NOTTINGHAM LOCAL ACCESS FORUM

M I N U T E S

of meeting held on **8th July 2009** at the Committee Room - Council House from 6.30 pm to 8.30 pm

	Di Banks	✓	Tom Huggon
✓	Malcolm Bescoby	✓	Nick Hynes
✓	John Boland (Chair)	✓	Diane Moore
	Don Cameron		Trevor Muxlow
	Bill Clarke	✓	Mary Myles
✓	Roger Codling	✓	Bill Wright
	Mary Collison	✓	Councillor Urquhart
✓	Angela Cooke (Vice Chair)		
✓	Councillor Grocock		

✓ - indicates present at meeting

Also in attendance

John Lee, Public Rights of Way, Nottingham City Council (Advisor)
Matt Leek, Traffic Management, Nottingham City Council (Secretary)
Robert Howard – Dunkirk and Lenton Partnership Forum

1 APOLOGIES FOR ABSENCE

Bill Clark, Chris Thompson, Trevor Muxlow

2 MINUTES AND MATTERS ARISING FROM PREVIOUS MEETING

None

3 PRESENTATION BY ROBERT HOWARD: LENTON FOOTPATHS.

A short film was presented by Mr Howard looking at un-registered Rights Of Way (ROW) in Lenton & Dunkirk and their relationship to open and green spaces. Mr Howard was rather critical of the current strategy adopted by Nottingham City Council to improve its open and green spaces and cited the 'Breathing Space' strategy in particular. General discussion followed:

- Representatives from all wards should be encouraged to get involved.
- Encourage local enthusiasts to prepare lists of unregistered ROW so that they can be registered.
- Policies in ROWIP are now in place to ensure unregistered rights of way are registered and protected.

- Further information can be obtained from www.parkviews.org

4 IMPLEMENTATION OF THE ROWIP – POLICY 7, 8 and 9 (MAINTENANCE).

4.1 John Lee will be preparing an explanatory brief which sets out the Authority's maintenance responsibility for a public right of way that has been registered on the definitive map and statement via a public path order or modification order. — John Lee

4.2 Generally, the Authority does not automatically have a responsibility to maintain a public right of way shown on the definitive map; this depends on the mechanism used to record it and when the way was first believed to be a public right of way. Adjacent landowners also have a responsibility to maintain encroaching vegetation.

4.3 Councillor Grocock stated that if elected members knew about the issues with a right of way in their ward, they could possibly use money from their Area Capital Program to improve them.

4.4 John Lee and Diane Moore will arrange a meeting to discuss progressing ROWIP Policy 7, 8 and 9 and will report back to a future meeting. — John Lee, Diane Moore.

5 UPDATE ON PUBLIC RIGHTS OF WAY WITHIN NOTTINGHAM INCLUDING PUBLIC PATH ORDERS AND MODIFICATION ORDERS RECENTLY MADE / CONFIRMED.

5.1 The Nottingham Park Estate Ltd has served notice on Nottingham City Council under section 14(2)(a) of the Nottingham Park Estate Act 1990 to restrict public access along the footpath known as Park Road / Lenton Road between the hours of 23.00 hrs and 05.00hrs. This route is also subject to an opposed modification order published in January 2009 under the Wildlife and Countryside Act 1981. Nottingham City Council believes it is a right of way. Debate surrounds which Act of Parliament may take precedence; Nottingham Park Estate Act 1990 or the Highways Act 1980. Most likely this case will need to be resolved at the High Court following the initial decision on the opposed order by the Planning Inspectorate. Agreed that Forum should make formal objection. — Matt Leek

5.2 Clifton Suspension Bridge – Work has begun on this and it is anticipated that the bridge will be re-opened September / October 2009.

5.3 National Cycle Route 6 – Hillside – The Car Park is now demolished. Path to be re-opened by 10th July 2009.

5.4 Bader Road – Proposed footpath & cycle path will provide access to

Gresham Park facilities and the wider rights of way network. Funding is available to implement scheme this financial year. The Forum supported the idea.

6 GATING ORDERS.

6.1 A number of requests for gating orders have been received. As an Area 2 Basford and Bestwood Councillor, Councillor Grocock declared a personal interest in Bagnall Road. 36 responses have been received during consultation of which 34 are objections. An Area Committee meeting is to take place on 29th July to consider how they wish to proceed in light of the objections.

6.2 A Gating Order for Bridgnorth Drive has been requested. Incident Log sheets have been sent to adjoining and adjacent premises to establish the level of crime & anti-social behaviour (ASB) and their relationship with the public right of way.

6.3 Westfields (management of Broadmarsh Centre) have requested a restriction on public access through the Broadmarsh Centre due to an increase of ASB during late evening. As such, it is possible that a Gating Order for the Broadmarsh Centre will be requested. Investigations revealed that the route is not a public way although the route may be subject to planning conditions that require it to be open at all times.

6.4 Businesses adjacent to Poultry Arcade have requested a part time gating of the Arcade due to ongoing issues of ASB which include the area being used as a late night toilet, stolen goods and drug paraphernalia also found. This was requested around 6 years ago but available legislation wouldn't allow closure on ASB grounds, only on crime grounds.

6.5 Nottingham Trent University requested closure/gating of Bilbie Walk running between Shakespeare Street and Goldsmith Street. Investigations show that University had placed Notices on Bilbie Walk under section 94 (3) of the Highways Act 1959 (i.e. Section 31(6) of the Highways Act 1980) to prevent it from being dedicated as highway.

6.6 Forum to investigate gating order requests and will be split into 3 groups of two; Mary Myles and Diane Moore - Holland Street Radford; Roger Codling and Don Cameron - Bridgnorth Drive, Clifton, Tom Huggon and John Boland - Poultry Arcade.

6.7 JL to meet groups on site and offer advice and guidance.

7 AOB

7.1 Members within the forum urged other members to look at Waterloo

Promenade and the recent improvements to the paths and open space.

7.2 Planning application has been submitted for Greenwood Dale School for changes to existing layout of buildings, where there is an alleged public footpath through the site.

7.3 Stonebridge Estate – St Anns – Proposed closures and creation of rights of way. John Lee involved in consultation. Forum members invited to make comments on proposals.

7.4 Agreed to promote the LAF to Council Members and officers.

7.5 John Lee to arrange induction training on the Council's political and committee structure. John Lee

7.6 Presentations are to be given to Area Committees which set out the statutory function of the LAF. John Lee

7.7 Any problems with maintenance – let John Lee or Matt Leek know so that a quick response can be carried out using "quick wins" budget.

8 DATE OF NEXT MEETING

Wednesday 7th October 2009 at the Tea Room.