

County Durham Local Access Forum

At a meeting of the **County Durham Local Access Forum** held at Teesdale House Barnard castle on **Thursday 22 September 2005** at **6.00 p.m.**

Steve Scoffin in the Chair

Members of the Forum

Barbara Crozier, Alan Dougherty, Bryan Harwood, Geoff Hughes, Bob Kirton-Darling, Councillor Bob Pendlebury, Lindsay Waddell and Fred Wright.

Officers

Jackie Brown, Barry Charlton and Mike Ogden

Apologies for absence were received from Gael Dixon, Brian Hodgson, David Maughan and William Salvin.

1. Welcome and Introduction

The Chairman opened the meeting welcomed everyone in attendance.

2. Minutes

The minutes of the meeting held on 7 June 2005 were agreed as a correct record with the exception of the following points:

With regard to minute number 6 Local Transport Plan 2, Jackie Brown advised that the Healthy Walking Forum has not yet been established. Also in relation to minute 6 Geoff Hughes explained that the Forum had agreed that bids from LTP2 should be focussed on the pilot areas identified at last years workshops.

3. Matters Arising

North Pennines AONB Local Access Forum Minutes - The minutes from the last meeting of the North Pennines Local Access Forum held on March 2005 were circulated for comment and agreed as a correct record.

Dedication of Durham County Council Land as Open Access – Mike Ogden advised the Forum that it was unlikely that any County Council land would be dedicated as open access land. The majority of its land holding is school playing fields and the remainder is lowland arable farmland. If there any particular sites which are considered suitable, he asked that details be forwarded for further consideration. Members of the Forum were disappointed by the response and asked that a formal approach be made by the Secretary to ask the County Council to reconsider its position.

Clean Neighbourhoods and Environment Act – Gating Orders – Jackie Brown gave a brief summary of the provisions within the Clean Neighbourhoods and Environment Act relating to Gating Orders. It was agreed that a copy of the Act be circulated to the Forum after the meeting. Any comments can be made directly or via the Secretary.

Annual Report – Jackie Brown informed the Forum that the Annual Report had been drafted and given to the Vice Chair for comment. It was agreed that the Chairman should write the introduction. Copies of the Annual Report should be available at the next meeting.

4. Open Access - Update

Mike Ogden briefed the Forum on progress of works for Open Access. He explained that the County Council were trying to complete all work this year as there was no guarantee that there would be any further funding. The Authority is examining a proposal to recruit voluntary rangers. To date very few problems have been reported from either landowners or the public.

5 Open Access Restrictions

The Forum received a presentation from Rob Keane (Countryside Agency) and Phil Wilson (English Nature) about applications under section 26 of the Countryside and Rights of Way Act 2000 for directions to exclude the public from various sites to protect ground nesting birds and to protect sensitive sugar limestone habitat.

Lindsey Waddell declared an interest in this item on the grounds that he is responsible for the management of certain aspects of the sites.

The following land is affected by the applications:

- Mickleton Moor
- Teesdale Allotments A, B and C
- South Crosswaite Common
- Widdy Bank Fell – Sugar Limestone Area, Hole Head and Guy's Moss

It was explained that the sugar limestone habitat is unique to Teesdale and that North Pennines is home to 80% of the population of the black grouse in England. In many of the areas where it is proposed to restrict access there are existing rights of way and these will not be affected by the restrictions. It was emphasised that the restrictions are concentrated on the most vulnerable areas and that it will only affect approximately 1.5% of land subject to open access rights.

In response to a question on whether the sites could be fenced, it was explained that this was not desirable and that signs would explain the extent and reasons for the restrictions.

Regarding the level of usage of the area Rob Keane advised that a post code monitoring programme had been established and this will provide information

on where visitors came from, where they accessed the countryside and where they were walking to.

Fred Wright suggested that the level of restriction was excessive bearing in mind that the breeding season was over by mid July and that as a result access should be allowed in August as well as in September. Phil Wilson explained that black grouse are a late breeding bird. This was confirmed by Lindsay Waddell who had recently seen birds in juvenile plumage.

Alan Dougherty expressed the view that there should be equity in the approach taken with the restrictions also applying to those who work or use the land. Rob Keane explained that landowners already have use and access of the land and that the Countryside Agency/English Nature were concerned with additional disturbance following an increase in the level of use arising from open access.

Alan also asked whether it would be possible to use the old mine tracks which cross the area. Rob Keane advised that there were existing rights of way across some these areas and these could still be used. It was further explained that the lowest level of restrictions were being sought and that these might change at some time in the future.

Geoff Hughes was concerned about an incremental approach and asked whether there would be further applications for long term restrictions. In addition he asked whether alternative management techniques had been tried before seeking the restrictions.

Rob Keane stated that they had been working with the British Mountaineering Council to develop a voluntary approach to climbing at Holwick Crag. He explained that the only other area likely to be subject to a long term restriction are the Whin Sill crags.

In summing up the discussion the Chairman identified the following points which are to form the basis of the Forums response to the Countryside Agency:

- a). That in relation to North Pennine SPA areas, ask that the consideration be given to whether access can be permitted during August as well as September.
- b). Ask that consideration be given to permitting the use of existing tracks that cross the restriction areas rather than imposing a blanket ban.
- c). It is understand that the restriction is subject to review not more than 5 years after it is given but the Forum would prefer a review after a period of 2 years.
- d). The Forum would want to see that all other management options have been examined before the introduction of restrictions.
- e). Confirm that there will be no further long term restrictions other than for the Whin Sill Crags.

The Chairman also suggested that it would be helpful to receive feedback on the issues raised and invited Rob and Phil to attend a meeting next year.

6. Rights of Way Improvement Plan/Local Transport Plan 2

Jackie Brown updated the Forum on the present position of LTP2 and the Rights of Way Improvement Plan. The ROWIP is an annex of LTP2 and sets out the priorities previously agreed. Jackie explained that the level of available resources is likely to be much less than what was being sought.

Members of the Forum expressed their disappointment at the level of funding. It was suggested that funding should be sought from alternative sources. The Chairman referred to the possibility of receiving funding from LSP's. Jackie confirmed that she had written to all LSP's seeking funding for projects. In addition funding is available under the Mineral Valleys Project. The current MVO ends in 2008, but potential projects could be fed into the next Mineral Valleys Project. Any projects identified in the ROWIP could be used to bid for funding.

The Forum agreed that alternative sources of funding should be actively pursued.

Mike Ogden informed the meeting that the County Council's Looking After the Environment Scrutiny Sub Committee next project was to carry out a project about access to the countryside. It was agreed that the Chairman and Vice Chairman together with Barbara Crozier and Geoff Hughes should attend meetings of the Access to the Countryside Scrutiny Working Group to give evidence where appropriate.

7. Consultation relating to the Amendment of the Local Access Forums (England) Regulations 2002

The Forum discussed the Defra consultation document relating to the amendment of the Local Access Forums (England) Regulations 2002.

The Forum agreed in principal with the proposed regulations. In addition the Forum felt that the AONB's should be added to the list of bodies to which they provide advice.

8. Consultation on the Diversion of Rights of Way for the Protection of SSSI's and Temporary Diversions for Dangerous Works

Members of the Forum were asked to pass any comments they have on the consultation to Mike Ogden before the closing date of 4 November 2005.

9. County Durham Local Access Forum Internet Page

Jackie Brown sought the views of the Forum on the possible content of internet pages of the County Durham Local Access Forum. Copies of the draft content will be available for the next meeting.

10. Regional Local Access Forum - 7 October 2005

Mike Ogden informed the Forum that the Countryside Agency are to host the Regional Local Access Forum on Friday 7 October 2005. Feedback from the event will be provided as soon as possible.

11. Date and Time of Next Meeting

The next meeting will be held at 6.00 p.m. on Thursday 12 January 2006 at County Hall Durham.

Signed.....
Chairman of the meeting held on 12 January 2006