



Rutland County Council

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Minutes of the **RUTLAND COUNTRYSIDE ACCESS FORUM** held Via Zoom on Wednesday, 6th October, 2021 at 2.00pm

PRESENT:

Councillor A Brown (Chair)
Councillor M Jones
William Cross
Rosemary Harris
John Law
John Williams

APOLOGIES:

Harry Baines
Paul Dadford
Roger Linford
Tommy Plummer

ABSENT:

Richard Brett
John Clarkson
William Kirstein

OFFICERS:

Stuart Crook	Highways Asset Management and Policy Manager
Vicki Semple	Governance Administrator

1 APOLOGIES FOR ABSENCE

Apologies were received from Harry Baines, Paul Dadford, Roger Linford and Tommy Plummer.

2 MINUTES OF PREVIOUS MEETING

The minutes of the Rutland Countryside Access Forum held on the 16 June 2021 were agreed and confirmed as a true record. They were proposed by Councillor M Jones and seconded by Rosemary Harris.

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John Law joined the meeting.
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3 LEGAL ORDERS - PROPOSED CHANGES TO PUBLIC RIGHTS OF WAY

Stuart Crook, Highways Asset Management and Policy Manager, introduced a report setting out a number of legal orders relating to proposed changes to public rights of way and one definitive map modification order for the Forum to consider.

Item 1: Proposed diversion of public footpath D79 at Whissendine Lodge under section 119 of the Highways Act 1980.

A full application had now been received to divert the footpath away from the house and farm. This would represent a significant diversion with width increased to 2.5 metres and a reduction in the number of stiles/gates. The Highways Asset Management and Policy Manager advised that this application in principle was fine but did express general concerns when moving cross field paths to field edges due to the extra maintenance that could come from this with regards to hedge and grass cutting. The footpath would be fenced in which meant it would need to be mown as required as land would no longer be grazed as previously done so. Also, Rutland County Council (RCC) would need to take on the maintenance of a new structure either a culvert or a bridge and that this would need to be taken in to account, and the cost covered if the diversion was approved.

The Highways Asset Management and Policy Manager advised he would be re-visiting the site to access the ground in the winter to check if it got waterlogged and whether the landowner would need to sort the drainage. Forum members were concerned about the extra maintenance regarding the path the proposal would cause RCC. Both the Chair and William Cross felt there was an alternative route that should be looked at.

RESOLVED

That the legal order be **NOTED** and that William Cross would submit his proposal to Highways Asset Management and Policy Manager for consideration.

Item 2: Proposed diversion of footpath D85.

The Highways Asset Management and Policy Manager informed the Committee that the order was a long-standing application. The original order made in response to the Landowners first application to divert was abandoned because works required to give effect [to the diversion] were not completed and fees were not paid. Years later the development of Brocklehurst Park resumed, and they had assumed the diversion had gone ahead and obstructed the line of the footpath with landscaping features. RCC raised the issue with the landowner a new diversion order was made, but not confirmed as once again the landowner had failed to undertake the required works (conditions).

RCC could serve notice and have anything obstructing the definitive line removed. Consensus of the Forum was the landowners need to be given final warning.

RESOLVED

The legal order be **NOTED** and Stuart Crook to take Forum members views forward to Legal Services.

Item 3: Bridleway E135 diversion.

A temporary diversion for a bridleway that the landowner now wished to make permanent. The bridleway ran through the middle of the quarry with ramps to either side. The ramps needed a technical assessment every 2 years and while the quarry was active, they were maintained by the landowner. Once the quarry was finished the council would then have to maintain. The quarry agreed to do an assessment and undertake any remedial work before they ceased operations at the site. There were several issues to consider, the bridleway was close to Pickworth Wood (SSSi) and there were drainage issues affecting sections of the proposed diversion. The members of the forum expressed frustration regarding Planners signing off the Quarry extension before the diversion had been finalised.

RESOLVED

The legal order be **NOTED** and William Cross would contact Justin Johnson, Service Manager for Development regarding this application and discussion at the next Planning meeting.

Item 4: Proposed Bridleway diversions of E252 at Preston.

The Highways Asset Management and Policy Manager were satisfied with the diversions as they benefited all and the landowners were in agreement.

RESOLVED

The legal order be **NOTED**.

Item 5: Seaton Mill diversion of footpath E320 under section 119 of the Highways Act 1980.

This application would be in the landowner's interest only. Due to privacy issues, they would like to move the path away from their driveway. At this point the landowner needed to justify where the public would benefit from this move.

RESOLVED

The legal order be **NOTED**.

Item 6: Application made to record a bridleway in the definitive map and statement for Rutland at Ranksborough, Langham.

This was a map modification requested by the British Horse Society to record a bridleway on the Definitive Map at Langham, partly over the route of footpath D85.

RCC were directed to make the order by the Planning inspectorate (PINS), but then had to refer the order back (t PINS) for consideration due to a significant number of objections. The order had been returned to RCC by PINS twice for technical errors. This has delayed determination for 3 years which was holding back an application to develop some of the affected land.

RESOLVED

The legal order be **NOTED**.

4 TRAINING

Stuart Crook, Highways Asset Management and Policy Manager asked if the Forum members would like any training on either the legislation behind Rights of Way and on general legislation. Members of the forum were asked to contact Governance if they felt any of the proposed training would be of benefit to them and depending on the level of interest this could be provided internally or externally. The Highways Asset Management and Policy Manager also reminded the Forum of recent free training on offer to them.

RESOLVED

That Governance would recirculate the link of the free training to the Forum members.

5 MILES WITHOUT STILES

A verbal discussion was received by John Law regarding replacing styles with kissing gates in the hope of making the Countryside accessible to all. John proposed to set up a sub-group to investigate the following:

- Identify where all gates and stiles were on the PROWS
- To prioritise the routes more beneficial to users
- To encourage landowners to change stiles for kissing gates
- Look at Bridleways that link up to footpaths.

John hoped to involve Rutland Ramblers and Disabled Ramblers with these investigations. John Law volunteered to Chair the sub-group.

RESOLVED

Governance to send out an email to see who would like to help John and join the sub-forum.

6 A SAFER COUNTRYSIDE FOR LIVESTOCK AND PROW USERS

A verbal discussion was received by John Law about dogs on leads and spraying in the Countryside.

It was requested to find a way to ensure dogs were on leads when walking in the Countryside with livestock. Unfortunately, as is not a legal requirement it was hoped to advertise the Countryside code more effectively, several discussions followed on how to promote and educate this through schools and other forums.

John Law proposed that Walkers and Horse riders needed more notice when spraying was in process in the fields. John asked if there was a way to inform people before they start their routes. Members advised that it was good practise to put signs up when spraying would be in process, but it would be difficult to give early notice of this due to often being very reliant on the weather as to when it can be done.

RESOLVED

John Law would submit a paper for the next meeting to discuss Spraying further.

7 UPDATE ON THE IMPROVEMENT OF ACCESS ALONG THE OLD OAKHAM CANAL

Paul Dadford, Oakham Canal Project Manager was unable to attend the meeting and would provide a written update for Members which will be circulated with the minutes.

The Highways Asset Management and Policy Manager gave a short verbal update. At the Northern end of the Canal the stone steps had become uneven and a liability, it was arranged that the army would construct some temporary steps to allow the old steps to be assessed. On assessment of the old steps, it was decided that they cannot be modernised, and the temporary steps would need to stay. They would improve the temporary steps and be retaining the old stone to use elsewhere.

RESOLVED

That an update would be provided by Paul Dadford and would be shared with Members via the minutes.

8 ANY URGENT BUSINESS

John Law advised that previous Countryside Access Forum when joint with South Lincolnshire that the minutes usually included 'Matters arising from the minutes' and 'Declarations of Interest'. The Chair agreed to add these.

In response to John Law's query regarding an update on the budget cuts for rights of way the Highways Asset Management and Policy Manager advised essential work would still be able to get the capital funding when required. Problems could arise if this was for work deemed to be an improvement (rather than essential), in which case funding would not be as accessible.

RESOLVED

That 'Matters arising from the minutes' and 'Declarations of interest' be added to future meetings.

a) FUTURE MEETINGS

Councillor M Jones queried if the meeting time could be changed to the evening. It was confirmed that future meetings would need to remain at the 2pm starting time rather than becoming an evening meeting due to resources.

RESOLVED

That all meetings would remain at the original timing of 2pm.

9 DATE OF NEXT MEETING

The next Rutland Countryside Access Forum was due to be held on Wednesday 9th March 2022 at 2pm.

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Chairman closed the meeting at 15.08pm.

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