

**MINUTES** of the meeting of the **DERBY AND DERBYSHIRE LOCAL ACCESS FORUM** held in Room G, Council House, Corporation Street, Derby on **Friday 27 September 2019**.

**PRESENT**

Chris Allen, Councillor Ron Ashton, Councillor Mike Carr, Ian Else, John Morrissey and Brian Nicholls.

**County Council Officers:**

Richard Taylor (Head of Countryside Service) and Gill Millward (Countryside Access Improvement Officer)

**City Council Officers:**

Ray Brown (Senior Planning Officer, Planning Division, Communities and Place).

**Observers:** Bryony Haines (University student) and Ben Seal (British Canoeing)

<b>37/19</b>	<b><u>Apologies</u></b> Apologies for absence were received from Claire Brooks, Geof Cole and Charlotte Marrison.	
<b>38/19</b>	<b><u>Membership and Recruitment</u></b> Gill Millward reported that the appointed members of both Councils and officers would be interviewing Bryony Haines and Ben Seal for places as members on the Forum after the meeting.	<b>GM</b>
<b>39/19</b>	<b><u>Appointment of Chair</u></b> Ian Else indicated his willingness to stand as Chair of the Derby and Derbyshire Local Access Forum for another year. No other members wished to stand for election to the position.  It was agreed that Ian Else be declared elected Chair of the Forum for the ensuing year.  Ian stated that he was happy to continue as Chair for a further 12 months, however next year he will have been Chair for three years and felt that it would then be time to change the Chair.	
<b>40/19</b>	<b><u>Appointment of Vice Chair</u></b> In her absence Claire Brooks has indicated her willingness to stand as Vice Chair of the Derby and Derbyshire Local Access Forum for another year. No other members wished to stand for election to the position.  It was agreed that Claire Brooks be declared elected Vice Chair of the Forum for the ensuing year.	

41/19	<p><b><u>Constitution</u></b> It was agreed that no amendments were currently proposed or required for the Constitution.</p>	
42/19	<p><b><u>Appointment and Review of Sub Groups</u></b> The meeting discussed the merging of the Derbyshire County Council and Derby City Council Rights of Way Improvement Plan Sub Groups and it was agreed that, as the principle of each sub group was similar one sub group be formed. The membership would be as follows:- Chris Allen, Claire Brooks, Geof Cole, Councillor Mike Carr, Richard Curzon, Ian Else, John Morrissey and Brian Nicholls.</p> <p>If appointed as Forum members, Ben Seal would be happy to join the Public Rights of Way, Open Access and Unrecorded Ways (2026) Sub Group and Bryony Haines the Accessibility Sub Group.</p> <p>Brian Nicholls confirmed that he would also represent the local motoring group CALM on the Accessibility Sub Group.</p>	
43/19	<p><b><u>Minutes</u></b> The Minutes of the meeting held on 14 June 2019 were accepted as a true record of the meeting.</p>	
44/19	<p><b><u>Matters Arising from the Minutes and Action Sheet</u></b> 23/19 (4/19) – Brian Nicholls reported that he had now received his volunteer passport documentation. Richard Taylor reported that he had asked Adult Care to include Countryside Service volunteers in any future volunteer passport training. DBS checks were not required due to the minimal time Countryside volunteers would spend with vulnerable adults on their own. 23/19 (6/19) – Ray Brown agreed to undertake a site visit to the Derwent Valley Heritage Way 23/19 (16/19) – Gill Millward was working with the County Council's IT team to load the links and would email members when this has been completed. 23/19 (67/19(a)) – It was agreed that training should take place at the December 2019 meeting and members advised accordingly 25/19 – The Bennerley Viaduct would not be included in the Derby to Nottingham Cycle route as it was too far north of the route. Possible links would be investigated. 7/19 – Cromford Canal tow-path was not wide enough as a general horse riding route. It was used occasionally when the narrow boat was being pulled by a horse. 64/17 – An Officer was unable to attend September meeting to provide the update on the Demand Responsive Bus Service. Attendance at a future meeting would be pursued. 24/19 – BOAT 15 Stoney Middleton Traffic Regulation Order – It was felt that Blue badge holders should be exempt from this order. It was also noted that the order was being abused in respect of access to the cemetery. The appropriate officers would be advised of these comments. 25/19 – It was noted that the Amber Valley Local Plan had been totally withdrawn and currently there was no further information</p>	<p><b>RB</b></p> <p><b>GM</b></p> <p><b>GM/RB</b></p> <p><b>RB</b></p> <p><b>GM</b></p>

	<p>available. At the Key Cycle Network Officers' Workshop, it was emphasised that the network needed to be embedded in the District and Borough Council Local Plans and this would be followed up by Countryside Service officers. John Morrissey stated that the Ramblers would follow through on this issue.</p> <p>27/19(a) – Discussions were being held with the British Horse Society regarding the P_Cloud storage.</p> <p>36/19 – It was agreed that at least 3 of the main headlines of Dr Lisewski-Hobson's research finding be highlighted to the Local Authorities. Ray Brown reported that he had forwarded the edited report to the City Council's tree preservation officer.</p>	<p><b>GM</b> <b>JM</b></p>
45/19	<p><b><u>Countryside Service Review</u></b></p> <p>Richard Taylor informed the Forum of the outcome of the Countryside Service Review.</p> <p>Derbyshire County Council has a number of challenges and has had to look at several of its services and how these were delivered.</p> <p>The Countryside Service was now 53 years old and elected members felt that it should be reviewed in order to consider new ways of delivery. Mutual Ventures was appointed following a tender process to carry out the review and the Forum had been consulted. The review highlighted that the Countryside Service was valued and appreciated by the County Council and members of the public, however delivery could be improved.</p> <p>On completion a report was considered by elected members and senior officers and the following actions would be implemented:-</p> <ul style="list-style-type: none"> <li>• The Rights of Way Team would be moving into Highways</li> <li>• The Access and Greenways Team would be moving to the Sustainable Travel Team in Economy and Regeneration</li> <li>• Destination sites and wider countryside sites – investigation of a Public Service Mutual (PSM)</li> </ul> <p>The PSM would be stand alone and work towards this was continuing with officers. It was proposed that this would provide a service for the people of Derbyshire and also other users. Workshops were continuing with staff.</p> <p>Work to support the LAFs and on the Rights of Way Improvement Plan would remain with Gill Millward, in the Sustainable Travel Team.</p> <p>Richard Taylor stated that the December 2019 LAF would be his last meeting and he thanked members for their support of him and the Countryside Service team.</p> <p>The Chair thanked Richard for the update and for his work with the LAF.</p> <p>It was reported that the Peak District LAF had requested sight of the PSM proposals in order that it could make comments. It was agreed</p>	<p><b>RT</b></p>

	<p>that DADLAF would also wish to have sight of the document and a request be made to this end. It was noted that DADLAF's comments to Mutual Ventures were taken on board, however if there were any further comments these should be submitted as soon as possible.</p> <p>The Vision for the PSM was headed by the Service Director. The PSM would allow access to other bodies and charitable funding streams, currently unavailable to the County Council's Countryside Service.</p> <p>It was agreed that representatives of DADLAF and the Peak District LAF meet to discuss a response to the review proposals.</p>	<p><b>IE</b></p> <p><b>IE/GM</b></p>
<b>46/19</b>	<p><b><u>Derbyshire County Council – Rights of Way Improvement Plan – Update</u></b></p> <p>Gill Millward updated members on progress towards delivery of Derbyshire's Rights of Way Improvement Plan. A paper had been circulated summarising the main work in progress in relation to each of the five RoWIP aims.</p> <p>Aim 1: May's survey returned a 69.3% pass rate. The target for this year remained at 72.5% and officers would continue to analyse why paths were failing the assessment. Repairs to a section of Hurstclough Lane near Bamford should be completed by the end of November.</p> <p>A Traffic Regulation Order prohibiting mechanically propelled vehicles from using Stoney Middleton Byway Open to All Traffic No.15, known as Jacobs Ladder, has been made and came in to force on 2 August 2019.</p> <p>Aim 2: Since the beginning of June 2019, five orders/agreements have been made and advertised, one order confirmed and six orders/agreements brought into effect. The Planning Inspectorate has issued decisions for two Definitive Map Modification Orders (Back Lane in Darley Dale and Boat Lane at Stoneyford, near Codnor) and Public inquiries have been held for three opposed Definitive Map Modification Orders, with a further four scheduled to take place before the end of November, including Pindale at Castleton and Callow Bank near Hathersage. The joint Peak District/DADLAF Sub Group held a workshop on 9 September 2019 at Derbyshire Record Office, Will Steel, the British Horse Society's 2026 Project Manager provided a practical session on how to use the BHS Dobbin database and historic documents which were available as sources of evidence required to support an application were viewed.</p> <p>Aim 3: Work was progressing well, within expected timescales and budgets, on the Clowne Branch Line Greenway project which was jointly funded by Derbyshire County Council and the European Regional Development Fund. Resurfacing of a further section of the Pennine Bridleway/ High Peak Trail, funded through the Local Transport Plan, was due to take place over the winter months and a temporary closure would be in place. Work on Derbyshire's emerging</p>	

	<p>Key Cycle Network was complete and it was anticipated that a report would be presented to Cabinet in November seeking approval for this strategic network of routes and to establish the priorities for investment.</p> <p>Aim 4: The Derbyshire Woodland Festival was held at Elvaston Castle Country Park over the weekend of the 21 and 22 September 2019. The event promoted the work of the Countryside Service and had been very successful.</p> <p>Aim 5: Volunteers working with the Countryside Service during the first quarter of 2019/20 have contributed 280.5 days to rights of way/access work, estimated to be worth around £59,954. Groundwork Greater Nottingham (formerly Groundwork Creswell, Ashfield and Mansfield) has continued to work on the network of paths and trails across the county through its existing Service Level Agreement, delivering 113.5 volunteer days during the first quarter of the year. Dedicated groups of volunteers have carried out much needed maintenance and improvements on rights of way in Bolsover, South Derbyshire and High Peak, as well as on the Pennine Bridleway, Clowne and Little Eaton Branch Lines, and the Old Derby Canal at Little Eaton.</p> <p><b>RESOLVED</b> to note the progress report for delivering Derbyshire's Rights of Way Improvement Plan.</p>	
47/19	<p><b><u>Derby City Council – Rights of Way Improvement Plan - Update</u></b></p> <p>Ray Brown reported on progress undertaken for Derby City's Rights of Way Improvement Plan.</p> <p>The Rights of Way Service within the Planning Division continued to carry out network management, including definitive map work and public path orders. The Highways Maintenance service continued to carry out rights of way maintenance and enforcement.</p> <p>Work continued to be carried out towards the production of the legal event modification orders. The first two orders for the former parishes of Allestree and Mickleover were now fully drafted and required formal sealing.</p> <p>Major path schemes included the Darley Park Cycleway which should be completed this financial year; the Derby to Nottingham Cycle Route for which the initial scheme planning was underway and was being funded through the Department for Transport's Transforming Cities Fund and the Derwent Valley Cycleway a partnership scheme between Highways England and the Derwent Valley Trust, with input from Derby City Council, Erewash Borough Council and Derbyshire County Council. A route for the first phase of this scheme linking Haslam's Lane in Derby and Little Eaton has been proposed and was currently being surveyed.</p> <p>An update is proposed to be given on the contents of the next Rights of Way Improvement Plan at the next joint City and County RoWIP</p>	<b>RB</b>

	<p>sub group later in the year.</p> <p>The Derby City Local Plan Part 2 (DCLP2) was proposed to go out for public consultation in early 2020. The Part 2 Plan follows on from and was guided by the overarching strategy of the DCLP1.</p> <p>The new Strategic Director for Communities and Place, Rachel North, was now in post and the Planning and Rights of Way services formed part of her remit.</p> <p>Defra staff have confirmed that there was to be a further delay in the implementation of those sections of the Deregulation Act 2015 related to public rights of way.</p> <p>Chris Allen reported that he had cycled through Derby to the Woodland Festival and had encountered issues around the Silk Mill development, as no diversion routes were indicated. Ray Brown agreed to take up the matter with his colleagues.</p> <p><b>RESOLVED</b> to note the report.</p>	<b>RB</b>
<b>48/19</b>	<p><b><u>Presentation : Access To Water – British Canoeing’s Access and Environment Charter</u></b></p> <p>Ben Seal from British Canoeing provided a presentation on the campaign by British Canoeing for an Access and Environment Charter - Clear Access, Clear Waters.</p> <p>Ben provided details of his background before detailing the campaign vision to confirm access to the rivers and inland waters of England and to protect the environment. The Charter was launched on 28 November 2018 and was based on the following three pledges:-</p> <ul style="list-style-type: none"> <li>• Champion the case for fair, shared, sustainable open access on and along inland waters to be confirmed in law</li> <li>• Continue to act to protect and improve the health of our rivers, working to protect, preserve and enhance the natural environment</li> <li>• Commit to inspire more people to be active outdoors; connecting people with their environment and promoting the benefits on mental and physical well-being</li> </ul> <p>Ben made reference to the Glover Review which was commissioned to consider the next steps for National Parks and Areas of Outstanding Natural Beauty (AONBs) in England. The use of the countryside was changing and without structural reform and greater shared ambition and status, our national landscapes would always struggle to do more than make an incremental difference.</p> <p>Access on water has to be negotiated locally and use was often very difficult. There were many ‘No canoeing’ signs along the River Derwent and although you could walk, cycle and horse ride in the Peak District National Park, canoeing was not included. Statistics</p>	

	<p>show that less than 4% of rivers in England have uncontested rights of access. Canoes could be taken on only 6% of rivers without the risk of prosecution. No legal precedence has been set for access and the campaign was lobbying for formal national legislation.</p> <p>Paddle Peak was working to build partnerships and its aims were:-</p> <ul style="list-style-type: none"> <li>• To Inspire Young People</li> <li>• To promote sport and tourism</li> <li>• To care for the Rivers</li> <li>• To promote sharing of Rivers</li> </ul> <p>It was hoped that DADLAF could help to facilitate talking to other users groups and discuss how sharing inland waterways could work.</p> <p>Members asked a number of questions in relation to access for paddlers on the local waterways, the conflict with other users in particular anglers, the use of licensing and 'rogue' paddlers.</p> <p>The Chair thanked Ben for his informative presentation.</p>	
<b>49/19</b>	<p><b><u>Equestrian Issues</u></b></p> <p>It was agreed that the guidance produced by Hampshire Countryside Access Forum and the Horses and Road Safety (Driver awareness campaign in Northumberland) be considered at the December 2019 Forum meeting.</p>	<b>LAF Secretary – for December Agenda</b>
<b>50/19</b>	<p><b><u>Sub Group Reports</u></b></p> <p><b><u>(a) Public Rights of Way, Open Access and Unrecorded Ways</u></b></p> <p>It was reported that the Workshop and training organised by Gill Millward at the Derbyshire Records Office had been well received. Will Steel the British Horse Society's 2026 Project Manager provided a welcomed practical session on using the Dobbin database. During the afternoon the historic documents used as sources of evidence were perused and it was agreed that more of these documents needed to be available on line.</p> <p><b><u>(b) Transport</u></b></p> <p>The Group had not met recently, however discussions would be required on the proposed Buxton to Matlock rail line in the future.</p>	
<b>51/19</b>	<p><b><u>Regional and National Matters</u></b></p> <p><b><u>East Midlands LAF Chairs' Meeting</u></b></p> <p>The next meeting would be arranged during March 2020 and the Virtual Fences item would be placed on the agenda.</p> <p>It was understood that it was likely that Mid Lincolnshire LAF and Rutland and South Lincolnshire LAF would join together to become the Lincolnshire LAF.</p>	
<b>52/19</b>	<p><b><u>Public Spaces Protection Orders (PSPOs)</u></b></p> <p>Nothing to report.</p>	

<b>53/19</b>	<b><u>Huddle</u></b> It was agreed that the newly formed Rights of Way Improvement Plan Sub Group meets to discuss the information posted on Huddle by Worcestershire Local Access Forum on Vehicular Use of Public Rights of Way.	<b>GM/RB</b>
<b>54/19</b>	<b><u>Cycle Champion</u></b> Nothing to report.	
<b>55/19</b>	<b><u>Local Plans and Major Planning Applications</u></b> The links to Derbyshire's District/Boroughs' weekly planning lists would be loaded onto the Local Access Forum page of the County Council's website. Members were asked to keep a watching brief on any housing development proposals in their local area.	<b>RB/GM LAF members</b>
<b>56/19</b>	<b><u>Date of next meeting</u></b> The next meeting will be held on Friday 6 December 2019. Agenda items would be required by 8 November 2019.	<b>LAF Secretary</b>
<b>57/19</b>	<b><u>Meeting Dates for 2020</u></b> The meeting dates for the Derby and Derbyshire Local Access Forum for 2020 were agreed as follows:-  Friday 13 March 2020 (City venue) Friday 12 June 2020 (County venue) Friday 25 September 2020 (City venue) Friday 4 December 2020 (County venue)	
<b>58/19</b>	<b><u>Canal and River Trust</u></b> It was reported that an email had been received by the LAF secretary from the Canal and River Trust East Midlands with an invitation to its Annual Public Meeting on Thursday 7 November 2019 in Leicester.  Members interested in attending should contact Gill Millward.	
<b>59/19</b>	<b><u>Restrictions on Flying Drones</u></b> Brian Nicholls informed members of the UK Drone Code ( <a href="https://dronesafe.uk/drone-code">https://dronesafe.uk/drone-code</a> ) and the new law introduced in July 2018 under the Air Navigation Order 2016 restricting flying of drones to below 400 feet, improved police powers to prosecute, fines of up to £1,000 and five years in jail. Further laws finalised at the end of September but operative from November 2019 included drones weighing 250 grams or more must be registered with the Civil Aviation Authority; annual registration fee; online safety test; drones must be traceable; drones fitted with cameras must not fly within 50 metres of people or buildings, or within 150 metres of public events and drone operators might have to use Flight Planning apps.	
<b>60/19</b>	<b><u>Byway Open to All Traffic (BOAT) 17, Bamford</u></b> Brian Nicholls reported that BOAT 17, Bamford had been closed to all users on the grounds of public safety, due to exposed cables, since 23 September 2013 and the current order was due to expire on 26	



	<p>July 2020.</p> <p>There appeared to be a legal stalemate between Derbyshire County Council and High Lees Farm. The route surface requires renewal and it appeared that the County Council was reluctant to use the emergency disconnection procedure to undertake works.</p> <p>Local vehicle user groups were intending to seek funding from their national groups with a view to pursuing a feasibility study on legal action to enable the BOAT to be opened.</p> <p>Gill Millward would look into the situation and if there was any further information would include it in the Rights of Way Improvement Plan report for the next meeting.</p>	
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