

REPORT ON: REGIONAL AND NATIONAL UPDATE OF LAF MATTERS

1. PURPOSE OF REPORT

To update members on the SE LAF Meeting, progress at the England Access Forum and the SE LAF members Conference.

2. ENGLAND ACCESS FORUM AND NATIONAL UPDATE

2.1 Amanda Earnshaw has taken over from David Gear as National LAF Liaison Officer for NE. Amanda's email address is :
Amanda.Earnshaw@naturalengland.org.uk.

2.2 Email from Alan Marlow, SE Region EAF Representative

The minutes of the meeting are attached. Some particular points of note, especially for us in the SE following our SE Regional day recently are as follows –

- You will see that our training day and our SE newsletter were singled out for very positive comment. It seems that our Regional activities are seen as among the best!
- The subject of Gating Orders (Paper 2) was top of the agenda for discussion. The problems expressed were many and varied but one particular action item that you are all recommended to pursue is to ensure that your Highway Authority has a clear published policy on Gating Orders (which includes the involvement of the LAF as required by the regulations). This should at least remove the sense of mystery which surrounds the subject in many authorities.
- Another opportunity for LAFs to widen their sphere of influence is the Local Area Agreement/Local Strategic Partnership programme. (Paper 3). You will see that the EAF minutes recommend that LAFs get involved in this process.
- Paper 4 offers some ideas to help LAFs that are struggling to get the appropriate level of attention from their HA. The paper points to a number of possible sources of support both regionally and nationally that may be able to help.
- The topic of horse riders' access to Forestry Commission land in the SE was tabled as a subject requiring more work, the next step is to meet with the FC at SE Regional level to try to further the dialogue before returning to EAF for further help if required.

If you would like to pursue any of the topics in the papers or minutes further with either Matthew or me then please get in touch.

2.3 Minutes of the ENGLAND ACCESS FORUM, THIRD MEETING, 11 MARCH 2009, SHEFFIELD

EAF representatives

Alan Marlow, South East
Matthew Balfour, South East
Paul Heal, South West
Bob Harvey, South West
Andrew McCloy, East Midlands
Andrew Shirley, East Midlands
Liddy Lawrence, East of England

Natural England representatives

Andrew Wood
Duncan Mackay
Peter Ashcroft
Belinda Davies

Duncan Graham, North West
Edgar Ernstbrunner, North West
Edgar Powell, West Midlands
Hazel Armstrong, Yorkshire & Humber
Richard Holmes, Yorkshire & Humber
Steve Scoffin, North East
Pam Brooks, North East

Apologies from

Bob Smith, East of England

Regional Organisation

The progress made in appointing LAF regional co-ordinators was welcomed.

Chair's update

- The Chair reported that there was abundant evidence of effective and imaginative work by LAFs across the country.
- He had received reports of impressive activities in various regions , with for example 50 LAF members at a training day in the SE, an ambitious programme on diversity and coastal access in Yorks and Humber and inaugural meetings in the NW.
- Topics submitted by regions were reaching the national agenda – e.g. gating orders and preserving access over new roads.
- There was early and effective involvement in NE policy consultations.
- Some regions were producing excellent newsletters which celebrated success and good practice.

Gating Orders

The paper on gating orders was discussed and the following points were made:

- The data collected might not reflect the situation in urban areas where LAFs may be not so well connected with the LAF regional networks.

- If gating orders lead to major restrictions in access this would conflict with Natural England's urban agenda.
- Are there sufficient checks and balances in the GO processes?
- There are different definitions of anti-social behaviour in the two components of the legislation.
- There are differences of substance between the legislation and the guidance.
- The impacts on people with disabilities needs to be recognised.
- The impacts on children and their home range was not fully recognised.
- This is a complex area which would benefit from a systematic review.

Action:

1. A summary of the legal basis for Gating Orders and its operation be disseminated to LAFs.
2. LAFs to be encouraged to lobby their parent highway authority to have a clear and published policy for Gating Orders.
3. Natural England would seek talks with the Department of Transport about evaluating the effectiveness of the legislation.
4. Natural England would explore ways of reminding Highway Authorities about their responsibilities.

Local Area Agreements

An excellent paper was welcomed for its clarity and for the specific advice as to how LAFs can get involved. The following points were made:

- Many LAFs are not yet aware of the significance of LAAs in funding access.
- LAFs need to do more to engage in this new process, where there are significant, if not new, funds to be played for.
- LAFs need to make the case that health is about accessing the natural environment as well as simply going to the gym.

Action

1. LAFs are encouraged to share within their regions and with EAF good examples of engaging with LAAs.
2. The paper be disseminated to LAFs with a recommendation for action.

Rights of Way and Trunk Road Improvements.

A verbal report was made on recent discussions which NE had conducted with the Highways Agency following the concerns raised by Suffolk LAF and the following points were made:

- Improvements to how rights of way and non-motorised road users are treated in the design of trunk road improvements were welcomed, including the involvement of LAFs, and the specific recognition of the Highways Agency as a 'highway authority'
- The ratings of risks and safety criteria should be apply to proposed improvements.

- Many of the same issues also apply to other busy roads where the good practice being adopted for trunk road improvements could be recommended by LAFs

Action

1. *Natural England will reflect these concerns in its transport and roads policy and will ask the Highways Agency for more evidence of how its 'listening approach' leads to improvements.*
2. *Natural England will consider how its local teams can have clearer advice on how to deal with local highway improvements.*
3. *The recent response from the HA be shared with the Suffolk LAF, and the main points be passed to other LAFs.*

Diversity and Equality

The forum appreciated an excellent and forthright presentation on diversity and equality where much remains to be done. The following points were made:

- Greater clarity on LAF responsibilities would be appreciated.
- Engaging with diversity groups is challenging.
- There is a need to widen understanding of diversity beyond wheel-chair users.
- Getting people to overcome their fears requires dedication and perseverance
- Small improvements can make a real difference.
- Rights of Way Improvement Plans are a useful way of making progress.
- Use of the local media, eg local radio, by LAFs can widen interest in access and raise awareness

Action

1. *The presentation will be disseminated to LAFs.*
2. *The EAF working group will explore with NE in more detail how LAFs can respond to diversity issues, and will report the outcomes to LAFs.*
3. *EAF members are asked to send examples of good practice in their regions to the Secretary.*

LAFs strategic influence on Highway Authorities.

The paper was discussed and the following points were made:

- The value of LAFs having statutory consultee status.
- How LAFs would benefit from knowing what progress other LAFs made and how this was best achieved.
- Ways in which LAFs can communicate with members and senior officers when facing difficulties in being heard effectively.
- In what ways LAFs facing problems could be advised and supported by their regions and EAF.
- The continuing need for better communications.

- How the LAF Handbook can be made more accessible and updated where necessary.
- How annual reports which often contain examples of good practice can be shared more easily.

Action

1. *Natural England will consider what support it can provide its local teams so they can engage at the right level with highway authorities.*
2. *Natural England will look at how it can promulgate the LAF Handbook more effectively, and how communication can be improved by, for example, a website or newsletter.*

Integrating Access across Natural England's business.

The paper was welcomed as a very significant step forward in emphasising the value and importance of access. The following points were made:

- Natural England are aware that higher rights (ie beyond walking) need to be addressed by government but there are no current specific proposals.
- To be aware that woodlands will come within the scope of agri-environment agreements.
- The new Uplands HLS will have an access component.

Access and related Policy

An update included the following points:

- The policy had been amended in the light of advice received including that from EAF
- The Access policy will be sent to the Chair of NE for sign off before the end of March and a policy position statement disseminated shortly after confirmation by the April NE Policy Steering Group.
- Two further policies will be developed during 2009, in which LAFs and EAF will be engaged : one on broadening understanding and the other on volunteering/active citizenship.

Review of Trails and Routes

The review is now complete, with around 30% of LAFs involved in consultation events or providing written responses. The recommendations will be presented to the July Board meeting of NE.

ROWIP Awards

The chair welcomed this initiative which recognises the importance of ROWIPs and the achievements of both highway authorities and LAFs and described EAF's involvement as judges in selecting Award winners. The celebration culminates in an Awards Ceremony to be held in Leicester in March where the guest of honour will be Nicholas Crane.

Stakeholder Working Group

Andrew Wood reminded EAF of the make up and remit of this group, whose core purpose is around unrecorded rights of way, as distinct from wider rights of way or access improvement issues. However its terms of reference also allows the group to look at related issues, so it can form its recommendations in a proper access context.

Action

1. *Natural England will consult with the EAF chair should any wider access issues arise.*

Issues submitted by regions and requiring further work

1. fencing of woodland planting on open access land
2. access for horse-riders in the Forestry Commission Estate
3. Local Transport Plans
4. the impact on rights of way from major road improvements
5. LAF communications
6. Diversity

Action

1. *these items are remitted to the EAF working group.*

Peter Ashcroft

Members thanked the Secretary, Peter Ashcroft, for his efforts on their behalf in the establishment and management of the work of EAF and expressed best wishes to him in his new post.

Date of Next Meeting

This will be arranged in the next few months when dates for consultation on forthcoming policies etc become clearer.

3. SOUTH EAST LAF CONFERENCE on 3rd March 2009

- 3.1** Workshops were held on a variety of topics, all of interest to LAF members. The presentations/handouts/ notes of the workshops are attached here as appendices and are listed as follows:

- Appendix 1 - Discovering Lostways - Hampshire Project
- Appendix 2 - How can the LAF have greater influence? How can we publicise the LAF?
- Appendix 3 - Working with the Community

Appendix 4 - Working with Parishes
Appendix 5 - Gating Orders Workshop

3.2 South East LAF Meeting

We are currently still waiting for minutes from this meeting.