NOTTINGHAM LOCAL ACCESS FORUM

DRAFT M I N U T E S

of meeting held on **13th April 2011** at the Dining Room - Council House from 6.30 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)

1 APOLOGIES FOR ABSENCE.

1.1 Councillor Brian Grocock (on Council business), Councillor Jane Urquhart (on Council business), Don Cameron

2 MINUTES AND MATTERS ARISING FROM THE PREVIOUS MEETING.

2.1 JL: Item 2.2, Jennifer Dearing (Corporate Director for Development) has left the Authority and Dave Bishop has been appointed. This may be a good opportunity to revisit the issue of the LAF being involved with planning applications at the pre-application stage.

2.2 Diane Moore: Item 2.1, there was some confusion over the aims of the meeting. The Police advised that the problems associated with the High Pavement development were not public access / rights of way related issues. It was therefore agreed to cancel the meeting.

2.3 Planning Workshop: Feedback from Nick Hynes – The event looked at how LAF's can be involved in Planning Policy as well as the day to day activities. Nick Hynes to provide notes for next meeting. **NH**

2.4 Minutes agreed.

3 RESIGNATION AND RE-APPOINTMENT OF CHAIR.

3.1 John Boland retired as Chair, and nominated Diane Moore to which everyone agreed and Diane was formally appointed as Chair.

3.2 TM: We have enjoyed having JB as the Chair and will be sorry to see him go.

4 RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP2) 2011 – 2014

4.1 John Lee handed out copies of the draft Rights of Way Improvement Plan 2011 – 2014 (ROWIP2) so that members could take it away to digest. It was agreed that the sub-group (Tom Huggon, Roger Codling, Diane Moore, Angela Cooke, Trevor Muxlow, Chris Thompson) should meet to agree final amendments ready for its adoption. **ALL**

4.2 John Lee summarised the content of the draft ROWIP2 which has been prepared with contributions from the LAF sub group: agreed that it should be easier to read, less statistical / demographic data than ROWIP1 , and show a clear link between the Local Transport Plan (LTP3), and the Council's key priorities up to 2020 - particular emphasis on how improving rights of way / public access will encourage citizens to walk, cycle and take part in outdoor recreation and physical exercise which in turn will improve a persons health, wellbeing and quality of life as well as cut congestion and improve air quality.

4.3 John Lee: When we receive an application to change the rights of way network, the benefits to the public should determine whether it is given priority. Applications that benefit Nottingham and its citizens should be given priority.

4.4 John Lee: Countryside and Rights of Way Act 2000 - pre 1949 rights based solely on documentary evidence – these should also be given priority.

4.5 Tom Huggon: We are dealing with the City as opposed to the County. How many paths in the City are there? This is more applicable in the countryside, and a minimal problem in the City.

5 GATING ORDERS: RESPONSE FROM THE NLAF TO THE HOME OFFICE PROPOSALS.

5.1 John Lee: The Home Office are proposing to speed up the process of dealing with anti-social behaviour which includes revoking the gating order provisions and combining gating public rights of way within a wider remit of Community Protection Orders where a right of way can be gated by the police – this raised a general concern about rights of way being lost even though they may not be the driver of the ASB in the area – how much importance will be placed on the function of the path. Experience shows that the police would like to see more paths closed so this may result in lots more gated rights of way.

5.2 Diane Moore: Each gating order application has its own unique features and problems which should be carefully looked at and balanced with access before a decision is made to gate it off.

5.3 Tom Huggon: Agrees with John Lee – our own experience is that if gating the path is left to the police, they could make the wrong decision.

5.4 John Boland: Should we provide a formal response?

5.5 John Lee: The Home Office have not formally consulted LAF's which is shows very poor communication. If members can think of reasons why Gating Orders should not be revoked and hidden in the wider ASB issues please email or phone JL by 2/5/11. **ALL**

5.6 John Lee: Example of a request for Gating Order at Corsham Gardens – the evidence did not satisfy the legal tests for gating. I think this shows the procedures in Nottingham work very well with only the areas identified as a police hot spot being pursued and prioritised.

5.7 Nick Hynes: Two points:
Defra letter from Richard Benyon MP stating the importance of the work of LAF's and then they are not consulted on the proposed changes to gating orders. Seems like Defra and the Home Office could improve communication – rights of way are always seen as a problem, not as a good idea.

6 UPDATE ON PROW WITHIN NOTTINGHAH (IMPROVEMENT SCHEMES, GATING ORDERS, MODIFICATION ORDERS, PUBLIC PATH ORDERS) JOHN LEE.

6.1 Progress is being made on Phase 1 of the River Leen scheme which includes 700m of resurfacing and a new nature walk.
Plans are being made to resurface the path from Clifton Bridge along the river Trent to Grove Farm.
Additional improvements are being made to Colwick Park and Woods to deal with motorcycles and quad bikes.
£40k resurfacing a further section of the Hucknall Rail disused rail corridor
£25k - improvements to the King Charles Steps (Friar Lane).
Small Scale cycling schemes include upgrading a number of areas with 3D signage showing distance, direction and destination

6.2 Work has been undertaken improve signage to the Big Track including Meadow lane Lock which will be delivered by the end of the year.

Gating Orders:

6.3 An application has been received for Botany Avenue / Ransom Road, Mapperley

6.4 Current applications include Adelaide Grove Rise Park, Previn Gardens St Anns and Hovenden Gardens Radford.

6.5 Norfolk Place:

A meeting took place with Don Cameron, Tom Huggon and Diane Moore who put together a thorough assessment of the issues. Approximately 23 business use Norfolk Place, which is also used as a fire escape. Following discussions with the police/fire and rescue services and local businesses it has been agreed that a Gating Order is not appropriate, and as an alternative the specific areas where rough sleeping/drug taking takes place will be secured with gates/fencing. Under the new street lighting PFI, Norfolk Place is on the list for improvement.

6.6 Enquires include Beauclerk Drive Rise Park and Graham Street Radford.

Modification Orders and Public Path Orders:

6.7 Nottingham Park Estate: First meeting with barrister. One of the objections to the order dispute the width of the order route which is given at 14 metres (includes the pavements and the road). This is because the footway at the eastern end finishes so users have to cross the road at some point. The barrister questioned the width so further work has taken place to determine where users cross the road and which side they walk on the most.

6.8 Chris Thompson advised that he had been out on two mornings to obtain extra user evidence from premises along Park Road but had not had much success.

6.9 John Lee: We have user evidence dating back to the 1930's.

6.10 Roger Codling: Does the Park bear in mind that the route was a road.

6.11 John Lee: Yes, it is a road used by vehicles, but a road can a right of way on foot over it.

6.12 Chris Thompson: Does the Park Estate Act have priority over the Highways Act?

6.13 John Lee: If the route is shown to be pre-1949, the Park Estate Act 1990 cannot be used in the future to close it as the route would be highway maintainable at the public expense by default and this is very clear in the 1990 Act

6.14 Nottingham Train Station Stopping Up Order will go to Inquiry.

6.15 There is a Public Path Order being made to close a subway on Hungerhill Road, and replace it with an at-grade zebra crossing.

6.16 Details are being finalised to enable the Broadmarsh scheme to go ahead. It is a large development that is anticipated to be completed in 2013.

6.17 Tom Huggon: If it goes ahead it will be a big improvement.

6.18 Tom Huggon: Only a small number of Gating Orders have been made (7 out of over 120 requests). It has been mentioned at a previous meeting that we should establish whether a Gating Order has had an effect on an area.

6.19 John Lee: We already have the results for Smedley Close and Haswell Road. John Lee to provide the information. **JL**

7 AOB

7.1 Chris Thompson: Have there been any cuts within your Department?

7.2 John Lee: There have been cuts but this is not unique to Nottingham, it's a national picture.

7.3 Tom Huggon: Is there any news on the Public Bodies Bill which includes LAF's to be abolished?

7.4 John Lee: The government are trying to reduce the legislative burden placed on Local Authorities, one of which is PROW.

7.5 Tom Huggon: The Guide for Public Rights of Way and planning has been approved, are they going to use it?

7.6 John Lee: DEFRA are seeking a response on the role of LAF's in the future.

7.7 Tom Huggon will pick this up and email a response to John Lee. **TH**

8 DATE OF NEXT MEETING: PLEASE NOTE CHANGE OF VENUE

Wednesday 13th July, Loxley House (room LH 2.13) Station Street NG2 3NG.