

**Minutes of the Cumbria and Lakes Local Access Forum meeting
held on Thursday 19th April 2018 at Glenridding Village Hall**

Attendees:					
Charles Ecroyd (Chair)	CE	Carole Barr (Vice Chair)	CB	Jonathan Brooks	JB
John Crosbie	JC	Geoff Davies (LDNPA)	GD	David Gibson (CCC)	DG
Chris Lyon	CL	Ron Lyon	RL	Kathy Miles	KM
Mike Murgatroyd	MM	Malcolm Petyt	MP	Dave Pickup (LDNPA)	DP
Steve Pighills	SP	Dave Robinson (LDNPA)	DR	Ken Taylor	KT
Cllr Helen Wall (CCC)	HW				
Apologies:					
Ben Mayfield	BM	Oliver Coles	OC	Douglas Chalmers (non-attend.)	
Cllr Nick Cotton (CCC)	NC	Mohammed Dhalech (non-attend.)		Cllr Helen Wall (CCC)	HW
Geoff Wilson	GW	Sylvia Woodhead	SW		
Members of the Public:					
Diana Mallinson		Mike Mills			

1 Welcome

Charles Ecroyd welcomed everyone and thanked them for attending. The Forum was pleased to welcome two members of the public to the meeting.

2 Apologies for Absence

Apologies were received.

3 Public Participation

Two representations were made by members of the public.

3.1 Presentation on behalf of Save Langdale Green Lanes

Diana Mallinson had come on behalf of Save Langdale Green Lanes to seek the LAF's support. She passed copies of her paper around the table and spoke about their concerns.

MP confirmed that in the Yorkshire Dales the LAF was very much involved in green lanes and the advisory group of which he had been chair was very much seen as an advisor to the LAF.

DR re-stated that to do a TRO a huge amount of data has to be provided without which it would be challenged, as was seen once in the past. He also pointed out that use will have changed due to closure of other routes; displacement means increased use elsewhere. SP added that flooding also causes damage to such routes.

MP commented that most people do not know what is a BOAT, UCR or Green Lane. It is a complex business. Diana observed that this had come up on the North Yorkshire LAF which also was told that it was not within their remit, but it was looked into. She asked that members go and look at these two routes before the national park makes its decision.

CB felt that the length of time was as it had to be, as with any decision on other claims. There are processes which have to be gone through. As part of the network of routes it is all right for the LAF to be involved. JC asked if the LAF could formally adopt this position, perhaps with a strong statement from the Chair. DG advised that the LAF's view would have to include reasons as to why it was commenting and how it related to Open Access and Rights of Way.

Due process has to be followed and even if the decision is a TRO, there is then further due process to follow.

CE thanked Diana Mallinson for coming.

3.2 **Presentation – Access to Bassenthwaite Lake for canoeing**

A paper from Mike Mills had been circulated to LAF members before the meeting. From previous experience he felt this was a good place to air his thoughts on this question.

The LAF listened to his presentation and the points that were raised. Members were aware that the whole licensing issue was under review by LDNPA and would keep this under review.

CE thanked Mike Mills for coming.

4 **Disclosure of Interest**

There was no disclosure of interest by any member in relation to agenda items other than as disclosed previously.

5 **Exclusion of Press and Public**

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

6 **Membership**

After contributing for many years to the work of the LAF Bridget Pickthall and Terry Jolley had resigned from the LAF for personal reasons. As there were now three vacancies, it was time to look at where there were gaps in representation and also look at applications already received.

7 **Minutes of the Previous Meeting**

Some changes provided by Simon Smith, Caldbeck Parish Council Clerk, to the third paragraph of page 2, for accuracy and for clarification, were agreed. The minutes of the 25th January 2018 Cumbria and Lakes LAF meeting were then accepted.

8 **Matters Arising**

8.1 3.1 **Caldbeck to Hesket Newmarket path** – Nothing further on this to date

8.2 3.2 **England Coast Path Silcroft to Silverdale** – DG stated that the report on this stretch was currently on hold whilst issues were being clarified by NE and therefore still awaiting a decision from SOS. There would be a meeting at Sellafield with a view to a time-limited arrangement to provide a long term-diversion. Funding for the establishment of the ECP was now through the Rural Payments Agency (RPA).

8.3 8.1/8.2 **Logo and Website** – CB raised the question of funding and DR would investigate. **DR**

8.4 8.4 **Warcop** – DG reported that Landmarc had been instructed not to process any footpath works until the Commons' issues had been resolved.

8.5 8.5 **Grange railway crossing** – DG reported that members of the Development Control & Regulation (DC&R) committee were to attend a site visit.

As GW was unable to attend the LAF meeting, he had provided a summary:

“Further to the January forum meeting, advice notes arising from discussion by LAF members were sent to CCC Officers and DC&R Committee members. It is expected that County Councillors will make a site visit at some time in late May/June and that the rail-crossing path diversion/closure order would be considered at CCC Development Control & Regulation Committee on 11 July 2018 in the Council Chamber, County Offices, Kendal, LA9 4RQ, commencing 10.00. The LAF's advice should be included with the agenda papers which CC Councillors will be provided with. The meeting is open to the public. All papers relating to the item should be available on the CCC website about 5 working days before the meeting.”

KM to circulate GW's note.

KM

- 8.6 9.4.1g **Seathwaite parking** – The main interest for the LAF was parking. KT had been there recently and found that the farmer had increased his bale store which meant there were now more places available for parking. DR commented that the National Trust was involved, as well as Cumbria Highways and the National Park. The farmer's car park was not legal as it had no planning permission and there was the matter of the criminal act in the damage to cars. The NP's overall stance was that they would like people to use sustainable transport and reduce parking.

GD informed LAF members that the National Park's plan was under review and that a consultation would start on 8th May, ending on 29th June. These draft plans were already in the public domain and available on the NP website. Policy 09 says “We will encourage world class visitor experiences”. Papers would be available from 25th April.

GD would forward the link to the consultation to KM for circulation and from 8th May there would be a much more user friendly paper available. Members would make personal responses, but the LAF should also make a response. He added that the Sustainable Transport policy would be replaced. The Local Plan Summary document is in several parts.

**GD
KM**

LAF members raised the cost and inadequacies of public transport, one commenting that a family had found it cheaper to hire a taxi to get to Brockhole than use a bus. GD advised that the consultation would be an opportunity to make such comments.

- 8.7 8.8 **Tilberthwaite** – Diana Mallinson's presentation had been heard and Tilberthwaite would continue to be on the LAF agenda.

9 LAF Work Programme

9.1 Cumbria Access and Recreation Strategy (CARS)

Forum members learned that Dave Robinson was shortly to leave the Lake District NPA to take up a post at Loch Lomond. He was the longest serving national park officer working with the LAF and thanked members past and present for their help. He had learned a great deal. Because he was leaving the CARS was on hold until a replacement started in this role. Finding volunteers for the sub-committee would be on hold pending the new appointment. The draft strategy had been circulated to LAF members.

DR introduced David Pickup (DP) who would be involved with the LAF in the interim. A vote of thanks to Dave Robinson for his contribution and good wishes for his future was proposed.

The Chair also thanked Dave for helping with the merger of the two LAFs.

9.2 Fell Fencing Project – update

KT reported that he and GW had submitted a paper on the access related issues of habitat

protection fencing on commons to the Summer 2018 edition of the Outdoor Recreation network Journal which goes to a wider audience. They were pleased when Pippa Langford, Natural England's lead officer on commons, had got involved and was keen to put their thoughts to NE and Defra and to feed into NE's deliberations on the Agriculture Bill and into the National Common Land Stakeholder Group.

KT and GW had updated their guidelines to ask people to take these into account when planting new woodlands. However, this is only advice.

GW had provided a summary which KM would circulate to LAF members.

KM

To a query from RL about stiles v. gates KT replied that on a ROW this should always be a gate, but elsewhere this was not always the case.

KT and GW had developed a database and been given added impetus by the Lake District's new world heritage status.

DP updated the LAF on the project and said the report was going to the Lake District Partnership to recommend that the partners provide details of any new fencing and that a database of new fences would be kept. CB was able to confirm that the Partnership had already given their support to this, but that support was still needed from the individual members of the partnership.

JC had noticed that a lot of the planting had not taken account of the interruption to views as trees mature and grow taller. KT responded that they do advise to plant appropriately and smaller species are grown higher up.

9.3 Inspections and recommendations on Rights of Way consultations – Members' reports

9.3.1 SP reported that number of responses had been put in regarding the new water pipeline in the Under Skiddaw area.

9.3.2 MM had found it very quiet, but with a slight increase in the number of applications to promote routes into PROW, including one in The Lanes in Carlisle. DG confirmed that from a historical point of view the application was quite legitimate. There was no Definitive Map at the time The Lanes was built; and The Lanes and the Map had developed simultaneously.

9.3.3 SW had provided a summary, as read out to members. Two FP Orders had been confirmed: at Mansriggs on the Cumbria Way and at Kirkby Ireleth for the extension to Kirkby quarry.

A Bridle Way diversion, from a very busy farmyard with massive machinery to adjacent flat fields, was strongly supported. However the BW linked to an impassable ford across the River Eden. This was not the only example of such fords. Higher river flows (perhaps due to climate change?) now rendered these fords unusable. She suspected there was nothing that could be done to 'mend' these access gaps.

SW had also surveyed three path creation applications for the village of Hartley. Two crossed Hartley Beck and two were used by the Coast to Coast path. All were of ancient origin and very well used. Their creation was very strongly supported.

9.3.4 KT reminded members that LAFs are a statutory body, not a statutory consultee.

9.3.5 SP reported on a temporary closing of part of the footpath around Buttermere. It was being upgraded which would improve the path.

9.4 Recent, current or upcoming consultations

9.4.1 Member's reports

Nothing further (but see 8.7 above – consultation regarding review of the National Park Plan)

9.4.2 DEFRA consultation on the future of food, farming and the environment – deadline 8th May

CE would put together a very simple response for members to approve or comment on. He would say that this was an opportunity to foster access to the countryside.

9.4.3 LAF Advice on Woodland Planting on Access Land – already covered above.

9.4.4 Thirlmere zipwire proposal – application withdrawn. GD had received notification on 5th April that an appeal had been lodged and on the 9th notification that it had been withdrawn. There was a freedom of information request following the withdrawal, as a result of which it was shown that officers were going to recommend refusal.

9.5 Table of consultations from previous quarter – no table available

9.6 Lake District National Park Partnership

The Partnership has a new chairman, Steven Kenwood, who is very keen to meet all the partners individually.

A question had been raised as to whether some of the access tracks could remain and UU are willing to look at this, though many are on private land. Could be a useful conversation to have.

9.7 North Pennine AONB Partnership Access and Recreation Working Group

On behalf of the C&LJLAF GW had attended a meeting of the North Pennines AONB Partnership Access & Recreation Working Group at Warcop Village Hall on Tuesday 27 March. He had forwarded the Minutes of the meeting and an interesting photo showing a novel way of monitoring the condition of the Nine Standards Rigg path. GW had gone to some trouble to explain the 'joining' of the Cumbria and LDNP LAFs into the C&LJLAF but did not see it noted and was listed as representing the Cumbria LAF. He would have this corrected. Nothing that was discussed required immediate attention, other than to note the North Pennines Walking Festival is to take place in early / mid July.

See: <http://friendsofthenorthpennines.org.uk/north-pennines-walking-festival/>

DG had also attended, but had nothing to add.

9.8 Events Advisory Group – LAF involvement

DG informed that the system was being revised. The Legal team had looked at it and provided guidance and one of the matters identified was that there is no right to race on public rights of way. DR commented that this was an onerous process and there were so many that it was impossible to look at all of them. The county council considers health and safety and the legal use of ROW, whereas the National Park looks more at the sustainability angle.

CB observed that KT and JC had done a very good job on this. JC suggested that, if it was feasible for the Davids to filter events, then it may be useful after all for the LAF to consider some events. KT and JC were thanked for what they had done. The LAF would no longer be pro-active, but would wait to be asked to comment.

10 Members News

- 10.1 CB suggested that members feed in news through her ahead of the meeting, to be circulated. Members would then be better able to consider and to ask questions if they wished to do so.

11 News from National and Regional Access Bodies

11.1 National LAF Conference

As before nothing had been heard yet as to if or when the next conference might be held.

11.2 NW Regional LAF

At the last meeting, on 28th November, it had looked hopeful that a replacement might be found for Rob Leek's post as national lead officer looking after the LAFs. Again, nothing further had been heard.

11.3 Highways England – A66 upgrade (Penrith to Scotch Corner)

CE explained that Highways England (HE) was working up proposals for the upgrade of the A66. He had been invited to the non-motorised user group, along with other LAFs, some of which also attended. A further meeting would follow in June. It was clear the HE made many mistakes on the A1 improvements and there was a commitment from HE that they acknowledged these errors and did not intend to repeat them. It was very important that the LAF respond. CE would provide an update at the next LAF meeting.

12 Coastal Access update

The Planning Inspector had still not delivered a response on the Stretch 3 inquiry.

On Stretch 1 it had been found through a member of the public that Network Rail (NR) were doing work without permission and obstructing ROWs.

A Road/Rail partnership was set up. NR's Northwest officers did not come, but there was a good meeting with the officers from the Northeast.

In Stretch 3 there is a possibility to approach implementation in a different way as there are larger parcels of land involved and works could be packaged in larger tenders.

Stretch 4 – According to Country File this was all being done by NE.

Stretch 5 – SP and SW had talked about walking the stretches in question but, because SW had walked most of it before, it was felt unnecessary to walk them again. CE had received a comment that the bridge at Levens was a nightmare for pedestrians.

CB had asked the Partnership whether it would support pressure on the railway to provide the more reliable service needed.

13 Authority Work Programme Updates

13.1 Cumbria County Council – Countryside Access Team

DG's most recent report on work of the Cumbria County Council Countryside Access Team had been circulated prior to the meeting.

A councillor had asked why the county does not use volunteers. DG had explained that Countryside volunteers had previously cost CCC £50k p.a. to run and an additional 30k to fund some 129 volunteers attracted while working through the ROWIP last year.

The Pennine Way meeting that DG had attended looked at the North Pennines AONB volunteer champions who are inspecting and carrying out small works on the Pennine Way.

The 'Donate a Gate' scheme is run by the Friends of the North Pennines and they have part-funded two new gates on the Pennine Way at Dufton. The scheme attracts funds from people wanting to commemorate the passing of a loved one on the Pennine Way. If it proves successful it is hoped to develop the scheme to cover a wider area in the NPAONB.

The Hadrian's Wall path through Carlisle was open again after completion of work following Storm Desmond damage. These works had also involved extensive resurfacing, repair to a revetment wall and a new flight of steps at under the Waverley Viaduct.

Major Bridges – There is a new bridge at Melbourne Park, Carlisle, the design of which was developed by the countryside staff. The new all steel bridge is hoped to be more resilient to vandalism. The scheme was part-funded by Carlisle City Council, providing 50% of the funding.

The new Fisherman's bridge in the Yorkshire Dales NP has now been opened. MP described this as a triumph of determination.

The bridges budget was overspent, but this slight overspend was not of concern to Highways.

There has been a slight increase in mapping orders, so a new process is currently being developed to improve the level of customer information supplied by the countryside access website in a hope to cut down on customer queries.

JC asked if there was any possibility of revisiting the Brundholme Road closure following Storm Desmond damage to the Threlkeld-Keswick route. DG reported this was a Highways safety issue.

13.2 Lake District National Park Authority

DR reported that it was not yet agreed what would be taken forward from the table provided for the last LAF meeting, but that this may be ready for the next meeting.

14 **Ongoing Infrastructure Projects**

- 14.1 Thirlmere water pipeline – SW had raised a query about the amount of disruption to PROW and whether there might be any recompense. However, the gain in the area would be a community gain, with the latter deciding where to spend this. CB observed that the uptake of applications to the community fund had not been great.

Also, as DG explained, reinstatement would be like for like. KT added that farmers/landowners would deal with this. A suggestion had been made that things such as the Old Coach Road near Threlkeld could benefit.

14.2 Moorside – nothing further

- 14.3 Northwest Coastal Connection – this was still dependent on progress with Moorside.

15 Feedback from Training Session

The site visit to the Ullswater Way would take place that afternoon.

16 Date of Future Meetings

Dates for future meetings as follows:

Wednesday 18th July 2018

Thursday 18th October 2018