

Brighton & Hove Local Access Forum Meeting – Minutes 25-04-24

Attendees:

Luke Burstow (LB) *Chair*

Dave Brookshaw (DB)

Andrew Coleman (AC)

David Taylor (DT)

Liz Symes (LS)

John Funnell (JF)

Chantelle Hoppé (CH) – BHCC Rights of Way Officer (*minutes*)

Cllr Tim Rowkins - BHCC Chair of Environment, South Downs & The Sea Committee

Apologies:

Ali Polawski (AP)

Pete Hodd (PH)

1. Welcome & Introductions

Welcome to Cllr Rowkins and thank you for attending the LAF meeting. Round table introduction of LAF members

Cllr Rowkins: overview of the Environment, South Downs & The Sea Committee and the change to a Cabinet system:

The name is a bit of a mouthful – when it was first to be set up it was to be called just the Environment Comm. Cllr Rowkins feels strongly that the Sea and the South Downs are as important to the fabric of Brighton & Hove as the urban environment – hence the name. The Committee encompasses a lot, from refuse and recycling, graffiti to parks, public toilets, South Downs and the seafront. It covers implementation of the City Downland Estate Plan (CDEP) and public access is a large part of the plan. Both improving access and championing existing access. A lot of people are unaware of the estate that we have and the good levels of access that exist. Cllr Rowkins is keen to hear the views of the LAF members.

The new Cabinet system (changing over from a Committee system) is still being worked on. The vast majority of unitary authorities already operate under a Cabinet system and BHCC is working closely with other councils – getting their advice on how best to implement it. The aim is to deliver better for local residents. The key advantages of this system:

- a) The ability to make quicker, more agile decisions. The Committee system runs by a slow timetable of meetings (the latter works well with a no majority council where reaching consensus is important, but not so necessary with a majority council as we have now)
- b) With Committees it can often feel like working with 5 or 6 different organisations. A Cabinet takes a horizontal view across these silos which would be quite transformative.

It needs to be implemented well to work efficiently and transparently. This is what is being ironed out at the moment.

Luke Burstow – An overview of the Local Access Forum:

The LAF is one of the few voluntary bodies that the council has a statutory duty to consult on with regards green spaces, access, Public Rights of Way and active travel

It is politically neutral and the membership represents a breadth of diversity in interests. There are some areas of conflict as we have representatives from farming to Ramblers. We work collegiately and collaboratively to try and reach consensus.

The group looks at maintenance of the network to the legal side of amending the Definitive Map (adding / diverting paths).

Members of the LAF feed into the Transport and Travel Partnership and the City Downland Estate Plan (through the Downland Advisory Panel).

The LAF also feeds into the Rights of Way Improvement Plan (ROWIP) to try and increase access to the countryside and green / blue spaces in the city.

Green / blue space in the city (and active travel to them) is an important area of work as this is what is available to people on their doorstep.

The local authority is in a privileged position as landowner of the surrounding Downs with tenant farmers. We have a lot of land as open access.

The health benefits of this resource can't be underestimated – for both mental and physical health. We could see this with the flood of people access their local green spaces during lock down.

There is an education piece that also needs to go alongside access improvements.

CH represents the council and works well as conduit between the LAF and various council departments.

The LAF tries to work holistically across both the countryside and urban environments.

CH – Review of the What BHCC and the LAF have achieved with the Rights of Way Improvement Plan since 2017:

- Adhering to least restrictive access – rolling program of replacing gates with more accessible metal ones, replacing stiles with gates, gates with bollards / gaps (£60,517)
- Accessibility improvements – surface improvements to sections of easy access trails at Stanmer, Hollingdean Woods, Sheepcote, improved access at Waterhall (£85,062 – 0.5km)
- New multi-user paths at Falmer, Ditchling Rd south, Old Parish Lane (£100,000 – 6km)
- Surface improvements on the PRoW network (£317,088 – 4.5km)
- Improved information provision: Online Paths & Green Spaces Map, volunteer path warden scheme, additional waymarking (£17,490)
- Provision of new access – total new linear paths (16.41km), new open access land (90 hectares), total dedication (legal protection) of existing linear paths (44.4km)
- Current projects: asset & condition survey of the network, improved signage (estate signs – countryside code; Downs Gateway signage; urban fringe bus walks; waymarking), CDEP (farm plans & access), Access for All projects (new paths to Ditchling Beacon & Devil's Dyke, surface of Stanmer BWs, Coldean Lane junctions)
- Legal updates to the Definitive Map: Longridge Avenue DMMO, Benfield Valley Public Enquiry (Oct 2024)

Questions:

LB – selling assets by the council to generate income. Woodland is being brought back inhouse from tenant farmers. These physical assets – how will they be managed and will they be disposed of?

Cllr Rowkins – this is something we need to keep a close eye on given the financial situation of the council at the moment. (We were lucky to avoid S114 / bankruptcy this year – that’s why some disposals were put forward). When officers look at assets it is important that they look at them not just from an income generation point of view (skewed towards urban portfolio). Cllr Rowkins role is to advocate for properties that don’t fall into that category but are important for nature recovery, climate change, health & well-being. Need to be wary of any suggested disposals – especially any of the woodlands.

DB – involved in task and finish groups. This has worked well for Patcham, Ovingdean etc. A lot of credit goes to James Woodward – breath of fresh air to the council. Hope these Farm Plans can be approved by council and move forward.

Changes to the Definitive Map are a much more involved and quite tortuous process. Can make it two ways: based on historic evidence or based on user evidence. DB put in an application for an extension of Longridge Avenue based on historic evidence – been going on for 18 month. It has been objected to by the landowner but think there is a strong case. Waiting for it to go to Committee.

When new paths are suggested on BHCC land you would think it would be easy – but has to fit in with farm tenancies. These farm reviews through CDEP should help.

Cllr Rowkins – agree James Woodward has excellent experience working with farmers and is an asset to the council. Can chase up the Longridge App? CH – this will actually go through Transport Committee. Cllr Rowkins – the last Transport Committee meeting has been had, so it will go through Cabinet system.

LB – there is concern that the transparency that we currently have with the Committee system will be lost with the Cabinet system when decisions are made by the executive role (rather than going to Cabinet Meetings)

Cllr Rowkins agrees this is a risk – but the systems are being worked on at the moment to try and avoid this lack of transparency as much as possible. If something goes to full Cabinet meeting there will be the same level of transparency as with the Committee system. However, there will be things that don’t meet this threshold that go to executive roles to decide. Designing in a ‘scrutiny’ function (doesn’t like this word as it implies the decision has already been made) – this function will be in advance of decision making. These committees will make sure decisions are well informed and have consensus – building in transparency. The important thing is to be aware of the risk of decisions behind closed doors and to implement systems that counter this.

DT – to bring in the farming view: access is obviously the aim of the Local Access Forum, but this does need to be weighed against income generation of the land. At Court Farm a new permissive bridleway was implemented as part of the new tenancy agreement. The new path is fine. But finding that people are wondering all over the land – this has an impact on the income generation of the land. For instance, if you have a cow that you know is not good when in calf – have to look at where you can put them. Patcham Court Farm – the arable field was under threat from the desire for increased access. Reducing the size of the arable field would have made it economically unviable. A compromise was reached whereby the width of the access path was increased (need to be aware of the income generation factor).

LB – agrees, when we talk about new access in the LAF, CH will invariably involve Savills with a view to how this will impact our estate (e.g. rent reduction for loss of land). It is important to have DT on the LAF to bring up these issues and the impact on biodiversity (e.g. field margins). It is a balance of views.

DT – not sure what the views are on double fencing in of PRoW paths. CH – SDNPA are not keen on double fencing of paths from a landscape point of view. Can see some benefits in certain situations. For example, anecdotally, people can be put off accessing Patcham Open Access land where they are in with the cattle (fences have been removed) – intimidating, especially when walking dogs.

Cllr Rowkins – viability of farming is totally right – this needs to be a corner stone of the City Downland Estate Plan, which is why it is so important to have voices like DT on the LAF / DAP and would like to have more. We do need to be aware of the possible ‘spill out’ on to surrounding land when initiating new access paths and look at education /

communication / signage in tandem. Also, access land is often a big expanse of land and the assumption can be that it is private – so better signage needed to let people know where they can go.

LS – Green spaces within the city are particularly important for people with mobility issues and there are major issues with getting to them (lack of crossings / drop kerbs etc). We need easy access to green spaces – the top of Wilson Avenue is a prime example- you can't get to Warren Road as there is no pavement and no crossing for pedestrians (vehicle priority traffic lights only). Crossings are often car focussed with no drop kerbs. This is an important issue across the city.

CLlr Rowkins – have spoken to a resident about very similar issues – difficulty accessing green space from Kempt Town / Whitehawk. Historic bridleways and byways have been broken up by roads with no easy way of getting across. We need to be thinking much more about pedestrian and wheeled access. Sometimes small changes can have a big affect. The narrow path that goes under the tunnel at Dobby's Garden Centre connects Whitehawk with the hospital and Bevendean. The tunnel flooded in the heavy rains – it is an incredibly important link route.

LB – One of the things the LAF has been interested in is improving the diversity of the group. Different cultures use green spaces in different ways. Some want to go to a green space to meet family / community and have a picnic, not go on a long hike. It's easy for us to recognise what we want out of green space / access – not necessarily others. We need more voices, different approaches that reflect the wider community. If you can see ways to improve representation on the LAF we would very much welcome your input.

CLlr Rowkin – agrees – we have a lot to celebrate with the Downs and its heritage. An invite has gone out to the Black Girls Hike group to see if they would like to visit. Will think on ways to improve diversity in the group.

CLlr Rowkins left the meeting – LB thanked the Cllr for attending and the useful discussion. Cllr Rowkins expressed an interest in attending a future meeting – perhaps in 6 months or so.

2. Minutes of the Last Meeting

LAF Members agreed the minutes of the last meeting

Actions Update:

(LB) Bridleway adjacent to A27 still not been repaired by the farmer. This may be due to the bad weather – bit it has been effectively out of action to cyclists in particular for a long time now (since January).

(DT) spoke to Peter Carnaghan and they were very apologetic. It has been so wet they have not been able to get in there to repair – should be able to now.

(CH) to chase up

3. Discussion Items (Standing items)

Access for All Project (CH) – Since submitting the draft feasibility studies to National Highways they have been in touch to say that there are insufficient funds to pay for construction this financial year (Rob Dumbrell is trying to set up a meeting with them to discuss). Meanwhile £181,000 of SDNPA CIL money has been allocated to the stretch from High Park Farm (Stanmer to Ditchling Beacon). We would need to find match funding in order to go in to construction. Before this we would need to pay for design and survey / planning work to be done. Looking in to this at the moment.

City Downland Estate Plan (CDEP):

(DB) A good meeting was had recently – papers been forwarded on. Not a lot to report until the next Task & Finish groups.

(CH) CDEP Officers meeting recently – of interest: Moulsecomb Home Farm field and Foredown Tower field – they will be coming up for discussion with regards access.

Transport Partnership

(DB) has now handed over to PH – which has been acknowledged by Becky Pratley (administrator for the group). At the last meeting the Chair suggested moving the meetings to quarterly rather than the current bi-monthly. This was not agreed at the meeting but it seems that since the meeting an executive decision has been made to move to quarterly meetings

(LB) noticed in the Terms of Reference document that quarterly meetings were mentioned.

(DB) This is sure to be raised as an issue at future meeting as there was not consensus on this matter.

(LB) thanked DB for all his hard work and input into the Transport Partnership meetings on behalf of the LAF over the years.

4. Reports

Rights of Way Improvement Plan (ROWIP)

This was covered in the first discussion point with Cllr Rowkins

Maintenance & Management

Gate Repairs	2
Gate Replacements	6
Stile Replacement / Repair	0
Waymark installation	0
Vegetation Clearance (from public requests)	1
Surface Improvements	2
Obstruction*	3

*

- Reports of ploughed margin paths at Ovingdean – not ploughed / cultivated (harrowed)
- Soak away blocked – Saltdean (Highways gullies cleaning contract)
- Parking in-front new gates at Old Parish Lane – new signage installed

Legal Rights of Way Work

- Benfield DMMO: Public Enquiry to be held 15-16th October 2024
- Longridge Avenue – the report is complete, but missed the deadline for the last Transport Committee meeting. (DB) can we chase up on this as it has been more than 18 months?

(AC) There was a question about DB attending Committee meeting for this application. Will members of the public be able to attend Cabinet meetings? Will the report go to Cabinet meeting or decision by executive?

(LB) This is something we need to look into – will contentious DMMO applications reach the threshold for going to Cabinet meetings? It would be useful to understand the terms of reference / rules of delegated authority approach concerning PRow. Suggest we write a letter to Cllr Rowkins from the LAF

Actions:

- *CH to chase legal on timings for Longridge Ave application*
- *AC to draft a letter re DMMO applications and Cabinet / Delegated power terms of reference*
- *LB to send in the letter from the LAF – signed by the Chair – for Cllr Rowkins*

5. Missing Links / Lost Ways / Unrecorded Paths

As above – Longridge Avenue

(DB) Missing Link 52 (Pickershill Farm) – it looks like this will come into effect through the Farm Review process (City Downland Estate Plan). Can CH start the ball rolling with DMMO at ESCC?

(CH) The decision needs to be made whether the whole field will be open access / or creating a PRoW before moving forwards with DMMO application process.

6. Any Other Business

(LS) gate at the top of Warren Road on the east side is broken – needs a new handle

(CH) will add this to the maintenance list

(LB) aware of the need to maximise revenue from green spaces with events. However, the fencing off of large sections of park land or seafront for events feels a bit like privatisation of a public asset. With more events this highlights the loss of the spaces for significant periods and the lack of public transport links e.g. Stanmer Park.

Dates of Meetings 2024: (Thursdays 6-8pm)

11th July (in person)

24th October