



RCCE House, Threshelfords Business Park, Feering, CO5 9SE

**MINUTES**  
**of a meeting held in the Acorn Room at Feering Community Centre**  
**Tuesday 19<sup>th</sup> April 2016 at 10am**

**Present Members:**

Ray Booty (RB) (Chairman)	Katherine Evans (KE)	Martyn Towns (MT)
Jan Arthur (JA)	Louise Fuller (LF)	John Victory (JV)
Bob Drane (BD)	Richard Gray (RG)	
Ed Dixon (ED)	Robert Johnstone (RJ)	

**Observers:**

Rob Tongue (GLASS), Annette Todd (BHS); Linda Betchley (BHS);  
 Steve Day Liability Negotiations Adviser (Network Rail Anglia & South East);  
 Nick Eddy, Commercial Scheme Sponsor (Network Rail);  
 Andy Kenning (Network Rail).

**The following Officers were present in support:**

Margaret Shaw (MS) Rural Community Council of Essex (ELAF secretary)  
 Shirley Anglin (SA) ECC Public Rights of Way and Localism Officer  
 Garry White (GW) ECC Public Rights of Way and Records Manager  
 Giles Merritt (GM) Natural England (NE) Lead Adviser England Coast Path Delivery  
(Essex)

**Apologies:** Doug New (DN)

		<b>ACTION</b>
<b>1</b>	<b>Welcome and introductions</b>	
	Ray Booty welcomed everyone to the meeting and asked everybody to introduce themselves. RJ proposed and JA seconded that Richard Gray be appointed as a member of the Essex Local Access Forum for a 3 year term.	
<b>2</b>	<b>Minutes of previous meeting 8th December 2015 and matters arising</b>	
	Item 3 PRow hierarchy. Category 1.3 should read: <b>0.25 mile Radius</b> from edge of built-up areas (safe link paths).  Item 15 last paragraph should read: The BHS is concerned that if Network Rail implements the 4 crossing closures programmed in Hadleigh Country Park, there will no safely defined ROW railway crossing for the public to use between Benfleet and Leigh – a distance of some 3.5 miles. With these corrections it was agreed that the minutes of the meeting held on 8th December 2015 were a true record.  <b>Matters arising not covered on agenda.</b> Vincent Pearce of Colchester Borough Council has been invited to our next meeting.	<b>MS</b>
<b>3</b>	<b>Essex County Council report</b>	
	<i>Update by Garry White.</i> <b>Rights of Way Improvement Plan (RoWIP)</b> The current RoWIP was adopted in 2009 and was linked to the Local Transport Plan (LTP 2).	

In line with the CROW Act 2000, the RoWIP needs to be updated every 10 years. Although publication of update not required until summer 2019, preparatory work will commence later this year with some ELAF engagement. Lead-in time to publication will need to include a 3 month consultation period and sign off by the Cabinet Member prior to update implementation. Although not a fundamental change of the document, the update will nevertheless need to set out high level strategy for period 2019 – 2029. During this period there will be changes to the PROW legislation – Deregulation Act; 2026 cut off point for Definitive Map Review; and also implementation of new projects such as the England Coast Path. This will all be set against a backdrop of continuing downward pressure on the PROW Revenue budget. In this regard, the PROW Hierarchy would make the single most significant impact on the RoWIP review in line with an ever increasing need to prioritise resources and redefining what the service can actually deliver. The update will also need to place greater emphasis on PROW from an Asset Management perspective and find ways of successfully competing for Developer funding against all other competing demands as population and development pressure increases. **In advance of the next ELAF it would be helpful if members could look at the current RoWIP and start to think about particular areas that are of concern, need updating or clarifying.** MS will load to the ELAF website: [ECC RoWIP 2009](#)

### **Budget 2016/2017**

Inclusive of the Chelmsford City Council (CCC) SLA grant money, overall PROW Revenue maintenance budget is about £750,000, which represents about a 3% reduction on 2015/16 –the smallest reduction for a number of years now. Works delivery: the vegetation cutting programme will be the same as last year with one prioritised cut on the main promoted routes next month using ECC direct gangs then a main cut using Sub-Contractors over an 8 week period. Capital funding: Major works/surfacing and capitalisation is still to be confirmed but expected to be the same as last year at £400,000. The funding for Local Highway Panels (LHPs), which was another Capital funding source for PROW schemes, has been significantly cut back this year so we are not expecting many PROW projects to be approved by the LHPs, e.g. there is only 1 funded in Braintree District out of 5 proposals.

### **PROW Hierarchy**

All options for modelling based on costs are still being considered and will be subject to a further report to Cabinet Member in May. It means for this year the annual cutting programme will not be affected at all. Following an initial report in January this year, the Cabinet Member requested that the modelling be adapted to take into account a bias towards the rural network. This shows affordability or otherwise of different degrees of the modelling against current budgets. A re-draft of the report is currently being prepared.

### **PROW in Chelmsford City Council (CCC)**

Contract will continue for 2016/17 with CCC undertaking vegetation cutting and defect repair work for jobs with job packs being raised by Essex Highways Inspectors (other than for tree cutting which remains with ECC). The CCC have been asked to look at the policy of cutting back hedges as opposed to requesting landowner to do this first, then resort to formal notice after 21 days, which is the correct process. CCC are to be sent a list of paths which need to be cut. SLA still not finalised – currently with legal departments. ECC are scrutinising all work done by CCC as they do all work that is sub-contracted.

### **Shared facility for cyclists and pedestrians**

Primarily concerns Cycle Tracks conversion orders and retrospective action; also Sustrans route. In line with the new Essex Cycling Strategy, it is understood that a County Cycling officer

ALL  
MS

	<p>will be appointed shortly.  This officer will provide a focal point for all cycling policy and will enable overlap with PROW related matters to be fully taken into account.  Regarding FPs that are coincident with roads – where overwhelming evidence of status, PROW is subsumed into higher rights and will therefore will be removed from the Definitive Map – hence Balkerne Gate for example – a Roman road!</p> <p>RJ commented that where there are cycle paths alongside footways the design does not follow Essex Highway strategy or Department for Transport “Shared use routes for Pedestrians and Cyclists”.</p> <p>GW replied that many schemes were implemented without consultation. Current schemes are being initiated by Essex Highways with funding from the South East Local Enterprise Partnership.</p> <p>It was suggested that we ask Alan Lindsey, ECC Transport strategy officer, who has defined the schemes, to an ELAF meeting. SA will pursue.</p> <p><b>Byway experimental closures</b>  The first tranche comprising 5 byways - Clavering Byway 50; Pentlow Byway 3; Little Henny Byway 1 continuing as Byway 13 Middleton &amp; Byways 13 and 55 High Roding have come to the end of the 18 month experimental period.  A decision now has to be made whether to make the seasonal temporary closures permanent with implementation every winter or take no further action.  Part of the decision-making process will rely on repeat of the ecological survey first undertaken during summer 2014 to measure the effect of closure on environmental and habitat quality. This will take place in June in time for a report to the Cabinet Member in August – it will provide an interim report given that the second set of closures will be subject to second closures in winter.  One of the facets of the temporary closures has been the number of byways that have been successfully allocated LHP funding for surface improvement.  The resultant impact on the ecological/biodiversity issues arising from the surface improvement will form part of the baseline analysis for the report.  BD asked that the formal report on the first tranche be presented to our July meeting.</p> <p><b>Mapping</b>  Clement Takyi has left ECC but the GIS Mapping project will continue.  MapEssex is now on line with advisory Highway Records layer – similar to status of the PROW interactive map with parallel caveats.  Anybody can view map but particularly helpful for managing staff resources in Highway Records by self-serve provision for Private Search Companies on behalf of conveyancing solicitors.  <a href="#">Highways Information Map is available on the ECC website.</a></p> <p><b>Rolling Program</b>  This is a 5 year program such that with 12 inspectors 88km of PRoW are inspected by each inspector each year.</p> <p><b>Essex Tick</b>  Rare but recently found in Harlow, Public Health England have responded that it is not dangerous to humans but it is to horses, cattle, sheep, dogs.</p>	<p>SA</p> <p>GW</p>
	<p><b>Localism</b></p>	
	<p><i>Update by Shirley Anglin</i></p> <p><b>Parish Paths Partnership (P3)</b>  11 new Parishes have joined the P3 scheme this year.  Volunteer work proposals are coming in, SA is in process of checking (awaiting budget) prior to sending out to PRoW Inspectors for approval.</p> <p><b>Promotion</b>  Access Essex: A new version will be published in April.</p>	

	<p>Website: Vegetation cutting pages are to be refreshed with up-to-date information. Headland Management Scheme(HMS) layer will not be completed as early as had been hoped but scheduled for later in the year.</p> <p><b>Fault reporting system</b> Information that is automatically sent from the enquiry system does not always match the Inspectors actions. This is being addressed through the technical manual review. Inspectors will have a better understanding of the status they assign to an inquiry and what response this gives the customer. But the system covers many elements of the service, and so not all situations will fit nicely with a status. SA stated that fingerpost issues can be reported under any heading as everything is given to the PRoW Inspector.</p> <p><b>PROW User Satisfaction Survey</b> The survey is now available on the ECC website <a href="#">ECC PRoW satisfaction survey</a>. Members are asked to complete and promote. It will also be publicised in Access Essex.</p> <p><b>Headland Management Scheme</b> New contracts have been sent out to all participants (97). Formalises the one cut payment and the cutting window to reflect ECC procedures. This scheme is closed to new applicants but may be reopened for the England Coast Path. SA plans to review all schedules over the course of the year to implement changes in 2017/18</p> <p><b>Ease of Use Surveys</b> May surveys are scheduled to begin as usual so PRoW Inspectors will be busy during this month.</p> <p><b>England Coast Path</b> Now entered stage 2 “Develop”. NE are meeting with each individual landowner to look at route options and discuss the spreading room.</p>	<b>ALL</b>
<b>4</b>	<b>Network Rail (NR)</b>	
	<p>Steve Day, Nick Eddy &amp; Andy Kenning of Network Rail gave a presentation on the Anglia Level Crossing Reduction Strategy.</p> <p>The time period covered is control period (CP) 5 4/2014 - 3/2019. This covers phases 1 &amp; 2 and the reduction will be by extinguishments and alternative routes. There is no budget for bridges / infrastructure works in phases 1 &amp; 2. Phases 3 &amp; 4, will be in CP6, and will include a budget for major infrastructure works (e.g. bridges).</p> <p>There are 144 Footpath and User Worked Crossing in East of England – being Essex Suffolk Norfolk Thurrock Herts &amp; Southend-on-Sea. 58 are in Essex. NR will publish which crossings they wish to alter in due course – information is not publicly available at present as NR are still consulting with landowners. NR will be able to provide site specific information for the next ELAF meeting on 12 July.</p> <p>Historically the 1980 Highways Act was used to implement diversions, bridging, downgrading of rights or extinguishment, which required Local Authority involvement. The new NR strategy is to use Transport &amp; Works Act (T&amp;W) Orders as a consistent and systematic way of progressing closure of many level crossings simultaneously. This will involve:</p> <ul style="list-style-type: none"> <li>• Stakeholder consultation</li> <li>• Public consultation</li> <li>• Diversity Impact Assessment</li> <li>• Environmental Impact Assessment</li> <li>• Transparency</li> <li>• Independent Public Inquiry</li> <li>• Compulsory powers</li> </ul> <p>This will reduce demands on Highway Authority resources as decisions will be taken by the Secretary of State (SofS). The Order would cover all the changes proposed in a given county. If a formal objection is received after submission to SofS, then that crossing could be removed from the T&amp;W Order.</p>	

	<p>The compulsory powers available under the T&amp;WA, gives NR the power to require a landowner to dedicate land as a PRoW. NR are not planning to buy any land. There are no proposals to downgrade Bridleways to Footpaths. Crossings will be extinguished where there is no onward route (e.g. 6 lane A12) or where NR consider that there is a parallel route. Where an alternate route is via a road then appropriate Road Safety audits are being done by external consultants. KE &amp; GW asked if the risk assessment methodology being used was the same for rail and road. Steve Day explained that rail is measured against all other level crossings, so the method is not the same as the road risk assessments that are being carried out. GW asked if the information would be shared with Highway Authority (HA). There was some concern as to whether the road methodology was the same as the HA methodology. NR will share with the Highway Authority after review by NR. There are approximately 12 fatalities per year on 6000 level crossings over the whole country. Anglia is the highest risk area as it has a larger population. Crossings in the rest of SE England were largely consolidated in the 1930-1950s. The infrequency of trains can actually make railways more dangerous. KE noted that the requirement was to make crossings safer before closing them and asked about warning lights &amp; locking gates – for example at Abbots crossing in Ardleigh. Locking gates have to be controlled from a signal box which is not possible. KE asked about Rochford FP17 crossing near Southend airport, which has been closed by a TRO. GW commented that aeroplane noise was not something new. NR stated that they had only recently been made aware of the problem of aeroplane noise drowning out the horn warning signal at the “Golf links crossing”. Now that they have been made aware they cannot ignore the problem. The crossing is close to a station &amp; warning lights would be too expensive. The crossing will stay closed. KE asked about the closure of the non-PRoW foot crossing at Hadleigh Country Park, which is ECC land. NR stated that crossings are sometimes closed due to maintenance issues. These crossings – Kersey 1 and 2 – are not included in the closure programme as they are not PRoW crossings. The PRoW crossing nearest Benfleet station is still closed by a TRO. The other PRoW crossing is still open. KE commented that the drainage issues at cattle creeps between Roydon &amp; Harlow would need to be addressed before they could be used as PRoW. Linda Betchley requested that parapet heights are suitable for horse riders.</p> <p>Consultants Mott MacDonald, on behalf of Network Rail, are finalising plans, carrying out ecology surveys and contacting affected landowners.</p> <p>Timetable:  Late May/June 2016 – Round 1 public consultation events at 12 venues: presenting context and options;  July/August 2016 – Round 2 public consultation events: presenting more detail on single option solutions;  Specific dates and times of consolation events will be provided to the LAF.  This presentation will be circulated.</p>	<b>MS</b>
<b>5</b>	<b>Natural England (NE)</b>	
	<p><i>Update by Giles Merritt</i></p> <p><b>England Coast Path (ECP)</b>  Maldon – Shotley Gate – NE are currently walking the route and meeting with landowners. Public meetings held in January &amp; February 2016 were positive and additional landowners were contacted. NE has received lots of detailed input from the Ramblers. There will be a 2<sup>nd</sup> round of contact to discuss “roll back” routes. Roll back will happen where the sea wall may be breached or where there is “excepted” land (e.g. industrial sites). There is no plan to reinstate sea wall breaches / build sea walls back again – the route will be realigned inland. The final route is still being discussed and no new routes have yet been decided. NE will meet with stakeholders between now and September 2016.</p>	

	<p>A report will go to the Secretary of State in April /May 2017; then there will be 6-8 weeks of consultation. Burnham-on-Crouch to Shotley Gate is planned to open in 2018.</p> <p>SA reported that NE and ECC held a “visioning” event at Walton-on-the-Naze to involve local businesses and parishes to discuss how the ECP would be promoted.</p>	
<b>6</b>	<b>Road Building</b>	
	<p><b>A120 Braintree to Marks Tey</b> KE gave feedback on the A120 forum - environment group that she attended with RB in February 2016. Key points from forum: Purpose of Forum is to inform and shape communications and engagement activity to engage environmental groups/interest. Overview of route sifting and environmental assessment will be discussed at the next meeting of the environment group</p> <p>As part of the national strategic road network the A120 is maintained by Highways England (HE). A route options study would normally be undertaken by HE. However ECC has been successful in reaching agreement with the Government to kick start the study with £5m ECC funding. The aim is to undertake a study of possible route options between now and 2017 such that Government can ask HE to process the scheme subsequently with it being included in the second Roads Investment Strategy period 2020 to 2025.</p> <p>Timetable: To Autumn 2016: Route option development; Winter 2016/17: Consultation; Winter/summer 2017: Analysis and responding to consultation; Autumn 2017: ECC recommendation of a preferred route option. Project website is <a href="http://www.a120essex.co.uk">www.a120essex.co.uk</a></p> <p>GW reported that he is scheduled to meet the consultants.</p> <p><b>A12 improvements Chelmsford to Colchester.</b> RB reported that there is no current consultation. There are problems with room for slip roads.</p> <p><b>Lower Thames Crossing</b> RB reported that he had attended an information meeting at Orsett in February 2016. There is a lot of disquiet with Option 3 which is the current preferred route and mainly affects Thurrock. ELAF will only be involved if Option 4 prevails.</p>	
<b>7</b>	<b>Correspondence</b>	
	<p>MS has written to thank Clement Takyi, ECC PRoW &amp; Records Data Analyst Highways, for his presentation at the last meeting.</p> <p>Amendments to <b>Essex LAF constitution</b> were returned by Jacqueline Millward of Essex Legal Services. The changes were discussed by RB/KE/LF/MT. MS has contacted Jacqueline Millward to ask for clarification.</p> <p>MS has sent a letter to the Cabinet member for Highway Delivery re Byway experimental closures. The letter &amp; the reply from Cllr Eddy Johnson have been circulated. ECC has discussed the Kent Byway Permit Scheme with Kent Highways PRoW officers. It worked well where there was Community Policing, but otherwise had limited success. It will not therefore be suggested in the ECC Interim report on the Experimental Byway Closures.</p> <p>Cllr Johnson has been invited to attend a LAF meeting but as yet we have received no reply.</p>	

	MS has responded to Uttlesford DC Consultation on Statement of Community Involvement asking that Essex LAF be included in the list of stakeholders. MS suggested that if other District Councils have similar consultations then she should be alerted so that we can attempt to raise our profile.	ALL
<b>8</b>	<b>National and regional LAF updates</b>	
	RB & MS attended the East of England Regional Meeting on 15 <sup>th</sup> December 2015. RB attended the LAF National Conferences on 1 <sup>st</sup> March 2016.	
<b>9</b>	<b>Website, Social Media, Members Interests</b>	
	MS asked for outstanding biographies for the <a href="#">website</a> . RB has set up a <a href="#">Facebook</a> page for Essex. RB urged members to link to it.	KE/DN/ MT/RG ALL
<b>10</b>	<b>Huddle</b>	
	Current topics include: Consultation on the draft cycling & walking investment strategy – available until 23 <sup>rd</sup> May 2016.  <b>Lost Ways / White Roads</b> There is a new classification of roads that the Highways Authorities must implement from 1 <sup>st</sup> April 2016. There is a recommendation that it made available online, as there will be lots of queries leading up to the 2026 cut-off. Phil Wadley – author of “Lost Ways” has been invited to our next meeting. KE has attended a BHS course on identifying Lost Ways. KE proposed that the LAF acts as coordinator for the Lost Ways project in Essex – so that all data is a central repository and there is no duplication of effort. GW will need to consider if this is within our remit. We should present a formal proposal to GW.	RB/KE
<b>11</b>	<b>Any other business</b>	
	BD circulated copies of the Auto-Cycle Union Environment Policy. BD highlighted problems occurring on Byways – there are existing legal ways of stopping illegal usage without imposing closures. KE raised the question of the PRow hierarchy and the cutting of only 0.25 mile radius around built up areas. GW replied that the Cabinet Member was interested in category 2 paths outside the Urban network, which is a more expensive option than the original category 1 proposal. GW confirmed that “urban areas” includes settlements such as villages that are not as per the OS definition of an urban area.	
<b>12</b>	<b>Public question time</b>	
	Questions were raised at the User Group meeting that followed the LAF meeting	
	<b>Date of next meetings</b>  Tuesday 12 <sup>th</sup> July 2016 at 2pm.  Tuesday 11 <sup>th</sup> October 2016 10am followed by PRow User Group at 1.30pm. (NB These timings may change)  Tuesday January 17th 2017 at 2pm.	ALL