

Derby and Derbyshire Local Access Forum



**Annual Report
September 2005 – August 2006**



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1. Chairman's Introduction

After another eventful year, it is time to present our third annual report. The past year has seen the Forum develop into a full working group. In the first year it seemed that we were finding our way, not really sure of what was required from us. During the second year we had formed several sub groups to enable us to work in a more positive manner and to meet the tight deadlines that we are often faced with to meet our statutory requirements. In this third year open access arrived in our Local Access Forum (LAF) area which has opened new areas for access. Many thanks to all who have contributed to this work.

The Department for the Environment, Food and Rural Affairs (DEFRA) requested review of how the LAFs operate is still ongoing. To keep on moving forward we must consult more with the people for whom our decisions affect; to this end I would encourage all members of the LAF to actively support this action.

Finally I would like to thank all the staff of the City and County Council for the support and advice that I have received in the past year.

Michael Missett
Chair Derby and Derbyshire Local Access Forum
September 2006

2. The Derby and Derbyshire Local Access Forum

2.1 Statutory Purpose

The Forum is a statutory body, set up by Derby City Council and Derbyshire County Council under the Countryside and Rights of Way Act 2000. It is concerned with all of Derbyshire outside the area covered by the Peak District Local Access Forum (see map attached).

The purpose of the Forum is:

- To advise the City and County Councils on the improvement of public access to the land within it's area for the purpose of open air recreation and enjoyment of the area
- The Forum can also provide advice to other bodies in relation to strategic access and recreation issues

2.2 Background to the Forum

The inaugural meeting of the Forum took place in August 2003, followed by the first formal meeting in September 2003. The meetings are hosted alternatively by the City and County, and are open to interested members of the public.

This report covers the third year of the Forum's business over the period September 2005 – August 2006.

3. What's happened during the year?

3.1 The Forum at work.

The Forum has fulfilled its role in a number of ways:

- The Forum has held 4 meetings during the year: in September 2005, December 2005, March 2006 and June 2006.
- The Forum has established a series of sub groups. These groups have been set up either in order to be able to consider issues in more depth than is possible during the main meetings or to progress matters that require a resolution outside of the timetables permitted by the meeting regime. Sub groups have been set up to consider:
 - the individual Defra consultations,
 - the Scrutiny report on the use of motorised vehicles in the Countryside for the County Council
 - access provisions in relation to the newly designated open access land
 - Rights of Way Improvement Plan (RoWIP) consultations

- Issues relating to RoWIPs in relation to the Local Transport Plan process

Work has progressed on providing a framework on how the sub groups can best report back to the main Forum meetings.

- Forum members have represented the Forum at events and training sessions
- Forum members have used their own networks of contacts to gather information and to help the authorities to disseminate information, particularly during the consultation stages within the Rights of Way Improvement Plan

3.2 Advising the City and County Councils

The Forum has received reports and given its advice on the following subjects during the year:

- Issues associated with **managing open access land** in the Forum's area, including signage and improvement opportunities in conjunction with applications submitted by the County Council to the Countryside Agency's Access Management Grant Scheme.
- To both councils on the work required to produce their **Rights of Way Improvement Plans**. Advice has been given on interpreting the results of the consultation exercise, the formulation of themes and aims to be included in the Plan and the layout of the Statements of Action. Members have been involved through membership of sub groups, as individuals and through attendance at a joint workshop with members of the Peak District LAF to agree the themes and aims for the Plan for the County. A report from the workshop is attached in Annex 1
- To the County Council's Improvement and Scrutiny Committee during its review examining the **use of motorised vehicles in the countryside**. The Sub group has met twice to specifically consider the production of a Code of Conduct for Vehicle Users and a definition of sustainability in terms of managing use on the ground.
- To the City Council on the content of the Rights of Way Improvement Plan report for inclusion in the **Local Transport Plan 2** for the Derby Joint area.

3.3 Responding to Defra and Countryside Agency consultations under the Countryside and Rights of Way Act 2000 (CROW Act):

The Forum has responded to five consultations:

- Proposed amendments to LAF (England) regulations
- Bylaws relating to Countryside Recreation
- Diversion of Rights of Way
- Outdoors for All – Draft Diversity Action Plan
- Review of England's Forestry Strategy

3.4 Briefings and information received

The Forum has standing items on all of its agendas to receive progress reports from both councils on the production of their Rights of Way Improvement Plans and also to receive information about open access land in its area.

In addition Forum members have received the following briefings and information:

- A training event was run for newly appointed members of the Forum
- Managing and Maintaining Public Rights of Way in Derbyshire – presentation by the County Council's Rights of Way Officer
- M1 Widening – presentation by ARUP consultants
- Site visits were carried out following the June meeting to look at opportunities for multi user routes and the needs of different users
- Greenways in the County – presentation by the County Council's Greenways Officer
- Information about the regional LAF Learning Network for LAF members – by the Countryside Agency

3.5 Liaison with others

- Several members of the Forum attended a regional seminar, organised by the Countryside Agency, for LAF members throughout the East Midlands Region.
- One member attended a national meeting organised by Defra to consider the revisions being made to the LAF guidance issued by Defra to help LAF's in their role
- Two joint sub groups were held during the year comprising members of both the Derby and Derbyshire Local Access Forum and the Peak District Forum in order to provide advice to the County Council as it starts to analyse results from the Rights of Way Improvement Plan consultations and in relation to the Use of Vehicles in the Countryside as these items represent areas covered by both LAFs
- Members of the Forum attended a "Meet your Local Access Forum Member" walk promoted as part of a festival of walks in Derby City during June. The walk followed a promoted route around Radbourne.

4. The Year Ahead

The review of the year also provides the Forum with the opportunity to identify priorities for the year ahead

4.1 Access Priorities

- During the year ahead both council's are intending to publish their draft Rights of Way Improvement Plans. The Forum will be taking an active role in helping and advising the councils on the production of these Plans.

4.2 Forum development

This will include:

- Integrating the new members into the Forum and providing support and training for all members
- Further developing the way that the Forum conducts it's business, including strengthening the role of the sub groups
- Responding to the new regulations issued by Defra on how LAF's will operate in the future
- Endeavouring to achieve greater public awareness and interest in the work of the Forum

5. Membership of the Forum

5.1 Members and representation

The Forum is constituted so that there is a balance of views representing:

- Different users interests
- Landowners or occupiers and land management issues
- Other relevant local interests relating to issues such as: nature conservation and heritage, local community involvement, tourism and local business, sustainable transport and access for all.

The Forum has the capacity to have up to twenty two members. Twenty members were originally appointed in July 2003, including two Councillors, one from each authority.

A full list of the members of the Forum during the period September 2006 – August 2007 can be found in Annex 2, together with details of their fields of interest. Annex 3 provides details of member's attendance record at the formal meetings

During the year several members offered their resignation or came to the end of their term of office. The Forum records its thanks for the contributions made by these members since the Forum was first established.

An open selection process carried out during August 2006 has resulted in x new appointments and 5 reappointments with the new members taking up their office in September at the start of the fourth year of the Forum.

5.2 Contact details

Further details about the Derby and Derbyshire Local Access Forum can be found on the web pages set up for the Forum, which can be accessed from either Derbyshire County Council or Derby City Council's web sites:

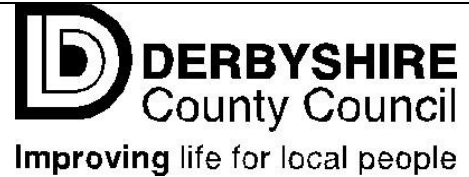
(www.derbyshire.gov.uk or www.derby.gov.uk)

Members of the Derby and Derbyshire Local Access Forum can be contacted by writing to the Secretary of the Derby and Derbyshire Local Access Forum, County Secretary, Derbyshire County Council, County Hall, Matlock, Derbyshire, DE4 3AG

Annex 1 Report on RoWIP workshop for LAF members

Derbyshire Rights of Way Improvement Plan

Listening to the people who really know



Introduction

Members of Local Access Forums (LAFs) have in-depth knowledge of the way people can gain access to their environment.

Access might be achieved through the use of local rights of way, as a result of rights over designated access land, or through access which is permitted on a non statutory basis. Forum members include general users, land owners, and specialists with an interest - for example - in tourism, sport, nature conservation or access for those with disabilities.

In May 2006 Derbyshire County Council invited members from the two LAFs covering Derbyshire to a seminar where they:

- Learnt about the work which the County Council has already carried out as part of the process of developing the Derbyshire Rights of Way Improvement Plan (RoWIP)
- Were asked to offer advice on how the Plan should be further developed.

Why does access matter?

Before looking at the detail of the RoWIP, LAF members considered the wide range of ways in which access in general, and rights of way in particular, are important in our society. Following discussion, the prime importance of rights of way was seen in terms of:

- The contribution they make to the nation's physical and psychological health
- The opportunities they give people to explore new places and to relax, and
- As a means through which we can exercise our fundamental right of having free access to our surroundings.

What is a Rights of Way Improvement Plan?

A RoWIP sets out the ways in which access can be improved. Derbyshire County Council's duty to produce a RoWIP stems from sections of the Countryside and Rights of Way Act 2000.

The RoWIP process provides us all with an opportunity to:

- Take an objective and strategic view of the Public Rights of Way network and other opportunities for access
- Review the extent to which access provision in the county complements current patterns of demand and land use
- Identify ways in which we can better meet the needs of today's users
- Take a forward look

What is a 'Local Access Forum'?

The two Local Access Forums which cover Derbyshire have been appointed as statutory advisors to the County Council and the Peak District National Park Authority on the improvement of public access for the purpose of open-air recreation and enjoyment of the area. The Peak District Local Access Forum covers the northern part of the county, comprising the Peak District National Park together with areas around Buxton and Glossop. The Derby and Derbyshire LAF covers the southern and eastern parts of the county as well as Derby City.

Taking Stock

County council officers have been pulling together a lot of information about rights of way in Derbyshire. In addition a consultation exercise has been carried out to find out what people want from the rights of way network.

After hearing about what the county council had found out, and on the basis of their own experience, LAF members agreed:

- The footpath network in Derbyshire is generally quite good, and appears to be improving. The situation for higher categories of rights of way (bridleways and byways) is not so good. There are fewer routes overall, and in some parts of the county the network is very poor.
 - The rights of way network needs to evolve as demand and needs change. Provision in the future should be located where the local need exists (for example in terms of where people want to go horse riding).
- There is also a need for more network links – enabling people to go on circular routes, or take short cuts.
 - We still need more information about the county's rights of way network. In particular we need to know more about:
 - * Permissive paths, and places where people enjoy access without necessarily having a legal right to it.
 - * The condition of rights of way in the county - we need a clear picture of which paths are accessible to all sections of the community, including the less mobile.
 - * How public transport provision links into the rights of way network.
 - As well as knowing how many miles of rights of way exist in the county, it would be useful to develop a measure of 'connectivity' - the extent to which paths link together



LAF members inspect newly designated access land at Harboro Rocks

RoWIP Aims and Priorities for Action

LAF members considered five objectives for the Derbyshire RoWIP, and identified the top priorities under each of these

Aim 1: Ensuring that the existing network is easier to use

For many LAF members 'access for all' is a priority. Barriers, such as stiles and poor surface condition, are a major issue on many rights of way.

- LAF members agreed that maintaining and managing the existing network of rights of way was a priority
- Surfaces need to be appropriate to the location and level of use. Drainage is often the most important factor in managing rights of way, since it is excess water that often causes the most damage. Another particular problem are sites where livestock trample land around gates
- Where stiles need to be retained standards of design should be improved. The emphasis should be on simplicity and minimum maintenance.
- The effectiveness of safety features designed to keep out illegal users (eg motorbikes) was questioned. There was concern that such systems deter legitimate users, preventing access for the less mobile.



Aim 2: Providing a more connected and accessible network suitable for all users

- Where possible the goal should be to replace traditional stiles with gates, gaps or drop down stiles.

- The process of replacing stiles with gates needs to be done in a way which does not undermine local landscape character. Traditional features, such as squeeze stiles, should be retained, perhaps with alternative access close by.
- Rather than a 'scattergun' approach we should concentrate resources so as to provide useful pockets of useable networks for each class of user. Such a focussed approach could be designed with reference to public transport, cafes and other attractions.
- Gaps currently exist in the network, where - for example - users have to make use of busy roads. One approach in such situations is to provide links on the verge or on the field edge inside the adjacent hedge / wall.
- The bridleway network is inadequate in some parts of the county. One way of rectifying this situation would be to identify sites where footpaths could sensibly be upgraded to become bridleways.

Aim 3: Developing a safer network

LAF members thought that - while safety was of paramount importance - this objective should be implicit as a part of all activities, rather than seen as a separate set of proposals. Safety measures must be set against a realisation that it is neither feasible nor desirable to eliminate all elements of risk and adventure from the use of rights of way.

- The greatest hazard faced by users comes from road traffic. This risk can be mitigated by the provision of more and safer road crossing points, by the construction of roadside protective structures, and providing a change of surfaces adjacent to road crossings.

LAF members preferred to see this aim replaced with an aim encouraging greater use of and involvement in the network

Aim 4: Providing an up-to-date and widely available Definitive Map

LAF members recognised that the definitive map is a specialist tool, and very much a minority interest. However, getting the definitive map and claims register fully operational and up to date will underpin rational and equitable decision making.

- The county's Definitive Map needs to be truly definitive, especially with respect to use of rights of way by vehicles.
- There are still a large number of outstanding claims which need to be addressed
- The claims register needs to be made available on line

Need Further Information?

Comments and queries should be addressed to:

Gill Millward/ Claire O'Reilly (job-share)
Countryside Access Improvement Officer
Derbyshire County Council
Environmental Services
Shand House, Dale Road South
Matlock, Derbyshire, DE4 3RY
Tel: 01629 580000 ext: 3365
email:
environmental.services@derbyshire.gov.uk

Aim 5: To improve provision of information about access to the countryside

- Signage needs to be consistent across the county. Consistency should not be confused with uniformity – what is needed is an appropriate level of signage in different locations. What is appropriate in urban / village settings will be very different to what is appropriate in open country, where too much signage could create clutter and result in the loss of a feeling of remoteness.
- A judgement needs to be made for each site in terms of how much information people need – more is not always better.
- The information provided could include estimated time to reach a certain destination, warnings about categories of users on the path (eg the presence of horse-riders) and any other hazards.
- The County Council should consider adopting a route grading system, which would categorise the condition of the path, and ease of use (on the model used for ski runs). This would be of value to all users, in particular to those with mobility problems.



Annex 2**Membership of Derby and Derbyshire Local Access Forum 2005-06**

Name	Representing	Other Interests
Robert Bacon	Land use (farming)	Walking
Judi Bateman	Disability issues	Voluntary sector, charity work
Mike Benten	Conservation and access	Walking and bird watching
David Blackburn	Walking interests	
John Clarke	General rights of way interest	Historical routes, walking
Cllr Michael Carr	Derby City Council	Climbing and walking
Hon Richard Curzon	Land use (farming)	Local History, Parish councils
John Disney	Small business and sustainable transport	Walking
David Giles	Motor vehicles interests	Mountain leadership and canoeing
Lyndsay Jones	Equestrian interests	Walking, cycling, education & environmental issues
Cllr Brian Lucas	Derbyshire County Council	Environmental issues & Sustainable communities
Michael Missett (Chair)	Community, sustainable transport	Community
Martin Pape	Walking interests	Cycling, orienteering
Boyd Potts	Access, conservation and outdoor recreation	Walking, climbing, caving & community involvement
Nancy Pountain	Disability issues	Elderly, general countryside issues
Andrew Shirley (Vice Chair)	Land use (farming) and rural business	Walking
Des Sims	Land use (farming)	Community
Dave Walker	Conservation and orienteering	Cycling
Terry Williams	Cycling interests	Walking
John Wiltshire	Land use (farming)	Walking, education access and conservation

Annex 2
Members Attendance Register 2005 - 06

Dates of meetings	23 Sept 2005	09 Dec 2005	03 March 2006	16 June 2006
Robert Bacon	✓	✓		
Judi Bateman	✓	✓	✓	✓
Mike Benten		✓	✓	✓
David Blackburn	✓	✓	✓	✓
John Clarke	✓	✓	✓	✓
Cllr Mike Carr	✓	✓	✓	✓
Hon Richard Curzon	✓	✓	✓	✓
John Disney	✓	✓	✓	
David Giles		✓		✓
Lyndsay Jones	✓	✓	✓	✓
Cllr Brian Lucas	✓	✓		✓
Michael Missett (Chair)	✓	✓	✓	
Martin Pape	✓	✓	✓	✓
Boyd Potts	✓	✓	✓	✓
Nancy Pountain	✓	✓		✓
Andre Shirley (Vice Chair)	✓	✓	✓	✓
Des Simms	✓			
David Walker	✓	✓	✓	✓
Terry Williams	✓		✓	✓
John Wiltshire		✓	✓	