

Draft Minutes Herefordshire Local Access Forum Meeting

27 October 2023 11.00am – 12.30pm at Thorn Business Park

ATTENDANCE	
LAF members: Arthur Lee (Chair) Joannah Weightman (Assistant Chair) Vivien Burdon Ian Carr Sue Enfield Duncan Green David Howerski Angela Martin - new LAF member Cllr Justine Peberdy - new LAF member Nicola Short Hugh Vernon Others: Malcolm Louch (member of the public) Chris Marsden (member of the public)	Herefordshire Council: Ed Bradford Bruce Evans Callum Bush Jill Addis Richard Pearce Lisa Creed Ceri Belli Crispin Abel Owen Gore Luke Jones (Youth Justice Service) Roger Jones (Youth Justice Service)
APOLOGIES	
Peter Newman, Cllr Price	
AGENDA SUMMARY	
1.0	Welcome and apologies for absence
2.0	Minutes of LAF meeting on 14th March 2023
3.0	Matters arising
4.0	Implementation of the Leader of the Council's Commitment to LAF
5.0	Enforcement
6.0	Volunteer Working
7.0	Definitive Map
8.0	Website and IT Improvement
9.0	Management of PROW
10.0	Rights of Way Report
11.0	Report from HLAF Access, Maintenance & Improvement Work Group
12.0	Questions from members of the public
13.0	Any other business
	Any business submitted to the Chair prior to/or at the beginning of the meeting. To be discussed time permitting at the discretion of the Chair
14.0	Proposed dates of 2024 meetings
	TBC
DISTRIBUTION	
LAF Members, Bruce Evans, Herefordshire Council website	

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MINUTES AND CHECK LIST		ACTION
1	WELCOME AND APOLOGIES FOR ABSENCE	
	Apologies were noted as above. New members were welcomed.	
2	MINUTES OF 14 MARCH 2023	
	The minutes were agreed as a true record of the meeting. Noted administrative corrections to be made prior to publication on Council website.	
3	MATTERS ARISING	
	To be covered under the Agenda items.	
4	IMPLEMENTATION OF THE LEADER OF THE COUNCIL'S COMMITMENT TO LAF	
	<p>4 LAF delegates met with Cllrs Lester and Price on 14th September, the issues covered and agreed were set out in the tabled notes of that meeting, the key points being:</p> <p>1 Local Access Forum -Role and Administration of Meetings</p> <p>Agreed to hold 4 x HLAf meetings per year with the required secretarial and administrative support provided by the Council. Plough Lane could be used quarterly with MS Teams facility. Meetings could be held after 4.00pm, but always depending on Councillor Philip Price's availability. This would also apply to the next meeting dates currently proposed on October 24th or 27th. Council staff with managerial responsibility for PROW would be in attendance at HLAf meetings. Expressed desire by Councillors for partnership working and recognition that PROW are important for tourism and wellbeing.</p> <p>2 Maintenance of Public Rights of Way, Tracking of defects & removal</p> <p>The Council would set up support and organization for volunteers to help maintain and inspect PROW and report and remove defects, etc, (with provision of training etc, coordinated by a Volunteer Coordinator).</p> <p>Noted need for an accessible mapping system to monitor the accessibility of PROW with pins showing defects in which red could be turned green by volunteer actions (for example).</p> <p>Acknowledgement that the HC/BBLP knowledge centre reporting and database system continues to be problematic with regard to live monitoring of reported defects and <i>it would help to look at the PROW reporting system in Worcestershire which is effective and where faults are dealt with quickly. Also to look at the Powys Volunteer system.</i> DDG to provide contact.</p> <p>3 Enforcement of Statutory duty of landowners to maintain public rights of way.</p> <p>Recognition that enforcement issues and practices need a review and should be on the next LAF meeting Agenda.</p> <p>4. Management of PROW Team</p> <p>Confirmed continuing support for the in- house PROW department. PROW to be managed and integrated in the Council and fully separated from BBLP. Action to</p>	

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	<p>be taken to develop and retain expertise. <i>Any constraints due to the BBLP public realm contract and the BBLP locality steward system to be addressed.</i></p> <p>Councillor Price would be contacting Sue White (former PROW Team Manager)– to explore potential to help current PROW Manager with PROW historical management advice and experience of training Footpath Officers, etc.</p> <p>Bruce Evans and Callum Bush confirmed their commitment to the issues agreed. Several of the points would be picked up under other Agenda items. Bruce would seek further clarity on 3 points from Cllr Price, these are identified in <i>italics</i> above.</p> <p>It was noted that having the relevant papers including the PROW report prior to the meeting would help to demonstrate that LAF had the council’s commitment. To date this had not been the case. Also, despite assurances, Cllr Price had had to send apologies. However, there was another councillor present. Cllr Peberdy introduced herself.</p> <p>Ed Bradford introduced himself and as the new senior manager for Highways and Traffic at the Council. PROW was part of his remit and he would give the LAF his full commitment.</p> <p>The commitment of all 3 managers was very much welcomed.</p>	<p>BE</p> <p>JA ALL</p>
5	ENFORCEMENT	
	<p>LAF members remained unclear about the current Enforcement policy and process. It was not clear what procedure was being used and it was not always working effectively - other Councils seemed more stringent. The policy as set out in the ROWIP needed updating and amending, it stated ‘may’ prosecute rather than ‘will’, for example.</p> <p>Bruce Evans noted the process was governed by legislation and the two tests: “evidence” and “public interest” had to apply to prosecute.</p> <p>Richard Pearce, Enforcement Officer in the PROW Team, presented his report showing the outcomes of recent requests for Enforcement that were processed by himself and PROW Inspectors. They aimed to work with landowners rather than just threatened prosecution, to reduce escalation of the problem which could make things worse. The majority of landowners were cooperative and he felt our rights of way were good compared to those in parts of Wales. The figures showed that the process was effective. They differed slightly from the PROW report as he used different dates. 349 reports were received, including:</p> <p>90 willful obstructions: 36 of these were dealt with by verbal request.</p> <p>44 cropping obstructions: Of these, 33 were dealt with verbally. 11 required a letter.</p> <p>Richard agreed that the ROWIP Enforcement Policy was superseded and not followed. In practice the process was quite different. For example, they did not follow the previous three strikes policy and took action sooner.</p> <p>It was agreed that we need to revise the Enforcement Procedure document currently in the ROWIP (to include how the Council would prosecute the small minority who were persistent offenders). Ed Bradford, Bruce Evans and Callum Bush indicated commitment to this being produced, in liaison with LAF members.</p>	<p>TBA</p>
6	VOLUNTEERS	
	<p>Callum Bush introduced Luke and Roger from the Youth Justice Service saying that they were planning to work together to keep PROW routes open in the near future. They had their own risk assessments etc.</p>	

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	<p>Asked how many people would be involved, Luke replied that it varied each week. It could be 2 or 3 or sometimes a lot more. They would be going out with Crispin and Ceri from the PROW team.</p> <p>Further, the closing date for the Volunteer Officer role was today.</p> <p>This progress was welcomed, despite disappointment not to have been able to see the draft job description for this role, after expressing interest, to help ensure its success.</p> <p>Viv Burdon had seen an email referring to a policy document regarding volunteers. She asked if the LAF could see it. Callum replied that a couple of things still needed to be looked into, but after that, yes.</p> <p>Part of the role of the Volunteer Officer would be to arrange training and risk assessments for volunteers. They would need to work closely with PFOs and the list of PFOs was being updated.</p>	CB
7	DEFINITIVE MAP	
	<p>The Definitive map was being kept updated and could be accessed online. Enquirers were directed to: https://www.herefordshire.gov.uk/travel-transport/highways-public-rights-way-map</p> <p>A hard copy Definitive Map was kept currently at the Town Hall. Appointments to view it should be made via the PROW inbox.</p>	
8	WEBSITE & IT	
8.1	<p>LAF members were updated on the Council's progress in establishing a fit for purpose PROW management computer system that would provide accurate and meaningful performance information for LAF reports, etc. Having looked at CAMs, they were now looking at using the BBLP system by expanding the capability of Confirm, used by BBLP. It would be different with the full capabilities turned on. Following a demo last week, a proposal was expected before Christmas.</p> <p>Enquiries come through the website and are added into Confirm, with no need for a dedicated data-input officer. Asset data would be collected and recorded in the field. Ideally every officer would have a device giving access.</p> <p>Confirm needed configuring and functionality turning on for PROW. It would be a Herefordshire Council system within the BBLP contract. A separate piece of work was being done regarding the future operating model, with the possibility of other functions moving back to the council.</p> <p>LAF members lacked confidence in this proposal recalling their constant dissatisfaction with the BBLP PROW IT system, and with the AMEY system when the service first moved out of the Council. Performance/Activity report figures extracted were inaccurate, partial and inconsistent due to the way data was collected and processed, data- cleanups which removed data and the fact that the PROW Manager was powerless to change anything.</p> <p>More reliable, accurate data was available from local walkers/ramblers who monitored defects reported on local rights of way on their own databases.</p> <p>LAF members advised we needed a separate PROW IT system, under the Council's control, not BBLP, purpose built to manage PROW data and to which accurate existing data and records would be transferred. Council Officers were urged not to use Confirm and to look at what other authorities were doing regarding PROW IT.</p> <p>It was noted that BBLP may charge a management fee, Ed Bradford would check.</p>	EB

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8.2	<p>LAF members wondered if there was a data /IT specialist in the PROW team to help shape the new system and how the organisational structure linked to the elements required in the IT system. Ed Bradford agreed to try to produce something showing this before the next meeting.</p> <p>LAF members asked if they could see the specification for the PROW IT system that the Council sought. They were told this depended on the rules the authority had to work to. There was a list of requirements.</p> <p>As yet, there was no firm timescale for when the new system would be introduced. An update would be required in a month's time.</p> <p>Regarding the Council's website, it was noted that information about the LAF was missing from the pages listing all the Council's public meetings/ partnership groups and forth-coming meetings. While there was helpful information about the LAF under Travel and Transport, including Minutes, this needed linking in.</p> <p>It was agreed to rectify this.</p>	<p>EB</p> <p>JA</p>
9.	MANAGEMENT OF PROW	
	<p>It had been valuable to meet the members of the PROW team at the previous meeting when many had attended. It was agreed to provide an updated organisational chart showing the team and how it fitted into the Council's management structure.</p> <p>Callum Bush introduced new team member, Owen Gore, who would be working on diversions and modifications.</p> <p>Callum said that he was contacting Susan White to find out about how the PROW team was previously managed</p>	<p>BE</p> <p>CB</p>
10.	RIGHTS OF WAY REPORT	
	<p>The Performance/ Activity Report for March – 30 September 2023 had been circulated earlier in the meeting. It was welcomed.</p> <p>It showed 247 undetermined Definitive Map Modification Orders (to reinstate old PROWs) with only 2 applications received this year to date. This year to date, 5 had been determined but awaited order, 7 had been made and added to the Definitive Map but not yet confirmed and one DMMO had been made and confirmed.</p> <p>Lisa Creed reported that one Modification Order was currently at PINs, with another one about to be sent..</p> <p>Duncan Green noted that the cut-off date for DMMO claims had now been extended to 2031, although Wales was not implementing a cut-off. The process was incurring a hugely disproportionate cost for the public. He advised that Councillors must urge parliament to support a major change to the way the process operated, recommending his previous proposal.</p> <p>There remained 1237 maintenance enquiries waiting inspection with 187 jobs completed, 52 awaiting completion and 72 on the capital list, with 43 paths currently closed – 25 due to bridge defects. Further detail was sought regarding the capital expenditure on bridge inspections, specifications and structures in 2022/3 and 2023/24. Callum Bush agreed to supply this.</p> <p>Hugh Vernon proposed looking together with the relevant Council Officer at the outstanding bridge work to explore options for repair and replacement and prioritisation issues, to get best value and minimise disruption and inconvenience. This was welcomed and agreed.</p>	<p>EB</p> <p>CB</p> <p>CB</p>

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11.	REPORT FROM HLAF ACCESS, MAINTENANCE & IMPROVEMENT WORK GROUP	
	Jo Weightman introduced the group, explaining its role to help the chair to steer the LAF, by bringing individual LAF members' experience and ideas together to steer and plan improvements and help bring about beneficial change. It met in between full LAF meetings. Jo invited any LAF member interested in joining to contact her.	
12	QUESTIONS FROM MEMBERS OF THE PUBLIC (AND OTHERS)	
	Cllr Peberdy asked what was the best method for reporting problems as she had had some returned. LAF members favoured using Fix My Street, as it provides a very accessible, trackable record. However, from a PROW perspective Fix My Street was not found to be accurate enough. Jill Addis explained that the legal route of rights of way is not shown and people often locate issues in the wrong place. This means it takes longer to record the issue in Confirm and can lead to a lot of wasted time if the inspector cannot find the problem. JA to send the link to the PROW report a problem on the HC website: Malcolm Louch asked when PFOs would receive letters of authorisation. Bruce Evans said he would look into that and move things along.	JA BE
13	AOB	
	Angela Martin stated that according to TALK COMMUNITY the Council's travel mileage rate was 45p for travel expenses, but for LAF she had been told it was only 31p. Could this be checked please? Callum Bush replied that that was the agreed amount 18 months ago when the issue was first raised. It was also noted that LAF members were not being supported in line with the national LAF guidance regarding many issues, eg induction, basic information about the PROW service, training, being provided with refreshments (or simply water) at meetings. PROW managers confirmed their commitment to support the LAF in accordance with the guidelines.	CB CB
14	DATE OF NEXT MEETING	
	TBC. Meeting closed at 12.35.	

Chairman: _____

Date: _____