

# Public Document Pack



## PLYMOUTH LOCAL ACCESS FORUM

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## PLYMOUTH LOCAL ACCESS FORUM

**Date:** Monday 15 December 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 K 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. 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 - 6)**

The Forum will be asked to confirm the minutes of 8 September 2014.

### **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. LOCAL NATURE PARTNERSHIP**

To receive a presentation on the Local Nature Partnership.

### **6. SOUTH WEST COAST PATH UPDATE**

The Forum will receive an update on the South West Coast Path.

### **7. MODIFICATION ORDER UPDATE**

The Forum will receive an update on the progress of modification orders.

### **8. LOCAL ACCESS FORUM TERMS OF REFERENCE**

**(Pages 7 - 18)**

The Forum will note the new Terms of Reference.

### **9. TRACKING RESOLUTIONS**

**(Pages 19 - 20)**

To monitor progress on previous resolutions.

### **10. HUDDLE HOT TOPICS**

**(Pages 21 - 22)**

To note the October issue of Huddle Hot Topics.

### **11. WORKING GROUPS**

To agree any working groups for items on this agenda.

**12. WORK PROGRAMME**

**(Pages 23 - 24)**

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

**13. CORRESPONDENCE**

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

**14. ISSUES ARISING FROM FORUM MEMBERS**

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

**15. DATE OF NEXT MEETING**

The next meeting will be held at 10.30 am on Monday 16 March 2015 at the Council House, Plymouth.

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## Plymouth Local Access Forum

**Monday 8 September 2014**

### **PRESENT:**

Mr Fairchild, in the Chair.

Mr Stewart, Vice Chair.

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

Apologies for absence: Mr Curno and Councillor Sam Davey.

Also in attendance: Robin Pearce (Public Rights of Way Officer), Rosemary Starr (Smarter Choices Manager), Jessica Vaughan (Planning Officer, Neighbourhood Planning Team) and Lynn Young (Democratic Support Officer).

The meeting started at 10.30 am and finished at 1.11 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.*

### 18. **DECLARATIONS OF INTEREST**

The following declarations of interest were made 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	Representative for the South West Coast Path Association	Personal
Councillor Wheeler	Planning applications	Member of the Planning Committee	Personal

### 19. **MINUTES**

Members reviewed the minutes and commented that minute 10(d) should read ‘the land at former RM Turnchapel had been purchased by Yacht Haven and would be used for engineering purposes. The South West Coast Path would oppose any proposal to close access to the road to the site’.

Agreed that subject to minute 10(d) being amended as above the minutes of the meeting held on 16 June 2014 are confirmed as a correct record.

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

There were no items of Chair's urgent business.

21. **TRACKING RESOLUTIONS**

The tracking resolutions document was discussed and updated.

Rosemary Starr (Smarter Choices Manager) advised the Forum that Jon Shaw, Professor of Transport Geography at Plymouth University had agreed to attend the LAF meeting in March 2015.

Agreed that Rosemary Starr (Smarter Choices Manager) would contact Pauline Burrows (Parking Systems Manager) requesting an update for the Forum at the December meeting.

22. **PLYMOUTH PLAN**

Jessica Vaughan (Planning Officer, Neighbourhood Planning Team), gave a presentation on the Plymouth Plan consultation process. Members were advised that –

- (a) the Plymouth Plan was a single strategic plan for the city and would bring together all the city's long term strategic plans into one place, incorporating the strategic policy elements of plans such as the Local Transport Plan, the Local Nature Partnership and the Local Economic Strategy;
- (b) the consultation for this plan started last year; the next phase of consultation for the Plymouth Plan had begun and would run until Saturday 25 October 2014;
- (c) community groups had been given the opportunity to discuss the Plymouth Plan, and packs were available to facilitate this. The Plymouth Octopus Project (POP) were supporting this initiative;
- (d) there were currently 23 topic papers, covering nine themes, available to view online, with paper copies available on request and at local libraries (the final topic paper would soon be available, making a total of 24);
- (e) there were eight Plymouth Plan Area Assessments (PPAAs) which covered the entire city. The aim of these documents was to provide an overview of the current situation in a particular Plymouth Plan Area in terms of social, economic and environmental characteristics, based upon factual evidence sources such as the 2011 Census and Experian Mosaic data.

Following members' questions it was reported that –

- (f) the Planning Team were aware of the importance of young people getting involved in the Plymouth Plan and wanted to involve schools wherever possible;
- (g) the LAF were not a statutory consultee for the Plymouth Plan at the present time;

- (h) the LAF were invited to submit a response to the Plymouth Plan consultation;
- (i) the Local Development Framework and the Local Transport Plan would remain extant until the Plymouth Plan was formally adopted in 2017;
- (j) Rights of Way would be covered in various sections of the Plymouth Plan.

Agreed that a meeting would be held in the week beginning 13 October to discuss the Plymouth Plan. A Doodle meeting request would be sent out to all members to determine the most suitable date.

The Chair thanked Jessica Vaughan for her report.

23. **HUDDLE HOT TOPICS**

The Forum noted the latest version of Huddle Hot Topics.

24. **WORKING GROUPS**

- (a) Agreed that a working group would be convened to discuss the Plymouth Plan. It was planned to hold the meeting in the week beginning 13 October and a Doodle meeting request would be sent out to all members to determine the most suitable date;
- (b) Ray Fairchild, Chair, advised the Forum that it would be beneficial to set up a working group in order to be prepared should another tranche of funding be released under the Paths for Communities (P4C) scheme. Rosemary Starr advised the Forum that it would be beneficial to conduct preliminary work in preparation.

Agreed that Rosemary Starr would provide the Forum with a generic template to assist with the completion of applications for grants and bids in general.

25. **LOCAL ACCESS FORUM (LAF) RECRUITMENT PROPOSALS**

Robin Pearce (Public Rights of Way Officer) advised the Forum of the proposed recruitment proposals.

The Forum was advised that –

- (a) the aim was to recruit more members to the Forum through a proactive recruitment process;
- (b) there was the capacity to have a membership of 22; there were currently 13 members and 9 vacancies;
- (c) current vacancies on the PLAF were being advertised through:-
  - the PLAF webpage [www.plymouth.gov.uk/laf](http://www.plymouth.gov.uk/laf);
  - information in the August edition of the Plymotion newsletter which is

distributed to more than 3000 households who have spoken to a Plymotion travel advisor and have asked to be kept informed about sustainable transport in Plymouth. The newsletter will also be available online at [www.plymouth.gov.uk/plymotiononyourdoorstep](http://www.plymouth.gov.uk/plymotiononyourdoorstep);

- a copy of the PLAF leaflet being sent out with copies of the Co-Operative Way and South West Coast Path booklets;
- copies of the PLAF leaflet being available for the Plymotion travel advisors to issue;
- copies of the PLAF leaflet being sent to libraries;
- social media – there is the potential to Tweet about the vacancies;
- information being provided to Plymouth University;
- information being provided to the University of the 3<sup>rd</sup> Age (U3A);
- information being shared with colleagues at Plymouth Community Healthcare for inclusion on the Livewell Website;

(d) online recruitment would be considered in the future;

Following members' questions, the Forum was advised that –

- (e) the proposed recruitment process was based on the Plymouth City Council recruitment process which had been tried and tested over many years;
- (f) the recruitment process would be an ongoing process until all vacancies had been filled; the process would continue on completion of full membership to keep on top of membership changes;
- (f) the Design Team had been tasked with designing a new logo and letterhead to convey a more professional image for the Forum;
- (g) the Public Rights of Way Officer was not necessarily aware of all walking organisations in Plymouth;
- (h) it was recognised that LAF recruitment was a national challenge.

## 26. **LOCAL ACCESS FORUM (LAF) TERMS OF REFERENCE**

Robin Pearce (Public Rights of Way Officer) advised the Forum that the Terms of Reference (ToRs) needed to be updated as the current terms had been drafted on the 2003 regulations and did not take account of the 2011 regulations.

Both the current and proposed ToRs were discussed, and members recommended several changes.

## 27. **WORK PROGRAMME**

The Forum reviewed and updated its Forward Work programme.



28. **CORRESPONDENCE**

The Forum noted the submitted correspondence, and discussed the findings contained therein.

The Forum was advised that in relation to the Modification Order application for the 'Addition of a footpath from Lulworth Drive to Tavistock Road', the Planning Committee agreed had followed the officer recommendation and declined to make any Order; the formal resolution being –

'Agreed that the Committee do not make the Modification Order in relation to Lulworth Drive to Tavistock Road as evidence submitted by the applicant was not robust enough to support the view that public rights subsist or could be reasonably alleged to subsist'.

The Public Rights of Way Officer advised the Forum that several Modification Orders were being progressed and would be ready to go to Planning Committee in the near future.

29. **ISSUES ARISING FROM FORUM MEMBERS**

Forum members raised the following issues –

- John Emery advised that the LAF pages were still showing incorrect membership information. Robin Pearce (Public Rights of Way Officer) advised that the pages would be updated to reflect the correct membership;
- Dave Pawley advised that he was still waiting to hear who owned the land at the Cattewater rail spur. Robin Pearce (Public Rights of Way Officer) advised that Plymouth City Council had written to Railtrack to determine their long term plans for the site;
- Dave Pawley advised that there was a proposal to continue the South West Coast Path around Millbay Port. A resident of Millbay Marina Village had been in contact with the South West Coast Path Association regarding this proposal and had been advised to contact Plymouth City Council. Rosemary Starr (Smarter Choices Manager) advised that this proposal was pledge number 38 of the 50 pledges published by Plymouth City Council in May 2014, and was an active project currently being worked on by her team. Robin Pearce (Public Rights of Way Officer) advised that there were currently two proposals for this new path, but there were a number of issues involved. The Smarter Choices team were due to meet with the Planning team to discuss this issue;
- John Emery advised that the LAF had not been consulted on Plymouth City Council's proposals for The Ride, even though the Forum were a statutory consultee. The LAF Secretary advised that the consultation document for The Ride had been circulated to Forum members by e-mail.

30. **DATE OF NEXT MEETING**

Agreed that the next meeting of the Forum is held at 10.30 am on Monday 15 December 2014.

## **Plymouth Local Access Forum Terms of Reference**

### **1.0 Title and Forum Area**

- 1.1 The Forum shall be known as the Plymouth Local Access Forum (the 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 highway authority.

### **2.0 Roles and Responsibilities**

- 2.1 The Plymouth Local Access Forum is an advisory body. Its statutory function is to advise as to the improvement of public access to land in the area for any lawful purpose of open-air recreation and the enjoyment of the area, and as to other matters as may be prescribed.
- 2.2 In carrying out its work the forum shall have regard to: -
- the needs of land management;
  - Desirability of conserving the natural beauty of the area for which it is established, including the flora, fauna and geological and physiographical features of the area;
  - any guidance issued by the Secretary of State; and
  - any position statement adopted by the forum.
- 2.3 It is the statutory function of the forum to give advice to the following bodies to be known as section 94(4) bodies:-
- parish and town councils
  - the appointing authority
  - any county, unitary, district or borough council
  - any Secretary of State including their Departments or 'executive agencies'.
  - Natural England
  - the Forestry Commission
  - English Heritage
  - Sport England (the English Sports Council)
  - Area of Outstanding Natural Beauty (AONB) Conservation Boards.

2.4 Any advice given by the forum to section 94(4) bodies shall fall into at least one of the following categories:-

- improvement of public access (whether on foot or by horse, cycle, mechanically propelled vehicle or by any other lawful means) to land in the area for the purposes of open-air recreation and the enjoyment of the area;
- Public access to land in the area for any other lawful purpose (whether on foot, horse, cycle or by any means other than by mechanically propelled vehicle);
- public access to land in the area by means of a mechanically propelled vehicle for any other lawful purpose, but only insofar as the access relates to byways open to all traffic (BOAT)

2.5 The Forum will promote liaison with any other Local Access Forums established in Devon, Cornwall, Torbay and Dartmoor and actively encourage the attendance of such authorities to forum meetings with observer status.

### **3.0 The Role of Plymouth City Council**

3.1 As the appointing authority, Plymouth City Council shall:-

- advertise for 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;
- take account of the advice given by the forum when making decisions;
- provide feedback to the forum on advice the forum has given whether in exercise of its statutory function or not;
- provide a secretary for the forum, and ongoing Officer support, training and advice;
- provide a meeting venue and refreshments where necessary;
- publicise the work of the forum;
- reimburse forum members expenses for travel, child care and subsistence costs directly incurred in respect of members' duties.

**4.0 Membership**

4.1 Membership to the Forum will be representative of one or more fields of interest as defined below rather than of any particular organisation:-

- Local people who enjoy outdoor recreation in the area;
- Owners and occupiers of access land, or land over which the public have lawful 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, wildlife and cultural heritage.

4.2 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.

4.4 Members shall be appointed for an initial term of either one, two or three years (the initial term).

4.5 In deciding the length of term to be offered the appointing authority shall take into account: -

- the continuity of the forum by ensuring no more than a third of terms expire each year;
- any current terms already in existence; and
- any preference for a particular term expressed by an applicant.

4.6 Upon the expiry of the initial term of office a member will be eligible to apply for re-appointment. If re-appointed for a further term that term will be for a further three years (the subsequent term).

4.7 There is no limit on how many times a member may re-apply for a further term of office.

4.8 In the event that a seat becomes vacant during the initial term any replacement member appointed shall continue to serve that same term of office

4.9 In the event that a seat becomes available before the expiry of a subsequent term the term offered to any replacement member shall be at the discretion of the appointing authority taking into account the matters listed in 4.5 above.

- 4.10 The appointing authority reserves the right to award shorter or longer terms if required to ensure the continuity of the forum.
- 4.11 A member may resign their seat by giving notice of resignation in writing to the Secretary of the Forum.
- 4.12 Plymouth City Council may terminate the appointment of a member of the forum if:
- They become an elected member of Plymouth City Council;
  - They are absent from all meetings of the Forum in a 12-month period without the prior agreement of the appointing authority;
  - They fail to comply with the requirements set out in section 4.12 below;
  - They have failed to comply with section 4.15 below;
  - They fail to comply with the members code of Conduct (See Appendix C).
- 4.13 A request for the termination of membership can be made to the appointing authority by the Chair of the forum following a formal resolution of the forum. In doing so the Chair must have explained their reasons for seeking the removal of the member to the forum and those reasons must be at least one of those provided in section 4.12 above.
- 4.14 The Plymouth Local Access Forum shall consist of at least 10 and not more than 22 members of which three places are reserved for Plymouth City Council Elected Members.
- 4.15 By accepting an offer of appointment members confirm:-
- their ability to devote their own time to attend meetings and training events as required;
  - their ability and willingness to network with a wide range of interests outside of Forum meetings;
  - their commitment to working within these Terms of Reference.
- 4.16 The Local Access forum will elect a Chair and Vice-Chair from within its membership base.
- 4.17 The term of office for appointment to the position of Chair shall be three years.
- 4.18 The term of office for appointment to the position of vice-Chair shall be staggered so as not to coincide with the expiry of the term of office of the Chair.

4.19 Elected Members of Plymouth City Council will not be eligible for appointment to either position but shall be entitled to vote in elections.

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

- Nominations for the positions may be made either to the secretary to the forum in advance of the meeting or at the meeting itself and those nominees will be read out by the Secretary.
- No details about nominations will be shared with the forum other than the names of those nominated.
- Members can nominate themselves.
- Any nominee who accepts the nomination will stand for the relevant post.
- Voting shall be by secret ballot;
- All members of the Forum (including those standing for the position concerned) are entitled to vote. A member may vote for themselves;
- The secretary will announce the result of the election to the post;
- In the event of a tie on the first round of voting for the post, 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;

4.21 Members shall disclose the nature of any direct or indirect interest in any matter brought up for consideration at a meeting of the Forum.

4.22 Members shall identify their own training needs in consultation with the Public Rights of Way Officer and the Chair.

### **5.0 Administration**

5.1 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.

5.2 The Forum shall normally meet at least quarterly and additional meetings arranged where necessary.

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

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

- 5.5 Agendas, papers and minutes of the meeting shall be available to the public.
- 5.6 The public shall be able to ask questions on the business of the Forum at the discretion of the Chair.
- 5.7 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.
- 5.8 The declaration of interests shall be an agenda item at the start of each meeting.
- 5.9 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.
- 5.10 A consensus should be reached on all matters discussed but where this is not the case opposing views will be recorded.
- 5.11 The quorum for meetings of the Forum shall be 7 members.

### **6.0 Allowances**

- 6.1 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>	<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>	<p>Proven ability to network and liaise with wider interests</p>
<b>Knowledge</b>	<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>
<b>Experience</b>	<p>Experience of using public rights of way or access land for recreational purposes</p> <p><b>OR</b></p> <p>Experience of managing land over which public rights of way or access land subsists</p> <p><b>OR</b></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>
<b>Equal Opportunities</b>	<p>A commitment to further equal opportunity issues in the work of the forum</p>	<p>Knowledge of the Disability Discrimination Act 1995</p>
<b>Other Requirements</b>	<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**

**1.0 Scope**

1.1 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.

1.2 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.

1.3 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.

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

1.5 In this code, 'Forum' refers to the Plymouth Local Access Forum.

**2.0 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.

**3.0** 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.

**4.0** 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.

- 5.0** 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**

- 6.0** (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

- 6.1** 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**

- 7.0** 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**

- 8.0** (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**

**9.0** 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.

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**PLYMOUTH LOCAL ACCESS FORUM**

**TRACKING RESOLUTIONS**

<b>Date / Minute number</b>	<b>Resolution</b>	<b>Explanation / Minute</b>	<b>Action</b>	<b>Progress</b>
8.9.14 Minute 21	Smarter Choices Manager to contact Parking Systems Manager regarding slipway information		Robin Pearce	Emailed Pauline Burrows on 24 October.
8.9.14 Minute 22	A meeting to be held in the week beginning 13 October to discuss the Plymouth Plan		Robin Pearce	Meetings held during the week beginning 13 October.
8.9.14 Minute 24	A generic template be provide to Forum members to assist with the completion of applications for grants and bids in general		Rosie Starr	Template e-mailed to members on 4 November.
8.9.14	Request an update on Coombe Dean school for Councillor Wheeler		Robin Pearce	Emailed Chris Coldwell on 24 October.

-  = Complete resolution
-  = Outstanding resolution

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## HUDDLE HOT TOPICS October 2014

### **Cycling Delivery Plan – consultation. Closing date 13<sup>th</sup> November (11.15 p.m.)**

The cycling delivery plan is the government's 10 year strategy on how they plan to increase cycling and walking across England. It includes an ambition to double cycling levels by 2025 and increase the percentage of school children aged 5-10 years walking to school to 55% by 2025.

The delivery plan includes a number of actions to meet these targets and to facilitate behaviour change across the country by promoting cycling and walking as alternative sustainable travel modes. A draft version of the delivery plan has been published for informal consultation.

Draft plan:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/364791/141015\\_Cycling\\_Delivery\\_Plan.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364791/141015_Cycling_Delivery_Plan.pdf)

Email responses to: [Walking.Cycling@dft.gsi.gov.uk](mailto:Walking.Cycling@dft.gsi.gov.uk)

Source: <https://www.gov.uk/government/consultations/cycling-delivery-plan-informal-consultation>

There has been a lively discussion on Huddle on this Plan during October. In brief the main points raised have been:

- The Plan contains no mention of bridleways, restricted byways and off-road routes.
- Housing development proposals should include 'green routes' of a minimum status of bridleway so that they can be lawfully used by cyclists. One Huddle user referred to one housing development where there is a strategic cycle network of shared or segregated routes on tarmac combined with a recreational route of shared footpath/cycle path on 3m wide hoggin paths, thus providing alternative routes for different types of user. On another new development it is hoped to achieve a bridleway status route.
- Cycling along pavements is generally not acceptable. Most are not fit for purpose and are generally more dangerous and slower than using the road.
- Should the Plan be called an Exercising Delivery Plan?
- Guidance from Defra on the RoWIP (letter from Dan Rogerson MP, Parliamentary Under Secretary for Water, Forestry, Rural Affairs and Resource Management) mentioned reviewing RoWIPs with a view to improve provision for cyclists, equestrian and disabled users. (This letter also referred to the forthcoming cycling and walking delivery plan). These aspects have not been included. The Plan should have a broader perspective.
- Vehicular users help to keep routes in better condition for non-mechanised users by keeping vegetation under control.
- The Plan makes no reference to unrecorded Public Rights of Way.
- One post refers to the fact that the UK roads are amongst the safest in the world and there is a misperception of danger.

Within the posts there are some concerns expressed about possible amendments to the Deregulation Bill. If these are taken through in the Bill full details will be incorporated in future monthly Huddle updates.

### **Access Groups – key extracts**

There is a short information leaflet on the work of the Rights of Way Review Committee, the Highway Records Working Group and the Stakeholder Working Group. The Stakeholder Working Group is the group of stakeholders that produced a report to streamline rights of way procedures, now incorporated in the Deregulation Bill going through Parliament.

- *The Rights of Way Review Committee*

The Rights of Way Review Committee came into existence in 1979 prior to the passing of the Wildlife and Countryside Act 1981 and, although the Committee has usually been chaired by an active parliamentarian, it was not set up by the Government, or any Government related body, and thus retains an independent status.

It was formed initially by the Ramblers (then the Ramblers' Association), the Country Landowners' Association and the National Farmers' Union) but later expanded to include representatives of other recreational user groups, local and national authorities.

The Committee retains a rights of way focus but over the years it has broadened its scope to most aspects of public access.

The RWRC is currently chaired by crossbench peer Lord (John) Lytton who was invited to the position in early 2012 and has a keen interest in public access issues.

Over the years the Committee has produced a series of 'Practice Guidance Notes' aimed primarily at the rights of way profession. This published guidance has subsequently been widely used as a definitive reference and information source both for the profession and the wider public.

[http://www.iprow.co.uk/gpg/index.php/RWRC\\_Practice\\_Guidance\\_Notes](http://www.iprow.co.uk/gpg/index.php/RWRC_Practice_Guidance_Notes)

- *The Highway Records Working Group*

<http://www.communities.idea.gov.uk/comm/landing-home.do?id=2747932>

The Definitive Map and Statement are an official record of the public's legal rights but there is no equivalent record for rights of way for motor vehicles. Local Authorities must keep a List of Streets and a Local Street gazetteer but they are not a definitive record. There is inconsistency around the way routes are recorded on these registers and there is also overlap with the definitive map and statement. (See the Stepping Forward Report 6.12 – 6.15).

The Highway Records Working Group (HRWG) was set up by a group of local authority highways officers to try to identify and address some of the issues associated with Highway Records - specifically the existing legislation relating to the List of Streets and its often confusing relationship with other highways/rights of way records. Their terms of reference include a commitment to delivering a nationally recognised policy, and a series of guidelines, to ensure a consistency of approach to this area amongst highways authorities.

### **LAF Induction Packs and Training**

There's a request for outlines and top tips.



