NOTTINGHAM LOCAL ACCESS FORUM

M I N U T E S

of meeting held on **11th July 2007** at the

PLEASE NOTE: The next meeting scheduled for 10th October 2007 has now been brought forward to 3rd October 2007.

Tea Room - Council House from 6.30 pm to 8 pm

	Malcolm Bescoby	✓	Nick Hynes
✓	John Boland	✓	Wendy Judge
✓	Bill Clarke	✓	Trevor Muxlow
✓	Roger Codling		Mary Myles
✓	Angela Cooke		Councillor Packer
	Councillor Grocock	✓	Joan Wildgust
✓	Tom Huggon	✓	Bill Wright

✓ - indicates present at meeting

Also in attendance

John Lee (Advisor), Jenny Kukan (Secretary)

Action

1 APOLOGIES FOR ABSENCE

1.1 Councillor Grocock, Nick Hynes

1.2 Wendy Judge apologised for accidentally missing the last meeting in April.

2 MINUTES AND MATTERS ARISING FROM PREVIOUS MEETING

2.1 (Item 2.1) Trevor Muxlow reported that green pathways have been cut in Wollaton Park which is an improvement. Paul Owen (Nature Conservation Officer) sent a map but it lacks detail to be useful. John Lee will provide Trevor with a map including aerial photography of the area. **John Lee**

2.2 (Item 2.3) Jenny French has recently had her baby and therefore John will wait to contact her regarding a presentation to the forum about the City Council's Open and Green Spaces Strategy.

2.3 (Item 2.4) Tom Huggon reported that the footpath which links Carlton Road and Sneinton Dale is altogether better. The problem with cars driving into the area has improved due to more restricted access.

2.4 (Item 3) John Lee gave the reasons for the change of item 3 on the agenda from “update on definitive rights of way within the city” to “update on public access and public rights of way within Nottingham”. The new heading more accurately describes the legal status of Nottingham’s network of public ways.

2.5 (item 3.1) John Lee reported on the status of the Clifton to Beeston Foot and Cycle Bridge. Unfortunately Sustrans have not put Nottingham City Council’s bid on the shortlist to receive funding should the Connect2 project receive funding from the National Lottery Peoples’ Millions. Sustran’s reasons were related to the access gradient, political pressure from Broxtowe Borough Council and local residents; particularly in the Beeston Rylands area. The three exhibitions took place in Clifton and results showed that 95% of people who attended were strongly in favour of the Bridge. Trevor Muxlow raised the point that if the Nottingham Forest football stadium is moved near to Clifton in 7 years time as reported; it may have an effect on local opinions and desire for a bridge at this location.

2.6 (item 4.2) John Lee is to ask Councillor Grocock for more details about the footpath in the Bulwell area which has been blocked off at the boundary with Broxtowe Borough Council. **John Lee**

2.7 (item 6.1) Forum members confirmed that they had received their copy of the draft Rights of Way Improvement Plan. John Lee reminded the forum that the date for which all comments must be received is 31st July 2007.

2.8 The meeting had further discussions about the footpath which may be extinguished in the station redevelopment. Tom Huggon highlighted the current unsatisfactory situation where users are required to walk through the platform. Ticket collectors either prevent this and turn them away or are suspicious, believing they may be ticket evaders. The forum agreed that whatever happens the way must remain open. John Boland is to write a letter to the NET team. John Lee is to email paragraphs to include in the letter to John Boland. **John Lee John Boland**

3 TRAINING AND DEVELOPMENT

3.1 John Lee reported that Natural England are running a course on 15th October 2007 which up to 4 forum members are welcome to attend. It is similar to the previous course which was described as very enjoyable and varied. Bill Wright, John Boland and Angela

Cooke expressed interest. There is still a space for one more forum member who would like to attend and did not last time.

3.2 At a previous meeting the forum requested training on interpretation of documentary evidence. John Lee is to arrange this. **John Lee**

4 UPDATE ON PUBLIC ACCESS AND PUBLIC RIGHTS OF WAY WITHIN NOTTINGHAM

4.1 John Lee reported that there has been an increase in motorcycle abuse. Criticism has been directed at Local Authorities suggesting that they are being very reactive and installing barriers without considering other options first. NCC are working with Cycling England to establish the most appropriate barriers to use. A trial comparing the well-used A Frame barrier and the relatively new K Frame barrier is planned for a section of Silverdale Walk. Local user groups, including NLAF will be invited to comment on the barriers in early September (Angela requested in term time if possible). John Lee to arrange.

John Lee has produced a draft checklist which will be used by Traffic Management Officers when a request to install a barrier is received. Feedback was requested from the meeting. Tom Huggon suggested that Nottingham Local Access Forum should be added to the listed of consultees to both raise the profile of NLAF and ensure the forum is kept informed. This will help to ensure that barriers are not installed if there is a lack of evidence to support one. Forum members were also made aware of an extract from Chapter 13 (Sections 3 and 4) of the Disability Discrimination Act 2005 which begins “Treatment, or a failure to comply with a duty, is justified under this subsection if…”. The extract allows the Local Authority to use it’s discretion as to whether the provision of a barrier is required for the safety of ALL users, including disabled users. **John Lee**

4.2 Tom Huggon asked John Lee about the status of the ways which were shown on maps given out in a previous meeting.

- Richborough Place, Wollaton (near Bramcote Hills)

7-8 applicants have been interviewed regarding their Modification Order application forms and were asked to sign the Statutory Declaration in the presence of a commissioner for oaths or a solicitor with the capacity to counter sign a Statutory Declaration. Nottingham City Council plan to make the Order in the near future.

- Bestwood Country Park

Phone calls to Nottingham City Council were generated following the erection of a fence by the Council. Modification Order application forms have been sent to 2-3 residents. However none have been received back.

- Robin Hood Chase area – St Ann's Well Road

This footpath has now been added to the definitive map. The Enclosure Award supported evidence that the way was in fact a public right of way, despite notices erected stating "this is not a public right of way"

4.3 General thoughts about the draft Rights of Way Improvement Plan from the forum included comments about the statement that there is no access land in Nottingham. Forum members questioned this giving examples like open land on the Trent Valley Way. John Lee informed the meeting that the Countryside Agency conducted a survey and produced maps for access land and suggested that NLAF could request for Nottingham to be resurveyed. John Lee offered to provide NLAF with a definition of access land if required. **All**

5 UPDATE ON RELEVANT LEGISLATION

5.1 Forum members confirmed receiving the DEFRA consultation document. John Boland believes that the existing process is satisfactory. Tom Huggon noted that the document is not all relevant to NLAF. The deadline for comments is 31st August 2007. The forum decided that it would be beneficial to hold a separate meeting to formulate comments. John Lee is to arrange a room at Lawrence House for Wednesday 15th August at 3pm for about 2 hours. Members are asked to pick one point that they are opposed to for discussion before coming to the meeting. **John Lee** **All**

5.2 John Lee reported on a recent CSS meeting where the update on legislation was considered. Points included:

- Order Making Authority will become the 3rd party in the process.
- How much interest will GOEM have?
- Time to determine Orders is unrealistic.
- What if legal tests for making/confirming the order are met but local interests are ignored?
- Draft legislation removes local democracy and local knowledge from the process.
- Legislation has to fit with ROWIP; eg. There may be a conflict between what local users want and land owners wanting a route extinguished.
- Loaded questions presume that the respondent agrees with the overall general principles in the first place.

5.3 It was decided that the sub group who discussed the proposed Gating Order on Glade Avenue was successful. Sub groups for future proposed Gating Orders may need to be formed at short notice. John Lee will call members to form a sub group of about 4 members as and when a group is needed.

5.4 John Lee provided an update on the Gating Order on Haswell Road in Bulwell which was discussed with NLAF 2-3 months ago. Being the first Order drafted by the City Council legal advice is being sought on the contents of the Order and Notice with formal consultation scheduled to commence towards the end of July. The meeting agreed that the most efficient process for future Gating Orders would be for the Chair and the Vice Chair to be sent a copy of the Order and decide whether it is necessary to call a meeting with other forum members.

5.5 The meeting were asked whether they would like to be consulted on the document regarding access to the English coast although it is not relevant to Nottingham. Trevor Muxlow has taken a copy of the document to read.

6 RIGHTS OF WAY IMPROVEMENT PLAN CONSULTATION DRAFT

6.1 John Lee informed the meeting that only about 6 responses have been received commenting on the draft Rights of Way Improvement Plan. The Ramblers Association have provided a comprehensive response with both positive and critical comments. However John Lee believes that some of their requests are unrealistic such as requiring a date to be set when the Definitive Map will be complete.

6.2 Councillor Grocock, who approved the draft Rights of Way Improvement Plan is no longer the Portfolio holder for Environment, Transport and Streets. The new Portfolio Holder for Transport, Economic Development and Skills will be required to approve the final document despite the fact that they have not approved the draft. It is not yet clear if this situation is satisfactory or not.

6.3 The meeting agreed that NLAF have a duty to ensure that the Rights of Way Improvement Plan is implemented. Tom Huggon suggested that the forum should start to consider the first year's budget and priorities in order to ensure that by 2011 the aims have been achieved.

6.4 Schemes and budgets have already been allocated for the present financial year. NLAF will be asked for an input on schemes which may be considered for next financial year.

6.5 Schemes such as Hurts Yard which NLAF chose to direct funding towards were very successful. A future possibility for funding is providing Interpretation Boards in Colwick Park.

7 ANY OTHER BUSINESS

7.1 Wendy Judge announced her imminent retirement as Chair of NLAF. Wendy believes that a change of Chair is healthy for the forum. John Boland will take over as Chair and a new Vice Chair will be elected. Names for Vice Chair should be put forward at the next meeting in October with the New Chair taking over at the January meeting. **All**

8 DATE OF NEXT MEETING

8.1 **Wednesday 3rd October 2007**
Note the change of meeting date to 1 week earlier