



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

**MINUTES**  
**of a meeting held in the Acorn Room at Feering Community Centre**  
**Tuesday 11<sup>th</sup> October 2016 at 10am**

**Present:**

**Members:**

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

**Observers:**

Marlene Curtis (BHS); Sue Dobson (EBA); Cllr L. Schnurr (Heybridge Parish Council).

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

Margaret Shaw (MS) Rural Community Council of Essex (ELAF secretary)  
 Garry White (GW) Essex Highways (EH) Public Rights of Way and Records Manager  
 Shirley Anglin (SA) EH Public Rights of Way and Localism Officer  
 Robin Richardson (RR) EH Public Rights of Way Inspector

**Apologies:** Doug New (DN); Rick Gray (RG); Giles Merritt (Natural England).

		<b>ACTION</b>
1	<b>Welcome, introductions, appointments and Chairman's report</b>	
	<p>Ray Booty welcomed everyone to the meeting and asked them to introduce themselves.</p> <p><b>Appointments</b>            GW has approved Adam Scott's membership application.            JV proposed and KE seconded that Adam Scott be appointed as a member of Essex LAF for a 3 year term.            Katherine Evans and Ed Dixon have reached the end of their term as members of the LAF.            RJ proposed and MT seconded that Katherine Evans be re-appointed as a member of Essex LAF for a further 3 year term.            JV proposed and JA seconded that Ed Dixon be re-appointed as a member of Essex LAF for a further 3 year term.</p> <p><b>Chairman's Report</b>            RB reported the outcome of a meeting with Garry White &amp; Shirley Anglin at County Hall, where the future format of the LAF &amp; User Group meeting was discussed again. SA is investigating cost reductions.            The User Group meeting scheduled for today had been postponed, and will be rescheduled for later in 2016. Subsequent User Group meetings will no longer be on the same day as the LAF meeting.            The LAF meetings will in future be on Tuesday afternoon and will be organised by SA – possibly at County Hall.            From January 2017 EH will reduce the hours funded for ELAF secretarial support by 33%.            RB reported that GW had agreed that more work would be done in sub-groups. The ROWIP sub-group (RB, KE, JV, MT) had met and notes of the initial meeting had been circulated to members.</p>	<b>SA</b>

	Other sub-groups that he proposed – Lost Ways; Partnership Working (Local Nature Partnerships (LNP), Local Enterprise Partnerships (LEP); Health & Wellbeing Boards; LEADER funding Local Action Groups), as suggested by Natural England in their Annual Report.	
2	<b>Minutes of previous meeting Tuesday 12<sup>th</sup> July 2016 and matters arising not covered on agenda</b>	
	<p>Item 3 - Byway experimental closures - 10<sup>th</sup> sentence should read: Byway 40 Greenstead Green at Markshall. With this change the minutes were agreed &amp; signed as a true record. (proposed RJ seconded ED).</p> <p><b>Matter Arising</b></p> <p><b>Item 1.</b> Vincent Pearce has not attended. RJ will approach Colchester BC about a Planner to attend a LAF meeting.</p> <p><b>Item 2.</b> There has been no response to our invitation to Phil Wadley to attend a future LAF meeting to discuss Lost Ways. RB to follow up.</p> <p><b>Item 3.</b> Andy Hilsdon will be invited to our next meeting.</p> <p><b>Item 4.</b> The Essex Cycling Strategy &amp; Borough/District Cycling Action Plans has still not been confirmed. A copy will be sent to MS for distribution to members when it is available.</p> <p>SA has spoken to the cycling strategy team. Work is currently in abeyance until Chris Radley (formerly of Sustrans) takes up a new post as Cycling Strategy team leader within ECC. SA will invite him to the LAF meeting on January 17th. Epping Forest DC Cycling Action Plan (CAP) is being implemented within their new local plan. Chelmsford CC CAP is being developed internally. All other Districts are on hold.</p>	<p><b>RJ</b></p> <p><b>RB</b> <b>GW</b></p> <p><b>GW/MS</b></p> <p><b>SA</b></p>
3	<b>Essex County Council report</b>	
	<p><i>Update by Garry White.</i></p> <p><b>Essex Highways Reorganisation</b> is now bedding down. PROW and Records team - Team structure now in place apart from 2 Technical Assistant vacancies. Seniors: Definitive Map and Highway Records Team Leader – Helen Baker (Ian Ward has retired); Land Charge Searches Team Leader – George Munyard; PROW and Localism Officer – Shirley Anglin; PROW Enforcement Officer – Simon Taylor. PROW Inspectors team – slight changes made to areas. Jim Bartlett &amp; Robin Wallbank now report to Andy Hilsdon. SA will forward new updated map of the whole county, and a spreadsheet of which Inspector covers which Parish.</p> <p><b>Interactive Maps</b> – Both maps are still operational: the <a href="#">PROW Map</a> on the PROW web pages and the <a href="#">Highways Information Map</a> on the Interactive Map page. The new map (Highways Information Map) has had some changes and refinements implemented since its launch. The PROW map will be taken down in due course when the Highways Information Map includes PROW data. The digital maps are not the Definitive Map (and have not been included in the changes to be introduced by the Deregulation act).</p> <p>RJ asked why the full definitive statement is missing from the digital map. GW replied that this is due to compaction problems. There is no intention to include the full statement at the moment.</p> <p>Legal event modification order procedure – All orders (except Rochford DC) are now done by the Definitive Map and Highway Records Team.</p> <p>Deregulation Act – originally supposed to be implemented by 2016 but the government working group has not been convened. Revised date for implementation 01/04/17 – but still may be slipped to summer 2017.</p>	<p><b>SA/MS</b></p>

<p><b>CONFIRM system</b> KE asked why the detail of previously reported faults is not visible. Also it is often difficult to use the map to report a problem. KE to send details to GW.</p> <p><b>Definitive Map</b> RJ asked why a new definitive map has not been produced every 5 years as per the 1949 legislation. GW explained the problems that had occurred and the revision to legislation in 1981 which said the definitive map should be updated when it is reasonable to do so, with no specific time gap mentioned. The latest Definitive Map was issued in 2002 and is kept up to date with Modification Orders. There is no consolidation currently envisaged.</p> <p><b>User Group</b> GW reported the reasons for moving the User Group meeting to a separate day was that there was too much duplication. The LAF will deal with strategic issues and the User Group will cover individual cases and points of detail. Simon Taylor will organise the next User Group meeting in November 2106. Anybody can attend.</p> <p><b>Constitution</b> The revised Essex LAF constitution is still waiting to be approved by ECC.</p> <p><b>Byway seasonal closures</b> Tranche 1 – Byway 1 Little Henny/Byway 13 Middleton, Byway 3 Pentlow, Byways 13 and 55 High Roding Byway 50 Clavering –there will be a confirmed order implementing permanent seasonal closures 01/11/16 – 31/03/17. Tranche 2 – Byway 1 Theydon Mount, Byway 13 Gestingthorpe, Byway 5 Ashen /Byway 8 Ovington / Byway 2 Belchamp St Paul, Byway 24 Broxted /Byway 99 Thaxted /Byway 22 Tilty, Byway 61 (Lucas Lane) Willingale - second half of the Experimental Order will be implemented 01/11/16 – 31/03/17. New Tranche 3 – Byway 98 Wimbish continuing as Byway 100 Wimbish, Byway 52 Toppesfield, Byway 39 Greenstead Green, Byway 40 Greenstead Green/Byway 4 Coggeshall, Byway 10 Greenstead Green - Experimental Order will be implemented 01/11/16 – 31/03/17. GW reported that the environmental impact assessment showed that there had been considerable drainage improvements on the seasonally closed paths, which gave all users better access. BD objected to the inclusion of motor bikes in the seasonal closures as in his view this was discriminatory as damage was being done by 4-wheeled drive vehicles. He asked for exceptions for motorcycles as happens in Ely and elsewhere. BD objected to the inclusion of 4 Byways around Marks Halls, where in fact only 200 yards are badly damaged. GW replied that not everybody adhered to the protocols &amp; high standards of the ACU and voluntary restraint was not happening. The LHPs were spending money to protect the byways affected &amp; the seasonal closures are to ensure their on-going resilience. RB queried whether experimental closures were based on merit. GW replied that they were based on sensitive habitats. Formal objections had been received by ECC to the seasonal closures but the Cabinet Member has the power to adjudicate. <a href="#">Decision confirmation</a> is on the ECC website.</p> <p><b>Vegetation cutting program</b> Selected routes will be a hard cut early next year if budgets allow. SA will provide MS a list of these paths for circulation. 2017/18 cutting programme is yet to be confirmed and is dependent upon budget. GW confirmed that cutting widths are a minimum of 1 metre; generally 1.2m, wider in Green Lanes.</p> <p><b>Register of declarations</b> made under section 31(6) of the highways act 1980 are now available on the <a href="#">ECC website</a>. Fees now implemented and processing of Notices commenced.</p>	<p><b>KE</b></p> <p><b>EH</b></p> <p><b>GW</b></p> <p><b>SA</b></p>
---	---

<b>4</b>	<b>Rights of Way Improvement Plan (RoWIP)</b>	
	Due to lack of time the ECC report on achievements since the 2009 ROWIP and the notes from the ROWIP sub-group will be circulated.	<b>MS</b>
<b>5</b>	<b>Network Rail (NR)</b>	
	<p>A copy was circulated of the section 94 letter that was sent from ELAF to Richard Schofield Group Managing Director at Network Rail on 5<sup>th</sup> August 2016. The letter was also copied to Steve Day, Andy Kenning &amp; Nick Eddy. This expressed our disquiet at the procedures employed by Network Rail and its consultants when consulting on the proposed Anglia Level Crossing Transport &amp; Works Act Order (TWAO) closures in Essex. No reply had been received.</p> <p>NR have issued their stage 2 consultation and organised public exhibitions. The consultation period was again only 4 weeks.</p> <p>The current government guidelines on the length of consultation are not as rigid as previously <i>“Consultations should last for a proportionate amount of time. Judge the length of the consultation on the basis of legal advice and taking into account the nature and impact of the proposal”</i>.</p> <p>GW reported that ECC have concerns about the TWAO &amp; ADEPT will be raising concerns with central government.</p> <p>ECC and the District Councils are statutory objectors, but landowners are not. NR can “require” land to be dedicated.</p> <p>GW reported that ECC are challenging 25 closure proposals where they divert onto public roads. They are not challenging where an alternate route is proposed.</p> <p>KE urged members to respond to the consultation as individuals where appropriate. KE raised concerns that landowners views were not being taken into account. KE hoped that assurances will be given that crossings will not be closed prior to the construction and opening of alternate routes.</p> <p>RB commented that a major concern was that it was only possible to object a specific proposal not to the TWAO in principle.</p> <p>MT suggested that local MPs should be involved.</p>	
<b>6</b>	<b>Natural England (NE)</b>	
	<p>MS presented an update on the coastal path on behalf of Giles Merritt, which she will circulate to attendees.</p> <p>As part of the whole process, NE have to consider the suitability of salt marsh to have coastal access rights applied to them. Where they deem it is not suitable, NE have the power (under Section 25A of the CROW Act) to exclude coastal access rights from applying to salt marsh. ELAF must be consulted as part of this process. MS will send a formal reply to NE, so comments should be forwarded please.</p> <p>SA reported that EH is working closely with NE. Where people are already using the salt marshes they will be included if it is safe to do so and wont negatively impact on wildlife. Heavily creaked areas may be excluded on safety grounds.</p>	<p><b>MS</b></p> <p><b>AI/MS</b></p>
<b>7</b>	<b>Road Building</b>	
	<p><b>Environment Forum</b></p> <p>The A12 &amp; A120 Environment Forum have been combined. PRow will be considered at this meeting.</p> <p>RJ commented that many PRow cross the A12 but are not usable.</p> <p>ED commented that there is an accident black spot on the A127, where paths meet. People are advised NOT to cross. The LHP refuses to pay for a footbridge.</p> <p><b>A120 Braintree to Marks Tey</b></p> <p>ECC is working to get the project into the Highways England (HE) 2020 program. There will be an 8 week public consultation starting in January 2017.</p> <p><b>A12 improvements Chelmsford to Colchester.</b></p> <p>This is in the current HE program and therefore must start before March 2020. It is hoped be built to Expressway standard.</p> <p>There will be a 6 weeks public consultation on widening between Boreham and</p>	

	Marks Tey starting in January 2017. MS to circulate the meeting notes to all ELAF members.	<b>MS</b>
<b>8</b>	<b>Correspondence</b>	
	KE asked to be copied any paperwork received from the Essex Coastal Forum.	<b>MS</b>
<b>9</b>	<b>National and regional LAF updates</b>	
	There has been no suggestion of a Regional Meeting this year. A single National Conference is planned for 2017. Rob Leek, the LAF contact at NE, has now left and new arrangements are in place.  <b>Annual report 2015-2016</b> MS has sent our Annual report to Natural England & circulated to Members and loaded to <a href="#">ELAF website</a> .	
<b>10</b>	<b>Huddle</b>	
	RB reported that the whiteboard has been removed so there is no longer interactive access. The topic list is still available. MS continues to circulate to all members any useful information that is newly added to Huddle.	
<b>11</b>	<b>Website, Social Media, Members Interests</b>	
	MS asked for outstanding biographies for the <a href="#">website</a> .	<b>KE/DN/ MT</b>
<b>12</b>	<b>Any other business</b>	
	RB queried if external funding could be used for PRoW maintenance. GW replied that this would need to be discussed with Essex Partnership.  Membership of sub-groups would be organised by email.	
<b>13</b>	<b>Public question time</b>	
	Sue Dobson asked GW for an update on the ECC policy of creation of new bridleways (BW). GW replied that there has been no change since last year. ECC are not creating new bridleways as they cannot be maintained. Cabinet members have indicated that future PRoW funding is under review. Current NR proposals only consider replacing like for like. SD referred to her proposal for a BW through the new North Heybridge Garden Community, and asked if ECC had been consulted. GW replied that ECC Strategic Development Team should refer suggestions to the PRoW team. This process is under review. Please refer anything in this category to GW. Cllr L. Schnurr suggested writing to Cllr Lewis at Maldon District Council. KE emphasised that Planners are still not informing PRoW team of issues. GW stated that the Highway Authority can only make suggestions to a Planning Department.  Marlene Curtis asked for confirmation that the Experimental Byway Closures will exclude ALL motorised users.	
	<b>Date of next meetings venue to be advised</b> Tuesday January 17th 2017 at 2pm. Tuesday May 9th 2017 at 2pm. Tuesday July 11th 2017 at 2pm. Tuesday Nov 7th 2017 at 2pm.	<b>ALL</b>