

Suffolk Local Access Forum	
Title:	Agenda
Meeting Date:	23rd April 2015
Author/Contact:	Jackie Gillis
Venue:	Suffolk Association of Local Councils, Unit 11a, Hill View Business Park, Claydon, Ipswich, IP6 0AJ

		Paper Number
1.	15.00 Welcome, apologies and housekeeping	
2.	Minutes of previous meeting	LAF 15/06
3.	Declaration of interest	
4.	15.10 EDF presentation <ul style="list-style-type: none"> • Findings from the user surveys • A summary of the Aldhurst Farm planning permission 	Presentation
5.	16.10 Definitive Map Casework Table	LAF 15/07 LAF 15/07 Appendix A
6.	A11 Article for LAF's Newsletter	LAF 15/08
7.	Network Rail Level Crossing Update	LAF 15/09
8.	General Progress Update Report <ul style="list-style-type: none"> • SLAF Annual Review Report • Coastal Access • Regional Coordinator 	LAF 15/10 LAF 15/10 Appendix A LAF 15/10 Appendix B
9.	Public Question Time	
10	17.00 Dates & Venues of Future Meetings <p>9th July 2015 – venue TBA 22nd October 2015 – venue TBA</p>	

Suffolk Local Access Forum	
Title:	Minutes of meeting held at Castle Hill Community Centre, Ipswich on Thursday 29 January 2015
Meeting Date:	23 April 2015
Author/Contact:	Jackie Gillis
Venue:	SALC Offices, Hill View Business Park, Claydon

1. **Welcome, apologies and housekeeping**

Present: Bryan Collen (Chair) (BC), David Barker (Vice Chair) (DB), Annette Ellis (AE), Barry Hall (BH), Jane Hatton (JH), Cllr Diana Kearsley (DK), Monica Pipe (MP), Mike Taylor (MT), Roland Wilson (RW), Anthony Wright (AWR), Margaret Hancock (MA),

SCC Officers Present: Jackie Gillis (JG) (minutes), Andrew Woodin (AW),

Apologies: Cllr Jane Storey (JS), Gordon Merfield (GM), John Wayman (JW), Melinda Appleby (MA), Alan Moore (AM), Francesca Clarke (FC)

DB took the Chair for this meeting.

AM advises he is stepping down due to other commitments and the County Council will consider a replacement.

2. **Minutes of previous meeting (LAF14/19)**

The minutes of the meeting held on 16 October 2014 were reviewed and confirmed to be an accurate record.

3. **Declaration of interest**

AWR expressed an interest from Sustrans to agenda items 5. Network Rail and 6. A11 Official Opening.

4. **Rights of Way Improvement Plan Presentation (LAF15/01)**

Due to sickness, AW gave the presentation of behalf of FC. The County Council is required to produce a new improvement plan in 2016.

SLAF were heavily involved in the present ROWIP which involved extensive consultations with numerous stakeholders back in 2005.

Over the last ten years a lot of the objectives have been delivered, such as the replacement of the roadside signposts in 2008, cutting of routes has improved and as a result of working with landowners the network has fewer anomalies. Working with communities is a mixed result, some parishes are very keen to be involved others not so; more work is needed here. The digitising of the Suffolk Definitive Map is still ongoing. The draft De-Regulation Bill is currently going through Parliament, this "cutting red tape" Bill means that all historic

routes must be on the definitive map by 2026 otherwise they will be lost. There has been significant promotion and use of the countryside as a result of the Suffolk Walking Festival.

AWR asked how many claims were confirmed in the past year.

ACTION: AW to advise SLAF on order making performance figures for the last 3 years.

AWR also questioned when a public rights of way map would be available to view on the web. AW explained he had asked the questioned yet again recently as SCC was moving to a new website but was not encouraged by the response he had received.

BH suggested SLAF should raise the issue again.

AW informed the forum of a website that an individual had compiled of rights of way data from across the country, including Suffolk.

ACTION: AW to circulate web address.

Following a discussion, the group agreed that the ROWIP working group would meet to discuss a new improvement plan on the morning of either the July or October SLAF meeting; aiming for the July meeting.

ACTION: AW to organise.

AE, DK and RW attended the Walking Strategy meeting the previous week; RW gave feedback to the forum.

RW had attended all three meetings and felt the strategy was finally getting there although refinement was still needed; at the last meeting it was felt there was still a lot of duplication. RW had questioned where the funding was coming from but it was not fully answered. There are a lot of people willing to help with the strategy and a post holder is to be funded to oversee it. A smaller group is being set up to implement the 5 year strategy.

DK said the number of actions and outcomes were of a concern to the group and these were going to be reduced. The next draft strategy should look a lot different.

AW commented that some funding should come from large scale planning developments, not just for improving links into towns but out into the countryside.

AE said a revamped action plan was being circulated soon to all stakeholders and there was an element of public consultation. SCC's External Funding Officer had been contacted who identified a number of charitable organisations who could be approached.

BH asked whether the CIL process could help, AW advised the forum that in rights of way terms, s106 funding was more applicable.

AW drew to the attention of the forum, page 4 of the paper, which highlighted the reduction in the rights of way budget over the past five years and this trend would continue for a further three years.

Post Meeting Note: MP and DK to be included in the ROWIP working group.

5. Network Rail – Public Rights of Way Level Crossing Update (LAF15/02)

Great Barton Bridleway 12: The bridge is almost complete and should be signed off mid February, there are levelling works still to do.

Network Rail (NR) has been told that the level crossing cannot be closed until the Public Path Order has been made and confirmed. Until then, the public will be able to use the level crossing and the bridge.

Cotton Footpaths 13 and 15: Suffolk County Council (SCC) has agreed that these routes can be extinguished as they are not used and there are alternative routes available nearby.

NR held a public meeting on the 16th January to address the Suffolk Crossing Campaign. DK attended and said there were over 200 members of the public. NR tried to assure the public that road crossings won't be closed. The 'Norwich in 90' project is at the early stages and no crossings have yet been looked at.

Needham Market Gipsy Lane and FP6: Following the meeting on 4th December between NR, SCC and Mid Suffolk District Council, NR issued a joint statement confirming the option of a steps only bridge at Gipsy Lane level crossing would not be pursued. SLAF were congratulated on this achievement.

The remaining options of a ramped bridge (with steps) and underpass were discussed at a meeting on 26th January between the three parties. AW thanked NR for their decision over the stepped bridge; the NR representative made reference to NR's Built Environment Accessibility Panel and NR's consequent preference for the ramped bridge gradient to be no steeper than 1:20. NR's strong preference is to construct a bridge. NR will circulate the minutes of the latest meeting.

The BEAP panel have stated they would like to meet with SLAF. This met with a positive response from the forum.

AW said the correct process NR need to follow is 1 - planning, consultation and compulsory land purchase; 2 - Technical approval from SCC and 3 - Public Path Order process.

It was suggested that the members may like to try out the Gt Barton bridge to check out the 1:12 gradient.

POST MEETING NOTE: DK to be included in the Network Rail working group.

6. A11 Official Opening (LAF15/03)

The A11 was opened on the 12th December 2014 by Matthew Hancock MP. DB said the event was well worth attending and SLAF have set a precedent for new road schemes involving public rights of way. A lot of credit goes to Cllr McGregor for his support and assistant with this project.

AWR referred to the response received from Highways confirming that on-road cycle lanes would be provided either side of the road but unsure whether they are to be advisory or mandatory. If mandatory, a Traffic Order needs to be made.

DB said cars weren't to park in the cycle lanes and suggested that AWR and MH review the detailed plans.

ACTION: JG to request plans from Guy Smith and circulate to SLAF members.

JH thought the underpass worked well when she rode through with TJ although north of the bridleway was blocked by a locked gate.

The gates had been installed to stop motorcyclists but were unauthorised and were being addressed. AW said there had been change of personnel at Elveden Estates.

4.25pm – BC left the meeting.

SCC are meeting on Friday 30 January 2015 to discuss these issues.

Horse stiles had been suggested but AWR said these would prevent those on mobility scooters/wheelchairs using the route.

7. LAF Regional Meeting at Cambridge (LAF15/04)

DB found that some LAFs have very little support and struggle, SLAF is well supported and this is appreciated. It was questioned whether an AGM was required.

AW said the SLAF Annual Report served a similar purpose.

There were a lot of concerns regarding public rights of way affected by planning. AW suggested that if any SLAF members are aware of developments and have concerns to raise them with SCC.

8. Natural England Correspondence (LAF15/05)

Natural England is supporting access and there was some useful information within the Standard Access and Engagement document which could be incorporated into SCC's planning responses.

National LAF Report – MP was interested to read what the other LAFs do.

ACTION: AW to produce A11 and Network Rail report for the next LAF newsletter and National Report.

9. Public Question Time - no members of the public attended.

10. Dates and Venues of Future Meetings

23rd April 2015 – **Post Meeting Update** – this will be the SALC offices at Claydon

9th July 2015 – venue to be arranged but possibly Brandon area.

22 October 2015 – venue to be arranged

Any Other Business

DB said he was the Chairman of the Greenest County and there is a Greenest County Board meeting around the 18/19th March at the John Peel Centre in Stowmarket and

access will be included. DB invited members to the event. AWR and AE expressed an interest in attending.

ACTION: JG to advise Matt Hullis of attendees and circulate date/venue details.

AW advised the forum that the Countryside Access Development Manager job title had been changed to Green Access Manager and the post was now advertised.

RW advised the forum that the Ramblers will be launching nationally a Great Path Watch in June, to run until September. The intention is for people to adopt a square of map and walk the public rights of way within it and report any issues, problems or good points. There will be a dedicated website and an App which can be used to record the findings. The Great Path Watch will be publicised nationally via walking magazines and it is hoped that people outside the Ramblers will take part.

AWR asked about the survey sheets, RW said the detail is still being worked on.

AW asked about the squares, RW said it would be a map square, i.e 5km.

AW said it could be promoted on Discover Suffolk.

DK said it ties in with the Most Active County initiative. It could also encourage parishes to take ownership/responsibility of the routes.

DB said it was a way of highlighting the good and bad of the network. Suggested Green Accolades may be a good idea.

The meeting concluded at 4.57pm

END

Suffolk Local Access Forum	
Title:	Definitive Map Order Outputs 2012 - 2015
Meeting Date:	23 April 2015
Author/Contact:	Andrew Woodin
Venue:	Suffolk Association of Local Councils, Unit 11a, Hill View Business Park, Claydon, Ipswich, IP6 0AJ

Introduction

This paper is in response to a query from SLAF at its last meeting and provides an update to the forum on the number of orders made (and cases determined) over the last three financial years (2012 – 2015). It also includes a summary of the effectiveness of the Council's new casework prioritising scheme and the numbers of claims and other cases on the backlog. A brief update is also included on the forthcoming changes proposed by the Deregulation Bill.

Order making performance 2012 – 2015

Appendix A sets out both the type and number of orders made and cases currently in progress during the last three financial years and other evidential cases that have been determined but have not resulted in the making of an order.

Prioritising Scheme Review

The new prioritising scheme was introduced in September 2013 following queries by the Rights of Way Committee about the investigation of informal claims and comments by the Secretary of State about the way the county council prioritised the backlog of formal applications. In January 2015 a further report was presented to the Council's Constitutional Working Party, reviewing the scheme's effectiveness over 12 months.

- The 51 outstanding formal applications were re-prioritised and all potential new order making cases, formal applications and otherwise, received since September 2013 have been prioritised using the new scheme.
- Prioritised cases are categorised as high, medium or low priority according to their score. The scores ranged from 102 to 2. The threshold score for high priority category was set at 50 and the threshold score for the medium priority was set at 20. These thresholds may require adjustment as more cases are prioritised.
- 68 cases were considered between 6 September 2013 and 12 September 2014. 20 cases were assigned high priority and 15 of these are in progress or have been completed. 32 cases were assigned medium priority and 6 of these are in progress (a package of 4 formal applications which came to the top of the priority list before other higher priority cases had been received and 2 cases

which were treated as exceptional). 11 cases were assigned a low priority and one of these is in progress having been treated as exceptional.

- There were no urgent cases requiring prioritisation outside the panel meetings and no cases produced unexpected or anomalous scores.

The current backlog has 457 cases in total (48 of which have been through the new prioritisation scheme). 409 cases remain on the 'old' backlog awaiting prioritisation using the new scheme.

Deregulation Act

Consideration of Commons amendments to the Bill took place in the House of Lords on 16 March and finally received Royal Assent on 26 March 2015.

The rights of way provisions within the Deregulation Act don't come into force immediately but are reliant on commencement orders being made. No commencement orders have yet been scheduled for the ROW clauses. It is anticipated these will be programmed once the accompanying guidance is available.

The Act provides for the removal or reduction of burdens on businesses, civil society, individuals, public sector bodies and the taxpayer. These include measures relating to areas of business, the use of land, housing, transport, communications and the environment, amongst others. The rights of way changes are captured in 7 clauses (20 – 26) under the 'Use of Land' provisions. The cut-off date, introduced by section 53 of the Countryside and Rights of Way Act 2000 (CROW Act), takes effect on 1 January 2026 and on that day unrecorded rights of way created before 1949 will be extinguished, subject to certain exceptions. Clause 21 will allow the Secretary of State to make regulations which will delay or mitigate the effect of the cut-off provisions. Clause 26 will allow for a simplified procedure for dealing with 'obvious' errors on the DM & S and in some cases this is likely to help in reflecting a route's true status, avoiding the current complicated process.

Currently, surveying authorities have a duty to investigate the available evidence irrespective of the quality of an application. Any time spent on following up applications that on the face of it stands little or no chance of success is wasted time. Surveying authorities will have a new power under clause 26 to reject applications that do not meet a basic evidential threshold but an applicant may re-apply if more convincing evidence can be found later.

Other changes include:-

- Widening the definition under s147 HA80 to allow landowners to gate restricted byways and byways.
- No longer being required to give notice of the making of a public path order in a newspaper but instead publishing the order on the authority's website and 'on such other websites or through the use of such other digital communications media as the authority may consider appropriate'.
- Providing for the making of 'modification consent orders'. If a route passes the evidential threshold, a landowner can request changes to the alignment, width

etc of a route that can then be effected through a 'special order' by way of either a diversion, an order to alter the width of the path or an order imposing a new limitation or condition.

- Allowing landowners to retain a private right to reach their properties over a public right of way which has been extinguished on the cut-off date.
- Enabling applicants to appeal to the Magistrates Court against non-determination of a claim by a surveying authority within a prescribed period.
- Allowing for the dismissal of irrelevant objections.

The 2026 cut-off date scoping process is likely to identify additional cases to be added to the backlog of work, although some cases may be on the backlog already.

END

AW/SCC
April 2015

		ORDER TYPE							
FINANCIAL YEAR (01.04 - 31.03)		Wildlife & Countryside Act 1981 (DMMO)	DMMO Cases determined but rejected by ROWC	Highways Act 1980 (PPO)	Road Traffic Regulation Act 1984 (TRO)	Cycle Tracks Act 1984 (CTCO)	Localism Act 2011 (Deed of Dedication)	Local Gvt Act 1972/Local Gvt Act 2000 (Licensed Path Agreement)	TOTALS
	2014-15	2	5*	5	0	0	1	1	14 (*19)
	2013-14	4	0	13	1	1	2	1	22
	2012-13	4	2*	12	1	0	4	1	22 (*24)
	March 2015 (cases in progress)	11	2*	19	1	1	1	1	36

* include cases determined but rejected at ROW Committee due to insufficient evidence

Suffolk Local Access Forum	
Title:	A11 Trunk Road – Article for LAF National Newsletter
Meeting Date:	23rd April 2015
Author/Contact:	Andrew Woodin
Venue:	Suffolk Associate of Local Councils, Unit 11a Hill View Business Park, Claydon, Ipswich IP6 0AJ

Draft Article for Natural England's LAF Newsletter, as discussed at last meeting.

Title: Campaign to Improve Safety on New Section of Trunk Road

Following a long running and hard fought campaign by Suffolk Local Access Forum and local equestrians, a new non motorised underpass was officially opened to the public on 12th December 2014, as part of the opening of the A11 Fiveways to Thetford trunk road scheme. Patrick McLoughlin, Secretary of State for Transport, opened the new road, part of which bypasses the village of Elveden.

The new road cuts through Thetford Forest in the Brecks, an area of high landscape value. Previously, the A11 acted as a barrier to the exceptional access this part of the Brecks has to offer. With the construction of the new underpass, the public can now walk and ride safely between the areas of heathland and woodland near the monument, and travellers on the A11 will be able to stop in the nearby laybys and use the underpass to see and learn more about this historic memorial. The county council will be promoting the underpass as part of a Brecks Breaking New Ground project to publicise the rides between Brandon and West Stow country parks and the village of Icklingham...

Originally, there were no plans to improve access as part of the road scheme, but the local access forum were not prepared to take no for an answer, and following meetings with the Highways Agency and Suffolk County Council, secured agreement to include an underpass within the scheme, at an estimated cost of c. £1m, with a financial contribution of c. £300,000 from the county council. The total scheme cost was c. £102m.

Encouragingly, two recreational cyclists from Somerset who were in the area enjoying the access network, also became part of the event when they tried to cycle through the underpass and found it blocked by dignitaries and ribbon!

The photos below show Matthew Hancock, local MP, cutting the underpass ribbon; and Suffolk Local Access Forum members Jane Hatton (representing equestrians), Bryan Collen (chair), David Barker (vice chair) and Anthony Wight (representing cyclists).



END

AW/SCC
April 2015

Suffolk Local Access Forum	
Title:	Network Rail – Public Rights of Way Level Crossings
Meeting Date:	23rd April 2015
Author/Contact:	Andrew Woodin
Venue:	Suffolk Association of Local Councils, Unit 11a, Hill View Business Park, Claydon, Ipswich, IP6 0AJ

Introduction

This paper updates the forum on the main level crossings being addressed by Network Rail and Suffolk County Council.

Needham Market Gipsy Lane and FP6



At a meeting on 26 January 2015 between Network Rail (NR), Suffolk County Council (SCC) and Mid Suffolk District Council (MSDC) the two remaining options, a ramped footbridge and underpass, were discussed.

NR agreed both structures would require planning permission and that the footpath would need to be

diverted and any order confirmed before construction started. (This would give both the local community and the highway authority some degree of control).

NR also advised that they are reviewing their level crossing strategy and may use the powers available to them under the Transport and Works Act 1992, thus putting NR more in control of the process. It was clear very on that NR were favouring the ramped footbridge option and advised that the funding for this may not be available until the next spending control period (CP6) in 2019. This would extend the timeline for implementation. SCC expressed concern that NR had not progressed the underpass investigations any further.

NR advised that it had consulted its Built Environment Accessibility Panel (BEAP) on this particular case and it had advised that the proposed 1:12 ramps for the underpass were not fully accessible and that ramps would need to be at 1:20, for both structures. NR have quoted BS8300 (Design of buildings and their approaches to meet the needs of disabled people), as the standard that ought to be applied. SCC has challenged this, believing the relevant highway standards to be more applicable. The BEAP are attending the Forum's July meeting to explain their recommendation.

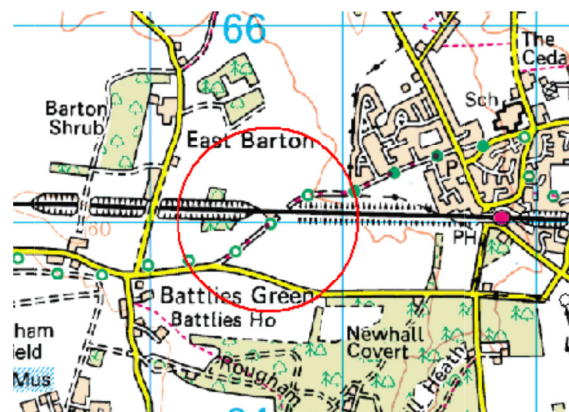
A public meeting was held by NR on 23 March 2015, attended by several NR officers, including the Anglia Route Manager, Richard Schofield. Officers and councillors from the county, district, town and parish councils, the Ramblers Association and Suffolk Coalition of Disabled People were present, together with landowners, residents and other stakeholders.

Despite advance requests, unfortunately no detailed plans indicating what a ramped footbridge would look like and how much land take would be required were produced by NR, though it quickly became apparent that NR were not prepared to construct the underpass, primarily on cost grounds. There was universal support from the local community and stakeholders for a tunnel and criticism of NR's handling of the meeting, which was meant to have been a consultation on the two remaining options. SCC re-iterated its support for an underpass.

NR indicated the whole life costs for a ramped 1:15 footbridge would cost approximately £5M and for a 1:12 underpass £6.1M, with a 1:20 underpass expected to cost 15% more (approx. £7M). No comparative figure was provided for the 1:20 ramped bridge. Due to the strength of support for an underpass, NR have agreed to come back to the community with detailed designs for a 1:15 and 1:20 ramped footbridge and underpass. Both options will require planning consent from Mid Suffolk DC.

Great Barton Bridleway 12

Following some further landscaping and surfacing work on the approaches to the bridge, it is now open to the public on a permissive basis, whilst the county council and NR conclude the bridleway creation agreement. This is to be followed by the making of a Rail Crossing Extinguishment Order (RCEO) for the short length of at-grade bridleway. It is possible objections may be received to the extinguishment when this is advertised, which would delay confirmation of the order, but at least the public will have a legal right to use the bridge once the creation agreement is in place.



Cotton Footpaths 13 and 15



The county council has started work on the Rail Crossing Extinguishment Orders (RCEO) for the above paths and anticipate consulting on these in May. Officers do not anticipate these will be particularly contentious as suitable grade separated alternatives exist nearby.

General

Suffolk Road Rail Partnership

Officers continue to liaise with NR to establish a strategy to deal with Suffolk's public road and rights of way crossings. The next meeting has been arranged for 29th April.

Anglia Route Study Draft for Consultation

This document sets out the strategic vision for the future of this network over the next 30 years. The draft study, published at the end of last year, intends to inform choices for funders in the years from 2019 to 2024 (CP6), as well as to set out how future growth in the very long term may be accommodated. The public consultation ended on 3rd February 2015 and the document can be accessed here:-

<http://www.networkrail.co.uk/long-term-planning-process/anglia-route-study/>

Feedback from Network Rail/ADEPT ROW Subgroup meeting 13th April 2015

ADEPT stands for the Association of Directors of Environment, Economy, Planning & Transport, an umbrella organisation representing local authority county, unitary and metropolitan Directors responsible for 'Place based' services. Its remit includes economic development, transport and communications, planning and housing and the environment.

Andrew Woodin, Rights of Way and Access Manager, now sits on a joint Network Rail and ADEPT informal working group, considering ways of improving NR's national approach to improving and closing level crossings. The group is considering the scale of the national and regional programme, order making, resources, consistency, engagement with communities and the approach to be taken to when considering whether a crossing should be improved or closed. The group met for the second time on 13th April 2015, and whilst it is early days, there are positive messages coming from NR staff that they do wish to be more responsive to the needs of local communities, and the need to take highway authorities with them to achieve their objectives.

A letter from Dan Rogerson MP, Parliamentary Under Secretary of State for Water, Forestry, Rural Affairs and Resource Management to Robin Gisby, Managing Director of Network Operations for Network Rail is attached for information. The letter is very clear in stating NR needs to improve its existing approach to applications for rail crossing orders and the need for safety must be balanced with local authorities' responsibility to assert the public's right to use a right of way. The letter also highlights the requirements of the Equality Act 2010 and the need to work closely with local authorities and local access forums, and furthermore the importance of continuing the engagement with the ADEPT group.

END
AW/SCC
April 2015



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Our ref: DW711

19 January 2015

From Dan Rogerson

Parliamentary Under Secretary of State for Water, Forestry, Rural Affairs and Resource Management

Dear Mr Gisby,

Thank you for your letter of 11 August 2014 to Patrick McLoughlin about level crossing closure and using the Secretary of State's powers under section 120 (3) and (3A) of the Highways Act 1980 ("the 1980 Act"). Your letter was forwarded to Defra as the Department responsible for the policy on railway crossings which are on a public right of way. I apologise for the delay in replying; I wanted to give your letter a considered response.

Firstly, I think that Network Rail needs to improve its existing approach to applications for rail crossing orders. Whilst I understand that safety is Network Rail's top priority, this must be balanced with local authorities' responsibility to assert the public's right to use a right of way. Where a crossing needs to be closed on safety grounds, there is a duty to consider alternative options. These alternatives must be considered with regards to the needs of the users of the routes and within the requirements of the Equality Act 2010. Network Rail needs to work closely with local authorities and their respective Local Access Forums for each proposed level crossing closure. This should enable Network Rail to understand the local sensitivities of the public rights of way network, and best meet local access needs, thus making it more likely that closure and diversion orders are made and confirmed.

I note that you are finding that local authorities are on multiple occasions rejecting applications for rail crossing orders due to disagreement about Networks Rail's safety statements. Any safety statement presented to a local authority needs to satisfy them that associated issues have been fully explored and that the crossing could not reasonably practicably be made safe, as required by sections 118A (4)(a) and 119A (4)(a) of the 1980 Act. It is perfectly proper for authorities not to accept safety reports at face value, and to test them. Should Defra exercise the Secretary of State's powers, Defra would need to be similarly satisfied.

You report that disagreement over on-going maintenance and responsibilities for crossings after closure is causing local authorities to reject rail crossing orders. The arrangements for responsibility for signage and on-going maintenance are required by sections 118A



(4)(b) and 119A (4)(b) of the 1980 Act, and as such local authorities are right to request agreement before an order is confirmed. This would also be a requirement if the Secretary of State's powers were exercised. I note that the railway operator seeking the order may be required to agree to meet all or part of the cost of erecting and maintaining any such barriers and signs. In order to consider the use of the Secretary of State's powers I would need assurance that these issues will be resolved in advance.

I understand that Network Rail has recently met with the ADEPT Rights of Way Managers Group to discuss these issues. It is important that you continue this engagement in order to come to an agreed consistent procedure and standard of safety statement for rail crossing closures. I would expect this to be achieved before asking the Secretary of State to consider using her powers.

Secondly, regarding the information which is required to consider using the Secretary of State's powers to determine rail crossing orders. Determination by the Secretary of State would require significant resource and I would need convincing that I should override our policy that decisions of this type should normally be made locally. I would need to see evidence which demonstrates the need for Secretary of State intervention.

It may be appropriate for the Secretary of State to determine exceptional cases, although I would expect such circumstances to be rare. I would welcome your advice on what such exceptional cases might be, and I should like to understand the quantity of orders of this type which Network Rail anticipates might be submitted.

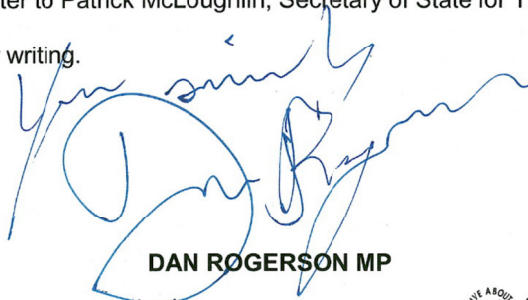
You also ask how the process for rail crossing order determination by the Secretary of State might operate. Should it be deemed appropriate to use this power, it would necessitate the process described by Schedule 6 to the 1980 Act. The regulations prescribing the form of the order to be made are contained in Schedule 6, paragraph 1 (2) of the 1980 Act, and the Rail Crossing Extinguishment and Diversion Orders Regulations 1993 (S.I. 1993/9). I attach a flow chart to illustrate how this process might work. The tests to be met for an order to be considered are the same, regardless of whether it is the local authority or the Secretary of State who considers it.

As I hope you will appreciate, it would not be right for me to comment at this stage on the merits of specific cases such as Grange-over-Sands which you mention in your letter, so as not to prejudice any consideration by another Government Minister or the Planning Inspectorate on behalf of Defra should it subsequently come before them.

I expect that your upcoming position paper will be relevant to both Defra and the Department for Transport, and I encourage you in the paper to address the issues which I've raised. As the Minister responsible for this policy I invite you to share the paper with Defra when it is ready.

I am copying this letter to Patrick McLoughlin, Secretary of State for Transport

Thank you again for writing.



DAN ROGERSON MP



Suffolk Local Access Forum	
Title:	General Progress Update Report
Meeting Date:	23rd April 2015
Author/Contact:	Andrew Woodin
Venue:	Suffolk Association of Local Councils, Unit 11a, Hill View Business Park, Claydon, Ipswich, IP6 0AJ

Introduction

This paper summarises progress on other cases of interest to the forum.

LAF Annual Review Form 2014-15

SLAF is asked to comment on the contents of the draft annual review form attached (Appendix A). This is based on responses already given by members. It is a statutory duty for LAFs to produce an annual report and the deadline for submission is 30th June 2015.

Coastal Access

Natural England has been tasked by Government to speed up the delivery of the English Coastal Path, looking to complete it by March 2020. £5.26 million has been allocated for 2015/16. This is new ring fenced money from the Cabinet Office and therefore not linked to the Defra budgets under pressure from cuts.

SLAF have been circulated with the details and a map is included with this report, see Appendix B.

As Norfolk has a completed section of coastal access with two other sections in progress, and NE propose to start in Suffolk this year, Andrew Woodin, SCC Rights of Way and Access manager, will be meeting his counterpart in Norfolk this month to discuss their experiences and how Norfolk's local access forum was involved in the process.

Further information has been sought from NE on when it will start work in Suffolk, eliciting the following response:

From: Curtis, Diana (NE) [<mailto:Diana.Curtis@naturalengland.org.uk>]
Sent: 18 March 2015 10:03
To: Andrew Woodin
Subject: England Coast Path 2020 roll out - Suffolk

Dear Andrew

Thank you for your enquiry which Neil has asked me to respond to.

The plan will be to contact yourselves at the County Council at the outset in order to have initial discussions on how we'll work together as well as discussing the key concerns you have for the coast.

We'll then approach the local authorities and other key stakeholders including LAF to hear their views once we've had initial discussions with you.

The above is all part of the preparation stage before progressing to meeting landowners and developing proposals.

Generally in Norfolk we've attended LAF meetings at key stages of the implementation process to share our thoughts and gather information from members, however we can agree the approach to take with Suffolk LAF when we initially meet up.

I'm sorry I can't be more specific with a date at this stage on when we can start those discussions but it's encouraging to see the map indicates Suffolk as a next location to start in 15/16.

We look forward to working with you Andrew and please don't hesitate to contact me directly if you have any further queries.

Kind regards
Diana

Regional LAF coordinators

SLAF have already been advised Natural England will not be renewing the regional coordinators' contracts. In a letter to LAF chairs Andy Mackintosh from NE and lead on LAFs stated:

- Natural England has not renewed Regional Coordinator funding beyond the 31st March 2015. Natural England, in common with all the public sector, is having to reprioritise its work in the light of ever more stringent funding, and we have therefore reviewed how we provide support to LAFs going forwards. The consequence of this is that we will no longer have the budget for Regional Coordinator work.
- LAFs continue to offer a valuable focus for access and recreation at a local level, and we will encourage our Area Teams to continue to work with LAFs to provide opportunities for everyone to enjoy the natural environment. The work of LAFs continues to be important and there will be many future occasions where your advice to Natural England will be requested and appreciated, for example, on delivery of the England Coast Path following the recent announcement by Government to accelerate this programme and complete the work by 2020.
- Natural England Area Teams operate with a large degree of autonomy and each will need to work with their local LAFs in a way which fits the priorities of that area.
- We will retain a LAF central unit, to facilitate the sharing of information and good practice to LAFs and other interested parties, on Huddle, through our Newsletters and through preparing an England LAF annual report. When resources allow, we will look to facilitate a national LAF conference.

Margaret Shaw, who had been the regional coordinator, emailed LAFs to say "Fiona Taylor from NE has suggested that if the East of England LAFs wished to organise a Regional meeting she would be happy to discuss with you how NE could help with a venue (although there is no budget for anything else)." Margaret also noted she has to do a final quarterly report for Natural England before she goes "so if you could all send me 1 thing that has been achieved or progressed by your LAF this year that would be really useful."

It is suggested the A11 paper is used as an example.

END
AW/SCC
April 2014

Local Access Forum Annual Review Form

April 2014 to March 2015

LAF 15/10 Appendix A

Name of LAF	Suffolk Local Access Forum
Name of LAF Chair	Bryan Collen
Name of LAF Secretary	(Vacant - contact Andrew Woodin)

Total number of LAF members	18
Number of members representing users of public rights of way or access land	6
Number of members representing owners and occupiers of access land or land over which PROW subsist	5
Number of members representing other interests	7

1. LAF achievements? (Please give examples to illustrate how your LAF has improved public access to land for the purpose of open air recreation and the enjoyment of the area)

Championing the needs of local communities in securing accessible alternatives where Network Rail wish to close level crossings,

Meeting the county council and Network Rail to demand an accessible alternative be provided should the level crossing at Gipsy Lane, Needham Market, be closed, and securing a commitment to do so,

Advising the county council and EDF energy on protecting and enhancing public access in the proposed Sizewell C nuclear power station,

Advising Natural England on open access restrictions and the dedication of higher rights on National Nature Reserves,

Attending the opening of the A11 non motorised user underpass, for which SLAF had campaigned,

Supporting the work of Officers and Councillors in the organisation of Suffolk Walking Festival, thus encouraging physical activity for health and education, and promoting and increasing use of the ROW network.

Presenting its annual report to SCC Cabinet and receiving praise for its work.

2. What are the main challenges affecting your LAF's ability to deliver improvements to public access in the coming year?

SLAF to provide

Members continue to be concerned about the challenge brought about by continuing budget cuts of those responsible for delivery.

3. What are your top three priorities for the year ahead?

Suggest: Continue to lobby Network Rail,

Continue to advise SCC & EDF re Sizewell C and public access,

Something on larger planning proposals??

Promote health & well-being benefits of use of ROW network for walking and cycling.

Promote access to ROW network by public transport wherever possible to support Suffolk's 'Greenest County' initiative (MH)

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4. Is there any particular support or training that you need to deliver your priorities?

Suggest:

Planning processes and neighbourhood plans,
Transport and Works Act processes and use of.

LAF activity in 2014/15

Number of full LAF meetings held	4	Number of sub-group meetings held	2 Walking Stratgy 2 NNR & 2 NR?
Number of working groups led by others	0	Number of training days provided by the Appointing Authority	2

Partners the LAF worked with during 2014/15 (click on a box or type 'x')

Local Nature Partnerships	<input type="checkbox"/>	Local Enterprise Partnerships	<input type="checkbox"/>
Health and Wellbeing Boards	<input type="checkbox"/>	LEADER funding Local Action Groups	<input type="checkbox"/>

Please add numbers to the following differentiating between formal consultations and general advice given by the LAF on particular subjects. If a consultation covered more than one subject area, please count separately.

	Consultations	Advice
Green Infrastructure strategies		
Public Space Protection Orders (including gating orders)		
Transport (LTP, traffic management, rail, DfT, Highways Agency)		4
Water / Coast (slipways, flood defence, EA, shoreline)		1
Public open space (protection orders, commons, village greens)		
Dog exclusion/on leads/fouling orders		
Planning applications	1	
Housing development schemes		
Local development frameworks and planning strategies		
PROW creation, diversion or closure - number of each		
Right of Way Improvement Plan review	1	
Route improvements (to PROW and other multi-user/cycling/horse-riding/walking routes)		
Promotion of access, open air recreation and the enjoyment of the area		
Definitive map and recording PROW		

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Parish Council or other grant schemes		
Disabled access / access for people with mobility issues?		-1
Vehicular access and issues relating to motorised use of PROW		
Nature conservation (including SSSIs)		
Land use and planning matters (e.g. informal advice on land development)		
Greenspace including Country Parks and Local Nature Reserves		
Open Access land restrictions		
Coastal Access/National Trails		1
NNR dedication	2	
Agri-environment scheme issues (HLS and new Countryside Stewardship) e.g. expiring permissive access agreements, effects of land management options on public access etc.		
Forestry and woodland		1

Any other LAF activity (please specify)

SLAF were consulted on SCC Walking Strategy

5. Summarise any feedback received from section 94(4) bodies¹

6. Please provide any comments from your Appointing Authority

Extract of minutes from SCC Cabinet meeting on 9th September 2014:

Suffolk Local Access Forum Annual Report August 2013-July 2014

A report at Agenda Item 6, by the Chief Fire Officer, Suffolk Fire and Rescue Service and Public Protection, Highways and Transport, invited the Cabinet to consider the 2013-2014 Annual Report of the Suffolk Local Access Forum and respond to any recommendations within the Report.

The Chairman welcomed Bryan Collen, Chairman, Suffolk Local Access Forum to the meeting and invited him to present the report.

Decision: The Cabinet accepted the 2013/14 annual report of the Suffolk Local Access Forum (SLAF) and noted the report's recommendations and the action that the Council was

¹ The Countryside and Rights of Way Act, 2000, Section 94(4) specifies that it is the function of a local access forum, as respects to the area for which it is established, to advise the appointing authority; the local highway authority; other bodies exercising functions under CROW Act Part 1 (Natural England, Forestry Commission and English Heritage) and such other bodies as may be prescribed. These other bodies are set out in the LAF Regulations 2007, paragraph 21, and include: any conservation board established by the Secretary of State, any parish or town council in the area covered by the LAF, and Sport England.

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taking to address these recommendations.

Reason for Decision: The Suffolk Local Access Forum was required by the Countryside and Rights of Way Act 2000 to submit an annual report on rights of way and access matters to the Council. The Secretary of State for Environment, Food and Rural Affairs guidance stated: "We would expect the authority to respond positively to the forum's annual report and to say what actions they have taken on the advice and recommendations of the forum."

Comments by other Councillors: The Cabinet Member for Roads, Transport and Planning noted that the walk from Dunwich to Walberswick had now been reinstated and thanked the SLAF for enabling this to happen.

The Cabinet Member for Health and Adult Care stressed the importance of the work carried out by the SLAF and the impact it had on people's health and wellbeing.

A Councillor commented that he knew that the SLAF was fully aware of the issues surrounding the Sizewell C development and the considerable disruption it would have on the countryside and he acknowledged that the long term prospects were very good. In response the Bryan Collen advised Cabinet that the SLAF was very concerned about the aftermath of Sizewell C and would monitor the situation closely. He and the Cabinet Member had met with the developers on three occasions to discuss all the issues and concerns.

Bryan Collen accepted an invitation from the Chairman of the Suffolk Coast and Heaths AONB Partnership to attend one of the Partnership's meetings.

Councillors considered it very importance for the report to go to the district and borough councils' Cabinets in order to push the work forward across the county.

Councillors were informed by Bryan Collen that the definitive map for Ipswich was on the SLAF's agenda and it would continue to apply pressure in order to achieve it.

The Cabinet Member for Roads, Transport and Planning advised that a published cycle network had not been considered at this stage however the council could make an input to that process.

7. Comments from LAF Chair

SLAF objectives are promoting healthy enjoyment of the countryside by ensuring access is available for all categories of user ie walkers, riders and cyclists in harmony with each other. We further believe if tourists can be made aware of what Suffolk access has to offer, the economic benefit should in itself, justify the cost of staffing and managing of all.

8. Any important information to bring to the attention of Natural England

SLAF to provide

Network Rail's general policy to replace ROW crossings with cheapest possible alternative regardless of Disability Discrimination Act requirements
SLAF to provide (MH)

9. Any other comments

The Forum is fortunate to have considerable continuing support from Suffolk County Council members and officers in the current economic climate (MH)

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April 2014 to March 2015**

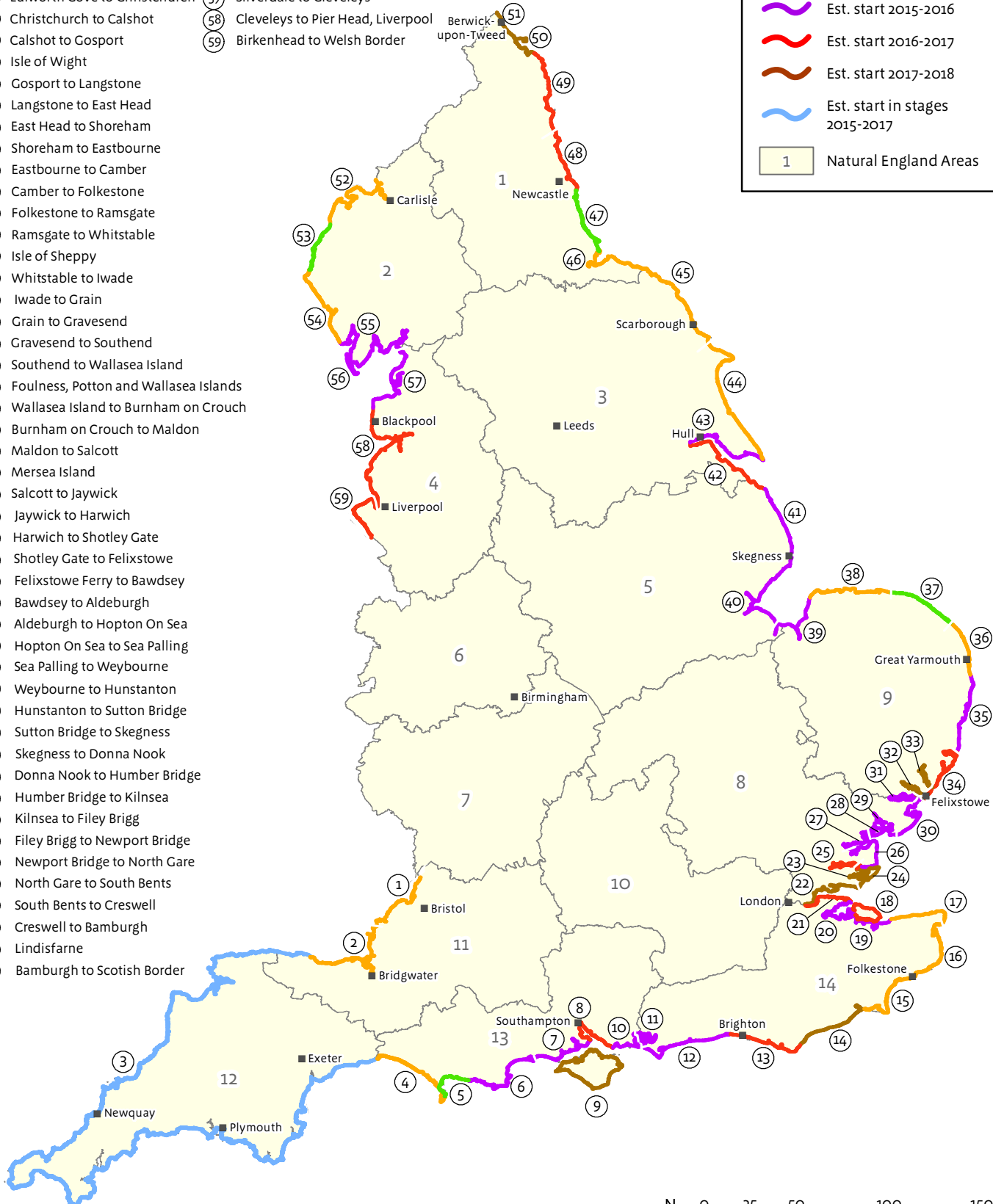
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- 1 Aust to Brean Down
- 2 Brean Down to Minehead
- 3 South West Coast Path
- 4 Lyme Regis to Rufus Castle
- 5 Rufus Castle to Lulworth Cove
- 6 Lulworth Cove to Christchurch
- 7 Christchurch to Calshot
- 8 Calshot to Gosport
- 9 Isle of Wight
- 10 Gosport to Langstone
- 11 Langstone to East Head
- 12 East Head to Shoreham
- 13 Shoreham to Eastbourne
- 14 Eastbourne to Camber
- 15 Camber to Folkestone
- 16 Folkestone to Ramsgate
- 17 Ramsgate to Whitstable
- 18 Isle of Sheppy
- 19 Whitstable to Iwade
- 20 Iwade to Grain
- 21 Grain to Gravesend
- 22 Gravesend to Southend
- 23 Southend to Wallasea Island
- 24 Foulness, Potton and Wallasea Islands
- 25 Wallasea Island to Burnham on Crouch
- 26 Burnham on Crouch to Maldon
- 27 Maldon to Salcott
- 28 Mersea Island
- 29 Salcott to Jaywick
- 30 Jaywick to Harwich
- 31 Harwich to Shotley Gate
- 32 Shotley Gate to Felixstowe
- 33 Felixstowe Ferry to Bawdsey
- 34 Bawdsey to Aldeburgh
- 35 Aldeburgh to Hopton On Sea
- 36 Hopton On Sea to Sea Palling
- 37 Sea Palling to Weybourne
- 38 Weybourne to Hunstanton
- 39 Hunstanton to Sutton Bridge
- 40 Sutton Bridge to Skegness
- 41 Skegness to Donna Nook
- 42 Donna Nook to Humber Bridge
- 43 Humber Bridge to Kilnsea
- 44 Kilnsea to Filey Brigg
- 45 Filey Brigg to Newport Bridge
- 46 Newport Bridge to North Gare
- 47 North Gare to South Bents
- 48 South Bents to Creswell
- 49 Creswell to Bamburgh
- 50 Lindisfarne
- 51 Bamburgh to Scottish Border

- 52 Gretna to Allonby
- 53 Allonby to Whitehaven
- 54 Whitehaven to Silecroft
- 55 Silecroft to Silverdale
- 56 Walney Island
- 57 Silverdale to Cleveleys
- 58 Cleveleys to Pier Head, Liverpool
- 59 Birkenhead to Welsh Border

Legend

- New coast path and associated access rights now open
- Work in progress
- Est. start 2015-2016
- Est. start 2016-2017
- Est. start 2017-2018
- Est. start in stages 2015-2017
- Natural England Areas



N

Kilometres

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