

**Minutes of the Cumbria and Lakes Joint Local Access Forum meeting  
held on Tuesday 16<sup>th</sup> July 2019 at Natland Village Hall**

<b>Attendees</b>					
Charles Ecroyd (Chair)	CE	Jonathan Brooks	JB	Carole Barr (Vice Chair)	CB
Geoff Davies (LDNPA)	GD	Ben Mayfield	BM	David Gibson (CCC)	DG
Mike Murgatroyd	MM	Chris Lyon	CL	Ron Lyon	RL
Kathy Miles	KM	Emma Moody (LDNPA)	EM	Dave Pickup (LDNPA)	DP
Sylvia Woodhead	SW	Cllr Nick Cotton (CCC)	NC	Cllr Helen Wall (CCC)	HW
Geoff Wilson	GW				
<b>Apologies:</b>					
Steve Pighills	SP	Mohammed Dhalech	MD		

**1 Welcome**

CB welcomed everyone and explained that she would be taking the minutes. CE would take the chair when he arrived.

**2 Apologies for Absence**

Apologies were received as recorded above.

**3 Public Participation**

No representations had been received from the public.

**4 Disclosure of Interest**

As a member of the LDNPA ROW Committee GD disclosed an interest in Tilberthwaite and in Seathwaite car parking.

There was no other disclosure of interest by any member in relation to agenda items other than as disclosed previously.

**5 Exclusion of Press and Public**

There was no requirement to exclude members of the public or the press.

**6 Membership**

DG explained that the Forum currently had gaps in the membership. Whilst some members are active, others are not and that going forward the Forum needed to consider its role and define areas of work.

CE said that this would be the principal agenda item at the October meeting and invited members to share their thoughts now and over the next couple of months in preparation of that meeting. Members to email DG, DP, CE and KM.

*All*

Agreed to circulate matrix with members' areas of interest and that it would be useful to update it.

*DG/  
All*

Members shared their immediate thoughts on the matter.

SW Forum needed more input on rights of way. Maybe someone with legal experience?

RL Need to make more people aware of Forum and what it does.

GW Questions around relevance and why do we exist? Drew attention to the other mechanisms in place to deal with authorities such as through user groups.

DG Forum should take a steer in the CAS development and feed into that document and its delivery. He also said that the CCC, LDNPA and YDNPA all deliver in different ways, so a degree of flexibility is needed.

NC As a councillor he would use other mechanisms than the LAF to deal with ROW issues.

DG replied that if those issues weren't dealt with they should come to the LAF. EM agreed pointing out that daily ROW issues were far too numerous for the LAF to deal with individually and the LAF should concentrate on strategic issues.

HW As a councillor she does bring ROW issues to LAF and also talked about LAF a lot in her work as a councillor. CB said all members should be engaging with their own contacts and the wider public when possible. GW agreed that one of the main purposes should be the wider awareness of the LAF.

DP Forum a useful sound board to NPA for initial feedback on a project and that LAF should challenge the authorities.

CE Worried about the work that goes on under the radar of LAF in particular with NE.

GD Asked about membership numbers. DG said it was 22 and that we had vacancies. CE pointed out that we could broaden the interest range.

MM Should we approach FLD for a new member? CE said he would talk to FLD. GW said FLD were aware of vacancies. SW suggested Young Farmers. CB said we could look at engaging annually with other organisation when we set the work programme as organisations didn't always have staff or time for meetings.

## **7 Minutes of the Previous Meeting**

The minutes of the 17<sup>th</sup> April 19 were approved.

## **8 Matters Arising**

**8.1** Logo and Website – outstanding.

*DP/  
CB*

**8.2** Grange railway crossing – DG said crossing will be closed and it's just the detail of future maintenance that has to be agreed on between Network Rail and CCC.

**8.3** Tilberthwaite – DP said no update at this time. GD confirmed that this would go to the Lake District ROW Committee on 8<sup>th</sup> of October.

**8.4** Access to Water – The LDNPA digital leaflet was not yet finalised.

*DP*

**8.5** GDPR – in abeyance as KM would no longer be doing the minutes. A secretary will need to be appointed going forward.

*DP/  
DG*

**8.6** LDNPA Access and Recreation Priority Projects

Keswick to Threlkeld Path – GW had researched the background to the decision to tarmac the path and sought further clarification from LDNPA on what basis that decision had been based, especially given the considerable opposition raised. He quoted details from Highways England (HE) which asserted that it was not a funding condition that the route should be tarmac surface, although HE had expressed a preference for tarmac.

EM apologised for any confusion and she accepted that it was not a condition of HE's funding that the path be sealed. She agreed that the wording of HE's advice / preferences leaned very much towards a sealed surface and that this would not be irrelevant to the NPA's surface material decision.

She said the many consultation responses had been in favour of tarmac for family use and people wanting to cycle to work and not having to contend with muddy puddles. It was felt that in that low lying location it would not be a scar on the landscape. NC felt that it was one of the few flat, family friendly routes that encouraged very young families to cycle in the NP and because of that tarmac was the best option.

GW thanked EM for her response but pointed out that he felt strongly that HE was being disingenuous and playing both ends to the middle by stating the preferences in the way they have done and despite which they then placed the final responsibility for the surface with the NPA. He also expressed the view that in future LDNPA staff needed to be more careful over how a sealed surface decision was excused or defended to enquirers by LDNPA staff, and suggested that when negotiating with HE in the future should be conscious of HE's potential for adopting an ambiguous stance.

JB said there was a lot of local opposition to the tarmac and that he had used the path with a young family, both in prams and on bikes, and the existing surface had been fine but accepted the decision was now made. MM agreed with JB and accepted what appeared to be a compromise.

- 8.7** HAC letter - CB reported on a very good site visit with Fix The Fells (FTFs) on Boredale Hause with Hannah Gardner (HAC) and Cumbria Bridleways Society who took along a Fell pony. The press were present and there was good media coverage. The group recognised the difficulties of bringing all user needs into the work and that terrain could be an issue but that the day was well received by all and more communication would take place before works commenced.
- 8.8** Lakeland Gateway – no response from John Daffern. Waiting for him to provide maps. SW said she had met the local ranger and she felt the current NPA response was accurate given a lack of sufficient research. DP said the route was scored and prioritised so it may be revisited in the future.
- 8.9** Paddle Sport – DP had attended a presentation by British Canoeing on their Access Charter Campaign and will circulate a link (<https://www.britishcanoeing.org.uk/go-canoeing/access-and-environment/access-charter-campaign>). He said BC sought parity on access and they believed there was no case law against navigational rights and that they were looking to push for a change in legislation. They were keen to embrace conservation and cause no damage and had an extensive code of conduct. Mike Sunderland, Cumbria Representative, was meeting with riparian landowners and fishermen in Cumbria. He was happy to attend a LAF meeting and have John Crosbie act as a conduit in negotiations. DP felt they didn't understand the terrestrial access issues that would be involved in accessing waterways.
- 8.10** GW had previously referred to the withdrawn permission of a permissive footpath Lazonby to Kirkoswald. He believes the situation has been temporarily alleviated with signs asking dog owners to keep dogs on leads.
- 8.11** GD informed meeting the LDNPA Local Plan was now available on the NPA web site. EM confirmed the State of the Park report was also available and that she will circulate the link. **EM**
- 8.12** Annual Report and Annual Review of Documents owned by the LAF - still outstanding. **CE**

**8.13** CE reported that the residents of Bampton had expressed their gratitude for the path work in their community and that they were pleased CALLAF had met there in April and surveyed the new multi user path.

**8.14** GW asked that the meeting record thanks to Ken Taylor for his work for both the Lake District LAF and CALLAF. Everyone agreed that Ken's contribution had been hugely beneficial during his time with the Forums. Agreed CB to write letter of thanks.

**CB**

## **9. LAF Work Programme**

### **9.1 Cumbria Access Strategy (CAS)**

DG reported the draft version was now ready and would be discussed with LDNPA, YDNPA and the LAF.

### **9.2 Fell Fencing Project**

GW reported that there were no new applications and the Secretary of State had granted permission for the scheme on Helton and Askham Common.

*AFTER THE MEETING GW NOTED: It is regrettable that in his decision the planning inspector considered that matters raised by the local access forum and LDNPA regarding removal of fencing at the end of the consent period fall outside the scope of the application and therefore cannot form part of the conditions attached to the consent.*

DP said there was more work to do on the Fell fencing Database which he hoped to pick up soon. He was also concerned that some fencing/tree planting schemes were not being passed to CALLAF. There was a need for NE to inform applicants of the consultation process. **DP** DP to contact NE about this.

SW reported an area of fencing at Stennerskeugh Clouds which she thought had been completed making use of a loophole. It was confirmed this was now part of the YDNPA.

### **9.3 Inspections and recommendations on Rights of Way consultations**

SW and MM updated the meeting on previous applications CALLAF had commented on. MM said there is a current application for Nichol Forest.

GW reported on two public inquiries. Firstly, a DMMO Old Croft, Old Hutton where the Inspector has confirmed the order, on an interim basis, for a new restricted byway. It can not be used yet and will need re advertising due to a slight amendment in the description. The second was a four day inquiry concerning a Path Extinguishment and Diversion Order, rail crossing path Cross Croft, Appleby. It was a complicated situation where no independent safety case was presented and was awaiting the Inspector's decision.

### **9.4 Table of consultations from the previous quarter**

In progress – to be carried over to the next meeting.

### **9.5 Recent, current or upcoming consultations**

**9.5.1** Carlisle Southern Link Road – CE reported that he had submitted comments on behalf of CALLAF asking for any temporary stopping up of ROWs to be minimised and to have alternatives in place. That there should be a continuous footpath alongside the whole length of the new road. He felt it would improve access to Southern Carlisle for both recreation use and for those going to work. Consultation now closed. There are some environmental issues

with sink holes and flooding to be overcome. DG said there were opportunities linking to the old A6 at the Golden Fleece roundabout and there would be improved crossings so there was no mixing of cycles and motor vehicles.

#### **9.6 Lake District National Park Partnership**

Link to minutes to be circulated.

**KM**

#### **9.7 North Pennines AONB Partnership Access and Recreation Working Group**

GW had not attended the last meeting but DG had and had circulated a note following that meeting. Survey work being undertaken on the Pennine Way that should be completed by start of bad weather. Programmed work for this year completed including renovations to Birkdale Bridge. Sink hole at Greggs Hut to be addressed.

#### **9.8 LAF Work Priorities**

GW asked if there was a template. KM to send him one to complete for next meeting.

**KM/  
GW**

#### **9.9 LAF annual report**

This was awaiting the Chairman's foreword.

**CE**

#### **10 Members News**

**10.1** BM reported that the Lancaster Environment Centre had funding available to develop partnerships. He would be happy to put together a bid. Will send email to members to gather information on possible ideas.

**BM**

**10.2** NC brought information about 3 projects to the table. Firstly, Borderlands which would bring money and opportunity for creation of cycle routes. Secondly, South Lakeland Local Committee looking at getting more children walking and cycling to school by improving the infrastructure and looking at school travel plans. Thirdly, Sustrans looking at Kendal to Milnthorpe area and a potential safe route off-road at Levens Hall. Will keep LAF informed of progress.

**NC**

**10.3** CL & RL have been helping to evaluate paths with the Warcop Access Group. Waiting for maps. DG said the MOD were currently checking their map information as it wasn't correct.

They had also been to Heysham to advise the National Trust on disabled access to their coastal park area. The NT said they had a number of sites where they may want input as it was useful both for its practical content and in "educating the eyes" of the rangers who attended to see potential problems for disabled visitors.

**10.4** SW provided information on FLD's project to extend the Lake District Southern boundary. The document which was very detailed and had been lodged with NE. She was concerned there was no mention of access and CALLAF had not been consulted. GW said we would be consulted if NE took the idea forward. GD thought it was a spin-off from the North West Coastal Connections project as undergrounding of cables was planned within the NP and not outside.

SW was concerned about press reports that Gooseholme Bridge in Kendal was to be removed. NC said it was, but a new bridge would be installed that would be much improved.

Recently SW has walked the Pennine Way around Garrigill and was concerned to find extensive resurfacing with sandstone along one section. DG explained permission had been

sought and that it was on a road section. SW said there were many other pieces of surfacing besides the main section and it wasn't pleasant walking. She also drew attention to a very difficult stile. DG said surveys were currently running that should pick up the problems.

SW took part in NT Rangers' Dwarf Willow training day on Brandreth. As part of their work Rangers are surveying Dwarf Willow, Mountain Ringlet, Dotterel, among others. SW was able to make the NT aware of the need to be careful when sourcing boulders, to be helicoptered in. Current research into conditions at the end of the Ice Age use cosmogenic dating of boulders on morainic ridges. These give a date when the ice melted. Complex.

- 10.5** JB asked about progress with the Keswick Hub and EM gave an update. She said progress was ongoing and there needs to be further discussion with key landowners, NE and CC.

JB mentioned the water level on Derwent and if there was any news on replacing the sill. EM said there had been a recent meeting and she would get back with more information. **EM**

JB also reported on a footpath on the Western side of Keswick which is well used but exits abruptly onto the A66 and asked if some improvement could be made. The path follows the old railway line and starts at the top of Crosthwaite Road, just before the roundabout on to the A66. It goes past Keswick School to the Crosthwaite church yard and emerges on to the A66 where it stops completely and people have to walk alongside the main road, partly behind the crash barriers and then a very narrow footway as far as the road out of Keswick (B5289). Here it joins the good pathway. EM to take a look. **EM**

- 10.6** GD gave the meeting a heads up regarding his move to chair the Development Control committee at the NPA which meant at some point there would be a new representative from the ROW Committee.

## **11 News from National and Regional Access Bodies**

- 11.1** CE reported that there had been a poorly attended NW Regional LAF meeting in May. NE have withdrawn any attendance by a NE representative and the meeting room in Manchester will no longer be available. SW felt contact with other LAFs should be encouraged and CE agreed and said this had been discussed.

## **12 Coastal Access**

DG - All granting in place for planning work. Contractors working on Walney and Stretch 2 but no update for Stretch 3 or 5, as still on hold.

## **13 Authority Work Programme Updates**

### **13.1 Cumbria County Council – Countryside Access Team**

DG ran through the circulated report drawing attention to some areas. There is still a 750K shortfall to complete flood recovery work but ROWIP had received a welcome top up of 10K in new funds. He also mentioned the Borderlands project and the revitalisation of the Reivers route.

The MOD are revising the alignment of paths within their live-fire area at Warcop. They are working to establish new access outside the active firing area. It would also involve the extension of the BW to the A66.

The Lancaster Canal Regeneration Project would be discussed at the site visit following the meeting. The works at Stainton, also being visited this afternoon, had received Sport England

Funding.

Bob Muscat had now left CCC. DG had brought in an apprentice to help with survey work and he was proving very useful to the team.

The new system for prioritising mapping orders was working well with 3 orders now confirmed.

### **13.2 Lake District National Park Authority**

EM reported the Muddocks path at Buttermere was complete. Dubs Bridge to Buttermere was ongoing. There had been work to make Orrest Head, Windermere more accessible and to tidy up the summit. LAF views would be welcome.

There is work from Pooley Bridge to Lowther to make the existing BW more accessible and EM invited RL and CL to give their input. RL said it was a route some disabled ramblers used.

A bid has been submitted to carry out resilience and drainage works on Breast High road.

Rhododendrons are being cleared in Eskdale at Stanley Ghyll. Native woodland will be allowed to regenerate, paths are being improved and subtle information and interpretation will be in place.

There are plans to improve access in the Southern Windermere area with landowner consent.

Possibility of improvements to the cycle route South side of Dunmail Raise behind the crash barriers which will be a tarmaced surface.

15 bridges have been repaired or are scheduled for repair this year.

EM also gave an update from FTFs. In addition to the site visit previously mentioned EM told meeting that there were 140 FTFs volunteers working with four teams of staff and the next projects included Brown Tongue, Borrowdale and Gowbarrow. There is currently a bid with the European Fund to cover works.

CB asked for a report to circulate with meeting papers in the future. EM said that would be possible.

## **14 Ongoing Infrastructure Projects**

**14.1 Thirlmere water pipeline** – SP had circulated any closures as the project rolled forward.

**14.2 Highways England Upgrade to A66 Penrith to Scotch Corner** – CE updated the meeting explaining about the consultation process. There is to be a meeting of the non-motorised Working Group in September. He said there was a particularly difficult section around Mains Gill Park Farm where several footpaths and bridleways would be severed. Formal plans are expected early next year with work starting at Scotch Corner and heading West.

## **15 Dates of Future Meetings**

The date of the next meeting was noted: Thursday 31<sup>st</sup> of October 2019.

22<sup>nd</sup> of January was proposed for the following meeting – to be confirmed at the October meeting.