orders as well as on the new applications. Confirmation was provided that maps illustrating the Rights of Way for each community were being prepared in order for each individual Community Council to highlight their priorities for dealing with any rights of way issues, it was explained that this information would be collected and integrated into the Rights of Way Improvement Plan.
- (b) Public Rights of Way Registers – The Countryside Access Officer informed Members of the Forum that the Rights of Way Team were currently fine tuning information relating to the Public Rights of Way Register which, it was anticipated, would be on-line in the New Year.
- (c) Number of Applications at Present – The following information in respect of the current number of Applications was provided for Members of the Forum:-
  - (a) Definitive Map Modification Orders (Wildlife & Countryside Act) – 27 Applications
  - (b) Public Path Diversion Orders (Highways Act) -16 Applications

In response to questions from Members of the Forum, the Countryside Access Officer confirmed that new modification orders were currently being received. However, the Lost Ways initiative had not had any significant impact. The Forum Secretary explained that approximately 600 queries had been received in respect of the Definitive Map. He informed Members of the Forum that the officers would need to visit each individual site and highlighted the problems which could be encountered as a result of the lengthy process of drafting Orders, if required.

The Countryside Access Officer, P. Owen, provided Members of the Forum with detailed summary of the Maintenance Report for Public Rights of Way, for the period from mid July, 2006 to the end of November, 2006.

He explained that the Rights of Way Team had received 27 complaints relating to 47 public rights of way with communities such as Llangollen, Llanrhaeadr and Llandegla proving to be the popular path problem areas. Members were informed that all complaints were currently being addressed and details relating to the nature and number of complaints had been included in the report.

The Countryside Access Officer made particular reference to various paths which had always been obstructed to the general public, he explained that these paths had recently been opened up for public use and details of the work undertaken had been included in the report.

The Chair thanked the Countryside Access Officer for the report and, it was

*Resolved – that the report be received and the position noted.*

**7. REPRESENTATION OF THE INTERESTS OF DISABLED PEOPLE ON LOCAL ACCESS FORUMS IN WALES**

A copy of a report by the Access Policy Officer, Countryside Council for Wales, on the Representation of the Interests of Disabled People on Local Access Forums in Wales, had been circulated with the papers for the meeting.

The Forum Secretary referred to the Countryside Council for Wales survey results on the Representation of the Interests of Disabled People on Local Access Forums in Wales and the need to address, as a matter of urgency, the issue of appointing a Member to the Local Access Forum to represent the interests of disabled people on the Denbighshire Local Access Forum.

*Resolved – that the Forum Secretary pursue the issue of appointing a Member to the Denbighshire Local Access Forum to represent the interests of disabled people on the Denbighshire Local Access Forum.*

**8. ANY OTHER BUSSINESS**

In response to a request from Mr D. Berry, the Forum Secretary agreed to liaise with Members of the Forum and agree dates for future meetings of the Local Access Forum for the year 2007.

*Resolved – that the Forum Secretary liaise with Members of the Forum and agree dates for future meetings of the Denbighshire Local Access Forum for the year 2007.*

Meeting ended at 17.20 p.m.