

Minutes of the **Cumbria and Lakes Local Access Forum meeting**  
held on Tuesday 5<sup>th</sup> October 2017 at the Keswick Quaker Meeting House

<b>Attendees:</b>					
Charles Ecroyd (Chair)	CE	Carole Barr (Vice Chair)	CB	Jonathan Brooks	JB
Oliver Coles	OC	Cllr Nick Cotton (CCC)	NC	David Gibson (CCC)	DG
Paul Haggin (CCC)	PH	Terry Jolley	TJ	Kathy Miles	KM
Mike Murgatroyd	MM	Malcolm Petyt	MP	Bridget Pickthall	BP
Steve Pighills	SP	Dave Robinson (LDNPA)	DR	Ken Taylor	KT
Geoff Wilson	GW	Sylvia Woodhead	SW		
<b>Apologies:</b>					
Douglas Chalmers	DC	John Crosbie	JC	Geoff Davies (LDNPA)	GD
Mohammed Dhalech	MD	Chris Lyon	CL	Ron Lyon	RL
Miles McInnes (LDNPA)	MMc	Cllr Helen Wall (CCC)	HW		

## 1 Welcome

Charles Ecroyd welcomed everyone and thanked them for attending. The Forum was pleased to welcome to the meeting Paul Haggin, Manager Development Control and Countryside Management.

## 2 Apologies for Absence

Apologies were received.

## 3 Public Participation

No representations or questions had been received from members of the public.

## 4 Disclosure of Interest

SP is the Rights of Way Officer for the Cumbria Group of the Trail Riders Fellowship. Ken Taylor is working with the British Mountaineering Council in preparing its response to the Tree Top Trek Limited Thirlmere zip-wire proposal.

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

There was a need to clarify all members' terms of office and how to proceed; whether to have an annual recruitment campaign and whether the appointment process would include workshops and/or interviews. The Cumbria LAF had always interviewed and appointed members for differing lengths of term, to avoid losing too many at once, though members could also be re-appointed.

Following on from the July LAF meeting, Ben Mayfield had been contacted again and had confirmed that he would like to become a Forum member. As there was a vacancy on the LAF, KT mentioned someone else that had applied a couple of years ago and would probably still be interested in joining the LAF; he would contact them again.

**KT**

## 7 Minutes of the Previous Meeting

The minutes of the 4<sup>th</sup> July 2017 Cumbria and Lakes LAF meeting were agreed.

## 8 Matters Arising

8.1 8.1 **Logo** – CB reported that she had gone back to Jane with a request from the LAF to design a logo from the original idea of using the shape of the Cumbria coastline to form a big letter 'C'. CB passed round a sheet showing some initial representations of this for comment. Members noted that the representation of Cumbria did not go sufficiently far north, east and south to reflect its boundaries.

8.2 8.2 **Website** – Members felt that it may be worth exploring the possibility of setting up a stand-alone website which LAF members could manage. The authority would need to pay the costs for this, but it would free up staff time.

SW and BP had noticed that the report of the St Bees meeting was not yet on the website. KM thought it possible that she had not forwarded it, apologised for the oversight and would send it to Sandra.

*KM*

8.3 8.3 **Authority representation** – Regarding County Council representation on the Local Access Forum, CE had received an email from Phil Greenup, confirming that Cllr Nick Cotton was re-appointed to the Forum.

8.4 8.4 **New Terms of Reference** – CE apologised that he and GW had not been able to meet to agree a final draft.

8.5 11.2 **Warcop** – A forum member asked if the LAF could expect to receive any information about the footpath diversion. DG responded that he had been out on site looking at this. However, it was on hold until the Commons deregistration was finalised. SP had attended the meeting and was able to report that actually there had been nothing new in this. All the discussion about deregistration had taken place several years ago and the MOD were simply making this change due to a change in the law.

## 9 LAF Work Programme

### 9.1 Cumbria Access and Recreation Strategy

DR explained that a meeting between the LDNPA, YDNPA and CCC would take place shortly to discuss this and after that the new draft of the Strategy would be provided to the LAF. Yorkshire Dales would like to have one management plan that covered the whole of their area and would therefore not wish to sign up to a plan covering the whole of Cumbria.

### 9.2 Fell Fencing Project – update

KT reported that he and GW had met with the National Park and Natural England. The main purpose of the meeting was to look at a GIS-based information system. The information on fencing that had taken place on common land was fairly good, largely because Secretary of State (SOS) approval is recommended. In other areas information was fuzzy. They would try to clean up this data as far as possible. The amount of new fencing might now be required to be monitored because of potential impact on the new World Heritage status. There was to be a meeting of the wider group of those involved in the project.

GW's concerns were not about the data supplied by NE, FC etc. His concerns were more about the situation nationally and that each fencing scheme should be mapped and each

should require fences to be removed, but this was not happening enough and certainly much less than in Cumbria. His regret was that there had been no progress on this nationally, and that there continued to be no practical requirement imposed by the grant-aided schemes for the temporary fencing to be recorded or to be subsequently removed.

### **9.3 Inspections and recommendations on Rights of Way consultations – Members’ reports**

9.3.1 GW reported on a proposal to close a footpath that crosses a railway line near Appleby where there is a housing development adjacent to the railway. There were objections to the closure. At the public inquiry the inspector refused the closure, but the railway went to court and the inspector’s decision was quashed. This is ongoing.

SW reported that in 2014 at Grange, where the town is separated from its promenade by the railway, Cumbria LAF had recommended that the Bailey Lane pedestrian crossing be made a PROW. This was an old route, from before the railway, but there was disagreement as to whether historically it qualifies to be designated a ROW. In July 2017 the crossing was locked and then a diversion applied for. DG explained that this was a temporary emergency closure for public safety under the Highways Act on this unrecorded PROW and that the time limit had been exceeded.

9.3.2 In 2016 BP and SW had looked at a section of the Cumbria Way north of Mansriggs and Osmotherley. The LAF had fully supported the proposed diversion and the order was subsequently made. Although the new route of the path was more convenient and provided excellent views, it appeared that two walkers disagreed and had found it muddy and also less pleasant. There is therefore to be a hearing in January 2018. Assurance had been received that all previous documentation would be made available for the Inspector and that the LAF did not have to take any action, unless a member wished to attend the hearing.

### **9.4 Recent, current or upcoming consultations**

#### **9.4.1 Members’ reports**

- a SP reported on a couple of temporary closures, all for 6 months with opportunity to extend. DG clarified that the period could not be extended indefinitely without referral to SOS.
- b MM reported that a public inquiry on two PROW in Kells was to be held on 5<sup>th</sup> December.
- c He had also received a consultation on an amendment to planning permission relating to the low-level repository at Drigg. However, there was no infringement of PROW and therefore no need for the LAF to comment.
- d There was a further consultation on an old PROW which followed the course of the river at Long Marton on very boggy land and the diversion was on higher ground, with good views and therefore there would be no need for any objection from the LAF.
- e Following her report to the previous LAF meeting on the situation with the proposed diversion of the footpath blocked by Vicarage School in Kendal, SW reported that she had contacted the school several times but it had not proved possible to meet anyone at the school.

Paul Haggin informed members that a paper would be going to Committee on 1<sup>st</sup> November. There was an objection, but the recommendation would be for approval.

- f In reply to a question from a LAF member about fencing on access land, KT explained that land newly planted with trees becomes excepted land for the first year and then reverts to Open Access status. In the long term, when access land is planted with trees there is a danger that it will lose its OA status when (if) re-mapped.

DG added that farmers are now being advised to take out access furniture that has reached the end of its life.

- 9 KT referred to the parking issue at Seathwaite discussed at the previous meeting. He would circulate to members his report which showed that the public had lost about 20 spaces, but that the farmer allowed parking on his land, where there was an honesty box. **KT**

#### 9.4.2 LAF Advice on Woodland Planting on Access Land

GW reported on a consultation regarding a short-rotation willow crop at Rookin House. He had expressed general agreement for access land, using the template formerly used by the Lake District LAF, and included a guidance sheet covering most eventualities. Members agreed that it was necessary to review the guidance and template for the new LAF.

NC commented that willow could be argued to be sustainable and a short-term crop.

#### 9.4.3 Thirlmere zip-wire proposal

DR described what was proposed and confirmed that the application had not yet been submitted.

MM had attended the first open day and asked if the size of the Swirls car park had been considered, whether there was adequate public transport and whether bicycles could be taken on the bus. None of these were being considered.

DR pointed out that another traffic and transport appraisal would have to be undertaken.

There was discussion on the impending application for the zip-wire at Thirlmere in comparison to that at Honister.

#### 9.5 **Table of consultations from the previous quarter**

KM passed round for comment a draft template which included details of some of the consultations from the previous quarter and hoped to be able to provide a more complete table to the next meeting.

#### 9.6 **Lake District National Park Partnership**

Following the successful bid for world heritage status, the inscription had to be approved and would then be put in place. The meeting would be the following week and the inscription would go in Crow Park in Keswick.

### 10 **Members News**

- 10.1 SW had recently been at Watchtree Nature Reserve which was now a countryside access resource with opportunities for outdoor recreation for all abilities.

It was suggested as a future meeting venue.

SW also commented on her recent trip to the new coastal path on the Jurassic Coast.

- 10.2 BP reported that Lancaster Canal Trust had found some money for interpretation / furniture at Sedgwick, Hincaster Tunnel and Stainton Viaduct.

- 10.3 CB would review the LAF work-plan and update it. **CB**

- 10.4 NC commented on Sedbergh's cycling potential and benefits coming from various angles. SLDC had recently commissioned a 'Sedbergh Economic Study', one strand of which was to promote road cycling in the area and to look at the potential of converting parts of the nearby dismantled railway line to recreational use.

NC had recently been appointed to the Fells and Dales Leader Board which had money to spend. There were quite a lot of dismantled railways in Cumbria and Yorkshire Dales which could be used for access. CE agreed that the LAF should be supporting this aim. DR informed that dismantled railways would shortly be coming under Highways England, who had a responsibility to keep cyclists off roads where possible and felt this was an area worth being aware of and exploring.

- 10.5 JB wished to record his personal and local area's deep disappointment at the previous day's decision to reject the proposal for a new car park below Catbells. CE reminded members of the National Park policy as explained by MMc at the previous meeting. DR reaffirmed that this would indeed be against the Park's Sustainable Transport policy, adding that had the applicants carried out monitoring this may have helped. MM took up JB's point about the parking for Catbells. He felt that no-one would criticise the LDNPA's long-term policy, but would like to see temporary permission granted, rather than burying their head in the sand and pretending the problem did not exist.

SW suggested the LAF write to the authority and say they felt a temporary car park should be trialled.

- 10.6 MM picked up on SW's mention of Watchtree, saying that it is used a lot by the Calvert Trust because of the excellent facilities there.
- 10.7 MP and NC were at the recent Yorkshire Dales LAF meeting where the second 5-year review of the Green Lanes policy was on the agenda. There had been a working party 10 years ago, chaired by MP, and in which both GW and DG had taken part. Its recommendations had worked, and there now seemed to be a situation with which all sides were reasonably content. SP observed that it was always disappointing when routes were closed, but also that the framework had worked and those concerned were happy with the current situation.

## **11 News from National and Regional Access Bodies**

### **11.1 National LAF Conference**

KM reported that though National LAF Conference papers, workshop notes, presentations and audio recordings were available to download from Huddle, there were too many big files for anyone to download individually from Huddle and forward to all LAF members, and not all would be of interest to all recipients. It was a shame that these could not be accessed directly on the internet as in the previous year, as any LAF member could then choose what to read or listen to.

### **11.2 NW Regional LAF – 'LAFs in changing times'**

Members had looked at the Cheshire East LAF agenda circulated for information regarding that LAF's potential name change to Cheshire East Countryside Access Forum, with a view to the new name better reflecting their role. Shropshire LAF's presentation on their rebranding as Shropshire's Great Outdoors Strategy Board was included in the CELAF agenda.

Some Cumbria & Lakes LAF members were strongly against their own LAF becoming a 'countryside' forum as such a title would appear to exclude urban areas where ROW, public open spaces and gating orders also fall within the LAFs remit.

## **12 Coastal Access**

### **12.1 Update** (covered in 14.1 below)

### **12.2 Feedback from NE briefing on Stretch 5: Silecroft to Silverdale**

CE thanked those who attended the Stretch 5 briefing with Gerry Rusbridge and Kerry Rennie. There was clearly still work to be done. It was felt that the decision to use the train as a method of crossing estuaries would be challenged, but he thought the inspector may reject such an objection. SW added that the proposals were good and that there were some very good additional opportunities for access.

DR gave an update on the Arnside viaduct. The Morecambe Bay Partnership had taken this proposal on and had been able to contact Network Rail who had commissioned a feasibility study which alone would cost much more than Morecambe Bay had thought.

## **13 Tilberthwaite update**

Following on from the discussion at the previous LAF meeting, the same member of the public had again got in touch to lobby the National Park to consult in a shorter period. DR gave the LAF an overview of the consultation process and timescale involved. He reported that monitoring of the route, and in particular of quads and 4x4s, was taking place.

JB asked if this was successful in reducing 4x4s at Tilberthwaite, whether this traffic would go elsewhere. DR agreed that this would be likely.

SP observed that the increase in numbers since the last survey in 2009 was not as great as people thought.

## **14 Authority Work Programme Updates**

### **14.1 Cumbria County Council – Countryside Access Team**

DG reported on the Cumbria County Council Countryside Access Team work.

Flood Recovery – Flood recovery, working together with the RPA, was coming along well, reopening the Poetry Path in Kirkby Stephen. In Papcastle and Appleby both schemes have been stalled owing to the river levels being too high and the environmental window closing at the end of September. Some possible working with the Eden Rivers Trust is being proposed in the Lacey's Caves area adjacent to the River Eden. Also working with the Yorkshire Dales National Park on re-establishing a washed out bridge on the River Lune.

PROW Improvements – Replacing a bridge in Melbourne Park, Carlisle in partnership with Carlisle City Council. The new design of bridge has been designed by Countryside Access and built in Carlisle. The installation of the bridge is currently out to tender.

PROW Management – CCC are looking to work with the Christopher Robin Trust to upgrade a footpath in Kirkby Lonsdale working with a special educational needs group; this should be an interesting project.

Coastal Access – The contract for Stretch 2 establishment had been signed, but with the delay it was unlikely that all the proposed works will be carried out this year and outstanding work will be carried over into next year. On stretch 4, Walney Island, an additional grant has been applied for to ensure clearance work is carried out prior to the nesting season. NE would procure the relevant permissions internally so that CCC could carry out this work.

SOS approval for Allonby to Gretna is awaited; there are nine outstanding objections to be dealt with by the planning inspector this December. The plan for delivery of the remaining work is to finish stretches 2 and 4 next year and start works on Stretch 3. At present there was insufficient staff resource to work on stretch 5, but this is hopefully being addressed.

Land Regeneration Project – This £21m project was delivered up the West coast to regenerate industrial sites; CCC currently looking into maintenance funding for these sites.

Major Bridges – The delivery of this programme is on target, with all the funds committed. As a LAF member asked what was happening with the missing bridge at Hag Foot, DG explained that it was a private structure, not a CCC bridge and they were working with the landowner to re-establish the structure. This would probably be a smaller structure than the previous bridge to keep costs down.

Mapping Orders – There were no outstanding temporary orders; however there were 80 permanent orders outstanding.

#### 14.2 Lake District National Park Authority

DR reported that he was to meet with Park Management leaders soon and would push again for a summary to be produced along the lines of the CCC summary.

### 15 **Ongoing Infrastructure Projects**

15.1 Thirlmere water pipeline – work ongoing and nothing of note to report.

15.2 Moorside – currently on hold until a new sponsor is found, but there is some Chinese interest.

15.3 Northwest Coastal Connection – currently on hold

### 16 **Feedback from morning Training Session**

DR was thanked for providing a useful and interesting morning programme, which began with a presentation on outline plans for Access and Recreation projects in the Lake District, including various cycleway schemes. This was followed by a site visit along the west of Bassenthwaite Lake, adjacent to the A66, to assess improvements proposed as part of the creation of a round Bassenthwaite cycleway. Members found the site visit enjoyable and were particularly interested to learn that it was hoped that Highways England would surface the cycleway and bridleway along this section of the A66. BP suggested that a mounting block on either end of the low tunnel under the A66 would solve the height problem and be perfectly acceptable to horse riders.

Members agreed it had been an interesting morning, commenting that site visits were always useful.

### 17 **Date of Future Meetings**

Dates for future meetings were agreed as follows:

Thursday 25<sup>th</sup> January 2018

Thursday 19<sup>th</sup> April 2018