NOTTINGHAM LOCAL ACCESS FORUM

M I N U T E S

of meeting held on **6th October 2010** at the Dining Room - Council House from 6.00 pm to 8.30 pm

✓ - indicates present at meeting

Malcolm Bescoby	✓	Nick Hynes	
John Boland	✓	Chris Thompson	✓
Don Cameron	✓	Diane Moore	✓
Roger Codling	✓	Trevor Muxlow	✓
Angela Cooke	✓	Councillor Jane Urquhart	✓
Councillor Brian Grocock	✓	Bill Wright	
Tom Huggon	✓		

Also in attendance

John Lee, Public Rights of Way, (Nottingham City Council Advisor).
Matt Leek, Traffic Management, (Nottingham City Council Secretary).
Darren Surgey, Crime Prevention, (Nottinghamshire Police Constabulary).
Kevin Brown, Crime Prevention, (Nottinghamshire Police Constabulary).

1 PRE AGENDA MEETING: PLANNING AND DEVELOPMENT, QUESTION AND ANSWER SESSION (JOHN LEE / TOM HUGGON).

1.1 Diane Moore: What progress has there been with the Local Planning Authority (LPA) recognising Public Rights of Way at application stage?

1.2 John Lee: The standard application form includes the question “Does the development affect / create / divert a Public Right of Way (PROW). The problem is that not all PROW’s are recorded on the Definitive Map and Statement. A guide has been produced so that developers know how to deal with any PROW lawfully, irrespective of whether they are on the definitive map and statement.

1.3 Diane Moore: Are there any examples of where the guidance has been used?

1.4 John Lee: Not yet, although we have a good working relationship with the LPA so there is better understanding of PROW at an early stage.

1.5 Councillor Grocock: How much interest is there on behalf of developers to acknowledge the document? Emphasis should be placed on the importance of the document.

1.6 Tom Huggon: The document is guidance and so there is no statutory

requirement for developers to follow it. However it is key that: The LAF be consulted before proposals appear on the planning application list, the Planning section must be more vigilant; the LAF should be informed at pre-application stage when a development affecting a PROW is being discussed.

1.7 Chris Thompson: Can we assume that the City Council's Rights of Way (ROW) Officer will be consulted early on? Will the process be put in place so that the LPA consults ROW.

1.8 John Boland requested clarification of the Planning Application procedure. In response, John Lee advised that firstly, discussion may take place between the developer and the LPA to discuss viability of the proposals. Generally, the LPA will contact the Highway Authority re ROW impact.

1.9 John Boland: What's the difference between Policy and Guidance?

1.10 John Lee: The document is guidance only and can be ignored. If developers do not comply with Policy such as a condition, they can be held to account by the LPA or through the Courts.

1.11 Diane Moore: At the pre-application stage, reference must be made to the developers about the LAF and the guidelines. John Boland: How would that fit in the procedure?

1.12 John Lee: In an ideal world, this would already be achieved. However, the LPA are only doing what they are legally obliged to do. Trying to involve the LAF is going to be hard. To get around this, we send the weekly planning application list to the LAF.

1.13 Kevin Brown: Has experienced similar problems. The LPA have so many people to consult that they do not have the time to consider the views of those they do not need to consult. To be included more in the process, the LAF needs to be in the LPA's mind.

1.14 Chris Thompson: Some paths have been lost within the City as a result of housing estates being re-designed. Is there a difference between an adopted path and a right of way?

1.15 John Lee: Adoption is acknowledgement of maintenance responsibility only and not the public's right to use the way, although if a way is adopted it may be inferred that the public will have a right of way on foot at the very least.

1.16 Tom Huggon: There is no reason why the LAF can not meet with the LPA to discuss certain applications. High Pavement is a good example of where certain issues could have been resolved.

1.17 Councillor Grocock: If a planning application is unbalanced, is there a way the LAF can make representation. Tom Huggon advised that he would enquire. **Tom Huggon.**

1.18 John Boland: In terms of raising the profile of the LAF, is there no practical solution?

1.19 John Lee: It may be a case of not always objecting to an application but trying to be more positive and offering constructive solutions.

1.20 Roger Codling: If there are no ROW issues, the LAF could still advise how access could be improved.

1.21 Darren Surgey: The group should consider putting something in writing so that the LPA are more familiar with the LAF.

1.22 Diane Moore: Could the ALO's suggest to the LPA that there are benefits for the LAF to join the Police on applications?

1.23 Kevin Brown: Yes, if there's a PROW involved.

2 APOLOGIES FOR ABSENCE

2.1 Nick Hynes, Bill Wright.

3 MINUTES AND MATTERS ARISING FROM THE PREVIOUS MEETING.

3.1 John Lee: In relation to item 2.4 of the previous minutes, the cost of placing an advert in the Nottingham Arrow is still under negotiation.

3.2 John Lee: In relation to item 3.3 of the previous minutes, the publicity letter has been finalised and will be passed to John Boland for approval.

4 DESIGNING OUT CRIME AND RESPONDING TO PLANNING APPLICATIONS: KEVIN BROWN & DARREN SURGEY, ARCHITECTURAL LIAISON OFFICER, NOTTINGHAMSHIRE POLICE.

4.1 Kevin Brown gave a presentation on the role he plays in designing out crime by giving examples of how the layout & orientation of buildings, the lighting of paths and where they lead to can all interact and cause or prevent anti-social behaviour (ASB). Kevin gave Top Valley as an area where there is too much permutation of shared space which has resulted in ASB issues. If places are out of sight and mind, they become problematic. Some developers are not concerned with what happens outside of their boundary.

4.2 Councillor Grocock: How much influence do ALO's have? What can the LAF do to influence the LPA?

4.3 Kevin Brown: Everything lies in the relationship between the LPA and the LAF. ALO's now have a good working relationship with the LPA, which has in some cases led the LPA to ask ALO's for advice. It would also be beneficial to submit comments to the LPA in their own language.

4.4 Councillor Grocock: Seven developers were involved in the development at High Pavement which has resulted in many issues.

4.5 Kevin Brown: The LPA has acknowledged that there are some issues at that location.

4.6 Diane Moore: Can you provide clarification as to what is meant by shared space?

4.7 Kevin Brown: These are footpaths / alleyways in the public domain. If you move these paths from the rear of properties to the front, they benefit from natural surveillance. This is particularly true for properties with larger rooms at the front. Properties with smaller rooms at the front i.e. not regularly used, have less natural surveillance which leads to ASB.

4.8 Diane Moore: Occupiers whose trees overhang a path should cut these back to prevent ASB.

4.9 Diane Moore: Once the pre-application meeting has taken place, does your involvement end there or does it continue through the whole process?

4.10 Kevin Brown: We are involved from start to finish.

4.11 Councillors Grocock and Urquhart left the meeting at 19:00 for Civic duties.

4.12 John Lee: There is a big interest in the LAF getting involved with the Police with the possibility of weekly / monthly meetings which may involve going back to previous sites.

4.13 John Lee: Can someone act as a main contact between the LAF and the Police to which Diane Moore agreed to be the contact.

4.14 Darren Surgey: Where we receive complaints about footpaths and there isn't much evidence to support a Gating Order, we look at ways of improving the situation i.e lighting, cutting back trees.

4.15 John Lee suggested that he would approach the LPA to register Diane Moore as an interested party. **John Lee**

4.16 Chris Thompson: Suggested that when looking into the issues

experienced at a particular location, the remedies had to be site specific.

4.17 Kevin Brown: We have to try and work within the guidelines.

4.18 John Lee: What happens if the developer fails to design out crime?

4.19 Kevin Brown: Advice can be given on the initial designs. If they don't want to take the advice it is up to the LPA to put conditions in. Some developers apply for an award i.e Secured by Design.

4.20 Tom Huggon: If the developer applies for an award, they need to be watched carefully to ensure they keep to the approved design.

5 UPDATE FROM GATING ORDER AND PLANNING APPLICATION SUB GROUPS.

5.1 No updates.

6 **UPDATE ON PUBLIC RIGHTS OF WAY WITHIN NOTTINGHAM: PUBLIC PATH ORDERS, CREATION AGREEMENTS, GATING ORDERS AND MODIFICATION ORDERS (JOHN LEE).**

6.1 A meeting was held on 28th September 2010 to discuss the Rights of Way Improvement Plan. At the meeting it was mentioned that Nottingham is the least car dependent city and within the top 5 Authorities in a satisfaction survey with PROW. The results can be found at: http://nhtsurvey.econtrack.co.uk and www.bettertransport.org.uk

6.2 John Lee: A number of points were agreed to at the last meeting which included looking at the content and structure of the Plan so that it was more user friendly, having a statement for Modification Orders, and that there should be a visualisation of the links between the LAF LTP and ROWIP.

6.3 Chris Thompson: Paths that existed before 1st January 1949 and are not recorded on the definitive map may be lost and need recording. Should this be a priority?

6.4 LTP3 Update: Two documents of particular relevance to LTP3 are the Nottingham Plan to 2020 (Sustainable Communities Strategy) and the Council Plan 2009 – 2012.

6.5 John Lee: The next steps of the Local Transport Plan for 2011 – 2026 are being drafted. Consultation of this document will be between 26th November 2010 and 21st January 2011. John asked how the group wanted to respond and advised that there is a series of questions seeking feedback on the docs. John Lee to send email to remind members.

6.6 John Lee - Nottingham Park Estate Update: A statement is being prepared for a Public Inquiry which is likely to be held in September / October 2011.

6.7 John Lee: A grant application for £200k has been successful to make improvements to the footpath along the River Leen. A walk along the route is planned for 13th October 2010 starting at St Leo's Church at 11am.

6.8 John Lee: Can members inform Matt Leek or myself of locations where there are overhanging trees as there is a small budget available to cut back such obstructions.

7 ANY OTHER BUSINESS.

7.1 John Boland: At the Regional Chairs Meeting, praise was given to the Nottingham LAF for creating a Planning Sub-group. Two chairs are stepping down this month - Andrew McCloy from the Peak District and Andrew Shirley as chair of Derby and Derbyshire Local Access Forum. It is anticipated that Natural England are to lose approximately 800 staff out of 2400.

7.2 John Boland: There will be another planning workshop in January 2011, details to be confirmed.

7.3 Chris Thompson: How many Gating Orders have been introduced?

7.4 John Lee: Out of 100 requests, 7 have been made. We are currently reviewing Neston Drive.

7.5 Darren Surgey: Has contacted the Drugs Action Team 6 – 8 months after a Gating Order was introduced and was informed that their workload had decreased.

8 DATE OF NEXT MEETING

Wednesday 12th January, The Dining Room, The Council House.
Wednesday 13th April, The Tea Room, The Council House.
Wednesday 13 July, The Tea Room, The Council House.
Wednesday 12th October, The Tea Room, The Council House.