

Somerset Local Access Forum
Minutes For The Meeting Held On
17th May 2018
At Langport Town Hall

SLAF Members Present:

Julia Gadd (Chair Person), Chris Sidaway, Helen Stephenson, David Lovejoy, Anthony Gray, Sally Flack, Suzy Dymond-White, Alicia Aras, Ann Fin (Vice Chair), Patricia Coombes.

SCC Officers Present: Pete Hobley – Rights of Way Service Manager.

Guest Speaker: Neil Guild – Highways Asset Improvement Officer.

Apologies: James Bateman, Hugh Warmington, David Perris.

Minutes by: Natasha Tremelling – Business Support SCC

Welcome

JG welcomed everyone to the meeting. PH notified the members that with the forum reaching the end of a three year term there were some resignations and also four new members; namely: Chris Sidaway, Helen Stephenson, Alicia Aras and Sally Flack.

Introductions

Following a suggestion from PH members around the table introduced themselves and gave a brief background with regards to their interests in Rights of Way.

Minutes From 19th October 2017

- It was noted that David Perris was missing from the attendees of this meeting.
- Ginnie Jones (not Ginnie James) said that East Riding Council and SLAF in Yorkshire prepared a joint report.
- Julia Gadd (not Ann Fin) attended the LAF National Conference in East Riding

Matters Arising

Working Party (JG, VJ, SDW,DP) – JG reported that the forum's working party had discussed safety in the countryside, including topics such as keeping dogs under control and were keen to educate the public about such matters. The working party decided that one way to engage with the public was through talks in schools. A need was expressed for the working party to continue and an open invitation was extended to both new and old forum members to join this. HS expressed an interest. It was confirmed that the preferred meeting times for the working party was

evenings. DL asked that the dates of these meetings were passed onto him to attend if able.

Definitive Map Update - AF asked for an update from PH with regards to the progress on Determinations. PH responded that SCC had appointed a new staff member to help with these but that it would take some time for them to be trained and able to work on these. AF asked when the next scoring would take place; PH replied that he would like to come onto this subject in AOB.

Herepath Update - AF asked for an update regarding the process for undertaking the remedial works needed. PH reported that quotes for the remedial work were now due but it was possibly unaffordable for the Forestry Commission alone to pay for these. AF asked if the forum should begin to look at fundraisers. PH asked the forum to hold off on this for now as the possibility of Partnership working will be explored once the cost is known.

A303 and A358 Schemes – PH reported that there was a design freeze on the A303. AF expressed concern that the A358 consultation had not appeared to consider Rights of Way at all. PH commented that some detail related to this was in fact 'hidden' within the technical specifications.

Member Training

PH distributed an information sheet to all things Rights of Way which he then guided members through.

PH invited questions:

- SF asked about the references used for routes on the Explore Somerset map. PH explained that these references referred back to the parish councils but that the colours of the routes indicated what type it was e.g. footpath, bridleway etc.
- AF asked what percentage of the coastal path was completed. PH replied that he did not have those figures.
- CS enquired as to whether footpath representatives reported faults and if SCC could quickly identify who were responsible. PH replied that in short the answer was yes, though repairing faults to assets was often a process of negotiation.
- JG asked about the obtainability of printed Parrett Trail leaflets which were once readily available. CS added to this that these leaflets were not currently in the local Tourist Information centre. PH replied that if there was a particular demand within Langport he would be happy to send a batch of leaflets out.
- DL commented that there had been a decline in access to the user group he represented (vehicular users including disabled users) since 2006 due to the position regarding the UCR network. PH enquired if DL had contacted SCC Highways regarding this issue. DL noted that these routes were not on the definitive Rights of Way but suggested some restricted byways could be brought back into the permissive routes system. JG requested that DL liaised directly with PH regarding this issue. PH commented that given the financial constraints upon SCC currently any work classed as an improvement to the

system would not be approved and that DL's suggestions would be deemed as such.

Well Managed Highways – Code of Practice

Guest Speaker NG attended the meeting to speak about the new 'Well Managed Highways' Code of Practice and updating the Highways Safety Inspection Manual. NG explained that:

- The Somerset network is one of the biggest in the country amounting to roughly six and half thousand kilometres.
- His role was to take an Asset Management approach.
- SCC is ultimately responsible for the safe use of the highways and this role could not be devolved in any way.
- The new code is expected to be adopted by October 2018; two years on from it being issued.
- That a Safety Inspection Manual for PRow would be a key product in the adoption of the new code-
- A Progress Lifecycle Plan for each asset would demonstrate Service Levels and assist with 'Risk Based' planning and were also key products.

NG invited questions from the forum members:

- AG asked if SCC had an online mapping system for reporting defects. NG answered that this could be found on the SCC website.
- DL enquired regarding the interpretation of risk; particularly with regards to SCC's use of subcontractors. NG explained that SCC's current contractors were Skanska and that they had worked with the County Council since the 1990's, that there was a contract in place between SCC and Skanska which clearly defined the standards expected and that Skanska had a good reputation regarding the taking of a 'Risk Based' approach.
- DL asked about the use of a Section 58 defence. NG replied that this does happen occasionally but that SCC had an excellent record of defending against insurance claims.
- CS observed that in his role as Parish Clerk he found it appalling that NG's comments placed emphasis on SCC's ability to mitigate liability rather than genuine improvements or safety. NG apologised for that interpretation and assured the forum it was not intended; NG further reassured the forum that SCC had a good record for managing safety defects and reported that SCC were in the top third of councils for that management.
- SDW asked for a definition of pot holes. NG explained that currently they were precisely defined as deeper than 40mm.
- AA mentioned that within her parish members of the public were filling pot holes themselves as the precise definition did not include the road margins.
- NG explained that successful insurance claims were those where SCC failed against their own standards; also that SCC had a responsibility for reported defects.
- AA queried how a member of the public would be able to judge if a pothole had already been reported and referred to the practice of paint being sprayed around potholes. NG suggested that those not sprayed may have been inspected and judged not below 40mm.

- NG clarified that the New Code of Practice was not a cost saving exercise and that road defect inspectors were now free to use their judgement regarding potholes instead of being bound by the prescriptive 40mm rule.
- JG asked that the forum limit itself to just one further question.
- AF and SDW both spoke about the problem of tractors and other wide vehicles destroying road edges. NG responded that this was a known problem.
- NG spoke about the optimal timing of road repairs and explained that permanent road repairs at the right time offered the best value for money and that the New Code of Practice allowed this to happen by giving inspectors the opportunity to use their own judgement.

JG and PH both expressed their thanks to NG on behalf of the forum.

PH went on to explain that RoW had not previously had their own specific Safety Inspection Manual. PH also detailed that some of his own recent work involved pulling in and adding to current information in anticipation of this. PH indicated that this manual would mirror the Highways Safety Inspection manual though with less detail. PH also commented that this timely work would help with the creation of a policy document for RoW. PH observed that the 'Risk Based' approach was currently encompassed in reactive inspections but not the planned inspections undertaken by SCC RoW.

Post Brexit access proposals

This paper includes three proposals from the British Horse Society, Byways and Bridleways Trust, Open Spaces Society and Ramblers for the redirection of agricultural funds to give public benefit.

PH agreed with Proposal 1 (additional access) and Proposal 3 (cross compliance) were agreeable, but questioned proposal 2 (enhancing existing access) as arguably not the right use of public money.

PH offered some background regarding these Proposals and referred to the previous practice of Stewardships. Comments were made to the effect that many access creation schemes had fallen away.

PC commented that a recent Defra consultation including these matters had closed on the 8th May.

PH added his feeling that SCC did not receive enough signposting to relevant consultations.

AG asked generally what payments were available to farmers for granting public land access.

PC replied that it was variable and depended on the type of farm. PC also commented that Defra's removal of payment for margins to be left around fields had led to the removal of acres of publicly accessible land.

AG commented on his experience as a walker of farms ploughed up to the headland which were inaccessible for walkers.

PH commented that headlands should not be ploughed.

JG added that Stewardships were increasingly competitive applications now.

PH asked PC whether she had seen the consultation and how much detail there was around access. PC replied that the content was mainly around payments.

PH enquired as to whether there was a desire from the forum to format a response to the consultation and offered to find a suitable contact for such a response. JG agreed this was a good idea and asked PC if she was happy to lead on this. PC was happy to lead.

Action: Members to send any comments for inclusion in the forum response to the Defra consultation to PC.

Children's Health Consultation

SLAF members discussed issues around encouraging children to be active through access the countryside and seafront. HS contributed significantly to the discussion talking about a culture of both 'stranger, danger' and 'busy highways' as creating obstacles for children's activity and access to outside spaces. DI contributed by highlighting the children's membership package of The Wildlife Trust and the calendar of events produced. HS raised the issue of cost and that even public transport remained outside the accessibility of some families as a result. AF added an opinion on generational differences and that intervention through targeting the children of today who would be the parents of tomorrow was needed. HS commented on the increasing popularity of forest schools but also indicated their shortcomings. Funding cuts and lost services were also discussed. JG brought the conversation back to focus on the consultation and reiterated the issues: obesity, physical and mental health and the positive effects of getting children active and into outside spaces.

JG offered to coordinate individual responses from SLAF members into a group response.

Action: Members to send any comments for inclusion in the forum response to this consultation to JG.

AOB

- PH commented with regards to the Statement of Priorities. Having this statement is especially important given the significant backlog of Definitive Map Applications. Please look out for an email from PH regarding this as the consultation will be relatively quick.

- Member of the public Sarah Bucks, present at this meeting, has written a book called 'Rights Of Way: Restoring The Record' which aims to enthuse, enable and empower rights of way researchers to make definitive map modification order applications to ensure that routes that would be extinguished in 2026 are saved from the cut-off date. Sarah along with Phil Wadey (trustee of Open Spaces Society, have made an offer of training on applying the methods in their book.
- DL reported on a Forestry Commission seminar which he attended concerning bio security. DL offered to email links to a charity that is doing free training for land access users. PH is happy for SCC staff and volunteers to make use of any free training and requested DL to email links to SLAF Secretary Emma Parsons.
- DL brought attention to Environment Development Funding offered by Highways England and asked to be informed of any schemes based around the trunking network or bio diversity which may be applicable.

Next Meeting: 18 October 2018 2pm to 4pm. Langport Town Hall