



# LOCAL ACCESS FORUM

## MINUTES

DRAFT

The Forum met at Warwick on Wednesday 26 January 2011 at 7.30pm.

Present: Annabel Arnold  
Joe Carroll  
Sheila Cooper  
Brian Coton  
John Hall  
Tom Newbery  
Michael Orlik  
Ken Stepney  
Roger Stone  
Bob Tinley  
Steven Wallsgrove

Jo Cooper – Forum Secretary    Observers: Martin Fry (Warwickshire CC)  
David Keaney (Solihull MBC)  
Mike Murray (Coventry CC)

*Please note that numbering relates to the published Agenda and items were not discussed in that order.*

### 1. Welcome and apologies for absence

Apologies were received from Councillor Linda Bigham, Councillor Alan Cockburn, Perminder Balu, Claire Sangster and Heather Clatworthy.

The Chair particularly thanked everyone for attending, given the short notice of rearranging the date.

### 2. Members disclosure of personal interests

Personal Interests specific to this meeting

John Hall is an officer of Coventry City Council (Agenda Item 5).

Roger Stone has an interest in land affected by HS2.

### 3. Public Question Time

Robin Hickin, local Rights of Way Officer for the Trail Riders' Fellowship spoke in relation to Agenda Item 7.

He expressed concern that the proposed changes will mean that WCC is unable to carry out its statutory duties, such as making Modification Orders and carrying out waymarking, in future. He is aware that there are in excess of 100 applications waiting to be investigated, and that only 5 have been dealt with in the past year. In the event that the 2026 deadline is enacted in relation to Modification Orders, WCC may not be able to fulfil its statutory duty to investigate them all, even with current resource levels. He asked the Forum to seek a guarantee that statutory duties will be fulfilled despite the cuts.

Jonathan Simkins replied on behalf of WCC. The focus of the report (Agenda Item 7) has been to focus on delivery of the statutory duties. This will be a big challenge for the service.

Michael Orlik added that it is difficult to define how much work needs to be undertaken to be fulfilling the statutory duty. The Forum noted Mr Hickin's request.

#### 4. **Minutes from meeting on 23 September 2010 and matters arising**

##### Accuracy

The minutes were accurate.

##### Matters arising

Page 2 – a meeting relating to the List of Streets is no longer required.

#### 5. **Coventry City Council – funding and service update** (*Mike Murray, CCC*)

Coventry is undergoing a restructuring and the new structure will be in place from 1 April. The rights of way officer will be moved from the Countryside Project to the Transport and Network Management Division. The Countryside Project is likely to be combined with the Parks service. Mike Murray's post is being deleted as part of the restructuring, although it is possible he will remain beyond the end of April to oversee a handover, and it is yet to be determined exactly how the service will be delivered.

The Forum queried why there had been no consultation from Coventry, as there had been for the Warwickshire proposals. It was noted that the rights of way officer post was being retained, and the proposals were less drastic than the Warwickshire proposals.

It was agreed that a letter should be written to Councillor Linda Bigham, portfolio holder at Coventry CC, saying that the Forum is pleased to see the rights of way post is being retained, and inviting her to speak to the Forum at the June meeting about the restructuring.

#### 6. **Solihull MBC – funding and service update** (*David Keaney, SMBC*)

The rights of way team in Solihull comprises David and one assistant. Work includes the management of non-Definitive alleyways and the current budget of £64k will be cut by 19% or £12k in the coming year.

Solihull has also had some success using volunteers through the (now ended) Future Jobs Fund, having had two additional full time members of staff for 6 months each through the scheme. The rights of way team will be managed by a different group in future, but working out of the same office as now.

The Forum queried whether the authority was satisfied that it could fulfil its statutory duties in future. David Keaney replied that the Definitive Map work would continue at the same rate as the past five years, and that he believes the standard of the network can be maintained. The effect of the budget reduction will be that it will not be possible to carry out improvements in future.

#### 8. **WCC ROWIP Implementation Plan** (*Martin Fry, WCC*)

*Agenda Item 8 was taken out of order*

The Forum was asked for comments on the draft extract of the Plan. Martin Fry explained that the final plan would be written by the new manager of the team (once that has been decided), and that it was hoped that it would be brought to the Forum meeting in June.

Martin Fry added that there were unlikely to be any pro-active improvements, but that incremental improvements may come about as a result of dealing with reported

issues, or because of other areas of work such as diversions, or the planning process.

The Forum had no comments about the format of the Plan, other than to suggest that 'performance measure' was not necessarily measuring performance, just workload. 'Delivery' or 'Measure' were suggested as alternatives. It was also suggested that targets were needed to make it meaningful. Jo Cooper (the author of the document) added that targets would be set annually by the new manager of the team, based on the performance measures set in the Implementation Plan.

## **11. Second Chance Public Questions**

This was brought forward as the next discussion required members of the public to be excluded.

Robin Hickin asked that WCC consider working with the Tread Lightly Trust who can help with practical works as well as information and education of users. He then left the meeting.

## **7. Warwickshire County Council – funding and service update** *(Jonathan Simkins, WCC)*

Michael Orlik introduced Jonathan Simkins as the author of the report into the scaling back of Countryside Access activities.

Jonathan Simkins explained that there were two aspects to the current cuts. The first aspect relates to the size and extent of the proposed cuts. Any comments received on this will be fed back to the portfolio holder, Councillor Alan Cockburn, and copied to the Leader of the Council.

The second aspect, and the focus of the report, is how the proposed £300k budget should be deployed. Any comments received on this will help to inform the final report. The report before the Forum is the same report that has been shared with, and commented on by, members of the Countryside Access Team.

It is hoped that the second draft of the report will be completed this week and will incorporate comments from the Forum on the way the £300k should be spent. Following that a meeting will be held with the Strategic Director of Environment and Economy and decisions will be made.

Jonathan Simkins explained that the delivery of the service had been divided into two broad areas – the legal aspects and the practical aspects. The family tree circulated in advance of the meeting showed the proposed structure. He added that there are serious risks associated with such a low budget and has also recommended that a rights of way board is set up to manage the risk.

The following issues were raised by members of the Forum, with responses provided by Jonathan Simkins where appropriate;

Issue: Why has such a large cut been made to one service when the government recommended cuts of around 25%?

Response: The government has said that authorities should not salami-slice services. The decision on the budget figure is a political one, based on priorities set by the Conservatives who control the County Council.

Issue: Suggests that the privatisation of the rangers may cause problems.

Response: Legal advice would have to be taken before this option could be chosen. There is the possibility of a small scale 'management buy-out'.

Issue: Questions whether moving the team out of Montague Road would really save money for the County Council, as the office would still have to be paid for by someone.

Response: This would assist the team in making the required savings. WCC has already done some work on consolidating property and it is possible that an alternative use could be found.

Issue: Is there any suggestion that the £300k has been set so low in order that it can be increased and seem less bad when it takes effect – a good cop/bad-cop scenario?

Response: This is not the case.

Issue: The existing team is very good and it would be false economy to lose the knowledge and experience.

Issue: Sought clarification that the new team would be made up of the existing staff and not entirely new staff.

Response: Once the posts are agreed and have job descriptions, they will be ring fenced for existing staff within the team. There will only be external recruitment if posts cannot be filled from within the team.

Issue: Challenged the reasons why volunteers could not help out more (ref. section 8 of the report). Once jobs have been lost, it may be possible to use volunteers to plug the gaps – this would not be contributing to redundancies.

Response: Various comments have been received about the use of volunteers., including some volunteer groups re-affirming their commitment. There have also been approaches from the probation service. The quote in paragraph 8.2 is taken from an agreement between WCC and Unison. Volunteers are valued but they must be well managed and organised, with appropriate technical, logistical and H&S support. The message in the report regarding volunteers is being reviewed in the light of comments received from staff. The new service must get the best value from the £300k and this will include the use of volunteers.

Issue: Queried the costs and implications of the HS2 project for the team.

Response: Costs may be incurred, but not by this team, although there may be some staff involvement in future. WCC would seek to recover any costs incurred.

Issue: Believes it is right that the archives be kept with staff, and that original documentation will be retained.

Response: Archives are being recommended for digitising so that valuable documents can be placed in safe storage. If the service is smaller then it needs to operate more efficiently and access documents electronically. Costs would be a one-off £40-50k in addition to the £300k base budget.

Issue: Disagrees with the externalisation of the ranger service and believes it should be kept in-house.

Issue: Ramblers' Association used to carry out voluntary work without involvement with WCC. It is more difficult now with requirements for insurance, health and safety etc.

Issue: The level of cuts is disproportionate compared to other services. The loss of this number of staff from other services would not have so great an impact.

Issue: The cuts will take rights of way in Warwickshire back 30 years.

Issue: Pleased to see the review has been done from the bottom up, but there is no mention of the scale or quantity of the work which must be done to carry out the statutory functions.

Response: An estimate has been made of the workload, but the terms of reference of the review were to define a service using a £300k budget. It is expected the new structure may result in areas of pressure which the Team would have difficulty meeting. This is why a board should monitor the risks and support the work of the team. The board would also be able to provide feedback to councillors.

Issue: Suggested that job description for Definitive Map Officers could be clearer, as it implies two Definitive Map Review Officers, which isn't the case.

Issue: Wanted clarification that E roads would be handed back to County Highways – was generally in favour as this meant they would be left alone.

Response: This is the current proposal.

Issue: If the new structure doesn't work, it will be too late to save the knowledge and experience of the current team.

Response: This has been highlighted as a risk. There is concern over the loss of mentors and training as well as trained staff.

Issue: Concerned about the loss of rangers. The team has made a considerable difference to disabled people in the area through improvements to paths. General concern over meeting the requirements of the Equality Act.

Response: There is a range of issues to be taken into account and an Equality Impact Assessment will be carried out. This doesn't not mean that changes cannot be implemented, but the decision must be informed by the impact assessment and the decision must outweigh the equality concerns.

Issue: Recommendation 4 suggests greater enforcement against landowner. Would like clarification over what WCC does now which landowners will have to do in the future.

Response: Martin Fry responded that this will largely be about making landowners take responsibility for gates and stiles, whereas in the past WCC has been carrying out work which benefits the landowner, because it also benefits the public. e.g. if a landowner is entitled to keep a stile then he must repair it and if not, he must remove it or replace it with an authorised gate, at his expense. Also, obstructions may currently be removed by rangers. If there is no resource for this work then it may go straight to enforcement action.

Issue: Hopes the current good relationships between WCC and farmers will continue, and that an increase in enforcement will not be necessary.

Response: It has been suggested by officers that most landowners are very good, but some of them 'try it on'. WCC needs to be prepared to take on those landowners and demonstrate that WCC is serious about its responsibilities. Item 4 may not be suitable as a recommendation, and may be removed from the list. The level of enforcement will be for the new managers to decide.

Issue: Hopes WCC will allow time for the knowledge and experience of officers to be passed on before they are made redundant.

Issue: The network has improved hugely, but public expectation has also grown and there is not necessarily knowledge among the public about where they can legally go. The public should also be subject to enforcement action where they misuse the countryside.

Issue: What is the future for the administration of the Forum?

Response: The Forum itself is not under threat, and appointment of a new Secretary would have to be organised by the new manager of the team.

Issue: Suggested that unemployed young people might be used, as with Solihull's recent scheme.

Issue: Asked who the new line manager would be.

response: This cannot be shared at present and is not finalised. However it will be moved into an existing operational group.

It was suggested that the Forum should write, through the Chairman, expressing concern about the future level of service. The network should not be allowed to deteriorate.

It was suggested that a specific point be made to WCC about keeping the third ranger post, as this is a frontline post and also supports the volunteers. However not all Forum members were in agreement with this.

It was agreed that support for volunteers was important and an alternative suggestion was made about having an extra post to co-ordinate the volunteers.

Concern was expressed that these suggestions might be taken up at the expense of some of the legal aspects of the work.

It was suggested that Michael Orlik draft a letter expressing the Forum's views and ensure that it compliments the current team.

Jonathan Simkins thanked the Forum for its comments, which would be used to inform the next draft of the report.

The Forum expressed gratitude for the quality of staff employed by Warwickshire, and thanked them for the attention the Forum has received from them.

## **9. Items for Information**

### 9.1 North Warwickshire Borough Council LDF

No comments

### 9.2 Future of the England Access Forum

Noted, and also noted that Natural England is under threat itself, as a quango.

### 9.3 Transferring Delivery of Access etc to Civil Society

Noted

### 9.4 Higher Level Stewardship (permissive access)

Noted

9.5 Walk4Life

Noted

9.6 Sale of Forestry Commission woodland

It was suggested that there would be problems for access, with rights of way as well as other tracks and footpaths. The Secretary was requested to write reminding Defra that the LAF should be consulted.

*Action: Secretary to write letter*

**10. Any other business**

None

**12. Reminder - dates and venues for meetings**

The Forum confirmed that there would not now be a meeting held in February.

Future dates are;

- 16 June 2011 in the Solihull area (venue tbc)
- 13 October 2011 in the Coventry area (venue tbc)

**13. Draft agenda for the June meeting**

- WCC ROWIP Implementation Plan (consideration of draft document)
- Definitive Map Modification Orders – from application to conclusion.  
(WCC officer TBC pending outcome of review)

**The meeting closed at 9.45pm**

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Chair of the Forum