



PLYMOUTH LOCAL ACCESS FORUM

Floor 1
Civic Centre
Plymouth
PL1 2AA

Tel: 01752 304163

Fax: 01752 304819

Email: laf@plymouth.gov.uk

Web: www.plymouth.gov.uk/laf

Published 05 June 2014

When calling or telephoning please ask for: **Lynn Young**

PLYMOUTH LOCAL ACCESS FORUM

DATE: MONDAY 16 JUNE 2014

TIME: 10.30 AM

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

Committee Members–

Mr Fairchild, in the Chair

Mr Stewart, Vice Chair

Mr Attrill, Mr Curno, Councillor Sam Davey, Mr Emery, Councillor Ken Foster, Mr Harvey, Ms Hitchens, Mr Pawley, 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.

PLYMOUTH LOCAL ACCESS FORUM

1. APPOINTMENT OF CHAIR AND VICE CHAIR

To appoint a Chair and Vice Chair for the municipal year 2014 - 2015.

2. WELCOME TO NEW MEMBERS

The Chair will welcome new members to the Forum.

3. APOLOGIES

To receive apologies for non attendance submitted by Forum Members.

4. DECLARATIONS OF INTEREST

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

5. MINUTES

(Pages 1 - 8)

The Forum will be asked to confirm the minutes of 17 March 2014.

6. CHAIR'S URGENT BUSINESS

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

7. TRACKING RESOLUTIONS

To monitor progress on previous resolutions.

8. ANNUAL REVISION OF THE LOCAL ACCESS FORUM TERMS OF REFERENCE

(Pages 9 - 16)

To review the Plymouth Local Access Forum's terms of reference.

9. HUDDLE HOT TOPICS

(Pages 17 - 18)

To discuss any issues arising from the April and May editions of Huddle Hot Topics.

10. PATHS FOR COMMUNITIES

The Forum will discuss the formation of a sub committee for Paths for Communities.

11. SOUTH WEST COAST PATH UPDATE

The Forum will be provided with an update on the South West Coast Path.

12. LOCAL TRANSPORT PLAN

The Forum will be provided with a presentation on the Local Transport Plan.

13. WORKING GROUPS

To agree any working groups for items on this agenda.

14. WORK PROGRAMME

(Pages 19 - 20)

To receive the Forum's Work Programme for 2014 - 2015.

15. CORRESPONDENCE

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

16. DATE OF NEXT MEETING

The next meeting will be held at 10.30 am on Monday 8 September 2014.

17. 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 17 March 2014

PRESENT:

Mr Fairchild, in the Chair.

Mr Stewart, Vice Chair.

Mr Attrill, Mr Curno, Mr Emery, Councillor Ken Foster, Councillor Fox, Mr Harvey, Ms Hitchens, Mr Pawley, Mr Skinner and Councillor Wheeler.

Also in attendance: Robin Pearce (Public Rights of Way Officer), Rosemary Starr (Smarter Choices Manager), Hilary Winter (Regional Co-ordinator, SW Region LAFs), Lynn Young (Democratic Support Officer).

The meeting started at 10.40 am and finished at 12.45 pm.

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.

43. DECLARATIONS OF INTEREST

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

Name	Subject	Reason	Interest
Mr Pawley	South West Coast Path	Is the Plymouth local representative for the South West Coast Path	Personal
Councillor Foster	Planning applications	Is a member of the Planning Committee	Personal
Councillor Wheeler	Planning applications	Is a member of the Planning Committee	Personal

44. MINUTES

Members reviewed the minutes and commented that Minute 37 (c) should read 'Mark Owen, South West Coast Path National Trail Officer, had sourced the funding required via Natural England to build the steps at the Royal William Yard'.

Agreed that subject to minute 37 (c) being amended as above the minutes of the meeting held on 16 December 2013 are confirmed as a correct record.

45. CHAIR'S URGENT BUSINESS

The Chair welcomed Hilary Winter (Regional Co-ordinator, SW Region LAFs) and Rosemary Starr (Smarter Choices Manager) to the meeting.

46. **TRACKING RESOLUTIONS**

The Forum noted its tracking resolutions and commented that –

- (a) there was an ongoing difficulty trying to contact Kat Deeney, Green Infrastructure Team Leader;
- (b) an update on the letter that was sent to Natural England was to be given to members;
- (c) the long-standing issue of public slipways and landing stages needed to be re-addressed.

47. **CATTEWATER RAIL SPUR SITE VISIT**

Ray Fairchild, Chair, updated the Forum on the site visit to the Cattewater rail spur on 21 January 2014.

The Forum commented that –

- (a) the site would be a good location for a cycle path/footpath as part of the South West Coast Path;
- (b) another site visit would be planned, and further updates provided at future meetings;
- (c) Network Rail should be contacted to discuss the possibility of converting the site to a cycle path/footpath.
- (d) Dave Pawley agreed to lead on this project.

Rosemary Starr advised the Forum that it was possible that one of her colleagues was already dealing with this issue.

48. **FEEDBACK FROM NATIONAL CONFERENCE**

Ray Fairchild, Chair, gave feedback from his attendance at the Annual LAF Conference at Defra, Bristol on 4 February.

The Forum were advised that the following issues were discussed –

- Draft Deregulation Bill;
- Local Nature Partnerships (LNPs);
- Local Enterprise Partnerships (LEPs);
- Strategic Economic Plan (SEPs);
- Big Lottery Fund;
- Paths in Crisis;
- The Land Managers Perspective;
- Raising Profile of LAFs;

- Closure of Level Crossings, Diversion and Extinguishment.

Agreed that the LAF Secretary would reproduce the Chair's notes from the meeting and send to him prior to sending to members.

49. **HUDDLE HOT TOPICS**

Ray Fairchild, Chair, advised Forum members that the 'Huddle Hot Topics' were compiled by Hilary Winter for dissemination to LAFs. Following members' questions -

- (a) Robin Pearce, Public Rights of Way Officer, clarified the item 'Integrating the Highway Records – The Local Street Gazette';
- (b) Hilary Winter advised members that the hotel mentioned in the item 'Not-for-Profit Organisation linked to a LAF' was thought to be in either Thurlestone or Hope Cove;
- (c) Ray Fairchild, Chair, advised members that if the Plymouth LAF wished to raise funds in a similar way they would need a specific project to fund.

50. **DEFINITIVE MAP MODIFICATION ORDER UPDATE (TO FOLLOW)**

Robin Pearce, Public Rights of Way Officer, gave an update on matters relating to the processing of Definitive Map Modification Orders (DMMOs). The Forum was advised that –

- (a) the modification order process was a long one;
- (b) the process involved several stages of consultation, the production of topography reports, research of documentary evidence held in record offices and other forms of research and liaison with landowners and their legal representatives;
- (c) each application must also be decided by a Council committee and from there could lead to a public inquiry;
- (d) each application took between 18 months and two years to take from receipt to confirmation and two applications at a time were progressed in strict date order of receipt;
- (e) the backlog of applications was between six and eight years for current applications already in the queue with a 10 year wait for any new application;
- (f) the backlog was partly due to the complexities of the process but was also due to the council's reliance on external legal support associated with public inquiries;
- (g) in order to address the backlog of applications, several issues had been addressed;

- (h) the first part of the modification order process for every outstanding application had been outsourced and it was anticipated that this work would be completed by summer 2014;
- (i) eight applications were currently being processed;
- (j) when all eight applications reached committee report stage, the Council would continue as they do now, and process two applications concurrently to completion;
- (k) the new way of processing applications enabled the existing backlog of applications to be reduced significantly faster, and new claims to be processed considerably quicker;

Following members' questions, the Forum was advised that –

- (l) the backlog work had been outsourced to Rowtac;
- (m) if another backlog arose in the future the situation would be reviewed at that time;
- (n) applications were now available to view online;
- (o) another application had recently been received, and further application packs had been sent out.
- (p) the application process was daunting, and it was not possible to offer assistance with completion of the paperwork in order to maintain impartiality.

Following a lengthy discussion, Councillor Wheeler pointed out that any criticism of the process needed to be directed at the system, and not the Public Rights of Way Officer, and expressed his disappointment at comments made by fellow Forum members. Furthermore, he passed his congratulations on to the Public Rights of Way Officer and his colleagues for their work in dealing with the backlog. Dave Curno also expressed his appreciation at the way in which the backlog was dealt with.

The Chair thanked the Public Rights of Way Officer for his report.

51. **DEFINITIVE MAP UPDATE (TO FOLLOW)**

Robin Pearce, Public Rights of Way Officer, gave an update on the Definitive Map. The Forum was advised that –

- (a) the Definitive Map was republished in March 2014;
- (b) the Definitive Map was now available online, along with Permissive Path Agreements and Creation Agreements;
- (c) the Definitive Map was now available to view in the First Stop reception and

local libraries;

- (d) there were now approximately 37km of recorded public rights of way in Plymouth, including one bridleway, increased from 14km in 2010;

Following members' questions, the Forum was advised that –

- (e) the 'Officers' referred to in paragraph 2.1 of the Definitive Map Update document were Robin Pearce and Rosemary Starr.

52. **WORK PROGRAMME**

The Forum reviewed its work programme. It was agreed that -

- (a) the Unrecorded Footpaths Working Groups item needed to be on the work programme early in the new municipal year;
- (b) the LAF Secretary would canvas members as to their suitability for an Unrecorded Footpaths Working Groups meeting.

Hilary Winter advised that she had some information regarding the Sherford development cycling proposals and would forward it to LAF members.

Ian Stewart advised that he wished to re-commence attending the Saltram Countryside Park Stakeholder Forum.

Agreed that the LAF secretary would contact Kat Deeney (copied to Chris Caldwell) regarding this issue.

53. **CORRESPONDENCE**

The Forum noted its correspondence.

Councillor Wheeler asked for an update from Robin Pearce and Rosie Starr regarding the footpath at Coombe Dean School.

Robin Pearce advised that there was a liability issue regarding the footpath, which could be resolved if Corporate Property covered the costs of accommodation works required for adoption by AMEY.

54. **DATE OF NEXT MEETING**

The date of the next meeting will be confirmed following confirmation of the programme of Council meetings at the Full Council meeting on 31 March 2014.

55. **ISSUES ARISING FROM FORUM MEMBERS**

John Emery, LAF member, requested that his correspondence with Councillor Coker and Paul Barnard is discussed at a future meeting, and advised that he would write to Councillor Coker again. Following a discussion, it was noted that –

- (a) the Chair was of the opinion that this matter had reached its conclusion;
- (b) the Vice Chair stressed it was important to ensure that it was made clear that the letter had been sent from Mr Emery as a member of the public, and not as a member of the LAF;
- (c) Patricia Hitchens pointed out that the letter inappropriately suggested that all members of the LAF agreed with the points contained within it;
- (d) the Vice Chair advised that Mr Emery needed to clarify that the letter was not representing the views of the LAF;
- (e) Mr Emery apologised to members if they thought his letter suggested that it had been sent by the LAF;

Dave Pawley, LAF member, advised that the steps on the South West Coast Path at Jennycliff, which were an ongoing problem, were now in the process of being repaired, and thanked the Public Rights of Way Officer for his work. Dave Curno pointed out that the steps were being repaired with recycled plastic, which was flammable although it was noted that so is wood.

Hilary Winter advised that a presentation on the Local Transport Plan would be useful.

Hilary Winter advised that an event to celebrate the success of the South West Coast Path's 'Unlocking our Coastal Heritage' project was being held in Exeter on 26 March, which she was due to attend.

Bob Harvey, LAF member, spoke regarding the Campaign to Protect Rural England (CPRE). He advised the Forum that -

- (f) he had been dealing with Robin Toogood, manager of the South Devon Area of Outstanding Natural Beauty (AONB) Unit;
- (g) LAFs and the AONBs could be better engaged with;
- (h) the CPRE were concentrating on land use strategy this year, which involved a large campaign and public meetings;
- (i) there was significant development occurring in the county, and people might feel discouraged from coming here – which could affect local employment and the local community;
- (j) the South Hams and Plymouth CPRE AGM would be held on 2 May, and attendance at this meeting would be worthwhile for LAF members.

The Chair pointed out that the Tamar Valley was also designated as an Area of Outstanding Natural Beauty.

The Chair advised the Forum that a consultation was taking place on a proposal to put motorsport events on public roads. The consultation needed to be completed by April, and LAF members agreed that the Chair can reply to this consultation. Councillor Wheeler asked for clarification on the type of event this covered.

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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 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 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: -

- Local people who enjoy outdoor recreation in the area;
- Owners and occupiers of access land, or land over which the public have access;
- Other interests considered to be relevant to Plymouth 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 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 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 giving 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 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.

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. The term of office for this appointment shall be until the first meeting of the Forum following the City Council's subsequent AGM. 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 preferably candidates eligible to stand for the position 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 Forum.

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 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.

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

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

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.

HUDDLE HOT TOPICS April/May 2014

National LAF Conference

The papers and presentations from the National LAF Conference are now on Huddle. These include:

- Presentations
 - Deregulation Bill – Defra
 - Paths in Crisis – the Ramblers
 - Access and Land Managers – CLA
 - Rail Crossings – Network Rail
 - Unrecorded Rights of Way and Farmland – NFU
 - Lottery Funding – Big Lottery Fund

- Workshops
 - Access for All – New Forest and South Lincs and Rutland LAFs
 - Dogs – Natural England, Dorset Dogs and Durham County Council
 - Local Enterprise Partnerships and Local Nature Partnerships – Natural England
 - LAF Effectiveness – Leicestershire County Council

- General Information
 - Plenary Report
 - Feedback and Statistics

Please ask your Huddle representatives for information or let me know if you would like any reports e-mailed.

Current consultation

Traffic Signs and General Directions

www.gov.uk/government/consultations/traffic-signs-regulations-and-general-directions-2015

The Department of Transport has issued a consultation on Traffic Signs and General Directions, closing date 12 June. The Traffic Signs Regulations and General Directions (TSRGD) was drafted in 2000 and is now out of date. This consultation follows an earlier stakeholder review. The outcome of this was that “the existing TSRGD provides a nationally consistent traffic sign system but it was inflexible - resulting in regulatory barriers to design, and administrative burdens when applying for sign authorisations that are already good practice amongst traffic authorities. The revision is deregulatory, reduces the requirement to place signs, cuts costs for local authorities and removes the need for authorisations. It also provides new measures to promote safer cycling.”

Discussions on Huddle

The main discussion has been on cycling on footpaths following information from the Cyclists' Touring Club (CTC) which stated:

- Rights of Way laws should be amended to permit cycling on footpaths with few limited exceptions only where there are clear location-specific reasons not to do so (e.g. where the increased use of the path would create significant environmental or safety hazards).

- CTC believes that it is acceptable for cyclists to use footpaths, provided they do so in a manner which respects the safety of other road users and their peaceful enjoyment of the outdoors, and with regard for the environment and its ecology. These are the circumstances in which CTC believes it is acceptable for cyclists to ride on footpaths:
 - Where the surface and width of the path make it eminently suitable for safe cycling without causing disturbance or risk to pedestrians; or
 - Where the path is lightly used, such that the likelihood of disturbance or risk to pedestrians is minimal; or
 - Where a path is unlikely to attract such high levels of cycling that it will cause environmental damage (notably erosion); or
 - Where there is a reasonable belief that the footpath in question might already carry higher rights – for example:
 - where there is historic evidence (e.g. through enclosure award maps) demonstrating past use either by horses or by vehicles
 - where the path is shown on OS maps as an ‘Other Road with Public Access’ (ORPA), indicating an assumption that higher rights may exist;
 - where there is regular use by equestrians, motor vehicles and/or by other cyclists.
 - Where the relevant landowner is a public body or a charity and/or accepts or appears to accept use of the path by cyclists.
 - Except where the landowner has expressly permitted cycle use, CTC does not generally support the use of footpaths by larger groups of cyclists – particularly as part of an organised event – as this is more likely to generate complaints.

This has stimulated 49 posts. Much of the argument has focussed on whether this is a correct view and the legality, or otherwise, of riding or wheeling cycles along footpaths. Huddle users have come in with diverse statements. Some discussion has also focussed on whether use constitutes trespass and potential horse use of footpaths has also been introduced to the debate.

