

**Minutes of the Cumbria and Lakes Local Access Forum meeting
held on Tuesday 4th July 2017 at the Seacote Hotel, St Bees**

Attendees:					
Charles Ecroyd (Chair)	CE	Carole Barr (Vice Chair)	CB	Jonathan Brooks	JB
Douglas Chalmers	DC	Terry Jolley	TJ	Miles McInnes (LDNPA)	MMc
Kathy Miles	KM	Mike Murgatroyd	MM	Bob Muscat (CCC)	BM
Malcolm Petyt	MP	Bridget Pickthall	BP	Steve Pighills	SP
Kerry Rennie (NE)	KR	Dave Robinson (LDNPA)	DR	Gerry Rusbridge	GR
Ken Taylor	KT	Cllr Helen Wall (CCC)	HW	Sylvia Woodhead	SW
Apologies:					
Oliver Coles	OC	Cllr Nick Cotton (CCC)	NC	Geoff Davies (LDNPA)	GD
David Gibson (CCC)	DG	Chris Lyon	CL	Ron Lyon	RL
Geoff Wilson	GW	John Crosbie (non-attendance)		Mohammed Dhalech (non-attend.)	
Observers:					
Ben Mayfield		Professor Tatsuya Suzuki			
Members of the Public:					
Tom Kelly: Parish Council, St Bees School and Clerk to the Trustees		Doug Sim: St Bees Parish Council Chair		Phil Turpin: landowner, Sea Mill	

1 Welcome

Charles Ecroyd welcomed everyone and thanked them for attending. The Forum was especially pleased to welcome two visitors (a prospective new LAF member together with a professor visiting from Japan) and three members of the public. All introduced themselves.

2 Apologies for Absence

Apologies were received.

3 Public Participation

- 3.1 A representation had been received from a member of the public regarding use of 4x4s in Tilberthwaite. This would be dealt with later in the Agenda.
- 3.2 The three members of the public present made brief statements as to their concerns relating to the route of the St Bees stretch of the proposed new coastal path and wished to be reassured that these were being fully considered.

Doug Sim stated:

- that he understood it had been agreed that the discussion over the course of the coastal path in and around the golf course at St Bees would be held soon locally and would involve NE, St Bees PC and St Bees School.
- that St Bees had replied in the NuGen consultation that the proposed diversion around Sellafield was unnecessary and impractical. In this they agreed with the sentiments of Natural England.
- that St Bees PC was working on a project for a cycle track linking St Bees and Whitehaven running down the St Bees Valley. This would be available for walkers. It would also be beneficial should the new mine go ahead.

4 Disclosure of Interest

MMc is a member of the LDNPA and is Vice Chair of the ROW committee. There was no other disclosure of interest by any member in relation to agenda items.

5 Exclusion of Press and Public

There was no requirement to exclude members of the public or the press.

6 Membership

Regarding County Council representation on the Local Access Forum: Cllr Liz Mallinson had not been re-appointed to the Forum; Cllr Helen Wall was re-appointed; and it was not yet confirmed whether Cllr Nick Cotton was re-appointed to the Forum.

7 Minutes of the Previous Meeting

The minutes of the 11th April 2017 Cumbria and Lakes LAF meeting were agreed.

8 Matters Arising

8.1 8.2a **Logo** – CB reported that Jane had hoped to email her that morning; however, CB had had no internet. She would forward this to KM to circulate. From what CB had seen recently it looked very good and promising. **CB**

8.2 8.2b **Website** – CB had asked Sandra Pattinson if it was possible for her to have access to the website to make changes. This however is not possible.

8.3 8.6 **Authority representation** – CE had contacted Dominic Donnini and Angela Jones, explaining again that in future it would not be possible for each of the three main parties to send a representative to the LAF.

8.4 9 **New Terms of Reference** – GW was away at present and CE reported that no further progress had been made.

9 LAF Work Programme

9.1 Cumbria Access and Recreation Strategy

The Access and Recreation Strategy which had been worked on for a number of years had come to the fore again, but had not so far been approved by the various partners. The intention was to replace the 2005 Access Strategy. It would be necessary to have a more fundamental look at the strategy and to incorporate sustainable transport and the National Park extensions. It would also include the direction which Defra wished the parks to go in to include the Heath Agenda. It should also capture drivers for change such as digital technology and how that affected usage of the Park.

The reason DR had not circulated the updated version was because DG (CCC) and Mark Allum (Yorkshire Dales) had not yet seen and responded to DR's new version and it was therefore not right to put this version to the LAF at this point. DR had posed some questions at the end of his paper. There were four strategic aims with sub-themes. He wondered if these could be simplified and would welcome comments.

A LAF member asked how DR envisaged the LAF being involved in the re-write, to which DR suggested a sub-group or a separate meeting of all the LAF members. CE suggested that a smaller group should work on input and then share with the wider LAF membership. Members **agreed** that a smaller group should meet. It was important that the LAF was aware and that work was in progress. Initially it should be looked at by the County Council and the Yorkshire Dales, and after this a working group could meet at a date perhaps in early September. Any members who wished to be involved should let the Chair know. **All**

KT asked if the new strategy would incorporate the ROWIP or supersede it, and did the ROWIP have to be reviewed every 10 years or at least every 10 years; and was it known how many of the projects had actually been done.

DR informed that ROWIPs have to be reviewed at not more than 10 year intervals and the original ROWIP was launched in 2007. The relevant authorities would need to refer to the original ROWIP project lists to calculate the number of projects completed. HW, as a member of the Barrow Health & Wellbeing Board, commented that this access and recreation strategy fitted perfectly with the aims of the health and wellbeing board.

9.2 Inspections and recommendations on ROW consultations

Dealt with under 10.1 below.

9.3.1 Fell Fencing Project – update

Gerry Rusbridge had not had a lot of involvement with the Upland Fencing database recently. However, he had helped set up an annual data-refresh. He was trying to ensure that all involved were in contact with one another with a view to a seamless data-refresh.

KT had gone through all the SOS approvals for fencing on common land. His idea was that all the relevant people involved would meet. The first approvals would begin to lapse shortly, after 15 years.

In respect of fences for establishing of woodland to protect new trees KT commented that sometimes trees are dead and the fences redundant long before the 15 year period is up.

CB observed that this was all looking very positive and thanks were due to those doing the work. As a LAF, should we have a list of the questions that we ask? She asked how the information was fed in, or was this question one that the LAF needed to ask. KT agreed that there should be a system where all these questions were asked, whereby NE would record these things.

Both the Forestry Commission (FC) and NE should make sure that the LAF is consulted. CB also asked if the fences were simply taken down or were taken down responsibly and debris removed. KT replied that there was nothing about responsible disposal and nothing was enforceable.

MM observed that the LAF had talked about the responsibility for taking down fences and remembered that years ago this was asked and nobody would take on this responsibility. At one time the National trust had volunteers go out and remove the fences.

9.3.2 Murton fencing proposals – response

SW had represented the LAF at a consultation meeting in the Murton area, to assess four areas identified for scrub creation, three of which involved fencing Open Access land. Since the LAF response, it had been heard that the Murton Commoners did not intend to continue with their application.

9.4 Lake District Partnership Board

On Sunday it would be known whether the world heritage bid had been successful. The archetypal view of the Lake District was of open unfenced land, and if anyone had any comments, they should please let CB know by 17th July.

All

10 Consultations

10.1 Table of consultations from the previous quarter

None tabled, but members reported as follows:

SW reported a proposed diversion of the footpath blocked by Vicarage School in Kendal, which corresponds to a diversion suggested by the Cumbria LAF in 2011, which does not now meet the legal tests. A shorter, straighter diversion was again suggested. CB suggested in addition contacting the school governors and meeting on site. SW agreed that as this had gone on for six years this may be a good idea.

MM had circulated details of two ROW consultations and a further was forthcoming, namely one the LAF had looked at that morning.

Approximately a year ago MM had been asked to look into a proposal at Kells: a terrace of houses on one side of the road where a semi had now been built in the small gap between the terrace. There was now a proposal to make the narrow gap between the semi and the end of terrace a PROW which could result in the need for a gating order in the future. CCC had approved the application as had several others. This would now be the subject of a public enquiry late this year. MM felt that he should re-submit his original response. This was agreed.

10.2 Recent and current or upcoming consultations

SP reported that there had been no consultations, but there had been quite a raft of orders made for a period of six months. Although closures, they would be only for part of this time. SP had circulated details to members.

11 Members News

11.1 DC informed members that Friends of the Lake District (FOLD) were holding a great landscapes week, a series of events. He would forward details to all. He confirmed that he was still a member of the Local Nature Partnership (LNP) and that it had a new chair. **DC**

11.2 SP had attended the Warcop meeting and had felt regarding the consultation that the de-registering of the Commons Land at Warcop was already a done deal. An email to CE from Ron Lyon had said much the same. There was also some talk of footpath diversions within the area because walkers were ignoring red flags on firing days. SP added that firing days are advertised. [Access Days also – For further information on weekly public access opportunities on Warcop call the Freephone Information Line on 0800 7835 181]

11.3 CB observed that now the two LAFs have joined together, we should let people know of our new merged status. She would update the work programme with who would do what. **CB**

11.4 KT raised an issue at Seathwaite in Borrowdale for access to Scafell Pike. Over the years more and more people have parked there and a few weeks ago huge boulders were put along the lane and a field opened up, charging for parking. The farmer probably cannot do this, but it made the point. A meeting was to take place on Thursday with Highways, the National Park and the farmer to consider this problem. KT conceded that the farmer's concerns need to be addressed.

JB raised a similar problem with Catbells and that a planning application was now with the National Park. DR added that in terms of planning policy there was a presumption against any new car park. At Walna Scar a car park was now about to be formalised after years of parking there.

MM observed that in an ideal world there would be parking away from these sites and shuttle busses. He felt parking along verges was not acceptable; there was a need to be realistic.

Setting precedents for new car parks raises a problem. MMc added that policy will sometimes allow a new car park where it will be part of a sustainable and strategic traffic management scheme.

CE observed that it must not be forgotten that the farmer has to be allowed to continue his business. Yellow lines plus enforcement might spread the word and deter some people. CE thanked KT for bringing these issues up. KT felt this was such an important launching off point that the key message had to be adequate parking that did not inconvenience the locals. JB thought there was a need for people to be educated into using sustainable transport, SW then suggesting the LAF could work towards influencing organisations to produce some literature that says: please be responsible about driving to the end of these valleys and instead use sustainable means instead. BM added that this is a part of events management messages. KT would report back to the next LAF meeting. **KT**

11.5 MP had spent some time in the last few months in the part now ceded to the Yorkshire Dales. He reported that an office and a ranger base had been established. He had been involved in this. CE reminded that in principle an exchange of members had been agreed with the YD LAF, but questioned whether this was necessary as MP and NC were on both LAFs.

11.6 JB mentioned again the extra view on Ullswater following the felling of some trees, and suggested more thinning rather than blocks of felling in future. MMc explained that the clear-felling had been done by CCC as part of the flood recovery.

JB raised an issue with access to Derwent Water: the sill needed to be replaced to maintain the lake's water level, as the launch had not been able to run for about five weeks due to the low level of the water.

11.7 TJ reported that he had been in the Arnside and Grange area in June and found footpaths were in tiptop condition and well way-marked.

11.8 HW raised a problem with a footpath and a children's play park, signing and barbed wire. BM advised her to report this to CCC.

Also money had been found to clear trees at Ormsgill quarry so that it could again be used as a picnic spot.

12 News from National and Regional Access Bodies

12.1 CE had been unable to attend the National LAF Conference, but notes would be available in due course. [Now available on Huddle]

12.2 The draft minutes of the 18th May Northwest Regional LAF meeting had been circulated for information. There was a feeling that meetings were useful, but these were to be reduced to two meetings a year. It is good to share practice and what is going on across the region. Greater Manchester is a big question but it remains to be seen what happens now that there is a mayor for Greater Manchester.

13 Coastal Access

Gerry Rusbridge and Kerry Rennie provided an update on progress with the coastal access project in Cumbria.

- 13.1 It was hoped to get the Whitehaven to Silecroft stretch open by the end of the financial year although more likely to be some time during the summer of 2018. The signage is always the last thing to go in. There was an issue around the St Bees golf course, which had now been resolved, and there were one or two other places where the path has to be rolled back or go on the landward side of a building, plus Sellafield and Moorside. The latter were involved in the proposal that went to the Secretary of State (SOS). Network Rail had also been involved.

One member of the public commented that the proposals around Sellafield were not realistic because for years people had used the path along the coast and would continue to do so. GR shared this view but the proposals for the new-build included a marine off-loading facility that would prevent public access to the foreshore for long periods. St Bees was keen to know that the LAF had looked at this and understood the situation.

There were three questions about the intended new bridge over Pow Beck at St Bees. Bob Muscat was able to explain that what was on the map was correct and there would be a slight modification to the line of the public right of way. Regarding access to the beach, people had direct access at present. BM would be able to speak to locals directly about these points.

- 13.2 Walney Island had received approval from SOS for the proposals and it was hoped that establishment of this stretch would be a fairly easy job, with the new access rights established by the end of the year, or during the summer of 2018.
- 13.3 90-95% of the planning for the trail route was now completed for the last Cumbria stretch, Silecroft to Silverdale. NE had a history of giving the LAF an opportunity to look at the proposals before they were finalised. The briefing would be in projected digital presentation format and a date during the next couple of months would be agreed.

**CE
KM**

14 Authority Work Programme Updates

- 14.1 Cumbria County Council – Countryside Access Team
DG had sent his apologies and a report. CE therefore invited members' questions.
- 14.2 Lake District National Park Authority
DR did not yet have an updated paper. He then spoke about the issue raised in the representation received from the member of the public.

Overuse and abuse of a route/fell road from High Tilberthwaite was of great concern to locals. DR explained that there were a number of ways a TRO could be implemented, but usually these were a last resort if all else failed. He had seen this route deteriorate over the last 10-15 years, mainly by water and lack of maintenance.

They were looking at reinstating HOTR management. The main focus of 4x4 events in the last few years had been on illegal use. The complaint at Tilberthwaite was the first serious one in a long time. Implementing a TRO now would not solve it and would probably only lead to a public inquiry. GW had surveyed the route a few months earlier. There was now an online petition and media attention was escalating.

CE asked about managing the route and whether this would include infilling. DR agreed that remedial maintenance would help. BM knew of a problem at Latrigg some 3-4 years ago where the type of maintenance needed was not the kind that Highways normally dealt with.

SP asked if there was a problem with the number of vehicles using the route. The frustration was that because this was a highway, volunteers could not be used to work on it. He advised that step 1 should be to data log it; and Step 2 to find a mechanism to deal with it.

CB sits on the Trail Management Advisory Group and felt it was important to deal with this, because in time it would affect other kinds of users too. In addition there would be run-off into the tarn. It needed a multi-agency approach and there were many options to consider.

CE would respond that the LAF discussed this at length and the general feeling was that a multi-agency response was required. He would say that the LAF would revisit this issue at the October meeting. At present our hands are tied.

CE

JB asked whether there were any rules about the use of quad-bikes on private land and MMc offered to take this up.

MMc

15 Ongoing Infrastructure Projects

15.1 Thirlmere water pipeline

There would be ongoing applications for ROW closures. The LAF would always ask that closures be as short as possible. CE requested LAF members to let him know if there were any comments to pass on to Nick Thorne.

15.2 Moorside – currently on hold

15.3 Northwest Coastal Connection – currently on hold

16 Feedback from morning Training Session / Coastal Trail

Thanks were to go to Gerry Rusbridge, Kerry Rennie and Bob Muscat for the informative and useful presentation and St Bees path site visit.

17 Date of Next Meeting

Date of the next LAF meeting:

Thursday 5th October 2017