

**NORTHUMBERLAND NATIONAL PARK AND COUNTRYSIDE
JOINT LOCAL ACCESS FORUM**

**MINUTES OF MEETING HELD ON THURSDAY 19 OCTOBER 2006 at 1800
At the PERCY ARMS HOTEL, OTTERBURN**

Present:

JLAF Members:	Richard Cross, Chair	Pamela Brooks, Vice Chair
	Erica Bamford	Angus Collingwood-Cameron
	Vic Brown	George Astbury
	Ted Liddle	Susan Rogers
	Bryan Harwood	Eddie Carrington
	Janet Robinson	Kevin Heyman
	Gill Featonby	Alasdair Mitchell
	Paul Kelly	Alison Carter
Officers:	David Brookes, Northumberland County Council (NCC)	
	Mike Jeffrey, Northumberland County Council	
	John Riddle, Chairman, Northumberland National Park Authority	
	Elaine Rigg, Northumberland National Park Authority	
	Marion Hume, Northumberland National Park/JLAF	
	Lorna Lazzari, Northumberland National Park Authority	
	Andrew Millar, Northumberland National Park Authority	
	Amanda Earnshaw, Natural England	
Others:	Mrs Maggie Keyte, Observer	
<u>Apologies:</u>	Graham Gill	Barry Imeson
	Keith Stevenson	James Boulton

1 WELCOME AND APOLOGIES

R Cross welcomed everyone to the meeting and said he was, once again, delighted at the turnout of members.

2 PUBLIC PARTICIPATION

R Cross welcomed Mrs M Keyte, Allendale. No questions had been received from members of the public in advance of the meeting.

3 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

4 MINUTES OF PREVIOUS MEETING

The Minute of the meeting held on Thursday 20 July 2006 was approved by members, with the following minor points noted:

Item 9.5d – T Liddle asked that the sentence ‘R Cross advisedwere access for the disabled, the rural fringe’ be replaced by ‘R Cross advised were access for disabled people, the urban/rural fringe....’

Item 10.2 – A Mitchell asked that ‘.... such as utilities...’ be replaced by ‘... such as utility’

The Minutes were signed by R Cross as a true record of the meeting.

5 MATTERS ARISING

There were no matters arising that were not covered elsewhere in the agenda.

6 CHAIRMAN'S REMARKS

R Cross spoke about the recent DEFRA Consultation paper: '*Outdoors for All: Draft Diversity Action Plan*'. He invited Mrs Janet Robinson, who is blind, to comment on the difficulties and frustrations, despite the Disability Discrimination Act guidelines, which she and M Hume, JLAF Administrator had had with regard to obtaining consultation documents, such as this one, from DEFRA in a suitable format for her to be able to listen to the document and make informed comments.

Mrs Robinson also spoke about general frustrations with regard to access to the countryside for the visually impaired and the apparent lack of easily obtained assistance and advice, including the availability of tactile maps. R Cross said there was a need to extend all consideration to Mrs Robinson to allow her to fully participate in the work of the JLAF and there was also a requirement to make DEFRA aware of the impact of their actions with regard to providing information. M Hume said that the matter had now hopefully been resolved with DEFRA who had agreed to ensure taped versions of consultation documents were made available to Mrs Robinson.

7 OVERVIEW OF RECENT SITE VISITS

Otterburn Presentation and Site Visit – R Cross provided a brief summary of the afternoon's presentation on, and site visit to, the Otterburn Ranges and thanked Chris Livsely for his time. Members had found the site visit interesting and useful. They noted the disbandment of the Otterburn Access User Working Group and that Chris Livsey was now the contact person at Otterburn for such matters. A copy of the presentation is available on the JLAF website (see link below) or from the JLAF Administrator, M Hume.

[Otterburn Presentation October 2006](#)

During his presentation C Livsey had introduced the Otterburn Visitor Information project. The Defence Estates in association with Northumberland National Park Authority are delivering a significant visitor information project relating to the Otterburn Training Area. The outputs on the project will comprise 22 external/internal interpretation panels, DVD, website and a suite of leaflets aimed at promoting safe access and recreational opportunities on the defence estate in line with MOD policy. The JLAF members agreed it would be useful to have an update on this in a year's time.

Recent site visits - R Cross said that the site visits prior to each meeting were part of member training as well as an opportunity to increase knowledge of areas within the JLAF remit whether directly related to our JLAF or not, as networking opportunities with other agencies and organisations was also important.

During discussions on site visits, the issue of lack of good public transport and the impact this had on access to the countryside was raised. It was noted that ONE had the remit to look at public transport and there were other initiatives in the county such as at Kielder and Slaley as well as community mini-buses and

that there might be lessons to learn from other access for disabled initiatives such as the facilities at Alnwick Gardens. However, it was generally agreed that cohesive publicity for such initiatives could sometimes be lacking. Referring to the ROWIP and access for all, it was agreed that actions spoke louder than words, there was a need to be more outward thinking and there needed to be commitment to the issues raised.

Members said they were happy to continue with site visits and were invited to suggest themes if they had any 'burning issues'. It was agreed there should be time to discuss outcomes from site visits and it was agreed to build time for this into future agendas.

8 APPOINTING AUTHORITY UPDATES

8.1 Update from Northumberland National Park Authority

8.1a E Rigg provided an update on the Northumberland National Park Authority restructuring which became effective on 1 August 2006. She said there had been a significant change in resources, staff and money and consequently, she now headed up the Landscape and Recreation team whose remit included bio and geo diversity, archaeology, recreation and access. Along with J Mullard, Director of Policy and Strategy and L Lazzari, she would now be working with Northumberland County Council on re-drafting the Rights of Way agreement to bring about the best results from available resources.

8.1b Fire Regulations

L Lazzari gave a brief report on a meeting she had attended at the Countryside Agency on Fire Regulations and would provide a copy of the presentation to JLAF members if requested to do so. She said the University of Edinburgh were undertaking research due out in 2008 and the Countryside Agency had done a questionnaire asking for comments on fires in vegetation.

She added that the Northumberland Fire Group (NFG) had been set up. She introduced Andrew Millar who provided a report on the inaugural meeting of the group, which is chaired by Angus Collingwood-Cameron. Key issues surrounding the closure of access land under the CROW Act included '*Do you close or not?*' and '*Does mechanism for closure work?*' It was important that these two separate issues were not confused. He added that it was up to individual landowners but, under most circumstances, there was little to gain from closing land due to fire risk.

Seventy landowners had signed up to the NFG and the group *was* going to undertake a training needs assessment for the landowners. A Collingwood-Cameron said one of the strengths of the group was having people on the ground who had first hand experience of such fires. Information on dealing with fire risk was also being sought from other national parks and there was a link with the Catalonian Fire Service, which was offering training in fighting wild land fires.

8.2 Update from Northumberland County Council

D Brookes said he had nothing significant to report and that M Jeffrey would report on Item 11.1.

G Featonby asked about Simonside, with regard to footpaths/permissive paths, dog walkers, mountain bikes on footpaths etc. D Brookes said that a public footpath had been confirmed west of Lordenshaws car park. In response to a question about UCR's and signposting D Brookes provided background to the legislation and Northumberland County Council's approach and indicated that he hoped to present a report to the next JLAF meeting.

9 PRESENTATION AND BRIEFINGS

9.1 Presentation - 'Discovering Lost Ways'

R Cross introduced Amanda Earnshaw from Natural England who gave a presentation on the Discovering Lost Ways (DLW) project (see Appendix 1). She said she would encourage local access forums to start to seek out suspected lost ways and gather evidence together in one central place for the Archive Research Unit (ARU) as well as liaising with the surveying authorities. It was hoped to engage volunteers to do the preliminary work for the ARU. It was noted that it was unlikely that the DLW team would be coming into the North East until at least 2009 – 2012 (either second or third tranche).

S Rogers spoke about research she had done throughout Northumberland whereby she had discovered some exciting routes with local history of a remarkable kind therefore there were some positives to the DLW project if such routes continued to be found.

Following the presentations some issues were raised which included:

- Will the same criteria for discovering lost ways apply to 'discovering BOATS'?
- Will any liaising be done with the planning authorities?
- Delays in sorting out contentious issues – in some case could be a lifetime.
- Concerns about turning up things best left alone.
- What happens to rights of ways that should be on maps but aren't?
- Concerns at DLW team being put in place with substantial monies being allocated to it whilst access budgets were being cut back.
- Discovery of routes that might never be used.

Question from Mrs M Keyte

On behalf of Allendale Parish Council and her own interest, Mrs M Keyte asked "What part of Natural England will deal with inappropriate routes going through sites of special scientific interest (SSSIs)?" Mrs Earnshaw said that the DLW team, the Natural England Nature Conservation team, plus the higher level stewardship scheme would address this issue. There was also provision under CROW for a diversion of a right of way if it adversely affected an area of special scientific interest but this was only for exceptional circumstances and probably not suitable for large areas of SSSI as in the North Pennines. CROW gives English Nature powers to ensure better protection and management of SSSIs and safeguard their existence for the future.

9.2 Environmental Stewardship Scheme

The JLAF noted E Rigg's report on the Environmental Stewardship Scheme which was introduced by DEFRA in 2005. Members were interested to learn about the access options for higher level entries and that uptake of these has increased. V Brown asked about access to water under the higher level scheme.

9.3 Natural England and Rural Communities Act (2006)

D Brookes provided a brief update on the Natural England and Rural Communities Act (2006) – see link

[NERC Act Part 6 \(November 2006\)](#)

He tabled a paper which had been given to the Northumberland County Council Rights of Way Committee on implications for Northumberland as a result of the NERC Act whereby orders for BOATS cannot be made for the routes indicated in the report. The public rights of way map will highlight the routes – the map is on the NCC website. A key area of work for the Highway Authority with the approach of the 2026 cut-off date for claiming rights of way based on historical evidence will be to clarify the status of UCR's which are presumed to carry vehicular rights.

10 **WORKING GROUPS**

The JLAF noted the reports from the working groups who had met to discuss various topics including the paper presented to the JLAF meeting on 20 July by T Liddle '*The JLAF Access Network – Impediments, Opportunities and the Challenge*'. From discussion on the latter topic, it was felt that the real work of the local access forum in getting business taken forward could be done by the working groups rather than at the main meetings (see also item 10.3).

10.1 Working Group One: Recreation and Strategy

The working group had met on 2 August and 3 October. Members referred to the reports of the meetings and K Heymann provided a brief verbal update.

10.2 Working Group Two: Rights of Way Improvement

The working group had met on 26 September. Members referred to the report of the meeting. P Brooks, on behalf of G Gill, gave a brief update on the 'Parish Pride' initiative, which was stressed was meant to be a project for parishes to engage with the parishioners and not more work for the parish councillors. Though few responses had been received to date, several of those received had been positive ones including one parish which was looking at footpaths and extending into the urban/rural fringe. It was suggested it may not be the right time to contact parishes again but it was felt that a letter to include the Decadal Review form (which was available on the JLAF website) and Discovering Lost Ways project could be sent in the New Year.

Referring to the paper '*The JLAF Access Network – Impediments, Opportunities and the Challenge*' it was felt that the real work of the local access forum in getting business taken forward could be done by the working groups and not done at the main meetings.

10.3 Working Group Three: Implementation of Statutory Rights of Access

The working group had met on 2 October. Members referred to the report of the meeting and R Cross gave a brief update. Alluding to the paper '*The JLAF Access Network – Impediments, Opportunities and the Challenge*'. members felt that the first priority of the JLAF work plan was to vigorously examine the ROWIP and comment on it. The process of examining and commenting on the ROWIP will be the best way of highlighting the problems raised in the paper. However, it must be remembered that delivery of the ROWIP depends on priorities and funds.

11 **UPDATES**

11.1 Crow

M Jeffrey said that Natural England were about to embark on a national project on access land pattern of use. This was to be done by a national monitoring survey with access authority surveys done at local level.

11.2 Consultation on Closures

Referring to the North Pennines closures for black grouse, R Cross said he intended to ask the Countryside Access to review the closures after two years, not five. The JLAF continued to be asked to consult on various closures relating to Kielder forestry work.

11.3 NCC Rights of Way Improvement Plan

D Brookes confirmed that the draft ROWIP was due out for public consultation in December and copies would be sent to all JLAF members. R Cross said that this would be a priority for the JLAF and that the working groups would meet initially to discuss the ROWIP as soon as possible in the New Year, before writing a response on behalf of the JLAF as a whole.

11.4 Updates from other meetings

The JLAF noted the reports from other meetings and agreed it was useful to receive these reports.

- North Pennines AONB - B Harwood spoke briefly about their last meeting and said the AONB support was appreciated. He suggested that updates on issues pertinent to the JLAF from similar meetings at the National Park would be beneficial.
- Cumbria LAF Chair – referring to his report, R Cross updated on his interesting meeting with the Cumbria LAF Chair and said that a further meeting with both the Cumbria and Durham chairs would be arranged in Hexham in the early Spring to continue discussions on subjects, including fire risks.
- Area Committee Meetings - with regard to these meetings, it was noted that councillors each receive £15,000 allocated for capital schemes (albeit with some stringencies attached) and members were interested to find out what this money was used for and was there any way the JLAF could 'tap' into it. Members noted the list of area meetings.

11.5 Correspondence

Members noted that R Cross had written to Peter Atkinson MP regarding the fact that neither Minister (J Knight or B Gardiner) had replied to his letters. They also noted that Sport England had responded to R Cross' letter and that he was now in dialogue with their representative, who was standing in for Judith Rasmussen. It was mooted that Sport England be invited to the April JLAF meeting.

12 **ACTION PLAN 2007 - 2008**

R Cross said that the Action Plan 2007 – 2008 was a key document for the JLAF and that work was underway in preparing for the next issues with input requested from the appointing authorities as well as members, who had had the opportunity to discuss the forthcoming action plan at working group meetings. Once all the information had been gathered in the JLAF members collectively, would work on the next action plan.

It was noted that some priorities were already emerging including the '*Outdoors for All*' document and the ROWIP, as well as engaging with other agencies and networking with organisations the JLAF don't currently engage with.

13 **MEMBERS' SECTION**

Members noted the training day being organised by Natural England on 13 December in Newcastle as well as the dates of the local area committee meetings.

14 **CONSULTATION DOCUMENTS**

Not discussed.

15 **ANY OTHER BUSINESS**

Not discussed.

16 **DATE OF NEXT MEETING**

The meeting ended at 2120 without the completion of agenda items 13.1 to 15. R Cross said a separate meeting for all JLAF members only would be arranged for early in the new year to discuss key issues including the ROWIP.

R Cross confirmed that the next full meeting of the JLAF would take place on Thursday 18 January 2007 at Woodhorn Colliery, Ashington.

An Introduction to Discovering Lost Ways - Brief summary of presentation by Amanda Earnshaw, Natural England.

What, why and how?

- What is the project about ? Looking for existing rights of way not officially recorded - we are not creating new ones or resolving definitive map errors.
- Why are we doing it ? To improve access to the countryside through a better rights of way network, providing certainty for users and landowners
- How are we undertaking the work? Through submitting well researched claims from historic documents, for Highway Authority decision.

The 2026 cut-off date

Countryside and Rights of Way Act 2000:

- Footpaths and bridleways (and higher rights) that have not been claimed by 1st January 2026 will be extinguished.
- Unrecorded higher rights that apply to a definitive footpath, bridleway or restricted byway will also be extinguished.

It is DEFRA's intention to make regulations for this and work will start on these in summer 2007

Provisions in the Natural Environment and Rural Communities Act will (with very few exceptions) prevent any further claims for Byways Open to All Traffic being made. Evidence of vehicular rights found by DLW will be submitted as claims for restricted byways. Reminder – claims based on user evidence not affected by cut-off date – only those based on historic documentary evidence.

How the Agency is involved

- Government asked CA to establish an effective process to identify historic rights of way before the cut-off date of 2026.
- Research commissioned in 2001 suggested there might be some 20,000 lost ways in England covering 14,000km.
- Insufficient capacity amongst “volunteer” researchers to complete the task in time.
- Needed a dedicated Archive Research Unit (ARU)

The Archive Research Unit

- A team of researchers set up under contract with LandAspects.
- Adopting a systematic approach to examining the key historic documents.
- Working to agreed Research Standards.
- Preparing case files of evidence for submission to the Agency - the Historic 39 Counties of England - summary of the revised research method - county Research Plan
- ARU approach based on the 39 historic counties as this is how records are held.

Summary of the revised research method

General communications and warm-up. County scoping and planning. Basemap development (initial review). Archive research – 3 phases including reviews. Case evaluation. TRR/claiming.

County Research Plan

Scoping exercise to develop each County Research Plan to include:

- Discussions with local RoW officers and researchers / experts;
- Identification of sources;
- Basemap options;
- Document cataloguing;
- Definitive Map history;
- Previous research;
- Record Offices working arrangements

Basemap – bringing in information to help in identifying suspected lost ways.

Documentary sources

The sources examined by the ARU will be determined county by county and typically the programme will include:

Phase 1 - Inclosure Records, Tithe Survey Awards, Finance Act Maps.

Phase 2 - Deposited Railway Documents, Deposited Canal Records, Turnpike Records, National Programme, ARU work programme.

Phase 3 - Finance Act Field Books, Ordnance Survey Records, Non-OS Commercial Mapping, Estate Records, Quarter Session Records.

National Programme

Lead Phase – 2005 to 2007 – First Wave 2007 to 2008 completion 2007 to 2009 – 2nd and 3rd tranche 2009 – 2012. Still concentrating on lead pilot phase but some prep work done in other first wave counties.

ARU work programme

- County Research Plans for completing work for the Lead Phase counties will be agreed initially with Cheshire CC and Shropshire CC;
- Detailed discussions with other Lead Phase authorities will follow over the autumn once research trams up and running;
- Current estimate for completing Lead Phase research is Autumn 2007;
- Prep work for First Wave counties is likely to be underway over the winter of 2006/07;
- This is an indication of the schedule envisaged by NE for the research following development and testing of revisions to the ARU research method.

Transforming research into routes

The scope of the project includes both *documentary research* and an *implementation process* that seeks to facilitate discovered routes being made available. Two overlapping phases:

- **Discovery** – research and evaluation;
- **Implementation** – a partnership of stakeholders and a process that will decide the best way of transforming evidence into a route on the ground;
- Once strong historic evidence is found a case dialogue process will consider the best way of taking this forward;
- Involves Natural England, local authority, landowners, stakeholders, etc;
- NE will apply for DMMO – if DMMO is the most appropriate way ahead;

- We will develop, for Defra, a guidance and prioritisation framework for local authority us;
- It's for the Surveying Authority to decide how to deal with DLW evidence and claims, but the framework

Transforming research into routes

The Guidance and Prioritisation Framework:

- will assist LA in pursuing alternative ways of making a route available,
- will facilitate a consistent approach to converting research into routes, and
- will encourage LA to take account of ROWIPs, public benefit, availability, condition, need, type of use, conservation and biodiversity etc.

Accreditation:

So that Local Authorities (Las) are less likely to have to double check evidence we are working up our methods and research standards. It is important that Las have confidence in the DLW approach. Also to reduce the impact on Las of adding to existing backlogs by ensuring the quality of DLW claims. Methodology will be an explanation of the process end-to-end from research to claiming. Consultations with local authorities and other interested parties is part of its production. FAQs will be added to an updated website at the end of January 2007.

end.