

# **Derby and Derbyshire Local Access Forum Annual Report 2003-04**

## **Chairman's Foreword**

"I am pleased to be able to write this foreword to the first Derby and Derbyshire Local Access Forum report. It has been an interesting year with many of the Forum members having to negotiate a steep learning curve.

During the year we have responded to DEFRA on the thorny issue of access to the countryside by motorised vehicles. The standard of debate was exceptional, especially as we had to compete with a funfair not 50 metres away. Eventually a decision was reached and DEFRA got their reply.

I would like to pay thanks to the members of the Forum for attending the meetings. These are all voluntary, and as most of us know, time is a precious commodity these days. I would also like to thank the staff of Derby City Council and Derbyshire County Council for providing the Forum with excellent training and service and on a personal note thank them for steering me in the right direction at all times".

Michael Missett

September 2004

Chair Derby and Derbyshire Local Access Forum

## **Introduction**

This is the 1<sup>st</sup> Annual Report of the Derby and Derbyshire Local Access Forum. Derby City Council and Derbyshire County Council jointly set up this Forum in August 2003, following consultations with 304 organisations with related interests. It is concerned with all of Derbyshire outside the area covered by the Peak District Local Access Forum (see map attached).

The Forum has an advisory role in strategic access and recreation issues. It will act as statutory advisor to Derby City and Derbyshire County Councils and to advise other bodies on the improvement of public access to land for the purpose of open-air recreation and the enjoyment of the area.

The Forum will be consulted on:

- Draft maps prepared by the Countryside Agency showing open country and registered common land
- Rights of way improvement plans prepared by local highway authorities
- Issues affecting access land such as: any bye-laws to be made by the access authority, the appointment of access wardens on land where a new right of access applies, directions restricting or excluding long-term access from access land
- Other relevant issues affecting rights of way and access within the two local authority areas

The inaugural meeting of the Forum took place in August 2003, followed by the first formal meeting in September 2003. Since then the Forum has met twice, in February and June 2004. The meetings are open to interested members of the public.

This report reviews the meetings of the Forum and summarises some of the most significant matters discussed.

## **Main business of the Derby and Derbyshire Local Access Forum**

The Forum elected a Chair and Vice –Chair at its first meeting and agreed a constitution and how the meetings were to be conducted and recorded.

The first main business that the Forum dealt with at its September meeting was to consider the Draft Map of Open Access for Area 7, which includes the area of Derbyshire outside the Peak District National Park. The Forum put forward seven additional sites for inclusion on the map during the consultation process. Two of these sites have subsequently been assessed as being open country and have been added to the Provisional Map.

The Forum has taken an active role in responding to DEFRA consultations for the Countryside and Rights of Way Act (CROW) 2000. Responses have been sent on behalf of the Forum on the following consultations:

- Use of Mechanically Propelled Vehicles on ROW
- Provisions governing Public Places in relation to Access Land
- Proposals for regulation of Appeals against notices under Section 38 (the provision of access to Open Access land)

The other main business that the Forum will be involved in is to advise and comment on the production of Rights of Way Improvement Plans for the County Council and the City Council. The Forum received and endorsed a report from the County Council outlining the timetable and process for the preparation of the Improvement Plan for Derbyshire at its meeting in February. The County Council has agreed to provide the Forum with a progress report at every meeting and to consult the Forum at every key stage of the process. At its meeting in June the Forum discussed and provided advice to the two authorities on the Key Issues that were felt to be of most importance for consideration by the City and the County when consulting on their Plans.

The Forum was also consulted by the County Council, at its June meeting, on a report requested by the County Council's Improvement and Scrutiny Review Panel on the Use of Motorised Vehicles in the Countryside. The views of the Forum were regarded as important because they represent a consensus view from all the different groups that are affected by such matters.

Two training sessions were provided for members of the Forum during the year. The first, held in November aimed to cover basic information about how rights of way matters were tackled in both the City and the County and to introduce members to other work covered by the County Council's Countryside Service. Subsequently, members had the opportunity to take part in a site visit, on a very wet day in June, and become more familiar with law and practice relating to rights of way work. The members of the Forum have also agreed to invite a series of speakers to address the meetings. The first such speaker was from the Countryside Agency, at the meeting in September, explaining about the work involved in carrying out the Mapping of Open Access Land.

A full set of agendas for the year can be found in Appendix 1.

### **Membership of the Forum**

In setting up the Forum, the two appointing authorities invited "expressions of interest" from individuals in response to adverts in the local press, on the internet and through direct mailing. Interviews were then held, to ensure that prospective members fulfilled the requirements of the position.

In recruiting members of the Forum, the Councils sought to provide a reasonable balance between representatives of:

- users of local rights of way or the public in relation to rights over access land
- land owners or occupiers
- other relevant local interests, relating to issues such as: tourism, sport, nature conservation, disabled access, and sustainable transport.

Twenty members were appointed in July 2003, including two Councillors, one from each authority. There were ten appointments for 3 years and ten for two years, in order to allow for continuity of membership in future years.

### **Membership of Derby and Derbyshire Local Access Forum 2003 - 04**

| <b>Name</b>             | <b>Representing</b>                         | <b>Other Interests</b>                               |
|-------------------------|---|--|
| Councillor Gary Mills   | Derbyshire County Council                   | Environmental issues                                 |
| Councillor Michael Carr | Derby City Council                          | Climbing and walking                                 |
| Mike Benten             | Conservation and access                     | Walking and bird watching                            |
| David Blackburn         | Walking                                     |  |
| Colin Bundy             | Land use (Severn Trent Water)               | Walking and sailing                                  |
| Elizabeth Dawson        | Land use (National Trust)                   |  |
| Paula Elliott           | Restricted mobility                         | Public transport and interpretation                  |
| David Giles             | Motor vehicles                              | Mountain leadership and canoeing                     |
| Michael Harris          | Community                                   |  |
| Lyndsay Jones           | Equestrian                                  | Walking, cycling and environmental issues/ education |
| Sam Littlechilds        | Tourism (YHA)                               | Climbing and access                                  |
| Michael Missett         | Community, sustainable transport            | Community  |
| Geoff Musgrove          | Resigned Aug 04                             |  |
| Martin Pape             | Walking                                     | Cycling, orienteering and climbing                   |
| Den Phillips            | Restricted mobility                         | Walking and cycling                                  |
| Boyd Potts              | Access, conservation and outdoor recreation | Walking, climbing, caving and community              |
| Andrew Shirley          | Land use (farming) and rural business       | Walking  |
| Des Sims                | Land use (farming)                          | Community  |
| Terry Williams          | Cycling                                     | Walking  |
| John Wiltshire          | Land use (farming)                          | Walking, education access                            |

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](http://www.derbyshire.gov.uk) or [www.derby.gov.uk](http://www.derby.gov.uk))

Members of the Derby and Derbyshire Local Access Forum can be contacted by email at [localaccessforum@derbyshire.gov.uk](mailto:localaccessforum@derbyshire.gov.uk) or alternatively write to the Secretary of the Local Access Forum, County Secretary, Derbyshire County Council, County Hall, Matlock, Derbyshire, DE4 3AG

Agendas from Meetings:

**DERBY AND DERBY LOCAL ACCESS FORUM**

**Saturday 20th September 2003 at 10.00 am**

**To be held at the Council Chamber, Derby City Council**

**AGENDA**

- 1. Apologies**
- 2. Election of Chair/Vice chair**
- 3. Constitution**
- 4. Notes of inaugural gathering on 30<sup>th</sup> August 2003 and matters arising**
- 5. Talk from Countryside Agency about Draft Map of Open Country (Area 7)**
- 6. Comments from Forum on Draft Maps**
- 7. Training**
- 8. Timing and location of future meetings**
- 9. Topics/Speakers for future meetings**
- 10. Any other business**

## **DERBY AND DERBY LOCAL ACCESS FORUM**

**Thursday 12 February 2004 at 1.30 pm  
To be held at the Assembly Rooms Derby**

### **AGENDA**

- 1. Apologies**
- 2. Minutes from the meeting on 20 September 2003**
- 3. Matters arising from the meeting on 20 September 2003**
- 4. Response by Forum to Defra\* on their consultation document "Use of Mechanically Propelled Vehicles on Rights of Way":**
  - (a) introductory comments by the Chair and on behalf of the Secretary
  - (b) short presentation on the document and its background by Mr David Giles of the Forum
  - (c) comments from members on the proposals in the document
  - (d) discussion and formulation of responses (if any) to be made by the forum
- 5. Refreshment break**
- 6. Timetable for DCC \*\*Rights of Way Improvement Plans -**
- 7. Training:**
  - (a) feedback from training on rights of way & DCC Countryside Service
  - (b) ideas for future training
- 8. Any other business**

\*"Defra" stands for the Department for Environment Food and Rural Affairs

\*\* "DCC" is used here to stand for Derbyshire County Council

## **DERBY AND DERBYSHIRE LOCAL ACCESS FORUM**

**Friday 18 June 2004 at 10.00 am**

**To be held at the Visitor Centre, Poolsbrook Country Park ,  
Poolsbrook, near Staveley, Chesterfield**

### **AGENDA**

- 1. Apologies**
- 2. Minutes from the meeting on 12 February 2004**
- 3. Matters arising from the meeting on 12 February 2004**
- 4. Rights of Way Improvement Plans**
  - (a) Improvement Plan for Derbyshire: feedback and discussion of key issues  
*(Forum members supplied with key issues questionnaires on 7 May 2004)*
  - (b) Improvement Plan for Derby City: verbal report
  - (c) Progress report for Derbyshire
- 5. County Council Improvement and Scrutiny Panel review  
examining the use of motorised vehicles in the countryside**  
*(consideration of written report to Forum from Improvement and Scrutiny Officer)*
- 6. Open Access under Countryside and Rights of Way Act 2000**
  - (a) information on Countryside Agency open access mapping
  - (b) information on access management grant scheme
- 7. Any other business**

**DERBY AND DERBYSHIRE LOCAL ACCESS FORUM**

**SATURDAY 18 SEPTEMBER 2004 AT 10.00 AM**

**To be held in the 45 Suite, the Assembly Rooms, Derby**

**A G E N D A**

- 1. Apologies**
- 2. Minutes from the meeting held on 18 June 2004**
- 3. Matters arising from the meeting on 18 June 2004** (Report of the Chief Executive, Derbyshire County Council to the Improvement and Scrutiny Committee on Examining the Use of Motorised Vehicles in the Countryside)
- 4. Annual Report**
- 5. Election of Chair and Vice Chair**
- 6. Review of constitution**
- 7. Vacancies**
- 8. Rights of Way Improvement Plans**
  - (a) Progress Report for Derby City
  - (b) Progress Report for Derbyshire
- 9. Countryside Code**
  - (a) Paula Elliot to report on attending the launch on behalf of the Forum
  - (b) Power Point Presentation – comments on draft policy
- 10. Disability Discrimination Act**
  - (a) Derbyshire County Council
  - (b) Derby City Council
- 11. Lost Ways – Update**
- 12. Dates of future meetings**
- 13. Any Other Business**