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Published: 21 March 2006



**NOTICE OF MEETING**

**LOCAL COUNTRYSIDE ACCESS FORUM**

**04 APRIL 2006**

**TO: ALL MEMBERS OF THE LOCAL COUNTRYSIDE ACCESS FORUM**

You are requested to attend a meeting of the Local Countryside Access Forum on **04 April 2006 at 7.00 pm** in the Council Chamber, to transact the business set out in the attached agenda.

Chris Herbert  
Acting Director of Corporate Services & Resources

Members of the Local Countryside Access Forum

Mr David Bertie, Mrs Celia Blay, Mr Chris Gardner, Mr Mike Gates, Cllr Mrs Anne Haydon, Cllr Iain McCracken, Mr Richard Mosses, Mr Mark Osman, Mrs Diana Pidgeon, Mr Peter Radband, Mr Derick Stickler, Mr Stuart Tarrant and Miss Caroline Tomalin

**EMERGENCY EVACUATION INSTRUCTIONS**

**If you hear the alarm:**

- 1 Leave the building immediately**
- 2 Follow the green signs**
- 3 Use the stairs not the lifts**
- 4 Do not re-enter the building until told to do so**



**THE LOCAL COUNTRYSIDE ACCESS FORUM  
04 April 2006 (7.00 pm)**

**AGENDA**

	<b>Page No</b>
1. <b>WELCOME</b>	
2. <b>APOLOGIES FOR ABSENCE</b>	
3. <b>MINUTES OF THE LAST MEETING</b>	1 - 4
To approve as a correct record the minutes of the meeting of the Committee held on 27 September 2005.	
4. <b>FORUM MEMBERSHIP</b>	5 - 8
<ul style="list-style-type: none"><li>• Welcome to new members</li><li>• Nominations and voting for chair and vice-chair</li></ul>	
5. <b>JAMES WARNE, FARM CONSERVATION ADVISOR, FARMING AND WILDLIFE ADVISORY GROUP (FWAG)</b>	
<ul style="list-style-type: none"><li>• Introduction to the Farming and Wildlife Advisory Group</li></ul>	
6. <b>GILL ALKER, THAMES VALLEY ENERGY</b>	
<ul style="list-style-type: none"><li>• Short rotation coppice / energy crops</li></ul>	
7. <b>RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP)</b>	
<ul style="list-style-type: none"><li>• Update on Bracknell Forest ROWIP</li><li>• Other authorities (Countryside Agency questionnaire) &amp; the future</li></ul>	
8. <b>LCAF ANNUAL REPORT 2005</b>	9 - 10
9. <b>LCAF GUIDANCE WORKSHOP</b>	11 - 18
<ul style="list-style-type: none"><li>• Notes from the Countryside Agency/DEFRA workshop on 8 February 2006.</li></ul>	
10. <b>NATIONAL COUNTRYSIDE ACCESS FORUM (NCAF)</b>	19 - 30
<ul style="list-style-type: none"><li>• Minutes from 21st meeting on 14 November 2005</li></ul>	
11. <b>INFORMATION AND UPDATES</b>	
<ul style="list-style-type: none"><li>• 'Syngenta bridleway'</li><li>• Devil's Highway underpass</li><li>• Watersplash Lane</li></ul>	
12. <b>VALLEY GARDENS (STUART TARRANT)</b>	
13. <b>ANY OTHER BUSINESS</b>	

14. **PUBLIC QUESTION TIME (MAXIMUM OF 10 MINUTES)**
15. **DATE OF NEXT MEETING**

# Agenda Item 3

**BRACKNELL FOREST LOCAL COUNTRYSIDE ACCESS FORUM**  
**27 September 2005**  
**(7.00 pm – 8.55 pm)**

Present: Diana Pidgeon (Chairman)  
Chris Gardner  
Mike Gates  
Cllr Anne Haydon  
Cllr Ian McCracken  
Mark Osman  
Peter Radbland  
Caroline Tomalin  
Simon Weeks  
Derrick Stickler

In attendance: James Dymond, Projects Officer  
Helen Tranter, Head of Cultural & Visual Environment  
Heather White, Planning and Projects Manager  
Cathie Hart,

Apologies for absence were received from:  
David Bertie  
Celia Blay  
Robert Bonney

**56. Welcome**

The Chairman welcomed all members of the Forum to the meeting.

**57. Minutes**

The minutes of the previous meeting of the Forum held on 22 February 2005 were approved as a correct record.

**58. Rights of Way Improvement Plan (ROWIP) (Item 4)**

James Dymond, the Councils Projects Officer, presented the final draft of the Rights of Way Improvement Plan to the Forum. Members were asked to provide feedback on the consultation document and to offer suggestions for additional information and possible improvements to the plan before it was circulated to interested groups.

The Forum raised a number of comments on the consultation draft which are detailed below:

- There should be reference to heritage guides published by Parish Councils in the Action Plan.
- There needed to be more substance to cross boundary issues.
- A section on the rights and responsibilities of both land owners and members of the public should be included in the document.
- There needed to be some reference to rural crime in the document, such as

details of who people should contact if they witness suspicious behaviour.

- The Action in relation to disabled access to all areas of the countryside should be amended to 'where practicable/suitable' as it was not always possible to ensure disabled access.

The Forum raised concerns about rural crime in the Borough and asked that it receive a presentation from the police at its next meeting to address these concerns.

The Forum thanked James and Heather for their work on the ROWIP. Members noted that once the consultation period had ended, and subject to no significant comments being made, it would be presented to the Executive Member to be signed off.

**59. National Countryside Access Forum (NCAF)**

For information, the Forum received the minutes from the meeting of the National Countryside Access Forum. Members noted that if they required more information about membership of this forum, they should contact the Local Countryside Access Office.

**60. DEFRA Natural Environment and Communities Bill (NERC)**

The Forum was presented with the key elements of the Natural Environment and Rural Communities Bill for discussion. The Bill was designed to help achieve a rich and diverse natural environment and thriving rural communities, through modernised and simplified arrangements for delivering government policy. It would implement key elements of the Government's Rural Strategy and establish new structures with a strong customer focus.

The Forum noted that the Bill awaited its Third reading in the House of Commons and would then pass to House of Lords. Further information would be presented to members at a later date.

**61. Consultation on amendment of the Local Access Forum regulations**

The Forum was presented with the consultation paper on amendments to the Local Access Forum regulations. The document set out a number of amendments that could be made to help the effectiveness of forums. The Department for Environment, Food and Rural Affairs asked for comments to be submitted by 29 November 2005.

The Forum discussed the document and considered the proposals. Members agreed that most proposals were sensible. However, they agreed that membership should not be widened. Furthermore, it was felt that the current remit of the Forum was more than enough but in order to keep updated, minutes from other Forums should be sent out with the agenda for noting.

**62. Hogoak Lane**

Mike Gates presented the Forum with several pictures of Hogoak Lane in Warfield. He informed Members that because of persistent use by motorised vehicles the lane had been spoiled. He requested that the Council considered putting down

some kind of protective surface to improve the condition of the road.

The Forum discussed the road and felt that because of the heavy rain during the early part of the year, this would have played a part in loosening the soil. Members agreed that the road should be monitored and, if it did worsen to a point where access was not possible, it should be looked at again.

**63. Bracknell Forest rights of way and access update**

The Forum received several updates on the following issues, the Green Flag awards, Snaprails Park, Shepherd Meadows, Lily Hill Park, South Hill Park and a number of biodiversity and nature projects. Members were particularly pleased to note that funding, totalling £964,000, for the second phase of the Lily Hill Park restoration project had been approved.

**64. CROW Access Land – Forestry Commission**

For information, the Forum was presented with a map outlining the Forest Enterprise land dedicated for open access under the CROW Act 2000.

**65. Watersplash Lane Ford Update (Item 8)**

The Forum was advised that reinstatement of the ford was still being held up by the Environment Agency (necessary because the work required would involve altering the bed of the river). Members were welcome to contact Ken Wherrell in the Council Streetcare department if they wished to visit the site.

**66. Syngenta Bridleway, Warfield – Update (Item 9)**

The Forum was advised that planning permission had been granted and work on the Syngenta Bridleway in Warfield would begin next week. It was hoped to be open on the ground by November 2005, although the formal legal issues were likely to take longer. Members agreed that it would be good if they could meet and walk around the bridleway in the new year.

**67. Review and membership of Forum**

The Forum was advised that as the Forum had been in existence for three years, it was necessary to review its membership. Members would need to reapply if they wished to remain on the Forum. An advertisement would be placed in the local press in due course and a letter would be sent to existing Members asking them if they wished to reapply.

**68. Items for Next Meeting Agenda**

- Rights of Way Improvement Plan Consultation draft
- Presentation from the Police on rural crime
- Update on Watersplash Lane Ford

69. **Any Other Business (Item 11)**

Members were reminded about the regional training event taking place in London for all Local Access Forum Members. It was unfortunate that no one could make the session. However, it was suggested that Members considered visiting other Local Access Forums in the region.

During the meeting, the Forum asked about the use of signs telling members of the public where they should take care or not walk. Heather agreed to ask the NFU about this issue and find out whether this was done elsewhere in the country.

(ACTION: Heather White)

70. **Public Question Time**

Mr Richard Mosses asked the Forum about the access to Crowthorne footpath 1. He raised concerns about the decreasing width of the footpath and the gate at the entrance to the footpath, which had become difficult to use. Heather advised Mr Mosses that she was in discussions about both issues with the developers. She would advise on progress at the next meeting.

71. **Date of next meeting**

To be arranged in February/March 2006

*(Following the meeting, a date was agreed with the Chairman to hold the next meeting on Tuesday 4th April 2006, 7pm).*

**CHAIRMAN**





## Bracknell Forest Borough Council

### Local Countryside Access Forum (Countryside & Rights of Way Act, 2000)

#### Terms of Reference

##### 1. Constitution

The Countryside and Rights of Way Act 2000 requires local highway authorities to establish Local Access Forums to advise authorities about improvement of public access to land in their area for open-air recreation. The Bracknell Forest Local Countryside Access Forum shall operate in accordance with the Local Access Forums (England) Regulations 2002, which sets out procedural rules for the establishment and the administration of the Forum.

##### 2. Membership

The membership of the Local Countryside Access Forum shall be appointed so that they shall represent local people within the following groups:

- Users of local rights of way or open access land (e.g. walkers, disabled people, dog owners, bird-watchers, horse-riders, cyclists, carriage drivers, recreational vehicle users). \*1
- Owners, occupiers or land managers of land crossed by public rights of way or owners and occupiers of open access land within the borough.
- Two Councillors from Bracknell Forest Borough Council if the group is comprised of between 10 and 16 members or three Councillors if the group is comprised of between 17 and 22 persons.
- Other interests especially relevant to the borough, such as Parish Councils.

The selection process will ensure a balance in the membership between these groups so as to avoid dominance by any single interest. The minimum number of members shall be 10, the maximum number of members shall be 22 and a meeting of the Forum shall be quorate if a minimum of 5 Members are present. Co-option may occur at any time so long as the final number does not exceed 22 and a reasonable balance between interest groups is maintained.

- \*1 Individuals who are existing members of an interest group, such as the Ramblers Association, must act in a non-partisan manner by representing walking issues and walkers in the broadest sense.

Preference will be given to applicants who live within the Borough.

Preference will be give to applicants who are not members of other Local Access Forums.

### **3. Terms of Reference**

- To represent and be available to local people so that a wide range of local issues can be expressed.
- To offer advice to Bracknell Forest Borough Council as to the means of improvement of public access to land within the Borough for the purpose of open-air recreation and enjoyment for all.
- To offer advice to Bracknell Forest Borough Council on all matters relating to Public Rights of Way in the Borough.
- To assist with the development and implementation of a 'Rights of Way Improvement Plan' for the Borough.
- To comment on the preparation of maps of 'open access' land in the Borough and future management of any such land.
- To comment on national or local consultation documents relating to public rights of way or access to open countryside.
- To liaise with neighbouring Local Access Forums on matters of shared interest, and with other groups or agencies with an interest in the Borough's countryside.
- To provide input to, and comment on, other Strategies and Plans being developed by the Borough Council, such as the Local Transport Plan, Local Plan, Children's Play Strategy, Walking Strategy, Cycling Strategy etc.

### **4. Procedures**

1. Forum members will be selected by the Local Countryside Access Forum Appointment Committee, comprising:
  - One BFBC Councillor
  - Two BFBC Officers
  - Two non-BFBC representatives
2. All applicants for selection to the Forum will be invited to attend a group selection interview and appointed according to selection criteria which will assess their potential contribution to the Forum.
3. Appointments to the Forum shall be for three years.
4. The Forum shall meet at least twice a year (at six-monthly intervals), with any additional meetings to be arranged by agreement of the Forum.
5. The Forum Chairman and Vice-Chairman shall be appointed by election from amongst the members of the Forum at the first meeting.
6. The period of appointment of the Chairman and Vice-Chairman shall be three years.
7. Members of the Forum may resign by giving notice in writing to the Council (Director of Leisure Services).
8. The Appointment Committee may terminate an appointment if, without consent of the Appointment Committee, he or she has been absent from all meetings of the Forum during a period of one year.
9. The Appointment Committee may terminate an appointment within the provisions set out in the Local Access Forums (England) Regulations 2002.
10. The decision to replace a member of the Forum after a resignation or termination will be at the discretion of the Appointment Committee, except where the minimum number of members has been reached.
11. The meetings of the Forum shall be open to the public, subject to powers of exclusion to suppress or prevent disorderly conduct or other misbehaviour.

12. Individual members of the public will have an opportunity to ask **one question** to Members of the Forum in a 10 minute 'question time' at the beginning of each meeting. The 10 minute period will not be exceeded.
13. Copies of agendas and reports for the meetings of the Forum shall be open to inspection by the public at least three clear days before the meeting, except that where the meeting is convened at shorter notice, the copies of the agenda and reports shall be open to inspection from the time the meeting is convened.
14. Urgent items may be considered at a meeting of the Forum without prior notice, at the Chairman's discretion, but only by reason of special circumstances, which shall be specified in the minutes of the meeting.
15. The minutes of the meetings of the Forum shall be open to inspection by the public.
16. The Council shall reimburse members of the Forum reasonable expenses incurred in connection with attendance at Forum meetings or other activities relating to discharge of the functions of the Forum, in respect of travelling expenses and expenses of arranging for the care of their children or dependants.
17. The Council shall support and fund appropriate training or development programmes for Forum members as identified by the Forum.
18. The Forum shall prepare an annual report, which shall be published by the Council.
19. The Council may alter or amend the Terms of Reference if required provided that the Terms shall at all times comply with the Local Access Forums (England) Regulations 2002 or any replacement Regulations.

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## ➤ Consultation on Local Access Forum Regulations

The LCAF was informed about a review of the Local Access Forum Regulations and invited to comment on the proposals. The majority of these were agreed with, although it was felt that forum membership should not be widened. Minutes from neighbouring forums would in future be sent to members for their information.

## ➤ Review of Forum Membership

At the 6<sup>th</sup> forum meeting in September, members were informed that as many had been in post for 3 years, they would need to formally state their wish to carry on as forum members prior to the next meeting. Forum membership would then be publicly advertised to fill any remaining spaces on the group.

### Further Information

<http://www.bracknell-forest.gov.uk/leis-local-countryside.htm>

Countryside and Rights of Way Act 2000:

<http://www.legislation.hmso.gov.uk/acts/acts2000/20000037.htm>

The Local Access Forums (England) Regulations 2002

<http://www.legislation.hmso.gov.uk/si/si2002/20021836.htm>

### Contact

James Dymond, Projects Officer, Bracknell Forest Borough Council,  
Environment and Leisure, Time Square, Market Street, Bracknell,  
Berkshire, RG12 1JD.  
01344 354107 [James.Dymond@bracknell-forest.gov.uk](mailto:James.Dymond@bracknell-forest.gov.uk)



# Bracknell Forest Local Countryside Access Forum (LCAF) Annual Report 2005



January 2006

Agenda Item 8

## Introduction

The Countryside and Rights of Way Act 2000 (CROW) gave Bracknell Forest Borough Council, as the Highway Authority, a new duty to establish a local access forum.

The forum is a group of between 10 and 22 members of the public who are interested in countryside access issues; they advise the council on securing more and better access to the countryside for open-air recreation within the borough. It is governed by the Local Access Forums (England) Regulations 2002.

## Formation of the Bracknell Forest LCAF



In late 2002, press notices, posters and other adverts were used to invite members of the public to become LCAF members.

At the first meeting in March 2003, the LCAF consisted of 18 members. 16 members now make up the forum, representing a mix of countryside managers, users and other interests.

## LCAF Work During 2005

### ➤ Rights of Way Improvement Plan (ROWIP)

During the year, forum members were presented with updates on the ROWIP and asked to comment on the consultation results, audit, network evaluation and analysis. A draft version of the plan was presented to the forum and discussed at the 6<sup>th</sup> meeting in September. Comments from forum members and the public consultation would then be taken on board and the final ROWIP produced by the end of March 2006.

### ➤ Traffic Regulation Orders (TROs) and Motorbike Problems



*Construction of new Bridleway 25*

TROs and the problem of illegal off-road motorcycling (mainly in Swinley Forest) were discussed at the February meeting. The forum was updated on the BFBC and Crown Estate rangers' and police's attempts to catch offenders.

### ➤ 'Syngenta' Bridleway, Warfield

The forum was updated on the progress of the diversion of Bridleway 25, Warfield, which currently runs through the Syngenta site. The new route for the bridleway will provide a wider, safer, longer and more pleasant route around the site. Construction and the closure of the existing bridleway and footpath (FP2 Warfield) is hoped to be completed in early 2006.

### ➤ Natural Environment and Rural Communities (NERC) Bill

The forum was made aware of the forthcoming NERC Bill which would bring into force Restricted Byway status for RUPPs and the extinguishment of an existing right of way for mechanically propelled vehicles in certain circumstances. It will also form Natural England, a new statutory body with responsibility for conserving, enhancing and managing the natural environment.



*Hazelwood Lane, Warfield*



## Report on the LAF Guidance Workshop Bristol 8 February 2006



### 1. Summary

On 8 February Defra and the Countryside Agency hosted a workshop bringing together 17 local access forum members from across England. The workshop looked at how written guidance, issued by Defra and the Agency, could be improved and developed in a way which best meets the needs of forums and forum members as far as possible.

Better guidance and information will help to achieve the Minister's vision for local access forums, which is *"to see forums regarded by decision-makers as a valued source of independent, incisive, informed and influential advice on access and open-air recreation issue"*. It was recognised that achieving the vision depends on more than written guidance, but clear and concise information is an important foundation.

Many constructive ideas and interesting suggestions emerged during the day. This report summarises the issues which were raised by workshop participants. Some of the key themes to emerge were:-

- the importance of providing clarification on the roles of all those involved with forums (especially appointing authorities Chairmen, members and secretaries);
- the vital importance of getting the relationship right between the access authority and the forum (and the challenges which this can create);
- the need for better information on key policies areas;
- easier access to contact details (so that people can contact the forum secretaries and also so that forums can contact the section 94(4) bodies); and
- the need to ensure that all written material is relevant, focused and uses plain English.

The issues raised will be taken into account in revising the Secretary of State's Guidance and producing a new LAF Members Information Pack/Handbook.

Many of the issues will need careful consideration to ensure that written guidance issued by Defra or the Countryside Agency strikes the correct balance and is consistent with the legalisation and other requirements. Some of the issues raised are beyond the remit of the written guidance but will be taken into account in other ways as appropriate.

## **2. Attendance**

*Forum members:* Hazel Armstrong (East Riding & Hull), Philip Barton (Merseyside), Caroline Bedell (Shropshire), John Cutler (Northamptonshire), John Disney (Derby), Duncan Graham (Cumbria), John Griffin (Oxfordshire), John Hall (Warwickshire), Bob Harvey (Devon), Carolyn James (Nottinghamshire), Mike Johnson (Wiltshire), Allan Jones (Norfolk), David Judson (Herefordshire), Andrew McCloy (Peak District), Lindsay Perks (Tyne & Wear), Cosima Towneley (Lancashire), Geoff Wilson (Yorkshire Dales).

*Defra:* Heliose Tierney, Geoff Audcent, David Trott, Bev Cavender, Kim Gunningham.

*Countryside Agency:* David Gear, Andy Green.

*ANPA (Association of National Park Authorities):* Rachel Mozley.

*LGA (Local Government Association):* Trevor Mose.

*Workshop Facilitator:* Steve Jenkinson.

## **3.1 Discussion on key issues for the revised LAF Guidance and Information Pack**

### **3.1 On the Role of Local Access Forums:**

- √√ Define statutory function of local access forums
- √√ Proactively advising
- √√ Define bodies to whom local access forums give advice - section 94(4) bodies
- √ Clarify the status of advice given by local access forums
- √ Influencing decision-makers
- √ Focusing on strategic issues, dealing with site-specific issues
- √ Measuring effectiveness

### **3.2 Working Arrangements**

- √√ Obtaining feedback from decision-making bodies
- √√ Annual report – what should it contain



- √√ Finance – Transparency
- √√ /x Annual Work Programme (mixed views expressed on value !)
- √√ Resources for forum work
- √√ Meeting structure/organisation
- √√ Training
- √ Observers
- √ Sub-groups and site visits
- √ Public access to meetings and documents
- √ Business between meetings
- √ Promotion and awareness raising
- √ Networking and Regional liaison and cross boundary working

### 3.3 Roles and responsibilities

- √√ Define the role of everyone involved with forums, but especially:-
  - Appointing Authorities
  - LAF Chairs
  - LAF members

### 3.4 Guidance for appointing authorities

- √√ Supporting your forum
- √√ Making the most of your forum
- √√ Joint arrangements

### 3.5 Subject Specific Guidance

- √√ √ Implementation of ROWIPs
- √√ √ Planning policies and planning applications – road schemes, development proposals and Local Development Frameworks, District councils
- √√ √ Less detail on CROW Open Access – more strategic
- √√ Disability access – urban and rural
- √√ Environment Agency and access to water
- √ Centralised list of forum contact and/or vacancies

### 3.6 Other issues

- √ local authority finance and performance indicators
- √ Maintaining motivation and enthusiasm
- √ LTPs
- √ Heath and sport
- √ How to identify landowners
- √ Protected landscapes
- √ Woodland
- √ EA - Water
- √ NCAF

## 4. Discussion - “Issues I wish I’d known before joining a LAF”:-

- Local authorities provide poor coffee !
- There should have been more dentists sitting on forums ! (.....as they are toothless)
- How interesting it is - how much I would learn about other people and interests
- How hard it would be to explain to other people what a LAF is and does
- The amount of appointing authority interference
- All the jargon
- How 'sensitive' local authorities officers can be
- How challenging/difficult it would be to understand the issues
- Lack to 'welcome' information or induction

## **5. Discussion on some of the key issues**

### **5.1 What should the written guidance say about getting the work done: such as proactive-v-reactive, strategic-v-specific ?**

- LAFs must be proactive (as well as reactive)
- Being proactive requires forward planning
- LAFs should receive feedback on its advice within a reasonable (or specified) time
- Guidance on standards for responses and acknowledgments(what LAFs can expect)
- Guidance on role of LAF when it receives requests for 'mediation' or 'intervention' from the public
- LAFs to provide a common-sense view as advice
- Give clear advice, which may not always represent a single consensus view
- Need to explain/assert LAF role as a statutory adviser/consultee to section 94(4) bodies
- Be clear that good quality LAF advice will add value rather than be a burden
- LAFs should advise on strategy but be able to comment on specific cases
- LAFs need to draw on specific experience to justify advice on particular issues
- Role of LAF in bringing people together
- Guidance on scope for individuals to represent the LAF, and for giving advice which represents the view of the entire LAF
- Need local authorities to inform LAFs of new strategies and developments
- Desire to increase the number of bodies who have to consult LAF
- LAFs need to be independent of appointing authorities
- Be careful about precedents
- Clarify whether LAF can seek external funding/resources to support its work

### **5.2 What should the written guidance say about helping LAFs to be more influential ?**

- Link LAFs with the Countryside Code. Countryside Agency to explore use of Creature Comforts animations in producing LAF publicity material.
- Defra to be more influential with appointing authorities
- All departments within appointing authority to consult LAF (tourism, planning, highways, recreation)

- LAF members to be told what is expected of them
- More awareness of how local government works
- Must be seen to be independent - recognise not elected members
- Hold section 94(4) bodies to account in 'having regard' to advise given
- Powers to push through footpath creation orders
- Raise public profile of LAFs (press release, posters in libraries, websites, articles in free papers or local authorities newspapers) – national and local
- Guidance notes needed on key issues from Defra and Countryside Agency
- Training – issues/media awareness, national
- Appointing authorities to promote and explain role of LAFs in meetings with other bodies, and how LAFs can help
- Provide LAF contact details on web
- A national conference.
- Each LAF to be given contact details for all the section 94(4) bodies in its area.
- There was board consensus that it would be useful for the Guidance (and Regulations if necessary) to clarify the situation with regard to forums giving advice on functional or utility access and use of rights of way (eg for access to shops, employment, amenities) in addition to recreational access, it was felt that functional or utility was an important consideration, especially for urban areas, which LAFs should be able to advise on when necessary.

### **5.3 What should the written guidance say about how LAF Chairmen and Members carry out their role ?**

- Conduct of meetings
- Understanding the limitations/constraints of LAFs
- Relationship with appointing authority
- Importance of elected members attending meetings
- Continuity of membership/rotation
- Work between meetings
- Representing the LAF to outside bodies or at meetings/events
- Training, in-house training and good practice
- A 'skeleton' induction pack (with room for local inserts)
- Role of Chairman and Sub-groups
- Role of secretary – should be a lynch pin
- Complaints procedure (between members and authorities)
- Make up and balance of LAF
- LAF members should be made aware of the need to look at issues impartially
- Chairmen need leadership skills, and be impartiality, enthusiastic, respected, etc.
- Selection procedure
- Meetings to be flexible and to allow for urgent business to be discussed
- Member allowances, reasonable costs, compensation for lost earnings
- Seek inclusiveness and constructive consensus, but reflect minority views in giving advice
- Allow for public involvement and consultation
- Importance of appointing authority providing an effective and properly resourced secretariat

- Have a LAF letterhead and logo

#### **5.4 What should the written guidance say about how appointing authorities support and resource their LAF ?**

- Access authorities, members and officers, should actively consider how the LAF might help them doing their work
- Appointing authorities should recognise the independence of LAF advice (and the value of having an independent source of advice)
- Lines of communication within (and, for joint LAFs, between) appointing authorities
- Finance - what budget is available and what can it be spent on
- Ring fenced funding and/or more funding, for LAFs from Central Government
- How can local authority budgets be influenced – and pre-influenced – timing critical
- Access authorities to seek LAF advice on budget spend and grant funding opportunities/applications
- Access authorities to understand how LAF works (or doesn't work)
- Access authorities to provide a source of profession expertise to LAFs
- Access Authorities to adopt an inclusive approach towards LAF, and backup
- Accessible venues and meeting times
- Open and transport relations and information exchange between access authorities and LAF
- Provision of a web page on the council website, PR support, involve LAF members at county shows, council workshops, article in council newsletters
- Cost of officer time should be built into LAF support
- Elected members to attend all meetings
- LAF 'hot line' to Defra
- Apply 'critical path' analysis to decision making or LAF achieving aims

### **6. Discussion on production, presentation, and promotion on design**

#### **6.1 How best should the information pack and guidance notes be produced (i.e. formats, media types, etc) ?**

- Involve/consult LAFs, consult widely on the draft
- Integrate guidance notes for LAFs and AAs in one document
- If separate documents needed, carefully cross-reference and date them
- Consider an executive summary (for the Guidance)
- Consider using 'margin notes' (for the Guidance)
- Depending on format, leave space for AAs to add relevant local information, to complement national/generic information
- Make material available on a web site, with links to individual LAFs
- If the material is on a web site, include a 'chat-room'/forum to discuss
- Include examples/issues
- Use a plastic-covered, robust, ring-file binder, facilitating the easy addition/replacement of pages (for updating)
- Ensure format is such that LAF chairs may use it as a LAF 'Bible'.

- Make hard copies of docs available electronically on a web site, but not on a CD ROM (difficulty of updating)
- If a CD ROM is adopted, incorporate a CD ROM pocket in the binder cover

## **6.2 How best should the information pack and guidance notes be presented? (ie design/structure/style)**

- Use common logo on all items/communications
- Date all items
- In addition to a contents page, an index would be a bonus
- Incorporate a 'jargon' buster and/or glossary of terms and/or list of abbreviations
- Use clear black type, definitely not colour on colour (to enable easier photocopying)
- Use plain/straightforward English
- Give careful consideration to font style and size (12pt minimum)
- Arial or Verdana fonts are recommended
- Consider layout carefully, and include tables, diagrams, and photos
- Include summaries and best practices, especially located in 'out-take' boxes
- Consider use of illustrations/humour (cartoons?) to help break-up text
- Employ comprehensive footnotes, so text can be more concise
- Use 'punchy' headline-style titles

## **6.3 How best should the the information pack and guidance notes be promoted? (ie awareness/interest raising)**

- Evolve a nationally recognisable logo for LAFs
- Contact BBC and other media to arrange national/local publicity, eg the Archers, Countryfile
- Get articles in user group magazines
- Link with health-sector publications
- Consider agricultural shows as an outlet
- Ask OS to refer to LAFs on back of maps or insert a separate leaflet in Explorer Maps
- Link with Aardman characters used in recent Countryside Code campaign
- Refer to material on library/village hall/parish notice boards, and in TICs.
- Ensure related organisations (allies) publicise material
- Refer to in web site 'update' sections
- Make available in ethnic minority languages
- Ensure all parish councils have copies
- Make available in Braille (format available from RNIB)
- 'Cross-publicise' in other LA publications
- 

## **7. The “Issues Park” :-**

- Why 2 documents ?
- A simple and glossy LAF promotional leaflet required
- Slant of Guidance
- There must a statutory obligation of authorities to implement ROWIPs
- Local authorities budget pressures should be recognised
- Performance indicators = Funding !
- Can a LAF Secretary be appointing by anyone other than an appointing authority ?
- Where a LAF was established after the publication of the Draft Maps, does this create a responsibility to reopen consultation on Open access with the established LAF ?
- Communication vital between Defra, CA and LAF Chairs
- Status of LAFs - Better to think in terms of 'partnership' with the access authority, rather than just 'advisers'
- LAF website needed - part public , part for LAF members, part for other bodies, each with a 'chat-room'
- Need to be clear under what circumstances meetings need to be 'secret' (e.g. because of sensitive or vulnerable nature conservation interests).
- Connect NCAF with each and every LAF, perhaps via a regional structure
- Information needed on future role of NCAF ?

## **8. Participants' Feedback after the Workshop**

**[.....Any Contributions ?]**

## **NCAF**

Minutes of the 21st meeting of the National Countryside Access Forum (NCAF) held on Monday 14th November at 100 Temple Street, Bristol

### **Present**

#### **Members:**

Pam Warhurst (Chair), Countryside Agency (CA)  
Henry Aubrey-Fletcher, Country Land & Business Association (CLA)  
Jo Burgon, National Trust (NT)  
Fiona Howie, National Farmers Union (NFU)  
John Lees, Moorland Association  
Iain McMorrin, British Mountaineering Council (BMC)  
Ian Mercer (independent)  
Trevor Mose, Local Government Association (LGA)  
David Moxon, Cyclists Touring Club (CTC)  
Paul Owen, Central Council for Physical Recreation (CCPR)  
Jerry Pearlman, Ramblers' Association (RA)  
Tim Stevens, Central Council for Physical Recreation (CCPR)  
Stephanie Wheeler, British Horse Society (BHS)  
Gwyn Williams, Royal Society for the Protection of Birds (RSPB)

#### **Observers:**

Graham Bathe, English Nature (EN)  
Chris Marsh, Environment Agency (EA)  
Richard Brooks, Defence Estates (MOD)  
Roger Smith, Defra  
Heloise Tierney, Defra

#### **Guests:**

Alun Morgan, Chairman of the Joint Local Access Forum (JLAF)  
Chris Hogg, Secretary to the Joint Local Access Forum (JLAF)

#### **Countryside Agency staff in attendance:**

Jeremy Worth, Charlotte Bellamy (Secretary), Jacqui Stearn, Wendy Thompson,  
David Gear, Lucy Heath, Abigail Townsend

(Approx 10 members of the public attended this meeting)

### **1. Chair's introduction**

JW welcomed everyone on behalf of Pam to the meeting and gave apologies for PW's flight being delayed. As a result, the agenda was altered slightly. He welcomed new members Trevor Mose from Local Government Association, David Moxon from Cyclists Touring Club, John Lees from the Moorland Association and Fiona Howie from the National Farmers Union. The new secretary for NCAF, Charlotte Bellamy, was also welcomed. JW welcomed Joanna Davidson-Watts from English Nature,

Richard Brooks from Defence Estates and Chris Marsh from the Environment Agency as substitute forum members. It was also recognised that a number of representatives were in the audience from the Countryside Agency.

**2. Apologies for absence** were received from Caroline Bedell (CLA), Charlotte Edward (CCPR), Peter Kendell (NFU), Andrew Sutcliffe (Moorland Association), Anthony Curtis (Defence Estates), Bob Lowe (Countryside Council for Wales), Chris Probert (Forestry Commission), Sarah Tunnicliffe (English Heritage), Mark Wrightham (Scottish Natural Heritage), William Crookshank (Environment Agency) and Bob Cartwright (Lake District NP)

JW outlined target dates for delivery of papers and minutes to members for NCAF. These were; papers to members prior to the meeting – minimum of one week prior to the event, and minutes to members and onto the internet following the event – within a month.

### **3. NCAF 21/2 Diversity Review Action Plan**

Main points made in addition to the presentation made by Jacqui Stearn (CA)

- CA has been asked by Defra to develop this review, which was set out in Rural White paper 2000.
- It has long been known that many key groups are under- represented in the countryside.
- Key findings of this research are: there is a desire from groups to access the benefits of outdoor recreation; there is a lack of information and confidence as a result of lack of engagement by the sector; and transport is a challenge.
- Those asked in the research had not been to the countryside before.
- We should be aware that the perception of those groups investigated may not be the same as those who already utilise the countryside for outdoor recreation
- Organisations providing access to the countryside are split in our sector. There are groups that are resource orientated and perceive increase in visitors as harmful, and consider that any increase in visitors must be managed within the existing numbers they have. Then there are organisations who welcome and actively encourage a new diversity of visitors.
- Research recommendations were outlined, leading to tools that could be developed.

The presentation concluded with the following questions put to the NCAF:

- Are the tools that have been outlined the right kind?
- How can you and your organisation take this agenda forward?
- What training & guidance do you need?

Main points made in discussion

- Organisations need to address this difficult but important subject and should not do so simply because it is considered politically correct.



- It will take time to change attitudes amongst currently excluded groups and build awareness of the benefits of outdoor recreation. A champion should be developed to get the general public to take this on board.
- The lottery funding route is a potential resource to move this agenda forward.
- Partnership working will be important.
- There is a need to develop access land to include urban fringes.
- There is a need to start influencing from children upwards.
- There is a need to alter the culture of organisations and clubs offering the opportunities for activities. Could this be managed by developing grant award conditions?
- There is a need to make the countryside a location to do things that you may do elsewhere.
- Project evaluation is important. Arguing something has worked in the past is a valuable tool. We need effective research and project criteria.
- Access to access – how to get there is critical.
- There is a need to talk about everyone, not just Black and Ethnic minorities, but also the young & disabled. However, we should consider how rural communities can become more comfortable with ethnic members in their communities.
- Could the Black Environment Network be utilised to develop the project? JS confirmed that they were engaged with the project.
- ROWIPs could be a key way of making sure the diversity issue is addressed.
- It was suggested that there was a statement missing in the document ‘what ethnic minorities actually want’. Did the focus groups actually ask for access to the countryside? Jacqui responded that a number of pieces of research had demonstrated that there was the interest.
- CTC is doing work on the issue of disability and cycling.

JW concluded the discussion – NCAF agreed that:

- It is clear that we need to keep gathering information, so we understand people’s aspirations.
- The role of information is very important
- Access-to-access is important.
- We must be careful to set realistic timescales
- Lottery funding should be developed.

Jacqui also gave a short presentation on 'By all reasonable means' a document recently published by the CA regarding access to open spaces by disabled people. The document is available on the CA website.

Pam took over chairing the meeting at this point.

#### **4. Minutes of the 20th Meeting (23rd March 2005)**

Item 11-'future agenda items'

JP suggested that there should be a paper on coastal access. He was not suggesting however, that he had planned to prepare the paper. He would be happy however, to be involved in the preparation of a future paper. When a paper is prepared JP will be consulted for his input.

The minutes were agreed to be a correct record

#### **5. NCAF 21/1 Matters arising from the 20th Meeting**

Effects of PROW usage on biodiversity – there is a meeting on Wednesday to discuss this.

#### **6. NCAF 21/3 Enjoying the outdoors – A recreational strategy for Natural England**

Main points made in addition to the powerpoint presentation made by Wendy Thompson

- The draft-overarching objective for Natural England is encouraging more people to enjoy the natural environment more often, in a sustainable way.
- The key areas of new work are: Marketing outdoor recreation as a product; the health connection and the learning connection; developing 'outdoors on line' and other forms of information; supply of places for outdoor recreation; and planning & transport.
- This strategy will implement Natural England's statutory purpose to promote access to countryside & open spaces, encourage open-air recreation, and secure the provision of facilities.
- The brief for this research was to look 20 years ahead with a closer look at the next 10 years, looking at trends in recreation.
- Discussion papers have been prepared on the subjects of demand, supply, health, planning, and impact. These papers are to be circulated via the website by Christmas.
- We need a positive brand image, and to be clearer about what constitutes 'outdoor activity'. Using the right language will be important, as will different activities for different groups.
- People want more information, and want to find it on the web. At present there is no one point of information on outdoor recreation at present.

- We live in a risk averse society, an issue which must be addressed. Guaranteed standards would help.
- There will be a Public consultation June-August 2006, with the first public focused campaign by spring 2007.

Questions to NCAF members outlined by Wendy Thompson

1. Should the strategy focus on the work of Natural England, recognising where it can work in partnership with others but setting out direction and priorities for Natural England? Or should it provide an overall public policy framework for outdoor recreation?
2. Should Natural England adopt a consumer-led approach to outdoor recreation, which involves widening appeal, and marketing recreation as a leisure product?
3. Should Natural England take direct action to encourage individuals towards healthier outdoor lifestyles? Or should it influence the health sector to do this?
4. Should Natural England take a lead role in supplying information to the public about places and activities to enjoy the outdoors?
5. Are there particular places where Natural England should focus attention on improving the quantity and quality of places for recreation?
6. Is there a continuing need for Natural England to invest in integrating conservation and recreation? Or has sufficient work been done?

Main points made in discussion

- This is a very important piece of work as the public health is rising up the agenda with ministers. The Olympics will bring health agenda even further forward.
- The Strategy team is working with Department for Education and Skills.
- Water plays an important part in outdoor recreation. The recreation team are working with Environment Agency to develop links.
- We live in a risk averse society. There needs to be pressure on the government to allow people to do adventurous & risky activities. Experiences and adventure opportunities allow people to get out into the countryside.
- Health & safety issues are reducing spontaneity of use of the outdoors. The litigation issue needs to be addressed, this may require a change in the law to change things.
- DFES – could there be a swap over of members on forums?
- There is a voluntary project called ‘real world learning’. RSPB, National Trust and Field Studies Council are heading it and are trying to break down litigation fears held by those controlling children’s outdoor activities.
- There is a need to be careful about ‘packaging’.
- The LGA was questioned over whether local government approach to corporate insurance & litigation was limiting recreation opportunities. Trevor Mose to take the question back to colleagues.

- Activity sports need to be available in the outdoors to encourage participation in the countryside. There needs to be more exiting involvement in the countryside.
- Consumers are mentioned in the strategy. However, private landowner involvement also needs addressing to develop opportunities.
- There is a need to develop the outdoors into every day lives, and make PROW network accessible for all to use.
- We need to get a balance between demand and supply for the outdoor experience, and need to consider where the cost of outdoor recreation falls. How can we get commercial spending? We need to convince government and Treasury that this is an area worth spending money on.
- This strategy should have two parts to it, (1) Natural England getting its new strategy together, and (2) a wider framework for external use with partners.
- Action – Wendy to send presentation and her questions asked to NCAF secretary for wider distribution. NCAF members to email comments back to Wendy Thompson

## **7. Presentation by Alun Morgan of the Joint Local Access Forum**

Alun Morgan of the Joint Local Access Forum, representing Bath & North East Somerset, South Gloucestershire & Bristol City, was invited to give a presentation on the LAF and its role. He outlined information about the LAF, the roles it had tackled, what he believed to be the LAFs main achievements, and areas where the LAF felt it could be more involved.

- Prior to the invite to this NCAF meeting Alun Morgan was unaware of NCAF and its role.
- The LAF has an excellent level of liaison with its associated authorities by inviting Rights of Way officers and Council representatives, who are regarded as full members at the meetings.
- JLAF have prepared documents including a summary of the CROW act 2000, a summary of current law related to PROW and a detailed glossary of terms used which have been utilised by numerous other LAFs around the country. They are available on the JLAF website.

Positive issues that the JLAF has tackled to date include:

- Access land. A sub committee was set up to tackle related issues such as. access to the mapped land, publicity, signage, and cooperation with landowners were tackled
- Responding to Defra paper on diversions around SSSIs
- Commented on the Local Transport Plan (LTP) for Avon and the local ROWIP.
- Definitive map project progress has been considered

- Bath & North East Somerset (BANES) recommendations for horse riders use of some cycle tracks.
- Cycle maps produced by area

Negative issues that the JLAF identified

- They were not consulted on gating order regulations that would affect Bristol & Bath.
- Problems inflicted on landowners by the government not telling landowners about individual areas of land mapped for access.
- Only just attain a full membership. Concerns when members due for re-election.
- Recent regional LAF conference in the southwest was valued. Decisions made there by members included the suggestions; a need for a single point of contact for LAFs in government; a single point/website for the attainment of PROW and access policy information; and that publicity regarding access should be more positive. It was also suggested that more LAF members should attend NCAF meetings and vice versa.
- The JLAF would like to become more involved in advising on policy and feels that its secretarial capabilities and communications abilities would allow this.

#### **8. NCAF 21/4 Recommendations to LAFs**

David Gear outlined the research factors leading to a successful LAF and barriers to success, and the main results from the research.

- There are no arrangements in place for monitoring of LAFs although they are statutory.
- LAFs produce annual report, but these tend to be promotional rather than in depth.
- Many LAFs are uncertain about their role.
- The consultants looked at existing information on LAFs, prepared a questionnaire, and completed case studies.
- The LAF Action Plan (Annex A to this paper) is a set of recommendations. These are not set in concrete, therefore, NCAF are being asked for their input.

Main points made in discussion

- We need to focus our attention on the recommendations that may be attained within this action plan.
- There is a need for consistent support to members such as templates and membership packs.
- Local authority representation and PROW officers at meetings were suggested as valuable, as are secretaries dedicated to LAFs.

- Re Action 6 – The local LAF is always invited to NCAF. All LAF secretaries are informed of the NCAF meetings and their LAF members have an open invitation to attend as members of the public. For information - NAF has a Welsh LAF rep on its forum.
- Re action 6 – NCAF members should attend regional and national LAF meetings to disseminate information.
- Regional events could collectively form a national event.
- LAFs are not sure what NCAF is or does.
- LAFs can spend time looking at issues then are not listened to by authorities.
- If LAF membership covers a balanced representation of interests, then members will pick up on outside issues and introduce them as agenda items, which can then be followed up by the LAF.
- Failing LAFs have a number of issues which restrict their development. It may be the appointing authority not listening, a poor chairman, or a recruitment problem amongst others. Further information can be found in the full report available on the CA website.

JW concluded:

- NCAF recommends revising the guidance for appointing authorities and how they should engage with their LAFs.
- NCAF should improve their liaison with LAFs & vice versa.
- NCAF suggests that LAF regional meetings are important, and there should be consultation on the benefits of organising a national event.
- NCAF should give a strong steer to NE that a national event could be useful.
- The aspiration versus the capacity of LAFs needs to be considered.

## **9. NCAF 21/5 Coastal access update**

This paper was for information only, however the following points were raised by NCAF members.

- JP requested a further informative report on coastal access at the next meeting.
- IMc suggested that coastal access be as widespread and comprehensive as possible and not limited by concerns such as safety of steep ground.
- TM suggested greater priority should be given to access to coastal areas of any type rather than concentrate on a continuous route.

## **10. NCAF 21/6 PROW research 2005**

This paper was for information.

Main points made in discussion

- There is a lack of information and lack of action on items promised many years ago.
- With increased powers under CROW, NE should start to encourage people to be more proactive.
- We should look at the issue of cross compliance and single farm payments.
- Local authorities have been requested by RPA to police cross compliance regarding PROW & environment. Could parish councils be used for policing?
- Could there be a document from NE to local authorities to stick to their statutory requirements.

Action: JW to bring paper the next NCAF meeting with proposals for moving this issue forward. Action: NCAF member to suggest 2-3 creative ways forward/ solutions/obstacles to progress. These should be sent to the NCAF secretary to aid the preparation of the paper.

## **11. NCAF 21/7 Dogs in the countryside**

At the last NCAF meeting, a request was made for a paper regarding dogs and access. This paper was for information.

Main points made in discussion

- Dog walkers are one of the biggest user groups in the countryside.
- Actual damage to livestock should be considered as a major contributor to land owners' concerns for access.
- We have a responsibility to try and get information to the regular dog owners. We need to look at where dogs come from (e.g. dog homes, vets etc) to reach all owners. The problem is there is no one representative organisation for 'dog walkers'.
- John Lees has prepared a paper for his LAF. This was circulated. Further hard copies can be attained at request from the NCAF secretary.
- We need to get rid of confusion regarding dog regulations. There are varied messages – 'dogs on short leads', 'dogs under close control' etc.
- The National Trust provides clear information on their sites, but it varies according to the specifics of the location.
- There are no clear facts or figures on dogs and access. Should we be collecting data? – There is an acknowledgement of lack of knowledge.
- English Nature has just released some work on access, dogs and the environment.
- PW requested information on the state of play in each individual organisation with relation to dogs in the countryside.

- (For information – since the NCAF meeting CA has confirmed support for a research project led by Hampshire CC to look at how dog walkers use the countryside.)

## **12. NCAF 21/8 General restrictions**

The paper was prepared to explain Schedule 2:1 (use of access land for commercial activities). Heloise Tierney was thanked for her efforts to develop this guidance. This is Defra's interpretation, not a legal document. A number of organisations involved in outdoor education have approved the guidance note and rate its value. The paper is available on the Defra website and has been released widely.

## **13. NCAF 21/9 CA restrictions guidance**

NCAF members were asked to note that the CA are beginning to review the statutory guidance to local authorities and that this issue will return to the Forum in the spring.

## **14. Future agenda items**

A number of items are outstanding from the previous meeting:

Education, Lottery funding, biodiversity & rights of way. In addition, the following suggestions were made.

- DM – Cycling.
- SW – Rights of way paper that was promised by JW.
- JP – Specific proposals for the relationships between LAFs and NCAF.
- JP – Coastal access issue
- PW – Education
- I.Mc – Happy to be involved with the outdoor education paper preparation
- PO – Access to water.
- JB – Update on the NE recreational strategy
- JL – Dogs, summer fires & evening access problems.

## **15. Questions from the floor**

Rob Cann (Ramblers Association)– In light of the need to provide and promote access and recent moves to run down unprofitable rural rail services, could it be suggested that DfT or specific rail industry representatives be invited to NCAF?

JW responded that influencing LTPs is key to developing ROWIPs. It may be possible to bring representatives to NCAF meetings if suitable.

Cath Hart (Hampshire CC)– Is it feasible for LAFs to be consulted on the NE Outdoor Recreation Strategy before the public consultation stage?

JW confirmed that this will be done via the web and through publicity.



## **16. Dates of the next meetings**

The next NCAF meeting is to be held on 17th May 2006. The joint meeting with the National Access Forum for Wales is to be held on 21st & 22nd June 2006. Venues for these events are yet to be finalised.

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