



TORBAY LOCAL ACCESS FORUM

Report to Torbay Local Access Forum A.G.M. 23rd July 2008

Presented by John Gibson on behalf of the Torbay LAF Members

Members of the Torbay LAF are : Mr John Gibson, Mr Peter Huff, Mr Mike Soper, Ms Julie Green, Mrs Wanda Hollingworth, Miss Davinia Hollingworth, Mr Robert Boyd, a nominated representative of Torbay Coast & Countryside Trust, and Torbay Council's appointed representative is Cllr Ian Doggett.

The interests which the lay members bring to the LAF are as follows:

Walking and enjoying scenery and open spaces as their common interest + specific input on Tourism, Cycling, Fitness, Disabled Access, Conservation & Environment, under 5s and Mental Health.

The Explanatory Note, which accompanies the 2002 Statutory Instrument which sets out the Regulations under which Local Authorities [Appointing Authorities] establish LAFs, states simply :

"The forums are required to advise about improvement of public access to land in their area for open-air recreational purposes."

Natural England's *Handbook for LAF Members* was published in May 08.

This Report Covers the Period from the Last A.G.M., held on 23rd July 2007, to 16th July 2008.

Activities:

1. **Gaining New Members** -the Defra *Guidance on Local Access Forums* document sets the minimum number of members of a LAF at 10[6.1.2 + 6.5.5], and makes it the responsibility of the Appointing Authority [which for Torbay LAF is Torbay Council] the duty to recruit members from a balance of interests. The Chairman has drawn the Council's attention to the fact that the present number of members is below the minimum set by the Regulations. Torbay Council, therefore, urgently needs to recruit new members - particularly individuals who bring the requisite skills and knowledge to the LAF and from those organisations whose remit have matters in common with those of the LAF.

2. **Secretariat** - since 23 October 2006, when Mrs Valerie Simpson took up the duty of paid secretary to the Torbay LAF, the secretariat has demonstrated that the LAF can be seen to operate independently from the Council. This role is essential to the proper function of the Torbay LAF.

3. Meetings Held - since the last AGM, meetings were held in public on the following dates:

- 25th October 2007.
- 20th February 2008.
- 27th March 2008 [Special meeting to agree formal Advice addressed to Torbay Council].
- 21st May 2008.

Notes of meetings are posted on the Torbay LAF's webpage :

www.torbay.gov.uk/localaccessforum.

4. Appointment of Chairperson - John Gibson was re-elected LAF chairman at the 2007 AGM. This appointment expires at the July 2008 AGM.

5. Establishment Sub-Groups - no sub-group was established during the period covered by this report.

6. Publicity - the LAF has produced an introductory leaflet and poster which have been distributed to all Torbay's libraries for display. The leaflet has also been sent to many organisations within Torbay to give them the opportunity of finding out about the work of the Forum and how it might fit with their work. A database of contacts is being developed.

7. SW LAFs' Conference 2008 - The Chairman represented Torbay LAF. Since May 08, Natural England [NE] is no longer able to fund the resources of a SW Regional Co-ordinator. A national forum - made up of 2 LAF members elected from each English region - now meets regularly with NE at senior level.

8. ROWIP - Torbay Council has published its ROWIP, and the LAF has expressed its thanks to the Council team for achieving this and support for it being successfully rolled out over the coming years. The LAF notes that the Council has earmarked funds to secure this for 3 years. The LAF has made a number of suggestions as to links etc, and acknowledges that modifications will need to be made to the ROWIP as circumstances arise.

9. Specific Site Matters :

TQ/11 + TQ/ 39 are still closed due to cliff fall. In my 2006/07 Annual Report I commented that : "Torbay Council informs me that they are currently working on a solution to this matter" - in June 2008, the Council began an informal consultation, proposing the partial extinguishment of TQ/11. Torbay LAF has sent in comments. The LAF seeks improvements to the way the Council consults on RoW matters, as - in this particular case - no alternatives [only extinguishment] were proposed or considered. The LAF may consider that formal Advice needs to be issued on this area.

BX/24 - work on Brixham's new Fish Market facilities is causing negligible interruption to the SW Coast Path.

TLAF notes that TC&CTst is planning a Conservation overhaul at Berry Head.

10. Bridleways - the LAF notes that, as at July 2007, there were 2 bridleways within the Torbay Borough's present boundaries. The former Right of Way [PN/2] has been 'upgraded' to the status of a Bridleway, to facilitate safe cycling to/from a nearby school.

11. Wheelchair-Accessible Rows - one of our members continues to review this.

12. Dog Orders - TLAF supported the Council's initiative to create Dog Orders. This Order applies to '*All land within the Borough of Torbay which is open to the air and to which the public are entitled or permitted to have access (with or without payment)*'. The provisions of the Order came into force on 1st July 2008.

Advice Given:

The Defra *Guidelines* [3.2] set out those bodies to which advice must or may be given.

Formal advice was given to Torbay Council on 28th March 2008 - as agreed at the LAF's Special Meeting held on 27th March 2008. Detail of this Advice is posted on the Torbay LAF Webpage. Torbay Council's response to this Advice is still awaited.

No other body requested advice from Torbay LAF, nor was advice offered to any other organisation.

Involvement with other LAFs and other Organisations :

S.W. LAF Chairmen meet quarterly to discuss common matters and items discussed, or to be discussed at national level.

I have also attended one of the Cornwall LAF's meetings held in Saltash.

Torbay LAF has recommended that Defra`s *Guidelines* [7.2.2] be widened to include :

- (1) disposal of land owned by the Local Authority
- (2) relevant matters concerning the LDF.

The Exe Estuary Partnership held a workshop of coastal/shoreline management - which I attended.

The English Riviera Tourist Board publishes a booklet "16 Walks in Torbay". This year during the May half-term, they sponsored another week-long walking event "Walk This Way" - South Devon Walking Festival - various venues in South Devon and the English Riviera.

A Ladies Only Midnight Walk, which was held in aid of MacMillan Cancer Relief and the Rowcroft Charity, was advertised on the TLAF webpage

Consultations :

In September 2007, TLAF responded to Defra`s Access to Coast consultation.

In June 2008, TLAF responded to the draft Marine Bill consultation.

Local Development Framework - following the presentation at last year's AGM by a member of the Council's LDF team, surprisingly [see sections 26 - 28 of Annex 'A' Defra *Guidelines* page 35], the LAF has not been involved in any consultation. The LAF seeks to make itself better known among Council departmental heads, and therefore recognition of the role of the LAF, and an appreciation of its Advice.

When, earlier this year, Torbay Council announced the disposal of 40+ Assets, the LAF was not invited as a consultee, and only discovered the meeting by accident.

What the Torbay LAF has set out to do in 2007/08 - and how this has been achieved :

1. Make itself better known, and encourage the Appointing Authority to recruit additional members -

The LAF has not found it easy to 'Make itself better known' [see comments under **Local Development Framework** above] but it has produced a very useful leaflet - see item 6 Publicity above.

The LAF has struggled because the Council has not recruited sufficient members, although the LAF itself has had to do some work in interesting others. The LAF has made it very clear to the Council's chief executive that the responsibility of recruiting members lays with the Council - the LAF has more than enough to do in fulfilling its own remit.

2. Participate in the LDF process - The LAF seeks to engage with the LDF team via the Community Partnerships, who are also proving to be elusive.
3. Review ROWIP - this is an ongoing process, see item 8 above.
4. Plan a series of Hearings sessions beginning in the autumn of 2007 - this has had to be abandoned, due to lack of TLAF members. However, this year's AGM will include an exercise to consider the following:
 - o who are the Torbay LAF's Client Groups, i.e. can we identify out of the general public and other institutions which particular groups we need to serve?
 - o as a LAF's role is advisory, with whom should we be in dialogue, and advising?

These are basic questions which a LAF needs to ask itself from time to time, in order to take a proactive role rather than a passive one [simply responding to situations/consultations].

5. Recommend to Brixham's new Town Council to set up a Footpaths Committee - Brixham TC has invited the LAF to make a presentation later in the year.
6. Improvement of some seating areas - this has now been listed for action by TCCTst.

Matters Arising from Report Presented at the 2007 AGM :

1. Fishermen's Way (Brixham) Footpath BX/30 - an appeal was lodged against the second Modification Order [the first Modification Order, sent in March 07, did not satisfy the Planning Inspectorate - due to a technical error], and the Planning Inspector held a public enquiry in March 2008 - lasting several days - his decision was not to confirm the order.

2. Access to Oyster Bay, Goodrington - improvement works now complete.
3. Parallel Footpaths between King Street/Berry Head Road and Brixham Harbourside Walk - Ian Jones (Principal Engineer) has informed us that middle of three pathways is now in the public domain and will be administered by the Council's Cultural Services.
It is hoped that the 3rd path [beside the former orphanage] will also be taken into the public domain in due course.
4. Path through former Dolphin Camp, St Mary's Bay - path currently blocked by a fence. Brixham residents are claiming this path to be public.
5. Wishings Field [or Pathfield] Sharkham Village, St Mary's Bay - claimed by Brixham residents as having been used for recreational pursuits for more than 60 years.

LAF Running Costs - Torbay Council's estimate of the annual cost of the LAF is £3,000; this includes the secretarial cost, room bookings, refreshments and training for the Members as required. This does not include other staff time such as support for the secretary and officer time to attend meetings etc.

Appreciations:

- LAF members also wish to express their sincere thanks to Mike Soper - standing down at the forthcoming AGM - who has served on the LAF since its beginning, and will very much miss his contribution especially regarding matters relating to Rights of Way.
- LAF members are also grateful too to Mrs Hilary Winter for her ongoing patience and support as regional LAF secretary. We also appreciate the quiet advice given us by Bob Harvey, Chair of the Devon LAF, together with the support from fellow SW LAF Chairmen.
- LAF members also wish to express appreciation to Officers of Natural England for their continuing support & advice.
- And finally, our acknowledgement both to Mrs Simpson for her work as LAF Secretary and to Council Officers for responding to our enquiries.

John Gibson, Chairman