

# ADEPT

Association of Directors of  
Environment, Economy, Planning & Transport

## TRANSPORT BOARD RIGHTS OF WAY MANAGERS' GROUP

**Date:** 15<sup>th</sup> November 2017

**Location:** Council House, Birmingham

**Present:**

Ros Mills	(RM)	Devon CC – South West Region (Chairman)
Andy Macintosh	(AM)	Natural England
Mike Ogden	(MO)	Durham CC – Northern Region
Chris Miller	(CM)	Lincolnshire CC – East Midlands Region
Stuart Reid	(SR)	PINS
Michelle Luscombe	(ML)	DEFRA
Edwin McWilliam	(EM)	Leicestershire County Council – East Midlands Region
Shona Butter	(SB)	Shropshire CC – West Midlands Region
Paul Newark	(PN)	Birmingham City Council – Metropolitan Group
Helen Clayton	(HC)	Devon CC
Jon Perks	(JP)	West Sussex Council – South East Region (Minutes)

**Apologies:**

Hannah Bartram	(HB)	Chief Operating Officer – ADEPT
Richard Cuthbert	(RC)	Hertfordshire CC – Eastern Region & IPROW
Virginia Moulton	(VM)	Metropolitan Group
Mark Stafford-Tolley	(MS-T)	Powys CC – CSS Wales

<b>TABLE OF ACTIONS</b>	
	<b>UK Roads – Code of Practice</b>
3.1	All regional chairs to remind local representatives that the existing link is incorrect.
	<b>Meeting with the Planning Inspectorate</b>
3.2	All regions to send RM suggestions for discussion topics.
	<b>Network Rail</b>
3.3	RC or CM to contact Network Rail.
	<b>ADEPT paper</b>
4.1	CM to write paper on Network Rail MoU.
	<b>ADEPT funding</b>
4.3	RM to create funding application form.
	<b>PINS</b>
5.2	SB & HC to write to ML relating to form or Order for s119 relevant date.
	<b>PINS</b>
5.3	RM to write to PINS to ask for copy of training manual.
	<b>RWRC</b>
6(a)	RM to write to in support of formalising the RWRC relationship with Government.
	<b>GeoPlace consultation</b>
8	HC to forward draft response for comment.
	<b>BS5709 – consultation response to new British Standard proposals for Gaps, Gates, Stiles</b>
9	RM to draft letter in response.
	<b>East Coast Path – funding and partnerships</b>
11	ROWMWG to lobby for a solution to the funding issue.
	<b>Date and time of next meeting</b>
18	RM / PN to finalise.

**1) Welcome, Introductions, Apologies and housekeeping arrangements**

- 1.1 RM welcomed the group and introductions made for new attendees. Apologies noted above.
  - 1.2 RM thanked Birmingham City Council for providing the venue.
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**2) Note keeper for the meeting**

- 2.1 PN agreed to take minutes.
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**3) Minutes of ROWMG Meeting of 13th July 2017**

- 3.1 The minutes of the last meeting were reviewed for accuracy and approved.
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**4) Matters & Actions arising**

- 4.1 3.3 ADEPT has asked for a paper on highway/transport issues, suggested that the Network Rail MoU is an ideal topic. CM agreed to write a paper.
  - 4.2 3.6 To be discussed at item 7.
  - 4.3 3.7 RM to create form & circulate. Q. From HB, how much is to be spent on GPG?
  - 4.4 7.3 Q. What discussions are happening with Ordnance Survey to look at ORPAs?  
Q. Are Has being consulted?
  - 4.5 13.3 NHT survey – Results are limited as questions ask for opinions, risk that may give a negative view of the network and affect allocation of resources.
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**5) Planning inspectorate update**

- 5.1 Stuart Reid - Head of RoW group at Planning Inspectorate (and other areas)  
Team dealt with 23,000 Planning application appeals in 2016/17  
250 inspectors in total across England and Wales, 350 support staff based in Bristol  
PI is currently going through a Business Transformation process, aim is to work better with its customers. Three aims of transformation – To improve relationships, efficiencies, and engagement with digital technology.

Willing to attend ADEPT meeting in future.

One question addressing is how to make information more accessible. Looking at making digital evidence available on website in the future.

Should inquiries have projection facilities, webcasting etc. if they are requested by objectors / witnesses? Not necessarily - if authority cannot provide this then there is no obligation. It also brings up the issue of those that cannot attend an inquiry where new elements are raised through these methods of presenting.

No current plans for new specialist RoW inspectors to be recruited, however are training existing non-specialist inspectors, 8 currently being trained.  
Unable to take on more specialist inspectors unless demand increases.

Guidance regarding OSS matter of dates in PPOs – SR stated that this is a Defra matter and ML confirmed that no guidance is being provided although through the training program of inspectors SR felt that these matters - Copy of electronic version of training manual to inspectors can be requested from SR (RM to request). ML is rewording circular 1/09 in line with Deregulation Act so it will appear in this. SB requested that Defra consider proper advice issued to authorities and that the "sample" ML had circulated was sufficient.

PINS training manual is being updated, can supply copy of manual to ADEPT if requested. Consistency guidelines are not being updated.

Q Asked regarding recent discussions on wording in s119 HA 1980 Orders. When is relevant date coming into effect?

5.2 **ACTION: SB & HC to write to ML relating to form or Order for s119 relevant date.**

5.3 **ACTION: RM to write to PINS to ask for copy of training manual.**

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## 6(a) Chairs' report

RWRC – sharing of information is still to be determined. General notes and information could be hosted on the ADEPT website.

House of Lords is discussing NERC and there are two questions relating to Access. Details will be on Hansard.

Stephen Martin now represents the Ramblers and is interested to meet with HAs - is invited to the next meeting, in addition to discuss Pathwatch.

Discussion on the role of the RWRC centred on how Defra should support the group post the work of the Stakeholder Working Group which had attracted the attention in recent times. A sub group has been established to look at how Access is important.

RWRC currently rely on Peer to influence Government, desire to establish a more formal route.

**ACTION: RM to write to in support of formalising the RWRC relationship with Government.**

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**6(b) ADEPT National Conference**

PN is attending to do a workshop based on the interaction between highways / PROW and developers but by necessity the presentation is structured around being strategic and how "highways" can affect or be affected by developers and the bureaucracy that is involved in removing, moving, altering or improving the known (and unknown) highway network.

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**7) Draft ROWMWG Terms of Reference**

Attached and agreed with Chairman and Vice-Chairman elections every 2 years with the secretary on a rota basis from meeting to meeting (CM to provide)  
ToR discussed, agreed content.  
Amendment to 7- Comment, initiate and respond to research projects.

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**8) NSG/GeoPlace consultation**

Consultation on changing how PROW are recorded within NSG, proposing to use the 'DMS' method. Discussion followed and raised issue of proposed method would not retain a separate entry if a PROW overlaps another street e.g. a private street.

Concerns raised over recording of unofficial diversions being recorded as highways. Where LAs do not meet Gold standard, mapping can be withheld.

**ACTION: HC to provide draft letter to GeoPlace for comment.**

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**9) BS5709 – consultation response to new British Standard proposals for Gaps, Gates, Stiles**

Questions raised over standards being cumbersome and arduous.  
RM to draft letter and send around for comment.

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**10) DEFRA update**

Deregulation is still on timetable and is still on target. Scheduled not to have to wait until after Brexit.

Revision of Circular 1/09 – First draft is to be issued to the SWG in the new year.  
Motor Vehicle group continues to have meetings.

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11) **East Coast Path – funding and partnerships**

Issues concerning funding and trail partnerships.

Existing structures on non-existing PROW for coastal paths, currently 75% is paid by NE, remainder 25% is paid by Local Authority.

Small partnerships will struggle and the changes on funding formula will mean it is unlikely that it will be sufficient to fund a bespoke officer for each partnership.

Difficulties in local authorities finding funding.

**Action: ROWMWG to lobby for a solution to the funding issue.**

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12) **NE update**

Significant work is preparation for post Brexit work, still working to push Access issues. LAF conference – some papers have been released online.

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13) **Natural Resources Wales update**

To be circulated by RM

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14) **IPROW update and issues arising**

Issues already discussed.

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15) **Horizon scanning – Brexit strategies for Conservation and Access; Press Coverage of PROW matters e.g. recent item on Countryfile regarding public rights of way and farm animals.**

Item was discussed and concluded that Countryfile item gave a mixed message. Dog attacks are more likely from straying dogs not those out with walkers. MO advised that Hartlepool have done some discretionary alternative routes during lambing etc.

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16) **Reports from the Regions – a)East Midlands; b)South East**

**Action: RM to send out training bid form.**

**Action: Process for amending List of Streets, ask West Midlands to share document.**

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**17) AOB**

Outdoor recreation network

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**18) Dates and venues of future meetings -**

18 April 2018 – 11:00 – 15:00 Birmingham – **Committee Room A, Council House Extension, Margaret Street – Note change of venue**

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