



Rutland County Council

Catmose Oakham Rutland LE15 6HP

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Minutes of the **RUTLAND COUNTRYSIDE ACCESS FORUM** held via Zoom on Wednesday, 9th March, 2022 at 2.00 pm

PRESENT: Councillor Andrew Brown (Chair)
John Clarkson
William Cross
Rosemary Harris
John Law

ABSENT: Councillor Miranda Jones
John Williams

OFFICERS: Stuart Crook Highways Asset Management and Policy Manager
V Semple Governance Administrator

1 WELCOME & APOLOGIES

Apologies were received from Harry Baines, James Buchannan, Richard Brett, Roger Linford, Tommy Plummer and William Kirstein.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on the 6th October 2021 were considered and **AGREED** as a true record.

4 MATTERS ARISING FROM PREVIOUS MINUTES

John Law informed the forum that he had not managed to write the report regarding Spraying. He would advise the forum when he would be submitting the item at a later meeting.

5 WARNING SIGNS CONSIDERATION

Rosemary Harris expressed her concerns regarding the lack of signs around for horse riders and cyclists and the incorrect location of these signs in some areas. Rosemary advised the group that the Highway code had been updated due to the increase of accidents with these users involved. The code now read that when passing horses

and horse drawn carriages drivers should allow for a 2-metre passing width and not exceed 10 miles an hour.

In particular Rosemary mentioned signs at Wardley by the A47 where they had been erected many years ago and now required moving as they were incorrectly placed after changes over the years. She also mentioned that there was no sign at a crossing point on to the Bridleway that sat just beyond a bend making the crossing extremely dangerous to horse users. The Chair advised that Highways should be informed regarding this.

ACTION: Vicki Semple

Another village Rosemary felt would benefit from a horse user sign was Lyddington as they do not have any off-road riding there. The Chair asked for this to also be raised to Highways.

ACTION: Vicki Semple

Rosemary advised that she would be reviewing where signs were currently highlighting horses on the roads and bridleways. She would then research areas that she felt needed more signage and signs to be relocated. She would also be documenting any incidents she had been made aware of or witnessed in these areas to support the requirement. She would look at the use of temporary signs erected by the police that were tied on to post using cable ties. She had come across many of these that had slipped down the post and were even facing away from the road making them unreadable to drivers.

ACTION: Rosemary Harris

6 PERMISSIVE ACCESS AGREEMENTS

John Law updated the forum on the current situation of Permissive Access Agreements. He advised that he would draft a letter to DEFRA, raising concerns about the issues regarding the replacement for Higher Level Stewardship (HLS) schemes as they do not seem to be considering payments for permissive access, other than for access to woodlands.

ACTION: John Law

It was agreed that governance team would circulate the letter to Members of the Forum and then send the letter to DEFRA copying the local MP and Natural England.

ACTION: Governance

John also raised concerns about administration of any scheme that replaced HLS. John believed that the schemes often failed to deliver all the anticipated benefits due to lack of enforcement.

In previous years many of the permissive access routes were unsigned, incorrectly described, not maintained to a reasonable standard, had a lack of access and various other issues. They would have failed compliance checks if they had been reviewed. Members of the Forum agreed it was important for the public to be able to access the countryside and see what happens on farms. They felt the health and educational benefits of this outweighed the cost of the funding for the routes.

7 SECRETARIAL DUTIES RELATING TO LAF SUB GROUPS

Councillor A Brown agreed to forward the Governance's response to John Law and all Members regarding the Secretarial support that could be offered. John also highlighted that DEFRA guidelines suggest that Secretarial support would be expected to alleviate workload for Members. It was agreed that Governance should review the guidelines recommending secretarial support.

ACTION: Governance

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

Paul Dadford, Oakham Canal Project Manager gave a verbal update regarding the progress at the Old Canal in Oakham. He informed the forum that the Northern Section E154 which was last reported to be in a bad condition with a sloping path and very waterlogged, had now been worked on. A team of local volunteers had been in and helped level the full 420 metres path and given it a firm surface. They had also replaced a foot bridge that required maintenance and next they had plans to replace the footbridge that went across the dam and would be looking at more waterlogged areas on the E154 South side. Paul also informed the group that they had recently been on 'Escape to the Country' talking about all their project at the Canal.

Members Congratulated Paul and his team of all their efforts on the project and it was agreed that Paul would provide a written update for the next meeting.

ACTION: Paul Dadford

9 LEGAL ORDERS AND PLANNING APPLICATIONS

Stuart Crook, Highways Asset Management and Policy Manager, introduced a report setting out two 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 E229 at Home Farm in Ketton, to facilitate construction of a residential development.

This application had been approved in principle by Planning but had been complicated by the developer's intention to have the diverted footpath follow an estate road. This is contrary to guidance (circular 1/09) and can make liability for maintenance difficult to determine. Rosemary Harris suggested that the path be upgraded to a Bridleway and Stuart Crook confirmed that would be something they would look to do in the future. William Cross expressed his frustration that this application had been approved by Planning before the diversion of the footpath had been agreed and fully evaluated.

Item 2: The Rutland County Council District Council (Preston) Bridleway E252 and Footpath E253 Diversion Order (No1) 2021 was made on the 22nd December

The diversion altered the point at which a Bridleway terminated on the A6003, by moving it to a safer location. The diversion order was confirmed on 2nd March, and only some minor work needed to be undertaken for the route to be ready and useable.

Item 3: A definitive map modification order to record a footpath between Main Street in Barrow and Sheep Dyke in Cottesmore.

A group in Cottesmore called Ways Around Cottesmore had submitted an application for a modification order (DMMO) to have a route added to the definitive map. All affected landowners have objected to the recording of the footpath. Rutland County Council have 12 months to determine the application and assess the evidence which, on the first impression, appeared to have been very well researched.

Stuart Crook made the Forum aware of the following major Planning Applications that will affect the rights of way network in Rutland;

- [Mallard Pass](#) (no RCC ref as it's a national infrastructure project).
- Manor Green, Ketton ([2022/0066/MAF](#))
- Home Farm, Ketton ([2020/1254/MAF](#))
- Ranksborough Solar Farm ([2019/1249/MAF](#))

Stuart Crook informed members of the recent announcement by DEFRA regarding important changes to the rights of way package of reforms. Work on the package had been underway for many years but the legislation required to implement these reform measures was not yet ready and considerable work remained to complete the work.

DEFRA had therefore decided to progress the Right to Apply and Cost Recovery Statutory Instruments only and to repeal the 2026 cut-off date. They felt that would strike some balance across stakeholder concerns and interests, whilst recognising that it didn't deliver on all the benefits originally envisaged.

More detail and information will follow at some point. In particular, there is still a desire to implement some of the useful things from DeReg such as modification consent orders, advertising changes, and so on – but it will depend whether they can be 'decoupled' from the sections that will not be progressed.

RESOLVED:

- a) That the forum **REVIEWED** and **NOTED** the Legal Orders.
- b) That the forum **REVIEWED** and **NOTED** the planning applications.

10 ANY URGENT BUSINESS

There was no urgent business.

11 DATE OF NEXT MEETING

To be confirmed following the publication of the Programme of Meetings 2022/23. It was asked by Members if the next meeting could be in person. The Chair advised he would go with the overall consensus of the group. Governance to email members closer to the time of the next meeting.

Action: Vicki Semple

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Chairman closed the meeting at 3.11pm.

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No.	Ref:	Action	Allocated to:
1	5	Highways to be informed about the signs for Wardley by the A47 and sign at crossing point on to the Bridleway	Vicki Semple
2	5	Highways to be informed about the need for a	Vicki Semple

		horse user sign in Lyddington.	
3	5	Rosemary to review where current signs highlighting horses on the roads and bridleways. To then research areas that she felt needed more signage and signs to be relocated. Documenting any incidents, she had been made aware of or witnessed in these areas to support the requirement. She would also look at the use of temporary signs erected by the police.	Rosemary Harris
4	6	John Law to draft letter to DEFRA regarding replacement for Higher Level Stewardship (HLS	John Law
5	6	Governance to circulate the letter to Members of the Forum and then send the letter to DEFRA copying the local MP and Natural England.	Governance
6	7	Governance to review the DEFRA guidelines recommending secretarial support.	Governance
7	8	Paul to give a written update regarding the Canal project.	Paul Dadford
8	11	Governance to seek members views on in person or virtual meeting for next meeting.	Vicki Semple

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