

# Public Document Pack



## **PLYMOUTH LOCAL ACCESS FORUM**

Floor 1  
Civic Centre  
Plymouth  
PL1 2AA

Tel: 01752 307990

Fax: 01752 304819

Email: [laf@plymouth.gov.uk](mailto:laf@plymouth.gov.uk)

Web: [www.plymouth.gov.uk/laf](http://www.plymouth.gov.uk/laf)

18 March 2011

When calling or telephoning please ask for: **Mr Ross Johnston**

## **PLYMOUTH LOCAL ACCESS FORUM**

**DATE: MONDAY 28 MARCH 2011**

**TIME: 10.30 AM**

**PLACE: COUNCIL HOUSE, PLYMOUTH (NEXT TO CIVIC CENTRE)**

### **Committee Members–**

Mr Fairchild, in the Chair

Mr Stewart, Vice Chair

Mr Attrill, Councillor Browne, Mr Emery, Councillor K Foster, Mr Goddard, Ms Hitchens, Mr Loze, Mrs Mickley, Mr Pawley, Miss Roberts, Mrs Rodgers, Mr Skinner and Councillor Wheeler

***Members are invited to attend the above meeting to consider the items of business overleaf***

***Members are requested to sign the attendance list at the meeting.***

***Please note that, unless the Chair agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used during meetings.***

## **PLYMOUTH LOCAL ACCESS FORUM**

### **1. APOLOGIES**

To receive apologies for non-attendance submitted by Forum Members.

### **2. DECLARATIONS OF INTEREST**

Members will be asked to make any declarations of interest in respect of items on this Agenda.

### **3. MINUTES (Pages 1 - 8)**

The Forum will be asked to confirm the minutes of the 24 January 2011.

### **4. CHAIR'S URGENT BUSINESS**

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

### **5. TRACKING RESOLUTIONS (Pages 9 - 12)**

To monitor progress on previous resolutions.

### **6. ACCESS WHITLEIGH PROJECT**

The Forum will receive a verbal update on the Access Whitleigh project.

### **7. LOCAL SUSTAINABLE TRANSPORT FUND (Pages 13 - 16)**

The Forum will receive an update on the Local Sustainable Transport Fund.

### **8. SCHOOLS ACADEMY STATUS (Pages 17 - 24)**

The Forum will receive an update on the potential changes to schools applying for academy status and review two schools notices of statutory land transfer.

### **9. LOCAL ACCESS FORUM DEVELOPMENT (Pages 25 - 40)**

The Forum will receive a report on developmental changes to the administration of the Local Access Forum.

### **10. SOUTH WEST COAST PATH**

To receive a verbal update on the South West Coast Path.

## **11. REVIEW OF STATUTORY DUTIES**

To discuss and agree a response to the consultation on the review of statutory duties placed on local government.

<http://www.communities.gov.uk/localgovernment/decentralisation/tacklingburdens/reviewstatutoryduties/>

## **12. SALTRAM COUNTRYSIDE PARK CONSULTATION**

To discuss and agree a response to the Saltram Countryside Park Consultation.

<http://www.plymouth.gov.uk/homepage/environmentandplanning/natureconservation/natureprojects/greeninfrastructureproject/saltrammasterplan/saltrammasterplanconsultation.htm>

## **13. SUSTAINABLE NEIGHBOURHOOD CONSULTATION**

To discuss and agree a response to the Sustainable Neighbourhood Consultation.

<http://www.plymouth.gov.uk/sustainableneighbourhoodsipo>

## **14. HEALTH AND OUTDOOR ACCESS UPDATE (Pages 41 - 44)**

To receive a briefing note on health and outdoor access.

## **15. LAF CHAIRS MEETING UPDATE**

Ray Fairchild, Chair will provide a verbal update from the recent LAF chairs meeting held in Taunton on 15 March 2011.

## **16. WORKING GROUPS**

To agree any working groups for items on this agenda.

## **17. WORK PROGRAMME (Pages 45 - 46)**

To receive the Forum's Work Programme for 2010/2011.

## **18. CORRESPONDENCE (Pages 47 - 56)**

To consider any correspondence received and note any correspondence sent by the Forum.

## **19. DATE OF NEXT MEETING**

To agree meeting dates for the next municipal year.

## **20. ISSUES ARISING FROM FORUM MEMBERS**

To discuss any issues brought forward by members of the Forum.

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**Plymouth Local Access Forum****Monday 24 January 2011****PRESENT:**

Mr Fairchild, in the Chair.

Mr Stewart, Vice Chair.

Mr Attrill, Councillor T Browne, Mr Emery, Councillor K Foster, Ms Hitchens, Mrs Mickley, Mr Pawley, Miss Roberts, Mr Skinner and Councillor G Wheeler

Apologies for absence: Mr Goddard and Mrs Rodgers

The meeting started at 10.30am and finished at 1.00pm.

*Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

46. **DECLARATIONS OF INTEREST**

The following declarations of interest were made by Members in accordance with the Code of Conduct –

<b>Name</b>	<b>Subject</b>	<b>Reason</b>	<b>Interest</b>
Mr Pawley	South West Coast Path (minute 52 refers)	Is the new Plymouth local representative for the South West Coast Path.	Personal

47. **MINUTES**

With regard to the minutes of 22 November 2010 members commented that –

- (a) regarding minute 35 (f), Ordnance Survey should be spelt Ordnance Survey;
- (b) regarding minute 35, the word Society should be removed after Plymouth Ramblers.

Agreed that the minutes of the meeting held on 22 November 2010 are confirmed as a correct record subject to the above amendments in (a) and (b).

48. **CHAIR'S URGENT BUSINESS****Keith Loze resignation**

Ray Fairchild, Chair of the LAF informed members that Keith Loze had recently tendered his resignation as a member of the Plymouth LAF.

Agreed that a letter be sent to Mr Loze to thank him for the dedicated service he gave to the LAF.

### **Ham Drive to Carnock Road Public Inquiry**

Ray Fairchild, Chair of the LAF informed members that on 12 January 2011 he attended a public inquiry looking at the Definitive Map Modification Order for Ham Drive to Carnock Road. Members were informed that this public enquiry demonstrated the expensive, laborious and time consuming process that existed when entering a path onto the Definitive Map.

#### 49. **TRACKING RESOLUTIONS**

Members noted the tracking resolution document and commented that the document was a very useful addition to the agenda.

#### 50. **ACCESS WHITLEIGH**

Rosie Dale, Major Schemes Officer and Robin Pearce, Public Rights of Way Officer (Sustainable Transport Team) provided information on a potential project and informed members that –

- (a) Plymouth Transport and Highways were currently working on a project, which aimed to provide an integrated safer and sustainable package of works in geographically defined areas. The first target site had been identified as Whitleigh and thus this project was entitled Access Whitleigh;
- (b) the Access Whitleigh project aimed to work with the local community and local partnership agencies in order to make a positive and effective impact in the Whitleigh community;
- (c) it was hoped that, should the scheme progress, the LAF could align their work programme to include the Access Whitleigh project to help deliver the project by –
  - identifying partners and stakeholders that Plymouth Transport and Highways could work with;
  - assisting in providing routes to include public rights of way (PROW) that could be used by the local community, including active walk groups;
  - providing information on the state and maintenance of the existing PROW in the Whitleigh area;
- (d) it was felt that the recent survey of local public rights of way undertaken by Forum members could be an important tool for the Whitleigh Access project and other potential projects in

the Plymouth area;

- (e) it was hoped that some of the routes contained within the Ramblers' 88 map could be recorded on to the Definitive Map as part of this project.

Members of the Forum put forward questions to which the following responses were provided –

- (f) Budshead ward councillors had been approached about the Access Whitleigh project;
- (g) the Access Whitleigh project was at an early stage in the process and the virtual team was looking at implementing a similar project in six other areas of the city;
- (h) the majority of the project costs would be met by the Capital Programme scheme supported by existing revenue funding. Additionally, local agencies may also be able to apply for funding which could help reduce the costs to the council.

Members commented that –

- (i) the Ramblers' had a regular route around Whitleigh, which they walk during the Summer months;
- (j) two organisations that could be involved in the Access Whitleigh project were the PROW Working Group and neighbourhood groups;
- (k) the LAF would be keen to be involved in the delivery of the Access Whitleigh project.

Ray Fairchild, Chair of the LAF thanked Rosie Dale, Major Schemes Officer and Robin Pearce, Public Rights of Way Officer for their attendance.

Agreed that the LAF Secretary would send a link showing the neighbourhood profiles to all Forum members.

51. **SOUTH WEST LAF CONFERENCE**

The Forum noted the South West LAF Conference report.

52. **SOUTH WEST COAST PATH**

The Forum considered a response provided by Anthony Payne, Director for Development and Regeneration on the South West Coast Path and commented that –

- (a) the response did not satisfactorily answer why the South

West Coast Path had remained closed or why the geotechnical survey had still not been completed;

- (b) while the path did present a danger to users, having to walk on the road was potentially more dangerous than the risk of falling rocks or further landslides.

Agreed that –

- (1) the Public Rights of Way Officer email the results of the geotechnical survey, when they become available, to all members;
- (2) the South West Coast Path would be added as an agenda item for the next Forum meeting.

*(Mr Pawley declared a personal interest in the above item)*

53. **GRASSROOTS ENGAGEMENT: THE NATURAL ENVIRONMENT WHITE PAPER**

Members noted the consultation request and commented that having consultation requests this close to the consultation closing date did not allow for the Forum to provide a sufficient response.

Agreed that –

- (1) any future consultation requests are emailed to members along with the consultation closing date prior to Forum meetings;
- (2) if any members wanted to respond to the Grassroots Engagement consultation they needed to do so as an individual before Monday 31 January 2011.

54. **RESULTS OF THE LOCAL ACCESS FORUM DEVELOPMENT QUESTIONNAIRE**

The Forum considered the results of the Plymouth Local Access Forum development questionnaire and were informed that –

- (a) 50 per cent of members completed the questionnaire;
- (b) the results of the questionnaire would form the basis of the LAF development report which was to be presented at the next Forum meeting.

It was commented by Members that –

- (c) a 50 per cent return rate did not reflect the opinions of the



whole Forum and the results were distorted as a result;

- (d) due to other commitments around the time of the consultation, some Members were unable to complete the questionnaire.

Agreed that the consultation questionnaire is emailed to those members who had not submitted their response in December 2010.

55. **WORKING GROUPS**

a) **FUTURE OF THE WORKING GROUPS**

Ray Fairchild, Chair of the LAF, introduced a discussion into the future of the working groups. Members made the following comments –

- (a) the working groups rarely provided a report and had lost their purpose, there needed to be a reform into the operation of working groups;
- (b) the working groups were an important aspect of the LAF and in order to operate effectively they needed to be improved;
- (c) the planning working group required training and should concentrate on responding to planning applications. The planning working group should invite a Planning Officer to one of their meetings to advise them about how PROW was dealt with in planning applications;
- (d) the PROW working group was key and it should be utilised more frequently, as a full response to issues could not always be discussed and agreed upon in LAF meetings. It was felt that the mapping exercise was an important piece of work carried out by the group.
- (e) the working groups may work better if they were conducted on an ad-hoc basis and concentrated on reviewing strategic issues rather than local issues;
- (f) when organising working groups the LAF should follow the guidance provided by DEFRA and make the working groups separate entities from the Forum;
- (g) the Access Whitleigh project would be a good project for the PROW working group to review.

Members were informed that –

- (h) working groups in their current format had been successful in the past, with a LAF working group previously being

recognised nationally for the work it undertook;

- (i) at the next meeting a report would be presented on LAF Development which would contain a section on working groups.

Agreed that –

- (1) the LAF Secretary would distribute the electronic Planning Application list to all Forum Members on a weekly basis;
- (2) the LAF Secretary would look into organising a site visit to Saltram Countryside Park and Plymstock Quarry.

b) **POTENTIAL RIGHTS OF WAY WORKING GROUP**

There was no report from the Potential Rights of Way working group.

c) **PLANNING WORKING GROUP**

There was no report from the Planning working group.

56. **WORK PROGRAMME**

Members noted the work programme for 2010/11 and commented that whilst the changes implemented by the LAF Secretary were helpful and would assist Forum Members, it was important that the LAF remain an independent body.

57. **CORRESPONDENCE**

The Forum considered the correspondence received and sent by the Forum and were informed that –

- (a) on the list of outstanding Definitive Map Modification Orders, Hooe Road referred to the path that ran from Radford Dip to Westcombe Avenue;
- (b) the Modification Order process took a long time to complete with the two recent completed orders being in the process for more than five years.

58. **DATE OF NEXT MEETING**

Agreed that the next meeting of the forum is held at 10:30am on 28 March 2011 at the Council House.

59. **ISSUES ARISING FROM FORUM MEMBERS**

A member of the Forum raised an issue about appointing members to the Forum. It was stated that members were appointed as individuals and not based on organisations they represent.

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## PLYMOUTH LOCAL ACCESS FORUM

### TRACKING RESOLUTIONS

Date / Minute number	Resolution	Explanation / Minute	Action	Progress	Target date
27.09.10 Minute 24	<u>Agreed</u> that the draft Plymouth Local Access Forum Annual Report for 2009/10 be approved subject to the inclusion of public rights of way statistics and adopting an A5 format.	During a discussion on the Annual Report the forum approved it subject to the resolution.	Ross Johnston	Liaison with PADS undertaken in order to determine cost of printing. Annual Report aimed to be published on the LAF webpage.	January 2011
22.11.10 Minute 35	<u>Agreed</u> that David Readman would send Tamar Valley Discovery Trail brochures to the LAF secretary to disseminate to members at a future meeting of the Forum.	Following David Readman's presentation members requested to see the brochures on Tamar Valley Discovery Trail.	Ross Johnston		24 January 2011
24.01.11 Minute 48	<u>Agreed</u> that a letter be sent to Mr Loze to thank him for the dedicated service he gave to the LAF.	Following Mr Loze's resignation the LAF Secretary would send him a letter.	Ray Fairchild	Letter drafted and sent to Ray Fairchild for approval on 9 February 2011. Letter sent to Mr Loze on 10 February 2011.	11 February 2011
24.01.11 Minute 50	<u>Agreed</u> that the LAF Secretary would send a link showing the neighbourhood profiles to all Forum members.	As part of the Access Whitleigh item Neighbourhood meetings were mentioned.	Ross Johnston	Link sent via email to all members on 14 February 2011.	End February 2011

<b>Date / Minute number</b>	<b>Resolution</b>	<b>Explanation / Minute</b>	<b>Action</b>	<b>Progress</b>	<b>Target date</b>
24.01.11 Minute 52	Agreed that the Public Rights of Way Officer email the results of the geotechnical survey, when they become available, to all members.	In relation to the South West Coast Path and followed correspondence provided by Anthony Payne, Director for Development and Regeneration.	Robin Pearce	Emails were sent to all members on 27 January 2011 and 11 February 2011. The emails provided an update on when the results may become available.	On-going No set date
24.01.11 Minute 52	Agreed that the South West Coast Path would be added as an agenda item for the next Forum meeting.	It was hoped that the geotechnical survey results would be provided and members could discuss how to respond.	Ross Johnston	Added to the LAF Agenda for 28 March 2011.	28 March 2011
24.01.11 Minute 53	Any future consultation requests are emailed to members along with the consultation closing date prior to Forum meetings.	This followed the late notice for the LAF to deal with the Grassroots engagement consultation.	Ross Johnston	This request has been noted and added to the LAF Secretary procedure guidance.	On-going
24.01.11 Minute 54	<u>Agreed</u> that the consultation questionnaire is emailed to those members who had not submitted their response in December 2010.	Following the consultation responses, some members were concerned that they had not responded.	Robin Pearce	Robin emailed all members the consultation questionnaire on 24 January 2011. Their responses were taken into account when drafting the LAF Development report.	February 2011
24.01.11 Minute 55	The LAF Secretary would distribute the electronic Planning Application list to all Forum Members on a weekly basis;	To enable the Planning working group to be more informed it was requested that the weekly planning lists be sent to all members.	Ross Johnston	Planning lists were emailed to members on 8 February 2011. They would be emailed to members every Friday and this has been added to the LAF Secretary Procedure note.	February 2011

Date / Minute number	Resolution	Explanation / Minute	Action	Progress	Target date
24.01.11 Minute 55	The LAF Secretary would look into organising a site visit to Saltram Countryside Park and Plymstock Quarry.		Ross Johnston	This would be further looked into once the membership had been confirmed for 2011/12.	June 2011

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<b>Document</b>	Briefing Note	<b>Date:</b>	08.03.11
<b>Subject</b>	Local Sustainable Transport Fund Bid (LSTF)		
<b>Author</b>	Rosemary Dale, PT&H (Major Schemes)		
<b>Contact</b>	Tel: 01752 305514 e-mail: rosemary.dale@plymouth.gov.uk		

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### Executive Summary:

This briefing note aims to:

- Provide details of a forthcoming bid, by Plymouth City Council, to the Local Sustainable Transport Fund and
- Secure support for the bid from the Local Area Access Forum.

Plymouth's bid will include a package of infrastructure measures aimed at encouraging a greater uptake of sustainable travel. These infrastructure improvements will be supported by 'smarter choices' measures such as Personalised Travel Planning (PTP) within local communities.

The bid will build on the current Transport scheme in the East End and will facilitate the sustainable growth of the City coupling areas of growth to the east of Plymouth to deprived areas in the West therefore improving the connectivity of the two areas of the City and improving access to employment, healthcare and educational facilities.

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### 1.0 Introduction to the Local Sustainable Transport Fund (LSTF)

1.1 The Under Secretary of State for Transport, Norman Baker, announced the new Transport White paper, "Creating Growth, Cutting Carbon", in Parliament 19th January 2011.

1.2 A major element in the new Coalition Governments approach to transport is the creation of the Local Sustainable Transport Fund (LSTF), offering councils in England up to £560m of project funding over the next 4 years for schemes that meet two core objectives to:

- support the local economy / facilitate growth; and
- reduce carbon emissions.

1.3 The LSTF has an allocation of £560m available nationally between 2011/12 - 2014/15 and is made up of both Capital and Revenue Funding.

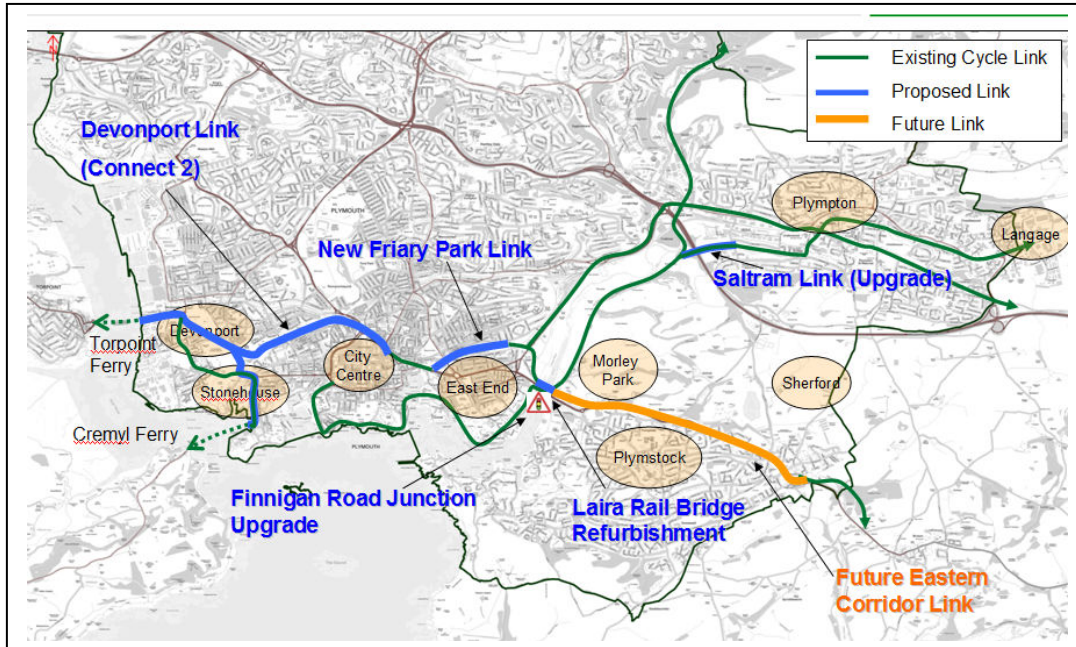
1.4 The Department for Transport (DfT) has stated that in the first years of the funding programme £25.25m is already pre-allocated to specific national projects.

1.5 A total of £80M, which includes ring fenced funding for existing national funding, is available to bid for in 2011/12.

## 2.0 Plymouth's LSTF Project Proposals

2.1 Plymouth Transport and Highways has developed a package of measures to form a bid for submission to the Local Sustainable Transport Fund (LSTF). The proposals seek to help build a stronger local economy and address the challenges of climate change and are illustrated in figure 2.1.

**Figure 2.1:** The LSTF bid corridor and proposed capital elements of the bid.



2.2 This project consists of a package of walking and cycling infrastructure along the Eastern Corridor, linking to the Waterfront and to Devonport. The project will provide new walking and cycling paths, upgrades to existing facilities and include the restoration of the iconic Laura Rail Bridge enabling its conversion to a pedestrian and cycle link. The cycle facilities will link together areas of Devonport, City Centre, Plymstock, Plympton and Langage. The package also includes potential junction improvements at Finnigan Road incorporating better pedestrian crossing facilities and improving operational efficiency at this location.

2.3 These infrastructure proposals link residential areas to employment, education and services.

2.4 The capital elements of the bid are to be complemented by targeted 'smarter choice' measures aimed at helping to influence people's travel behaviour and providing better information of the transport choices available.

The 'smarter choices' measures being considered include:-

- Personalised Travel Planning (PTP), in the East End, Plympton, Plymstock, Stonehouse, and City Centre
- A package of cycling measures including adult cycle training, expansion of the Wheels to Work scheme and the establishment of the SkyRide Event in Plymouth.
- Upgrades to the Authority's PlymGo Travel information/Planning website and the development of a Smartphone Application for local travel information.
- Bus service kick-start funding

2.5 These proposals support the local economy and facilitate economic development through enhancing access to employment and other essential services. The scheme helps to tackle the problems of congestion by encouraging modal shift towards walking, cycling and public transport as well as improving the reliability and predictability of journey times for all users.

The scheme directly seeks to reduce carbon emissions by encouraging modal shift towards more sustainable low carbon modes.

### **3.0 Project Benefits & Outcomes**

3.1 The scheme will deliver significant benefits to the City and provide the opportunity for people to travel by more sustainable modes. Key benefits include:

- Provision of part of the active travel infrastructure required to support the delivery of the new developments in the City.
- Increased walking and cycle usage through improved cycle link connectivity, providing safer on and off-line routes and reduced journey times;
- Encourage physical fitness of users
- Improved air quality in AQMA and residential areas;
- Reduced congestion and improved journey times;
- Improved network management;

### **4.0 Recommendation**

The LAAF is commended to:

- (i) Note this report.
- (ii) Provide a letter of support to Plymouth Transport and Highways - for inclusion in the bid to the Department for Transport's Local Sustainable Transport Fund.

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UPRN: .....

Pro-forma No: 187

**NOTICE OF STATUTORY LAND TRANSFER****URGENT- REQUIRES A RESPONSE BY (7 March 2011) – MUST NOT BE IGNORED**

**NB. This notice relates to a potential property transfer imposed by law, not a voluntary transfer, following receipt on behalf of the School of a Notice of Intention to consider a change in status to an Academy school. Please notify the Head of Capital & Assets of any existing use or strategic need of the property which should be protected prior to completion of the statutory transfer.**

**Property:** Coombe Dean School, Charnhill Way, Elburton, Plymouth PL9 8ES

**Tenure:** Freehold

**Existing Use:** Secondary School

**Holding Portfolio:** Children and Young People

**Operational:** Yes

**Current rental income (if any):** £ Nil.

**Date of commencement of consultation period:** 21<sup>st</sup> February 2011

**Anticipated date of implementation (if known):** 1<sup>st</sup> April 2011

**(Suggested date of change in legal status to an Academy school from which date an Academy Trust will become responsible for the land and buildings to be transferred).**

**Disposal method**

**Freehold**

**(if disposal proceeds):**

**Leasehold**

**Implications of disposal:**

The School site, edged red on the attached plan, will be leased to the Coombe Dean Academy Trust for a term of 125 years.

External funding was used in the provision of the all weather pitch on the site. The Academy Trust will be requested to undertake to agree to comply with, and indemnify the Council against breach of, the grant conditions.

There is a planning condition, as varied, relating to public access to part of the School's playing fields, shown dot shaded red on the attached plan for identification purposes only, outside normal school hours and during school holiday periods.

The Academy Trust will be requested to continue to operate the Sports Centre on a 'dual use' basis.

Whilst there is no formally recorded Public Right of Way on the Council's Definitive Map of Public Rights of Way, land in the north east corner of the School site has not been fenced enabling public pedestrian access between the points marked A (Charnhill Way entrance to the School site) and B (Furzehatt Avenue) on the attached plan. Coombe Dean School have taken measures to prevent a Public Right of Way being secured over time by preventing access for at least one day a year which they have recorded in Governors minutes and by the provision of signage. The Academy Trust will be requested to maintain pedestrian access between those points but may not agree to the imposition of additional rights over the land currently held for the purposes of the School. Alternatively the Council could seek to exclude the land coloured blue from the

lease but the Academy Trust and Department for Education could require it to be included in the lease. If it was agreed to exclude the land coloured blue from the leased site this would result in an additional maintenance and management pressure on Council resources for which there is currently no budget provision and improvement works may be deemed necessary to upgrade the access to an appropriate standard.

**Corporate Plan 2010-13:**

CIP 6 Improving culture and leisure opportunities.

Coombe Dean School is increasing opportunities to participate in diverse cultural and sports activities by operating a 'dual use' (School and community) sports centre, all weather pitch and by complying with planning conditions to allow members of the public access to the area shown dot shaded red on the attached plan outside normal school hours and during school holiday periods.

CIP 8 Improving skills and educational achievement.

Coombe Dean School is raising aspirations and attainment so pupils are better able to benefit from post school opportunities.

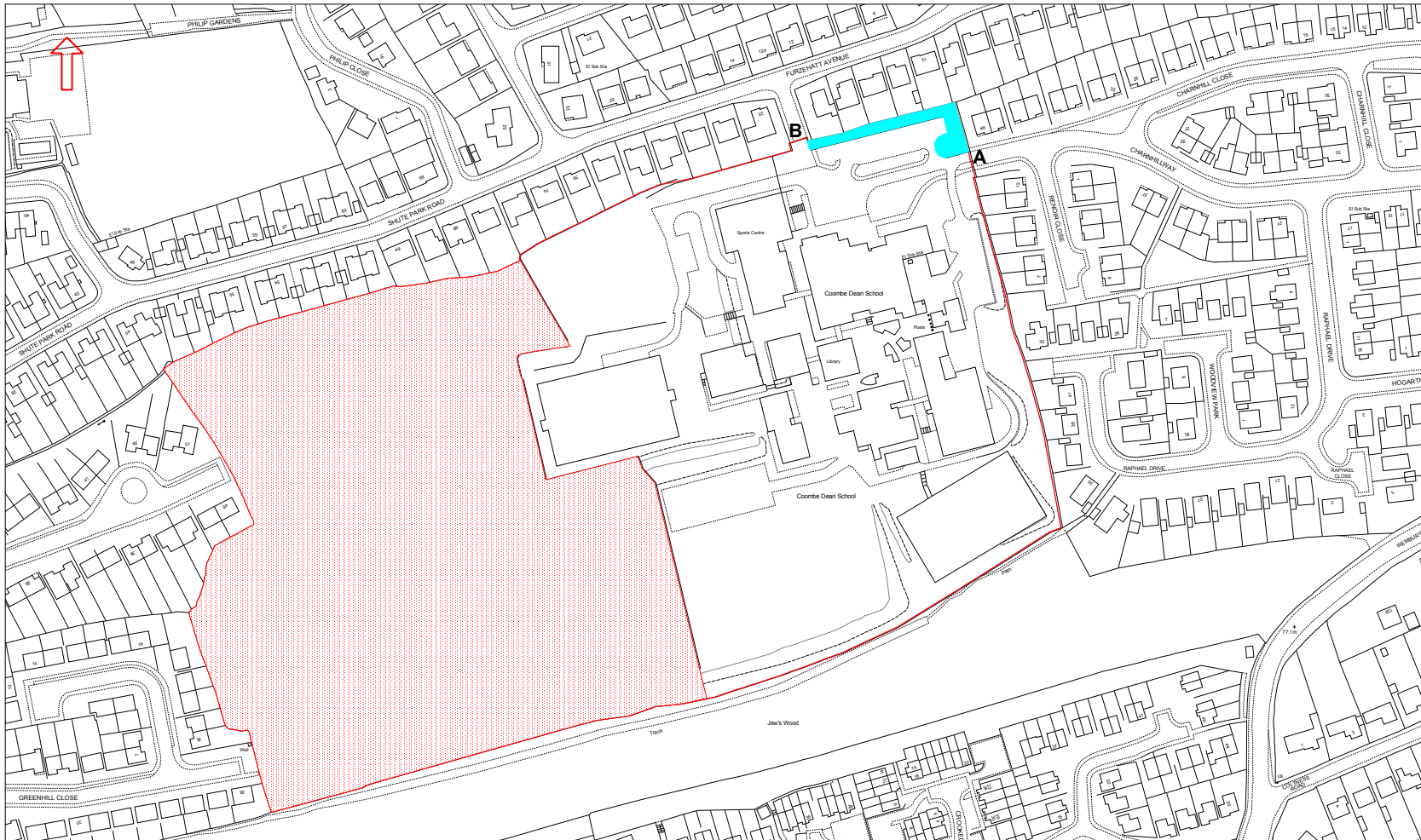
Coombe Dean School has a role to play in reducing the number of young people who are Not in Education Employment or Training (NEET).

Signed: .....  
**(Project Director for Buildings and Learning Environments)**

.....  
**(Cabinet Member for Children and Young People)**

.....  
**(Head of Capital & Assets)**

.....  
**(Cabinet Member for Finance, Property, People & Governance)**



# CORPORATE PROPERTY DEPARTMENT OF CORPORATE SUPPORT

Map reference: SX5252NW

DRAWING REF: 04/11

Scale: Not to Scale

February 2011

**TITLE**                      Coombe Dean School, Charnhill Way                      Lease

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UPRN: .....

Pro-forma No: 190

**NOTICE OF STATUTORY LAND TRANSFER****URGENT- REQUIRES A RESPONSE BY (7 March 2011) – MUST NOT BE IGNORED**

**NB. This notice relates to a potential property transfer imposed by law, not a voluntary transfer, following receipt on behalf of the School of a Notice of Intention to consider a change in status to an Academy school. Please notify the Head of Capital & Assets of any existing use or strategic need of the property which should be protected prior to completion of the statutory transfer.**

**Property:** Ridgeway School, Moorland Road, Plympton, Plymouth PL7 2RS

**Tenure:** Freehold

**Existing Use:** Secondary School

**Holding Portfolio:** Children and Young People

**Operational:** Yes

**Current rental income (if any):** £ 900pa (To Ridgeway School budget from lease for site for ATC Hut, Toilet Block and Store).

**Date of commencement of consultation period:** 21<sup>st</sup> February 2011

**Anticipated date of implementation (if known):** 1<sup>st</sup> April 2011

**(Suggested date of change in legal status to an Academy school from which date an Academy Trust will become responsible for the land and buildings to be transferred).**

**Disposal method**

**Freehold**

**(if disposal proceeds):**

**Leasehold**

**Implications of disposal:**

The School site, edged red and blue on the attached plan, will be leased to the Ridgeway Academy Trust for a term of 125 years.

The Department for Education will expect that all land currently held for the purposes of the School will be included in the lease subject to any existing rights which affect the land. In this case that would include the land edged in blue on the attached plan which comprises Highway Maintainable at Public Expense i.e. Geasons Lane and to Public Right of Way Footpath No.2 Plympton St Mary Ward from Moorland Road to Geasons Lane. In recent times on the grounds of pupil safety action has been taken under Highways Act provisions to seek to 'stop up / extinguish' the parts of those Highways passing exclusively through the School grounds. Whilst the Highways are a safety concern for the School they are not currently a maintenance concern. The maintenance is funded and undertaken by the Council which would continue if the land edged blue was included in the lease to the Academy Trust for so long as it retained its status as Highway. If at some time in the future action was successfully taken to 'stop up / extinguish' the parts of those Highways passing exclusively through the School grounds the affected land would become the responsibility of the Academy Trust. Alternatively the Council could seek to exclude the land edged blue from the lease but the Academy Trust and Department for Education would require it to be included in the lease particularly where it passes exclusively through the School grounds. If it were possible

to agree to exclude the land edged blue from the lease and at some time in the future action was successfully taken to 'stop up / extinguish' the parts of those Highways passing exclusively through the School grounds the affected land would become the responsibility of the Council as landowner. The Council would then be left with a maintenance and management pressure on resources unless at that time the Academy Trust agreed to extending the lease area to include the former Highway land.

**Corporate Plan 2010-13:**

CIP 8 Improving skills and educational achievement.

Ridgeway School is raising aspirations and attainment so pupils are better able to benefit from post school opportunities.

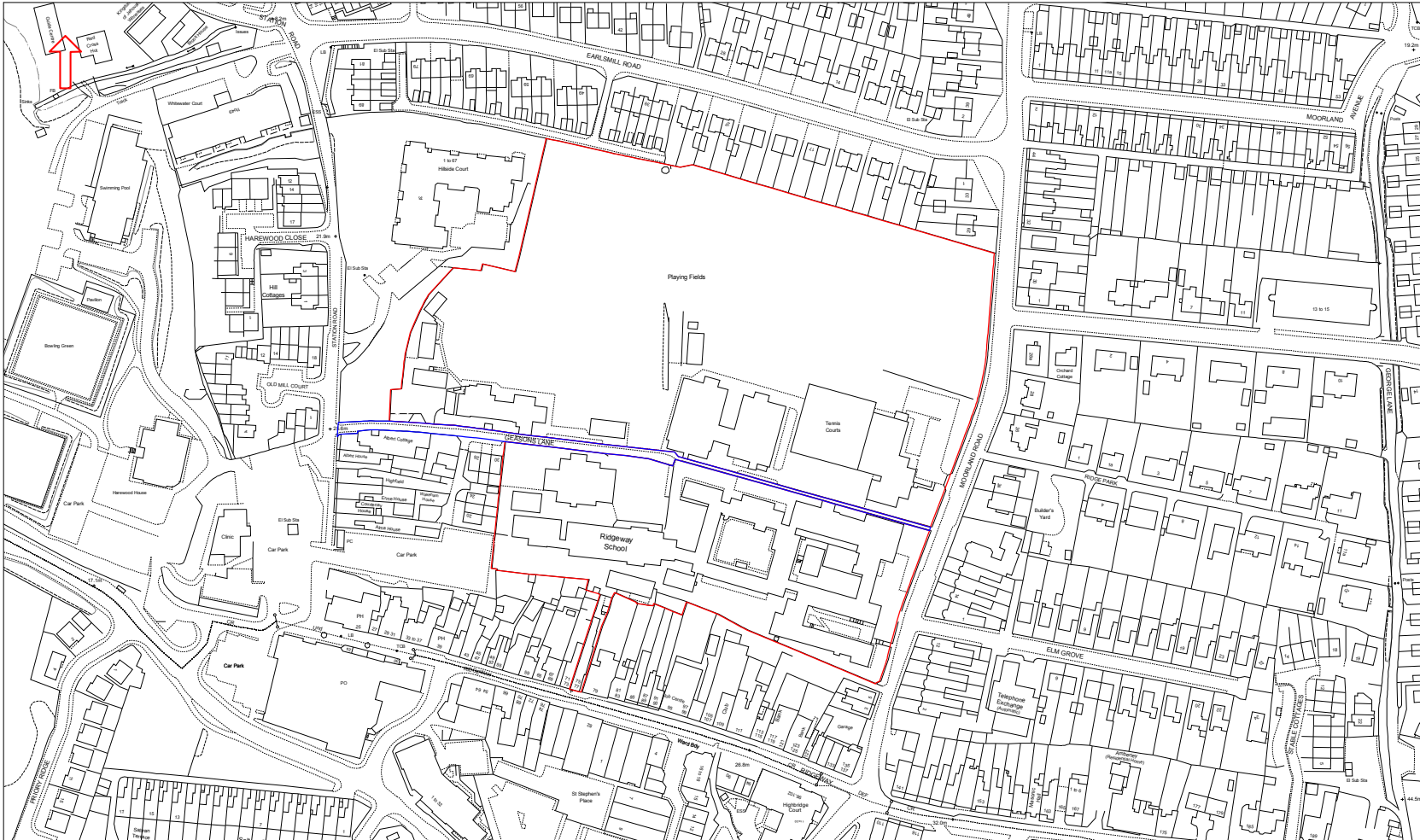
Ridgeway School has a role to play in reducing the number of young people who are Not in Education Employment or Training (NEET).

**Signed:** .....  
**(Project Director for Buildings and Learning Environments)**

.....  
**(Cabinet Member for Children and Young People)**

.....  
**(Head of Capital & Assets)**

.....  
**(Cabinet Member for Finance, Property, People & Governance)**



# CORPORATE PROPERTY DEPARTMENT OF CORPORATE SUPPORT

**TITLE**      Ridgeway School, Moorland Road, Plympton      Lease

Map reference: SX5456SW

DRAWING REF: 09/11

Scale: Not to Scale

February 2011

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**CITY OF PLYMOUTH**

**Subject:** Plymouth Local Access Forum Development Report  
**Committee:** Plymouth Local Access Forum  
**Date:** 28 March 2011  
**Author:** Ross Johnston, Democratic Support Officer  
**Contact:** Tel: 01752 307990  
e-mail: ross.johnston@plymouth.gov.uk

**Summary:**

Plymouth City Council is changing. How support is provided to the Plymouth Local Access Forum (PLAF) also needs to change and so the PLAF will need to work with Plymouth City Council to ensure that change is managed. Staying stagnant isn't an option for us so the PLAF will need to change with us to remain effective.

Following the PLAF meeting held on 22 November 2010 members were asked to complete a consultation document on LAF development. The results of the consultation were then provided at the PLAF meeting held on 24 January 2011, where members undertook a discussion into the results. This report presents the implemented changes, further changes and proposed changes to the PLAF, the reasons why these changes will improve the PLAF and how support to the PLAF will encourage and deliver a more efficient and effective Forum.

The proposed changes will be implemented into the PLAF Terms of Reference and adopted at the first meeting of the PLAF after the Council's AGM.

## **1.0 Introduction**

- 1.1 At the PLAF meeting held on 22 November 2010 Forum members were invited to complete a consultation questionnaire on potential development ideas for the PLAF and submit their response to the PLAF Secretary. In total 86 per cent of Forum members completed and submitted the consultation questionnaire and the results of this consultation were provided in a report to the Forum at their meeting of 24 January 2011.
- 1.2 Having taken into account the responses from the consultation questionnaire, sought advice from Natural England and reviewed how other Forums operate a number of changes have been implemented to the PLAF and further proposed changes have been identified. It is believed that these changes will enable the PLAF to become a more efficient and effective Forum when dealing with general items of business, responding to consultation requests and offering advice to Section 94(4) bodies.

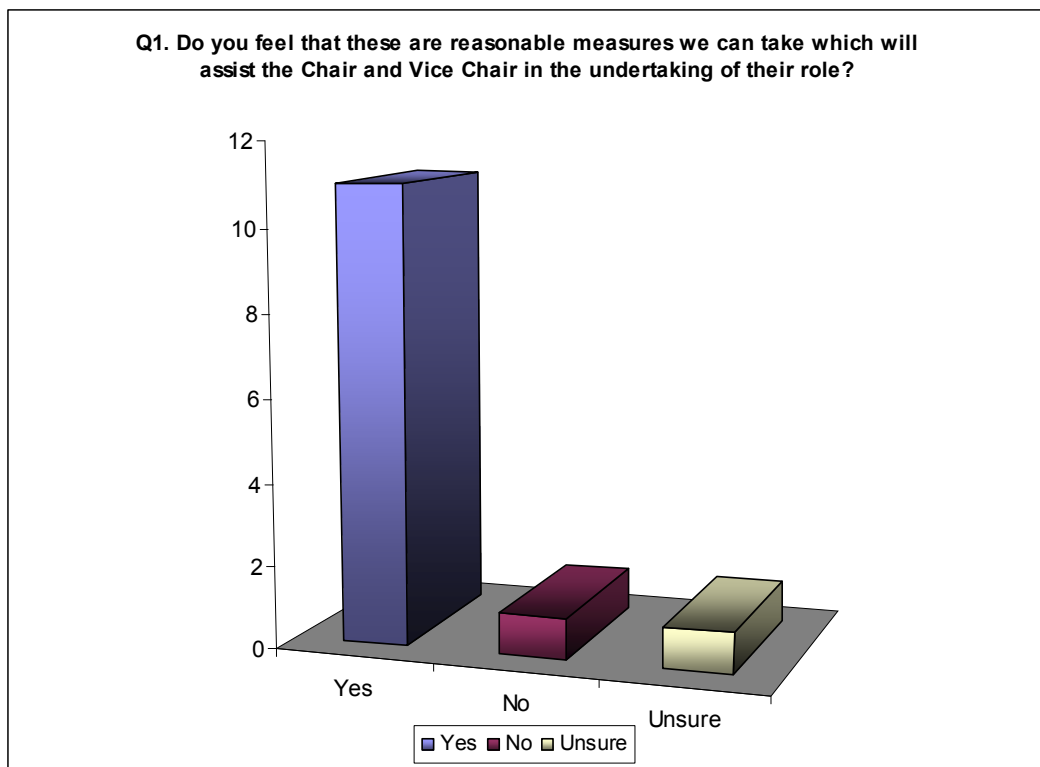
## **2.0 Implemented changes**

- 2.1 In observing and reviewing the operation of the PLAF meetings held on 9 August 2010, 27 September 2010 and 22 November 2010 a number of areas of improvement with regard to the focus and delivery of business at PLAF meetings have been identified. In an attempt to enable the Forum to become more focused on agenda items at their meeting of 24 January 2011 the following items of business were included as new agenda items:
- Tracking Resolutions – this item enables Forum members to reflect on resolutions agreed at previous meetings;
  - Work Programme – this item informs Forum members of what issues are on the agenda for future meetings throughout the year;
  - Issues Arising from Forum Members – this item allows Forum members to raise any issues of concern at a specific time on the agenda.
- 2.2 The inclusion of these items has enabled the Forum to be more focused on items of business; it has allowed for Forum members to be more fully prepared for issues to be discussed and has also kept Forum members up to date on the progress of resolutions agreed at previous meetings. By focusing Forum members on the issues of discussion and informing them of the progress of previously agreed resolutions the Forum has become a more effective and efficient body. Furthermore, Forum members are able to suggest items of business to be included onto the work programme, which will encourage a greater involvement of all Forum members and help focus their attention on specific issues.

2.3 In an attempt to improve the management of items of business at PLAF meetings the following measures have been implemented:

- the Chair will be issued a briefing note at each meeting with a schedule of suggested timings;
- a 30 minute pre-meet is available to the Chair and Vice Chair prior to each meeting;
- correspondence and liaison with the Chair about the agenda prior to it being despatched.

**Evidence Base for change:** When asked 84% of Members agreed this level of intervention was reasonable. No other suggestions were made as to how else the Chair might be supported but Members were keen to avoid interference in LAF business by the local authority.



2.4 The adoption of these measures has enabled the Chair to become more informed about the agenda and potential contentious issues. Additionally, the Chair through having a guideline on timings will be able to manage the meeting appropriately. The support provided to the Chair and Vice Chair in the running of the Forum is aimed to empower them to be effective leaders. A Chair with a clearly defined agreed agenda is more likely to result in an effective Forum.

### 3.0 Further changes

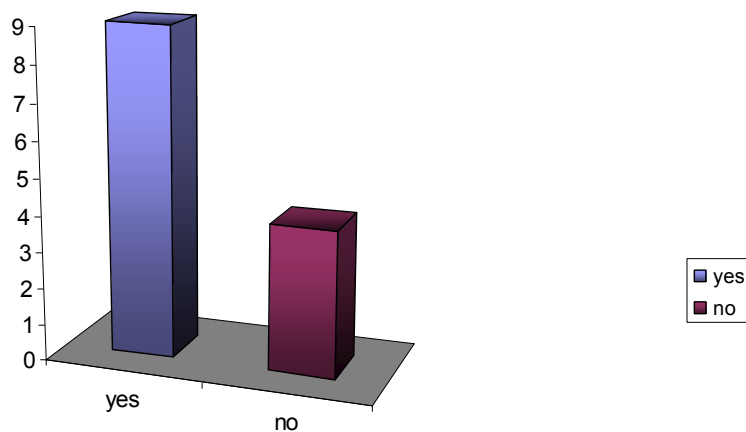
3.1 In order to improve the effectiveness of Forum members when dealing with specific items of business and to promote the role and operation of the PLAF the below areas of improvement have been identified to be developed.

3.2 A procedure note for working groups will be created by the PLAF Secretary and the Public Rights of Way Officer. The procedure note will enable Forum members to confidently set up and control a working group to effectively review relevant issues and to deliver appropriate recommendations. The procedure note will cover the following areas:

- how to activate a working group;
- setting the membership for a working group;
- setting the aims and objectives for a working group;
- a process chart providing tips on how to analyse an issue;
- how to reach a conclusion;
- how to make recommendations and what to do with them;
- Mechanisms for review
- Establish what the working group needs to accomplish to have been successful;
- Agree when the working group will end. Will it cease after a period of time or when it has achieved a specific result?

**Evidence Base for change:** When asked 69% of Members felt that guidance on the use of working groups would support the development of the LAF. We therefore feel this is a positive change providing an additional resource for the Chair and offers clarity and consistency. This will help support other proposed changes by providing a clearly defined mechanism to conduct LAF business outside of the main LAF group.

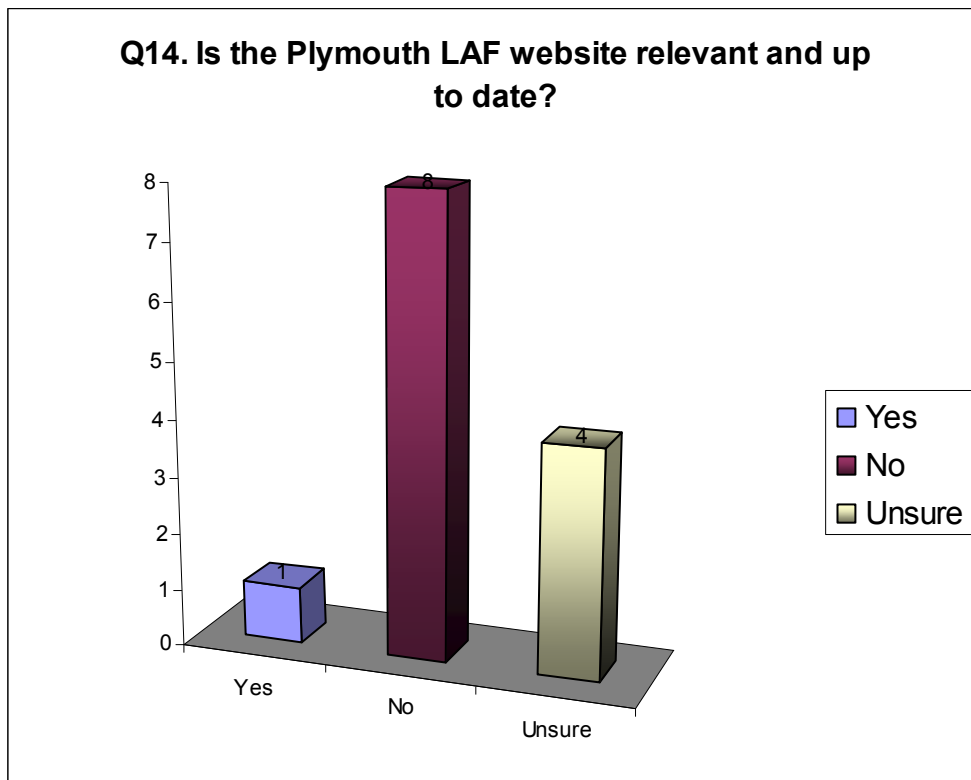
Q7 Do you think it would help focus the LAF if we provided a draft procedure note which set out how to set up a working group, define its boundaries and reporting procedures and make advance arrangements for its dissolution?





- 3.3 Updates to the PLAF webpage to ensure that information is brought up to date and therefore, improve the promotion of the PLAF.
- 3.4 Ensure that an annual report for the previous year is drafted by the PLAF Secretary and is submitted to the PLAF at their first meeting after the Council's AGM. This report, once approved, is to be published and included on to the PLAF webpage.
- 3.5 Undertake an advertising campaign for new PLAF members with the aim of balancing out the number of people representing the different interest groups at PLAF meetings.

**Evidence Base for change:** 61% of Members considered the LAF pages of the Plymouth City Council website were out of date. We will ensure the website is allocated more time and better reflects the work the LAF does. This will include better access to PLAF agendas and minutes and other information about the LAF.

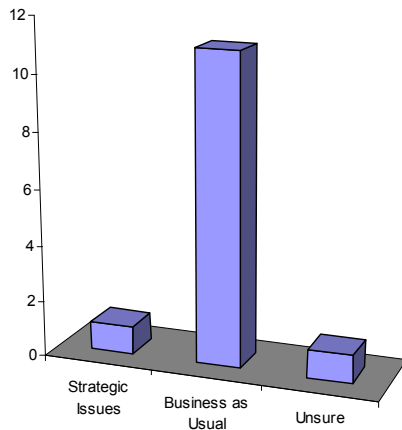


#### **4.0 Proposed changes**

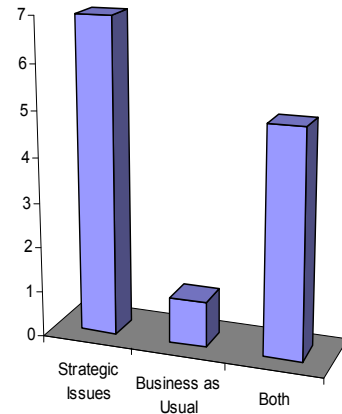
- 4.1 Further to observing and reviewing the operation of previous PLAF meetings, the PLAF Secretary has reviewed the Terms of Reference of other Local Access Forums (LAF) and the guidance produced for LAFs by the Department for Environment, Food and Rural Affairs (DEFRA). In analysing all of the above information the proposed changes to the PLAF in sections 4.1 – 4.5 have been identified as areas that will provide improvement to the administration, focus and management of business at PLAF meetings and will therefore, ensure that the PLAF becomes a more effective and efficient body.
- 4.2 The PLAF reduce the number of business meetings currently scheduled from six to four annually. Plymouth LAF meets more frequently than any other LAF in the country. Devon Countryside Access Forum for example meets three to four times per year and it is felt that the PLAF could benefit from a reduction of business meetings. We consider that the frequency with which the LAF meets promotes a culture within which business as usual is easily accommodated for whilst longer term strategic issues can be brushed aside. We do not believe this is how a LAF should operate. We appreciate that minor local issues are always going to be of interest to Members however the value of LAF's to S.94 bodies rest in their capacity as an independent advisory body and this predominantly translates to feedback on strategic issues. Whilst LAFs should always be free to determine their own priorities this should not be to the detriment of the LAF's effectiveness.
- 4.3 Reducing the number of full meetings held each year will be helpful to ensuring the LAF are a more effective body. This change will in effect force members to re-evaluate which topics available are most important and worthy of a spot on the agenda and which are not. Many business as usual matters such as individual planning applications and ad-hoc local issues will occur between meetings and so there will be less point in raising them.
- 4.4 This change will not however prohibit the consideration of business as usual matters. Rather the LAF will need to put in place separate mechanisms for dealing with them. At the current time the PLAF do not excel in their consideration of either strategic or business as usual matters, this process will allow the main LAF group to focus on strategic issues but provide a means by which more focus can be given to smaller local issues making the LAF much more effective at both. Other proposed changes will support the inclusion of these items within LAF business such as the adoption of position statements which would allow the Chair and Secretary or a dedicated working group to deal with them instead of taking up the time of the main body.
- 4.5 There are also further advantages in this change in that the LAF Secretary would have more time to spend on working with the LAF rather than in attending meetings and producing agendas and minutes. This could translate as a greater level of research on strategic topics or the support of working groups.

**Evidence Base for change:** 84% of LAF members felt that the vast majority of LAF time was taken up by “business as usual” issues but only 8% wished to see this trend continue. In contrast 54% believed that the majority of time should be spent on strategic matters and a further 38% believed there should be a greater mix between strategic and business as usual matters. This supports the view that some form of change is necessary that would allow a greater mix of topics and allow more time to be spent on strategic matters.

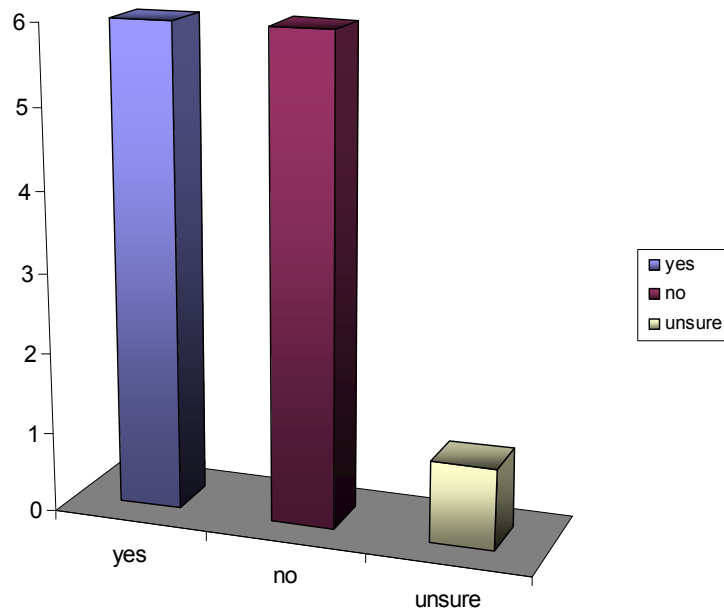
**Q4. Thinking back over the past 12 months do you feel that the Plymouth LAF has spent most of its time on business as usual or on strategic issues?**



**Q5. Do you feel that over the next 12 months the Plymouth LAF should spend most of its time on business as usual or on strategic issues?**



**Q6. Do you believe that having 4 meetings rather than 6 meetings per year could assist the Plymouth LAF to become a more strategic body?**



- 4.6 Position statements to be created and implemented into the PLAF Terms of Reference to ensure that the Forum can respond, via the Secretary in consultation with the Chair, to consultations and offer advice to Section 94(4) bodies outside of business meetings.
- 4.7 Commit the PLAF to making better use of working groups to deal with strategic matters outside of Forum meetings.
- 4.8 There will be an annual election of the Chair and Vice-Chair and to maintain a reasonable balance the Chair and Vice-Chair should not represent the same interest group or be an elected member of Plymouth City Council.

## **5.0 Support to the PLAF**

- 5.1 In order for the PLAF to become a more effective and efficient body through reducing its number of business meetings the PLAF Secretary will be required to provide an enhanced supporting role in between meetings. A number of areas of support have been identified, subject to the reduction in meetings, and through carrying out these areas of support it is anticipated that the PLAF will become a highly recognised, organised and effective body which will add value to consultations and provide advice to Section 94(4) bodies.
- 5.2 The PLAF Secretary will devote time to research strategic issues and potential consultations that the PLAF could respond to and include them on the work programme. Updated versions of the work programme and tracking resolutions documents will be provided at every meeting of the Forum.
- 5.3 The PLAF Secretary and Public Rights of Way Officer will be available to provide verbal support and guidance to any working groups activated.
- 5.4 Through the inclusion of position statements the PLAF Secretary, in consultation with the Chair, will deal with issues that arise between meetings where a response is required before the next business meeting of the Forum. This will ensure that the advice provided by the PLAF will be regular and consistent.

**6.0 Recommendations**

6.1 It is recommended that:

- (a) The PLAF approve proposals to reduce the number of business meetings from six to four annually;
- (b) The PLAF will approve and agree the creation of position statements.
- (c) The PLAF approve that the Chair and Vice-Chair should not represent the same interest group;
- (d) The PLAF will delegate authority to the PLAF Secretary, in consultation with the Chair, to deal with issues and consultation responses using the approved position statements where a response is required before the next meeting of the Forum.
- (e) The PLAF approve the amendment of the PLAF Terms of Reference (as attached at Appendix I) to reflect the proposed changes.
- (f) The PLAF approve the Chair and Vice Chair to continue in their position until the next meeting of the Forum

## Plymouth Local Access Forum

### Terms of Reference



#### 1. Title and Forum Area

- 1.1 The Forum shall be known as the Plymouth Local Access Forum.
- 1.2 The area to be covered is the whole of the area within the boundaries of Plymouth City and that area for which Plymouth City Council is the responsible authority.

#### 2. Roles and Responsibilities

- 2.1 The purpose of the Plymouth Local Access Forum shall be to advise the relevant Section 94(4) bodies (see Appendix B) on how to make the outdoors more accessible and enjoyable for open-air recreation, in ways that address social, economic and environmental interests, and with regard to issues of particular local relevance.
- 2.2 The Plymouth Local Access Forum shall:
- Contribute to the development of any Rights of Way Improvement Plan for Plymouth;
  - Promote a constructive and inclusive approach to the improvement of recreational access to the countryside which can be implemented through Community Strategies, Local Transport Plan, AONB Management Plans and ~~Structure and Local Plans~~ **Planning Policy**;
  - Advise upon the management and maintenance of access, balancing the provision of access against the needs of conservation of the natural beauty, wildlife and cultural heritage, and the needs of residents, landowners and land managers;
  - Identify and respect local circumstances and different interests while operating within national guidance;
  - Advise on developing additional opportunities for everyone to enjoy the rights of way and access network.
- 2.3 In providing advice the Local Access Forum will have regard to:
- The needs of land management;
  - The desirability of conserving the natural beauty of the area;
  - The management and maintenance of access whilst balancing this against the needs of biodiversity, wildlife management, the interests of landowners and managers, and countryside management projects in **and around** Plymouth;
  - Guidance issued by the Secretary of the State:
    - **Any Position Statement agreed by the Forum.**
- 2.4 The Forum will promote liaison with any Local Access Forums established in Devon, Cornwall, Torbay, South Hams, West Devon and Dartmoor and actively encourage the attendance of such authorities to Forum meetings with observer status.
- 2.5 The Role of Plymouth City Council
- To advertise and appoint members to the Forum taking into account the need for fairness, transparency and compliance with the Council's policy on ~~social inclusion~~ **equality** and diversity;

- To take account of the advice given when making decisions;
- To provide feedback to the Forum on advice the Forum has given;
- To provide a secretary for the Forum, and ongoing Officer support, training and advice;
- To provide a meeting venue and refreshments where necessary;
- To publicise the Forum;
- To reimburse Forum members expenses for travel and child care and subsistence cost directly incurred in respect of members' duties.

### 3. Membership

3.1 Membership to the Forum will be representative of one or more fields of interest as defined below rather than any particular organisation of which they might also be a member: -

- ~~Users of rights of way, or the new access right~~ Local people who enjoy outdoor recreation in the area;
- Owners and occupiers of access land, or land over which ~~local rights of way~~ the public have access ~~subsist~~;
- ~~In addition to this Plymouth City Council will encourage fair representation of~~ Other interests considered to be relevant to Plymouth. ~~These~~ which include, but are not limited to tourism, outdoor education, sport and recreational provision, disability awareness, local business interest, the military, health promotion and wildlife and cultural heritage.

~~3.2 Within these interests the City Council would encourage the representation of younger people, women, people with disabilities and those on low incomes. Representation in any category from at least one individual with experience of the needs of the disabled will be strongly encouraged.~~

3.3 Members shall be appointed to the Forum by Plymouth City Council in accordance with the Member Selection Criteria in Appendix A. The purpose of the Member selection process is designed to ensure a fair distribution of interests and ensure members have the knowledge and experience necessary to enable them to make an informed and constructive contribution to the work of the Forum.

3.4 Members shall be appointed for an initial period of ~~either one, two or~~ three years after which they will be eligible for appointment for a further period of three years only. In the event that a seat becomes vacant during the initial term of appointment the replacement member shall continue that same term of appointment.

3.5 A member may resign his/her seat by ~~the giving of~~ notice of resignation in writing to the Secretary of the Forum.

3.6 Plymouth City Council may terminate the appointment of a member of the Forum if:

- He/she becomes an elected member of Plymouth City Council;
- He/she is absent from all meetings of the Forum in a 12-month period without the prior agreement of the Council;
- He/she fails to comply with the requirements set out in clause 3.8 below;
- He/she has failed to comply with clause 3.11 below;
- He/she fails to comply with the members code of Conduct (See Appendix C).

3.7 The Plymouth Local Access Forum has places for 22 members ~~with~~ of which three places are reserved for Plymouth City Council Elected Members.

3.8 Before appointment members shall confirm:

- Their ability to devote their own time to attend meetings and training events as required;

- Their commitment to represent the Plymouth Local Access Forum over any other organisations of which they may be a member;
- Their ability and willingness to network with a wide range of interests outside of Forum meetings;
- Their commitment to working within the Terms of Reference.
- ~~Their consent for a photograph, brief biography and e-mail address/contact details to be made available to the public, including the Forum website.~~

3.9 The Chair and Vice-Chair shall be appointed by election by the Forum **at the first meeting held following the City Council's AGM.** ~~and shall hold office for one calendar year or until such time as they are replaced by election at the first meeting following the expiry of that one calendar year.~~ **The term of office for this appointment shall be until the first meeting of the Forum following the City Council's subsequent AGM.** ~~for one calendar year. Subject to their continued membership to the Forum they shall be eligible for re-election annually thereafter.~~ Elected Members of Plymouth City Council will not be eligible for appointment to either position but shall be entitled to vote in elections.

3.10 The method of appointment for the Chair and Vice-Chair of the Local Access Forum shall be as follows:

- Voting shall be by secret ballot;
- Election for the post of Chair shall take place first, with all members of the Forum (including those standing for the position concerned) being entitled to vote. A member may vote for him/herself;
- The secretary will announce the result of the election to the post of Chair;
- In the event of a tie on the first round of voting for the post of Chair, a second round of voting will be held in which the only candidates standing will be those whose scores were tied. Again, all members may vote including those standing;
- Election for the post of Vice-Chair will then take place and, **where reasonably practicable, the only** candidates eligible to stand for the position ~~would~~ **shall** be those drawn from a different category or type of interest (set out in paragraph 3.1) to that of the newly elected Chair;
- The secretary will announce the result of the election to the post of Vice-Chair;
- In the event of a tie on the first round of voting for the post of Vice-Chair a second round will be held in the same manner as that of the Chair's election.

3.11 Members shall disclose the nature of any direct or indirect interest in any matter brought up for consideration at a meeting of the **F**orum.

3.12 Members shall identify their own training needs.

#### **4 Administration**

4.1 Plymouth City Council shall provide a secretary responsible for the administration of the Forum who shall be neither **an elected** Member of the City Council nor a member of the Forum.

4.2 The Forum shall normally meet ~~every two months~~ **at least quarterly** and additional meetings arranged where necessary.

4.3 Meeting agendas shall be agreed between the Chair and the Secretary.

4.4 Meetings shall be advertised in advance and held in public.

4.5 Agendas, papers and minutes of the meeting shall be available to the public.

4.6 The public shall be able to ask questions on the business of the Forum at the discretion of the Chair.

4.7 The Chair may, where appropriate, invite observers to the meeting who shall be able to contribute to the meeting at the discretion of the Chair.

4.8 The declaration of interests shall be an agenda item at the start of each meeting.



- 4.9 All papers for meetings will be sent to members at least five days in advance and should be supported by a clear recommendation wherever possible.
- 4.10 A consensus should be reached on all matters discussed but where this is not the case opposing views will be recorded.
- ~~4.11~~ The quorum for meetings of the Forum shall be 7 members with a minimum of 1 member from each of the interest groups - users, landowners/managers and others. ~~represented at that time.~~

**5 Allowances**

- 5.1 Members may claim travelling costs for attending Forum meetings and authorised training events and where appropriate a carers allowance is payable at rates in line with **the** City Council Members Allowance Scheme.

**Appendix A – Membership Selection Criteria**

<b>Requirements</b>	<b>Essential</b>	<b>Desirable</b>
<b>Skills</b>	Good communication and interpersonal skills.  Ability to work as part of a team.  Ability to consider competing interests in a strategic manner to find agreed solutions	Proven ability to network and liaise with wider interests
<b>Knowledge</b>	Knowledge/appreciation of countryside issues with particular reference to Plymouth  Knowledge of the conflicting interactions between recreation, land management and conservation.	An understanding of administrative procedures in central or local government  An understanding of the Countryside and Rights of Way Act 2000
<b>Experience</b>	Experience of using public rights of way or access land for recreational purposes <b>OR</b> Experience of managing land over which public rights of way or access land subsists <b>OR</b> Experience of tourism, outdoor education, sport and recreational provision, disability awareness, local business interest, the military, health promotion or wildlife and cultural heritage.	Experience of public speaking  Experience of attending formal public meetings
<b>Equal Opportunities</b>	A commitment to further equal opportunity issues in the work of the forum	Knowledge of the Disability Discrimination Act 1995
<b>Other Requirements</b>	Willingness to commit to attending Local Access Forum meetings and training events for up to 3 years  A commitment to making the countryside more accessible and enjoyable for open-air recreation in ways, which address social, economic and environmental interests.	

**Appendix B – Section 94 (4) bodies**

- the appointing authority(ies) (which will be a highway authority or National Park authority)
- any county, unitary, district or borough council within the area of the Forum
- the Secretary of State (in effect this means any Government Department with a Secretary of State, e.g. Defra and MOD, as well as ‘executive agencies’ such as the Planning Inspectorate and the Highways Agency)
- Natural England
- the Forestry Commission
- English Heritage
- Sport England (the English Sports Council)
- Area of Outstanding Natural Beauty (AONB) Conservation Boards
- Parish and town councils

**Appendix C: Plymouth Local Access Forum Code of Conduct****PART 1**

## **GENERAL PROVISIONS**

### **1. Scope**

(1) A member must observe the Plymouth Local Access Forum's code of conduct whenever he or she -

- (a) conducts the business of the Forum;
- (b) conducts the business of the office to which he or she has been appointed; or
- (c) acts as a representative of the Forum,

and references to a member's official capacity shall be construed accordingly.

(2) This code of conduct shall not, apart from paragraphs 3 and 4(a) below, have effect in relation to the activities of a member undertaken other than in an official capacity.

(3) Where a member acts as a representative of the Forum on another relevant Local Access Forum, he must, when acting for that other Local Access Forum, comply with that other Local Access Forum's code of conduct.

(4) In this code, 'member' refers to appointed members of the Plymouth Local Access Forum.

(5) In this code, 'Forum' refers to the Plymouth Local Access Forum.

### **2. General Obligations**

A member must:

- (a) promote equality by not discriminating unlawfully against any person;
- (b) treat others with respect; and
- (c) not do anything which compromises or which is likely to compromise the impartiality of those who work for, or on behalf of, the Forum.

**3.** A member must not in his or her official capacity, or any other circumstance, conduct himself or herself in a manner that could reasonably be regarded as bringing their office or the Forum into disrepute.

**4.** A member:

- (a) must not in his or her official capacity, or any other circumstance, use his or her position as a member improperly to confer on or secure for himself, herself or any other person, an advantage or disadvantage; and
- (b) must, when using or authorising the use by others of the resources of the Forum, act in accordance with the Forum's requirements.

**5.** A member must, if he or she becomes aware of any conduct by another member who he or she reasonably believes involves a failure to comply with the Forum's code of conduct, make a written allegation to that effect to the Forum Secretary as soon as it is practicable for him or her to do so.

## **PART 2 INTERESTS**

### **Personal Interests**

**6.** (1) A member must regard himself or herself as having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers or inhabitants of Plymouth, the well-being or financial position of himself or herself, a relative or a friend or -

- (a) any employment or business carried on by such persons;
- (b) any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(2) In this paragraph:

- (a) 'relative' means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and
- (b) 'partner' in sub-paragraph (2)(a) above means a member of a couple who live together.

### **Disclosure of Personal Interests**

7. A member with a personal interest in a matter who attends a meeting of the Forum at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

**Prejudicial Interests**

8. (1) Subject to sub-paragraph (2) below, a member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest.

(2) A member may regard himself or herself as not having a prejudicial interest in a matter if that matter relates to -

- (a) another relevant Local Access Forum of which he or she is a member;
- (b) another Local Access Forum in which he or she holds a position of general control or management;
- (c) a body to which he or she has been appointed or nominated by the Forum as its representative;

**Participation in Relation to Disclosed Interests**

9. (1) a member with a prejudicial interest in any matter must :

- (a) withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless he or she has obtained a dispensation;
- (b) not seek improperly to influence a decision about that matter.

10. For the purposes of this Part, "meeting" means any meeting of the Forum.

**HEALTH AND OUTDOOR ACCESS****BRIEFING FOR LAFs****The Context**

Public health will be a new responsibility for local authorities from 2012/13. They will take on public health professionals, receive a ring fenced budget from the Department of Health and will manage a Health and Wellbeing Board which involves local partners to identify needs and agree spending priorities.

This is not a bolt on job. Local authorities will need to deliver health improvements through all of their activities, including how they manage access such as rights of way and green spaces.

**The Opportunity**

For LAFs to find new health-related allies who recognise the importance of rights of way and green space in sustaining and promoting people to be more active.

**Key Health Issues**

- Ageing population
- Upward trends in Obesity and associated conditions such as type 2 Diabetes
- Increased stress due to economic climate.

**Health Benefits of Physical Activity**

- Mental health – providing opportunities for people to socialise in friendly, informal situations and strengthen their support networks
- Health inequalities – ensuring we do something to reduce the gap between people with the best and the worst health
- Healthy eating – raising awareness of good eating habits is part of a rounded health message we want to communicate
- Ageing Population – keeping people agile reduces the risk of falls and how a first fall can often spiral into hospital admissions
- COPD – and the need to maintain steady breathing
- Strong communities – people contributing to their local community as good neighbours, looking out for others, taking part in things that enable a collection of individuals to have a sense of belonging
- The natural environment – people concerned and interested in the state of their green spaces, footpaths, water, trees, wildlife, promoting its use, enjoyment and conservation.
- Low carbon living – so we don't build up future health problems (20,000 deaths a year by 2050 in the UK from weather extremes according to the NHS Sustainable Development Unit).

## Costs and Potential savings to the NHS

These are the estimated local costs attributable to lack of physical activity, from 5 main diseases, and borne each year by Primary Care Trusts<sup>1</sup>:

• Bath and North East Somerset	£2.77 million pa
• Bournemouth & Poole	£4.66 m
• Bristol PCT	£6.22 m
• Cornwall & Isles of Scilly	£7.44 m
• Devon	£10.9 m
• Dorset	£ 6.02 m
• Gloucestershire	£ 7.53 m
• North Somerset	£3.39 m
• Plymouth	£ 4.15 m
• Somerset	£ 7.88 m
• South Gloucestershire	£3.55 m
• Swindon	£ 2.59 m
• Torbay	£ 2.43 m
• Wiltshire	£ 6.02 m

## How Right of Ways contribute to Health

These are some of the things that other LAF's are doing:

Think new customers:

- Understanding what would entice new users to rights of way think that 'could be for me'. Using customer profiles such as Sport England segments, Department of Health Family Clusters<sup>2</sup>, Mosaic or Acorn analysis of people's characteristics, habits and preferences.

Improving Ease of Access:

- Replacing styles with gates;
- Wider paths and all weather surfaces.

Promotion aimed at new users:

- Information designed for people who cannot read maps;
- Focus on short walks near to where people live;
- Routes for ordinary shoes;
- Combining street walks with small stretches of rights of way;
- Events for specific groups (designed with them);
- Walking groups.

Publicity:

- Local health personalities endorsing any story or event;

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<sup>1</sup> Be Active, Be Healthy – A plan to get the nation moving. Department of Health. February 2009

<sup>2</sup> See [www.promotingactivity.com](http://www.promotingactivity.com)

- GP surgeries endorsing one mile routes.

### Active Travel:

- Use rights of way as part of safe routes to school to encourage regular use, around villages and the urban fringe.

Peter Ashcroft, Department of Health – South West, Public Health Team  
March 2011

[peter.ashcroft11@btinternet.com](mailto:peter.ashcroft11@btinternet.com)

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<b>Proposed work programme</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>	<b>J</b>	<b>F</b>	<b>M</b>	<b>A</b>
<b>Potential Site Visits</b>											
Groundwork: Radford Woods											
Plymstock Quarry											
<b>Planning Application responses</b>											
Urban Splash – South West Coast Path (Royal William Yard)									<b>9</b>		

Patron Her Majesty The Queen

The British Horse Society

Email [enquiry@bhs.org.uk](mailto:enquiry@bhs.org.uk)

Abbey Park,

Website [www.bhs.org.uk](http://www.bhs.org.uk)

Stareton,

Tel 0844 848 1666

Kenilworth,

Tel 01926 707700

Warwickshire CV8 2XZ

Fax 01926 707800



Fulfilling your passion for horses

## To all English Local Access Forums

04 February 2011

Dear Sir/Madam,

### Re: Equestrian Access

The British Horse Society works for safer on- and off-road riding and carriage driving through an improved public rights of way network, seeking to create new opportunities of lawful off road riding and carriage driving, and by safer use of our highways by all users.

The UK equestrian industry is currently valued at £7 billion per annum, 4.3 million people regularly engage in horse based leisure and sport, 80% of whom are female, and 53% come from CDE demographics. Horses are an integral part of British culture and society. The BHS is the largest equestrian charity in the UK and represents the interests of the everyday rider and driver. It has a world-wide reputation for its activities in welfare, education and training and on access issues.

The Strategy for the Horse Industry in England and Wales, published in December 2005, was prepared by the British Horse Industry Confederation (including the BHS) in partnership with the Department for Environment, Food and Rural Affairs, the Department for Culture, Media and Sport and the Welsh Assembly Government.

The Strategy includes the following aims:-

Aim 2 'Increase participation in equestrianism and develop the social contribution of the Horse Industry.'

Aim 3 'Boost the economic performance of equestrian businesses.'

Aim 5 'Increase access to off-road riding and carriage driving', including the encouragement and improvement of urban and suburban riding and carriage driving.

In England the length of the public right of way network currently amounts to 188,700km, of which ONLY 22% is available to horse riders and horse-drawn vehicle drivers have only 5%. Also, many equestrian rights of way are now disconnected from each other because the roads that should connect them are no longer safe for equestrian use because of the speed, size and volume of motorised traffic on them. Many equestrians have no access to a safe local route. There is much therefore that needs to be done to provide parity of access for the growing number of equestrians.

The Society fully appreciates all councils are experiencing unprecedented cut backs in their budgets and that access is generally not a priority. And it is precisely because such resources



INVESTOR IN PEOPLE

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are so severely limited that when such public funding is available this should achieve maximum value and provide access for ALL non-motorised users. If all Councils were to adopt this default assumption all users would see measurable gains.

The three different pieces of legislation listed below have increased rights of access to the countryside to walkers, without similar provision for equestrians and other users. The Society would welcome any new access opportunities that your forum is able to secure to address this unfair situation for equestrians, and consequently, to improve access for cyclists as well.

The Society is keen to hear from Local Access Forums that currently do not have an equestrian representative, so that we can highlight this fact to our own members to encourage them to apply and ensure that relevant local equestrian access issues are passed to their area forum for consideration.

Yours faithfully,

A handwritten signature in black ink that reads "Mark Weston". The signature is written in a cursive, slightly slanted style.

Mark Weston,  
Director of Access, Safety and Welfare,  
The British Horse Society.  
02476 840560  
mobile: 07967973196

### **Countryside and Rights of Way Act 2000:**

- The creation of Open Access land has resulted in many landowners and local authorities erecting barriers and padlocked gates which, while they provide no impediment to walkers, exclude access to riders, even where they had previously enjoyed access rights, often enjoyed for centuries.
- Riders rights over Urban Commons, as provided for under the Law of Property Act 1925, are often being denied by the erection of barriers which deny access to equestrians.
- The maxim “Once a Highway, always a Highway” has stood the test of time since 1169 but in 2026, all under-recorded and unrecorded rights of way may be extinguished. Some landowners, when unwilling to dedicate higher rights over their land are persuaded to do so when they see historical documents showing an ancient way. The dearth of riders after the war meant that many bridleways were not properly recorded during the definitive map process. Some 50% of footpaths are actually ancient bridleways, and the bridleway rights will be extinguished in 2026 if section 53 of the Countryside and Rights of Way Act 2000 is brought into force.
- Forestry Commission freehold land has been dedicated for walkers but no such rights have been given to riders. This means that such access as is currently provided for equestrians will be lost when any such land is sold.

### **Natural Environment and Rural Communities Act 2006**

- This Act has restricted the creation of off-road routes for motorists. However there are many miles of dual status routes – routes which are on the List of Streets as Unclassified County Roads (UCRs) but also recorded on the definitive map as either footpaths or bridleways. Many local authorities have erected anti motor barriers which are also denying access to equestrians. Many of these dual status stretches are short lengths in the middle of longer off road routes, thus denying equestrian access on miles of safe off road routes. The barriers are also denying access to the less able rider who, as a consequence of disability, is unable to negotiate them.

### **Marine and Coastal Access Act 2009**

- The foreshore is now designated as Open Access Land, which has a restriction against horses. The government refused to acknowledge equestrian common law rights to the foreshore, stating that any existing rights will be protected but in practice there is nothing in writing to protect riders’ rights. There should be a presumption that any foreshore which is accessed via a road or bridleway has equestrian rights.
- The coastal strip is only for walkers. No acknowledgement is being made of under or unrecorded equestrian rights, that coincide with the route.

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# ACCESS NEWSLETTER

Issue 48

31 January 2011

## Coastal Access Reports

### **Defra guidance on the procedures to be followed after Natural England submits a coastal access report to the Secretary of State**

**(Including the representation and objection-making process)**

The Marine and Coastal Access Act 2009 introduces new powers to extend public recreational access to the English coast. It places a duty on the Secretary of State and Natural England to secure, as far as possible, a continuous, signed and managed long distance walking route along the length of the English coast. The route will be combined with an associated area of wider coastal land ("spreading room"), which will also be accessible for open-air recreation – for example, to provide an area where people can rest and enjoy the scenery, picnic or carry out bird-watching.

Before the new right of access can come into force on a stretch of coast, Natural England must firstly submit a coastal access report to the Secretary of State setting out how it proposes to implement access on that particular stretch of coast. The Secretary of State will then decide whether Natural England's report should be approved (as originally drafted or with modifications) or rejected. The Secretary of State must consider any representations and objections that Natural England has received about the proposals before making a decision.

To help people understand this process, Defra has now published guidance which explains how a Natural England report will be considered. This 'plain English' guide is designed to assist anyone who is involved in, or interested in, these procedures. It includes guidance on the process for making and considering representations and objections and also identifies the roles that the Secretary of State and the person appointed to consider objections will play. A copy of the guidance can be viewed/downloaded at:

<http://ww2.defra.gov.uk/rural/countryside/access/>

### **Natural England's Weymouth Bay coastal access proposals Public consultation has closed**

Between 15 October 2010 and 10 January 2011, Natural England ran a public consultation that sought views on the contents of its first-ever (draft) coastal access report for the stretch of coast between Portland and Lulworth Cove in Dorset.

The draft report described how Natural England proposes to align the English coastal route and spreading room, and improve public access along this particular stretch of coast.

Comments were welcomed from anyone who is interested in the proposals.

The consultation has now closed. A total of 50 consultation responses were received from a mixture of both national and local organisations, landowners and individual members of the public. Natural England will now analyse these comments and consider whether any modifications to its draft proposals are required as a result. It hopes to submit its final coastal access report for Weymouth Bay to the Secretary of State by the end of March 2011. A copy of Natural England's final report will also be published on its web-site at the same time. Further information is available at:

<http://www.naturalengland.org.uk/ourwork/enjoying/places/coastalaccess/weymouth/default.aspx>

The Government aims to introduce the new public right of access at this first stretch of English coast in time for the sailing events of the 2012 Olympic and Paralympic Games.

### **Transfer of rights of way case work functions from Government Office North East to the Planning Inspectorate**

Following the decision by the Government to abolish all of the regional Government Offices, all rights of way casework currently carried out by the National Rights of Way Casework Team in the Government Office North East (GONE) will transfer to the Planning Inspectorate in Bristol.

Therefore from **1 February 2011** any new appeals and new requests for directions under Schedule 14 of the Wildlife and Countryside Act 1981 should be referred to the Planning Inspectorate. In addition, orders under sections 247, 251 and 261 of the Town and Country Planning Act 1990 will also now be dealt with by the Planning Inspectorate from that date.

For Schedule 14 appeal cases, the Planning Inspectorate will be issuing inspector's decisions on behalf of the Secretary of State; previously inspector's reports were issued alongside a decision letter.

Any existing casework currently with GONE still outstanding on 1 February will transfer from them to the Planning Inspectorate and all interested parties will be notified of the transfer.

The Planning Inspectorate will not become fully operational until 4 April 2011. However, new cases submitted will be duly received and acknowledged, and existing cases may have an inspector's decision issued before that time if completed.

It should be noted that the transfer of this work relates to rights of way functions only (i.e. matters for the Secretary of State for the Environment, Food and Rural Affairs) and that the handling of National Transport casework is a matter for the Department for Transport (DfT). Information on transport casework handled by DfT can be found at:

[www.dft.gov.uk/pgr/regional/casework](http://www.dft.gov.uk/pgr/regional/casework)





**PLYMOUTH LOCAL ACCESS FORUM**

Floor 1  
Civic Centre  
Plymouth  
PL1 2AA

Tel: 01752 307990

Fax: 01752 304819

Email: [laf@plymouth.gov.uk](mailto:laf@plymouth.gov.uk)

Web: [www.plymouth.gov.uk/laf](http://www.plymouth.gov.uk/laf)

9 February 2011

Mr Robert McMillan  
Area Planning Co-ordinator  
Development and Regeneration  
Plymouth City Council  
Civic Centre  
Armada Way  
Plymouth  
PL1 2AA

**This letter constitutes formal advice from the Plymouth Local Access Forum. Plymouth City Council is required, in accordance with section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to relevant advice from this forum in carrying out its functions.**

When calling or telephoning please ask for: **Mr Ross Johnston**

Dear Mr McMillan,

It has come to the attention of the Plymouth Local Access Forum (LAF) that Urban Splash have made two planning applications on behalf of the Regional Development Agency (RDA), in respect of the Royal William Yard. As a local body interested in coastal access and public rights of way the LAF, as a collective body, feel it important to respond in support of these two applications.

The first application proposes to erect a hanging boardwalk along the edge of the Royal William Yard and is reference no: 10/02104/FUL. The second application seeks to install a set of steps at Devil's Point and is reference no: 10/02094/FUL.

The LAF would like to provide their support to the two applications for the following reasons:

1. At present the South West Coast Path when it reaches Devil's Point runs down Cremyll Street and then back up Durnford Street. The application that seeks to install a set of steps has the potential to divert the footpath through the Royal William Yard, which could provide a more coastal route and seaward and river views for walkers.
2. Within the Royal William Yard there are various facilities where walkers could seek refreshments and it is believed that this could potentially have a positive effect on the local economy.

Yours Sincerely,

Ross Johnston  
Secretary to Plymouth Local Access Forum

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Department of Development

Floor 9 Civic Centre  
Plymouth PL1 2EW

Tel: 01752 304366

Fax: 01752 304276

Email: [planningconsents@plymouth.gov.uk](mailto:planningconsents@plymouth.gov.uk)

[www.plymouth.gov.uk](http://www.plymouth.gov.uk)

16 February 2011

Dear Plymouth Local Access Forum,

## Town and Country Planning Act 1990

**Application No: 10/02104/FUL**

**Site: , LAND NORTH OF MAIN GATE TO ROYAL WILLIAM YARD,  
SPANNING OVER SEA ALONGSIDE EXTERNAL, EASTERN WALL OF  
SLAUGHTERHOUSE, (ROYAL WILLIAM YARD) , JOINING QUAYSIDE, TO  
NORTH OF SLAUGHTERHOUSE, PL1 3QQ**

**Development: Erection of new boardwalk alongside existing eastern  
external wall of slaughterhouse, proposed boardwalk to provide  
pedestrian access from Royal William Square (land north of main gate),  
to the North-East tip of Royal William Yard quayside, Minor demolitions  
to external face of listed Slaughterhouse building, and northern  
quayside to allow structural fixings for boardwalk**

Further to my previous letter in respect of the above application, I write to inform you that permission has now been **granted**.

Please be assured that all the comments we received in respect of this application were taken fully into account in its consideration and determination.

I am afraid that as a third party you do not have any right of appeal against this decision.

If the applicant chooses to appeal to the Planning Inspectorate against any condition that has been imposed on the permission, you will be notified of this and given the opportunity to make comments to the Planning Inspectorate.

If you wish to seek further information on the decision, please contact the case officer

**Robert McMillan** on **01752 304965**

Yours faithfully

**Peter Ford**

Head of Development Management  
Planning Services

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