

Shropshire Local Access Forum	<u>Item</u>	<u>Paper</u>
30 April 2009	<b>3</b>	<b>A</b>
10.00 am		

**MINUTES OF A MEETING OF THE SHROPSHIRE LOCAL ACCESS FORUM HELD ON 29 JANUARY 2009 AT 10.00 A.M. AT THE SHIREHALL, ABBEY FOREGATE, SHREWSBURY**

**Present**

**Members**

Mr Stephen Bell, Mr Gareph Boxley, Mr Richard Cotham, Mr David Cowell, Mrs Barbara Craig, Mr John Everall, Mr John Gibson, Mrs Jane Ing, Mr Clive Leworthy, Dr Jane Morris, Mr Dennis Nisbet, Ms Sula Rayska (Chair), Mrs Zia Robins, Mr David Shelley and Mr Mark Weston.

**Officers**

Ms Deb Hughes, Countryside Access Manager, Miss Kelly Oldham Anti-Social Behaviour Programme Delivery Officer, Mr Kevin Jones Access Enforcement Team Leader, Mr Jim Stabler, Shropshire Way Project Officer, Mrs Karen Wilson Access Development Officer and Mr David Wise, Forum Secretary

**1. Apologies**

Apologies for absence were received on behalf of Mrs Caroline Bedell, Mr Chris Chillingworth, Mr Bob Hill, Mr Roger Plowden and Mr Jonathan Felton (Natural England).

**2. Declarations of Interest**

No declarations of interest were made by Members.

**3. Minutes**

RESOLVED : That the Minutes of the last meeting held on 23 October 2008 be approved and signed by the Chair as a correct record.

Arising thereon:

Shropshire Local Access Forum Annual Report (Item 8)

Mrs Wilson circulated revised copies of the Annual Report which were approved.

#### **4. Public Question Time**

It was reported in respect of agenda item 5 (Gating Order Policy – 70 Steps, Shrewsbury) that letters from Mr Bill Hodges and Karen Lloyd, Secretary, Shrewsbury Civic Society had been laid around the table.

Mr Roger Cray and Mr John Beer of Shrewsbury Civic Society wished to address the meeting.

#### **5. Gating Order Policy – 70 Steps, Shrewsbury**

The Forum considered the Gating Order Policy adopted by Shropshire County Council under the Clean Neighbourhoods and Environment Act 2005, an extract from the LAF handbook detailing the role of LAFs in considering possible gating orders and a report from Miss Kelly Oldham Anti-Social Behaviour Programme Delivery Officer.

Miss Oldham circulated a revised version of her report. She referred to the Highways Act 1980 which enabled local authorities to temporarily restrict access to highways to reduce and prevent crime and/or anti-social behaviour and the criteria which were taken into account before such an order could be made. Once an order was made it could be reviewed as it was temporary in nature and could be varied or revoked to allow public use of the highway in the future. Access could be restricted at all times, or at specified times, days or periods as set out in the order.

Miss Oldham explained that informal consultations were currently underway on whether a gating order should be introduced to prohibit pedestrian access by members of the public in respect of The Seventy Steps in Shrewsbury. The Economy and Environment Directorate had been leading on informal public and partner agency consultation, and the Safer Communities Team had been leading on business consultation. The Forum's attention was drawn to incidents of anti-social behaviour and criminal activity which had taken place. The next stage would be to undertake an option analysis report based on the available evidence and consultation. If it was decided to proceed with a gating order then there would be a formal consultation period in order to consider representations from interested parties.

In addressing the meeting Mr Cray added to the comments made in the circulated letter from the Civic Society which were opposed to the closure of any shutts or passages in Shrewsbury. He felt that usage should be policed better by the management of the shopping centre and he hoped that the route could be reconfigured in the future. Mr Beer endorsed these comments and suggested that a moving staircase would help to reduce graffiti on the walls.

The members of the Forum then gave their individual views on the possible introduction of a gating order and were generally opposed to the idea on the following grounds :-

- They felt that the wrong attitude was being adopted in respect of a useful historic route.
- Several members commented that they had used the route and had not experienced any problems and alternative routes were not as convenient.
- Closing the route would not solve crime and anti-social behaviour, but simply result in displacement to other areas.
- The current route was convoluted as it was previously straight up and down, and if the shopping centre was re-developed it was hoped that a better route could be achieved in the future.
- Members asked whether the incidents of crime or anti social behaviour were rising and felt that the numbers of reported incidents (93 over nine years with 51 in the daytime) was quite a low yearly average. There was no information on whether anyone had been apprehended and /or arrested by the Police.
- Members felt that in view of the town police station being very close it should be included on the community beat. (It was pointed out by Ms Oldham that police officers and the town warden used the route on a regular basis)
- The Seventy Steps had only recently been added to the Definitive Map and if public access was restricted it could result in the transfer of incidents to other town centre shutts and lead to requests for more gating orders elsewhere. While such orders were temporary it would effectively result in their closure. The shutts were attractions which added to Shrewsbury's tourism appeal.
- There were various ways to tackle graffiti. Incidents should have been recorded on CCTV if a zero tolerance policy was followed and reported to the Police and shopping centre management. However, graffiti could also be viewed as art and part of popular culture.
- It was noted that the sexual activity had been recorded as consensual and that some hypodermic needles had been discarded there. Questions were raised about whether there was a clean needle exchange scheme and what accommodation and rehabilitation was available locally, especially for homeless women. Some homeless people because of their lifestyle however did not wish to participate in welfare care services. (Mrs Craig confirmed that there was a clean needle exchange scheme and Miss Oldham stated she was aware there was a shelter for rough sleepers during winter months).

Following further discussion on what views should be expressed it was

RESOLVED : That the Forum are against a gating order in respect of the Seventy Steps and particularly request better policing and object to the County Council making an order.

## **6. Countryside Access Team budgets for 2009/10**

It was reported that Cabinet on 17 December 2009 had recommended to full Council an increase in the Countryside Access Team's capital budget from £150,000 to £200,000 for 2009/10 and funding of £250,000 for a sixth year of the Parish Access Project.

Members questioned whether this was sufficient to meet statutory requirements and were informed that an asset management report was being prepared on all the issues.

RESOLVED: That the Forum record their thanks and appreciation to Deb Hughes and Neil Willcox for all their endeavours.

## **7. Rights of Way User Survey – Customer Care report**

Mrs Wilson presented a report on the results of a recent rights of way user survey. The response rate of 60% was very pleasing with 93% using the rights of way network. 58% were satisfied with the condition of their local rights of way, which was a general upward trend over three years ago.

Overgrown vegetation and ploughing and cropping continued to be a concern. The Council were working with the Ramblers' Association to ensure landowners fulfilled their statutory obligations. .

She also explained that the consultation data base contained a wide range of interest groups and was being expanded to obtain responses from casual users. It was suggested that parish newsletters should be utilised to obtain the views of local residents. Mrs Wilson stated that this had been done in certain parishes in the past during Access Strategy consultation and had been reasonably successful.

In relation to complaints about the condition of public paths, members asked for more feedback. Ms Hughes confirmed that all complaints should be acknowledged .The central issue was that the more time spent on administration the less time was available for work on the ground. However administration practices were being examined and changes would be made.

## **8. Shropshire Way**

Mr Jim Stabler, gave a power point presentation on the Shropshire Way. This firstly covered the southern section where recent upgrading works had been carried out together with some minor route changes to enable access through scenic and spectacular landscapes e.g. Bury Ditches and the summit of Brown Clee and shorter circular walks. While the upgrading works carried out in South Shropshire had been aimed only at walkers, Mr Stabler confirmed that

consideration would be given to some multi- purpose routes in planning new routes in the north of the county. Members asked that in planning new routes account should be taken of the presence of other existing long distance routes e.g. Wats Dyke and that the surfaces and furniture should be designed to minimise conflict between permitted users when there was evidence of higher rights than walking. It was noted that the review of the Definitive Map in the North Shropshire/Oswestry areas had not been carried out.

Two safety problems in respect of the southern section were raised by Mr Shelley. The Shropshire Way not only crossed main roads, but there were lengths along roads. At Plowden walkers had to use the A489. Shropshire County Council had acknowledged there were safety concerns by erecting warning signs for motorists, but he felt these measures were insufficient. The second dangerous stretch where there was no path was east of Ludlow along Sheet Road. While an alternative route was available no such alternative route existed at Plowden.

Members felt that a path should be provided separate from the road at Plowden suitable for walkers and horseriders, as it was also part of the Jack Mytton Way. They agreed that the recent upgrading works had made the route more attractive to walkers and the marketing exercise to encourage greater use of the Shropshire Way would also give more opportunities for accidents to occur.

They noted that the section of Shropshire Way at Plowden had existed since its inception in 1980. The seeking of a compulsory path creation order pursuant to Section 26 of the Highways Act 1980 was viewed by officers as a last resort in view of the difficulties of such a course of action being successful and the legal costs involved. There were also budgetary considerations in providing a new length of path.

Following further discussion it was

**RESOLVED :**

- a) That Shropshire County Council be asked to enter into negotiations with the Plowden Estate to obtain a multi-user off road route in view of the existing dangerous situation.
- b) A report reviewing progress on a possible scheme be submitted to the Forum in a year's time.

**9. Review of Trails and Routes – Natural England consultation**

The Forum gave consideration to a Natural England consultation document about their review of trails and routes. The Forum then went through the individual questions indicating which category of response should be given.

In general it was agreed that 'guidelines' would be more useful than 'standards' as there was a danger of them being too restrictive. It was agreed that a central information base should not preclude a local base, such as council websites. The

main point being that increased national funding would be needed to achieve the very high expectations set out in the document.

Mrs Wilson stated that she would compile a response to meet the consultation deadline of 6 February 2009.

#### **10. Shropshire Council**

Ms Hughes reported that County Council and District Council countryside teams were being merged into an Outdoor Recreation Service under a new structure with new job descriptions.

The County Council's existing Planning and Rights of Way Committees were being abolished. Shropshire Council would have five Area Regulatory Committees and a Strategic Regulatory Committee following the June elections. Rights of way matters would be considered by the Area Regulatory Committees, but there would be a significant increase in the matters delegated to her for decisions.

#### **11. LAF UCR Working Group update**

The Forum received and noted the draft minutes of the UCR Working Group held on 9 January 2009.

#### **12. Feedback from other forums and items for noting**

The Forum received minutes of the Byways Liaison Group, Walkers Forum, Shropshire Riders and Carriage Drivers Groups, Cycle Forum, England Access Forum and Shropshire Hills AONB Partnership's Access, Recreation & Tourism Working Group. Access newsletter issues 35 and 36 were also circulated.

Mrs Ing reported that the Wats Dyke Way Association, now in its ninth year, had held their AGM on 8 January when a new Chairman and committee member were elected after the Secretary's and Treasure's Reports. This was followed by a committee meeting. The main points to note were:

Over 1000 copies of the Guidebook had been sold.

The website was up and running well with the feedback from walkers on route condition etc being very useful.

Waymarking the route from Llanymynech to Overton Bridge, the Shropshire Section, was not complete but was being done by Mrs Ing and helpers. Oswestry to Shell Brook remained to be done in the next few weeks. It was pleasing to see that some of the problems reported in early 2007 had been put right.

The Wrexham and Flintshire sections need checking for necessary extra way marking and any problems. All three sections needed more enthusiasts on the ground to help keep the route in good condition and local walking groups needed finding and enthusing!

Mrs Ing was thanked for all the work she had undertaken.

Following a short discussion on the operation of the England Access Forum it was

RESOLVED : That representations be sent to Natural England asking them to make EAF meetings open to the public.

**13. Items for next agenda and list of dates**

It was reported that a schedule of proposed dates would be brought to the next meeting on 30 April for approval. However members were asked, if possible, to agree upon a date for the summer meeting.

RESOLVED : That it be held on Friday 17 July 2009.

The following agenda items were suggested for the next meeting:

- DEFRA Higher Level Entry schemes
- Shropshire Council update

Chair.....

Date .....

The meeting closed at 1.00 p.m.