

6 December 2001

Your ref:

Our ref: MTP/CC

Please ask for Mr Purkiss on 01799 510430
email: mpurkiss@uttlesford.gov.uk

Dear Councillor

SCRUTINY COMMITTEE 1 (COMMUNITY AND HOUSING)

At the last meeting of Scrutiny Committee 1 it was mentioned that a meeting was to be held to discuss footpath issues (Minute S1.14).

Please find enclosed the notes of this meeting which Members may find helpful in their future deliberations.

Yours faithfully

Committee and Communications Manager

STORT VALLEY FORUM held at Elsenham School on 29 November 2001 at 8.00pm

WELCOME

Councillor David Morson welcomed the 30 residents and local councillors to the meeting.

PROMOTING FOOTPATHS FOR LEISURE AND ECONOMIC BENEFIT

Councillor Alan Dean explained that for some time he had been looking at ways of developing and promoting the rights of way within Uttlesford. He said that greater use of rights of way could bring benefits to the local economy and was an important aspect of health improvement. There were a number of long distance paths in the area including the Flitch Way, The Forest Way, The Harcamlow Way and the Icknield Way Councillor Dean had been looking at ways of using the footpaths without using the car. He said that he had managed to get to and from three circular walks by using a combination of bus and train travel and this had enabled him to see much more of the natural heritage of the area.

The Forum then discussed this issue and there was general support for promoting rights of way in the district. In particular it was noted that a number of parish councils promoted local walks within their area and would welcome the opportunity for greater co-ordination and promotion. It was suggested that there could be a district wide directory of walks which could be made available in railway stations and guesthouses etc. it was also suggested that leaflets on walks should include details of places of refreshment and their opening times. It was stated that many pubs in the area had suffered during the foot and mouth problems and it was evident they relied to quite a large degree on walkers. If the promotion of right of way increased the number of walkers this could lead to an increase in their trade. Reference was also made to the importance of "Quiet lanes" and it was hoped that some would be designated in the district in the foreseeable future.

FOOTPATHS AND THE LEISURE AND CULTURAL STRATEGY

Sarah Mclagan Uttlesford's Head of Community and Leisure Services explained how the use of rights of way fitted into the Council's Leisure and Cultural Strategy and she explained how the Council worked with other partners to achieve objectives. Using walks fitted in with the promotion of health issues and the Council was working with the Primary Care Trust and local surgeries to promote this. A recent example had been the "Walk for Health" in Hatfield Forest. She explained that the Council produced a number of footpath publications and promoted and sold a whole range of footpath leaflets through the Tourist Information Centre.

The Forum then discussed the issues which had been raised in this items and referred to the danger of cycling in some parts of the District. Reference was also made to the proposed cycle way which would lead from Audley End Station to Saffron Walden.

FOOTPATH SIGNAGE AND CLEARANCE

Liz Saville, the Right of Way Manager at Essex County Council explained the work of her department. She explained that, Essex County Council, as the Highway Authority, had a statutory duty to erect finger posts where they met a public highway. However, there was no statutory obligation to provide way marks along the route. She said that the difficulties associated with the foot and mouth outbreak had increased the problems of clearance. There were 5000 miles of rights of way network in the county.

The County Council budget for this was £800,000 and Uttlesford received £130,000 of this. She added that whilst this appeared to be a substantial amount, it was still not enough to do everything and it was necessary to prioritise the workload. She said that following the introduction of the Wildlife and Countryside Act 2000 there would be greater opportunities for local people and user groups to influence what was being done. Also under the act the County Council was required to produce a Rights of Way Improvement Plan which would assess the rights of way network and whether it met the demands of users. The County Council would also be setting up a local access forum to include user groups, parish councils, land owners and other individuals. This would act in a scrutiny role and would report directly to Councillors.

She said that the Department of Transport, Local Government and the Regions was consulting on quiet lanes and a rural route network.

The County Council would be asking parish councils to advise on any areas they thought should be designated as quiet lanes. She said that there were currently two schemes, one at Felsted and one at Farnham/Ugley /Manuden which were being looked at for pilot project.

She said that the County Council had a Parish Path Partnership which could help in promotion. The issue of whether maps could be provided on websites was being explored and, in particular the copyright issue was being investigated. She concluded that many things were happening but there was still much to be done. She said that it was important to get feedback from the general public.

In answer to a question she explained the concept of a "Quiet lane" and said that the County Council was looking at existing peaceful lanes which could be made more suitable without the need for extensive traffic management schemes. It was suggested that better use could be made of roadside verges for walking, cycling and horse riding and she said this issue was being pursued by the County Council. She was asked to explain the escalation procedures which the county used in dealing with unco-operative land owners. She said that the first step was to advise the land owner of their legal duty, then to give them time to reinstate the path, then to issue a legal notice, if necessary and finally to prosecute. She said that it was hoped to appoint a rights of way enforcement officer on a permanent basis and this would help greatly in dealing with these issues. She added that it was important to tackle problems in a fair and consistent way.

There were some suggestions that there would be benefits in having a consistent method of signposting within the district. She explained that the County Council supplied way marks to parish councils and user groups and relied on these to way mark the paths. The Parish Path Partnership scheme helped greatly in maintaining and cutting paths. In answer to a question she said that County Council could not encourage users to take secateurs and other implements on their walks because of Health and Safety and other legal issues.

FOOTPATHS AND RAILWAYS

Councillor David Morson explained the problems which had been encountered concerning footpaths at Newport and Ugley/Widdington. He said that it was important that the public were involved in any decisions in determining the way forward in these matters. He said that a decision had been made by Railtrack on Health and Safety grounds to use whistle boards where footpaths crossed railway lines. Whilst this was not a statutory requirement, Railtrack had decided to proceed in the interest of public safety. It was particularly noted that Railtrack had erected the whistle board notices without prior notice or consultation with local residents.

An application had been made to divert or close Footpath 26 at Ugley/Widdington. However, Essex County Council as the Highway Authority would not agree to the proposal and the Ramblers Association had also objected. Councillor Morson said

that residents were still being disturbed by noise and there was an urgent need to look at alternatives. The possibility of installing flashing lights at the crossing had been put forward to Railtrack but had been dismissed on the grounds of cost. Essex County Council had stated that under the Highway Act these paths could only be stopped up if they were not needed for public use, which would be extremely difficult to prove or that closure was in the interest of public safety. RailTrack had undertaken an assessment of the risk and had stated that it was "as low as reasonably practicable". It was there for clear that Railtrack did not consider the crossing to be unsafe.

The Forum then discussed how this matter could be resolved. The public were particularly concerned that there had been no consultation by the Railtrack prior to the erection of the whistle boards and it was also suggested that Railtrack should be challenged over the cost of flashing lights. A local resident said that under rule 149c of Railtrack's regulations there was scope to install flashing lights rather than whistle boards in residential areas. It was also suggested that lights would be safer because the sounding of the whistle relied on the alertness of the driver and, in the event of an accident, there could be no proof of whether or not a whistle had been sounded.

In addition to the County Council not agreeing to the diversion the Ramblers Association had also objected to the proposal as any alternative route would be considerably longer than the existing and involved walking in North Hall Road where there was no footway and traffic was fast. Gordon Hands from the Ramblers Association suggested that the problems could best be dealt with by Railtrack, for example telephones were at the Newport crossing and there was no reason why these could not be used. County Councillor Wallace said that he had taken the matter up with County Officers and had been advised that there had not been a case in living memory where problems such as these had been overcome through challenging the legal processes.

It was generally agreed that safety issues must be paramount. Some local residents said that the main issue was to stop the noise rather than stop up or divert footpaths. Councillor Morson said that it was important that every avenue should be explored in order to resolve the problems. He undertook to contact Railtrack to arrange a meeting which would involve the County Council, parish councils, local residents and the local MP.

Copies of these minutes would be sent to residents who provided their address details and useful contact names and addresses are set out below.

Mr Gary White, Senior Rights of Way Officer Transportation and Operational Services Essex County Council County Hall Chelmsford CM1 1QH.

Mr Colin Caruth, Public Rights of Way Officer Essex County Council Transportation and Operational Services North West Area Office 3 Twyford Court 81 High Street Great Dunmow CM6 1AE

Mr T Hill, Level Crossing Standards Assistant Rail Track East Anglia East Anglia House 12-34 Great Eastern Street EC24 3EH

Mr Gordon Hands, Ramblers Association Essex Area Chestnut Cottage Wood End Green Henham Bishops Stortford Herts CM22 6AY

Councillor D Morson Chantry Hall Crow Street Henham Bishops Stortford Herts CM22 6AG