

TORBAY LOCAL ACCESS FORUM

MINUTES OF MEETING HELD IN CECIL ROOM, OLDWAY MANSION ON WEDNESDAY 21 MAY 2008 FROM 7.00 P.M.



Present : John Gibson (JCG) (**Chairperson**), Robert Boyd (RB), Cllr. I. Doggett (IH), Davinia Hollingworth (DH), Wanda Hollingworth (WH), Peter Huff (PH), Matt Jago (MJ) Torbay Coast and Countryside Trust.

Council Officers Attending : Bev Hannah (BH), Janine Clarke (JC)

Others Attending : None

The Chairman opened the meeting and explained that after item 15 on the Agenda had been dealt with, the TLAF members would be holding a closed session.

ITEM		ACTION
1.	Apologies : Mike Soper (MS) and Valerie Simpson (TLAF Secretary).	
1.1	New Member : JCG welcomed Matt Jago (MJ) representing Torbay Coast and Countryside Trust	
2.	Minutes of Wednesday 20 February 2008 Meeting Parts 1 & 2 (held in public), and Minutes of Special Meeting held on Thursday 27 March 2008 :	
2.1	Wednesday 20 February 2008 Meeting Part 1 : The Forum formally approved the Minutes of Part 1 of this meeting.	Approved
2.2	Wednesday 20 February 2008 Meeting Part 2 : The Forum formally approved the Minutes of Part 2, tabled at this meeting, of the closed session which was held immediately after Part 1 referred to above.	Approved
2.2.1	RoW PN/2 : The Borough Solicitor had sought the TLAF's comments/approval regarding the proposal that RoW PN/2 be converted to a bridle path - the TLAF wished to consider this on 20 February instead of delaying (and therefore having special meeting of the TLAF just for single item) during the formal consultation when the publication of the Order would be in the public domain.	
2.3	Special Meeting held on Thursday 27 March 2008 : The Forum formally approved the Minutes of this meeting which was held for the purpose of considering Formal Advice to give to Torbay Council.	Approved

3. Matters Arising :

3.1 Pathways Accessibility for Electric Scooter and Wheelchair Users : The issue was raised as to whether ROWIP was working towards widening this network. JCG to email Patrick Carney (PC) to enquire what plans were in place under the ROWIP to roll this out - with specific reference to the SW coast path where accessibility was patchy. PC's response to be circulated to all TLAF members.

JCG

3.2 Torbay Council's Response to TLAF Advice : JCG reported TLAF advice was sent to Torbay Council's Mayor and Mrs. Raikes, Chief Executive; the Mayor to provide consolidated response. There is a requirement for the LAF to receive an integrated response from Council or Mayor representing the body corporate. The Chief Executive had responded but not to the seven points of the Advice requested. The response must **not** be phrased in legalistic English, otherwise the Council must supply independent legal advice for LAFs to understand and interpret it - the TLAF did not wish to look to the Council to interpret its own response. This was groundbreaking in terms of the issuing of advice regarding groups of assets for disposal. ID informed Chief Executive on leave until 2 June 2008. Reference Minutes 27 March, JCG was requested to write to Mayor and Chief Executive and was still waiting for specific answers. Also still awaiting list from Highways to inform which existing rights of way will be affected and potential impact on ROWIP. BH to remind Patrick Carney to circulate list.

BH/PC

Although the advice refers to 43 sites, Chief Executives' letter to JCG enclosed list for some 101 sites - with some blacked out, therefore 43 sites were advertised but there were 101 considered for disposal. Of those blacked out, some were listed as being public open spaces - including public parks. In view of this JCG requested more information and advice as to how to deal with this situation - this might need to be viewed in confidential way - TLAF meetings must to be in public domain and LAFs have to be seen to be operating transparently.

3.3 List of Actions Outstanding Since 2007 AGM :

- 3.3.1**
- Patrick Carney had e-mailed his responses.
 - JCG had e-mailed all highlighting outstanding actions with initials of those to complete. JC had responded.
 - BH suggests TLAF set up a special meeting to take matters forward.

4. Updates

4.1 ROWIP : Patrick Carney to forward information in due course

PC

4.2 LDF (Local Development Framework) : Cllr. Doggett to liaise with Tracey Cabache (Community Partnership Support Officer, Torbay Strategic Partnership) to ascertain whether TLAF could gain access to proceedings via the Community Partnerships. JCG to press Defra to amend *Guidelines* to include LAFs as Statutory Consultees for LDFs.

ID

5.	<p>Publicity : BH awaiting clear indication from TLAF as to what needs to be done regarding publicity and informed TLAF that all Council Departments would be available to use, including Press and Radio highlighting timing needed to be taken into consideration. JCG raised issue that recruiting LAF membership was the responsibility of Appointing Authority (Torbay Council) - it is not the task of the LAF to recruit members - the LAF has enough to do with carrying out its statutory remit. BH already in touch with Dorset LAF and Bournemouth may also have matters in common with Torbay. JCG informed in contact with Roger Mann (Chairman, Torbay Sports Council) as both organisations have a partly common agenda.</p>	JCG/BH
6 & 7	<p>Draft Marine Bill Consultation : A draft Bill has been published for consultation (deadline 26 June) with Coastal Access aspects covered partly in Sections 272 onwards. MJ advised that shoreline and coastline were part bio-diversity action, officer submission due to be completed. JCG has not yet registered the LAF's interest in the Shoreline Management Scheme. JCG asked to prepare a submission to Defra, with MJ's help.</p>	JCG/MJ
8.	<p>Dog Owners as Open-Space Users :</p>	
8.1	<p>Dog Orders : At its 20 February 2008 meeting the LAF expressed its support to Dog Orders - Dog Orders cannot be posted on lamp posts and can be difficult to enforce. The meeting expressed its appreciation for the work done by the Council's Dog Wardens and TC&CTst.</p>	
8.2	<p>Kennel Club : JCG had contacted the Kennel Club who informed membership consists of individual breeders/dog owners without a branch network thus making it difficult to link to LAFs. Kennel Club offered to send someone to talk to TLAF (at their own expense) about dog-friendly boroughs. Torbay could be more dog-friendly particularly as many residents/visitors own dogs.</p> <p>Problems : Some parts of the Bay have dog problems part owing to lack of dog bins and when in place, the emptying of them. The Council was aware of problem and JC suggested information might be available on its website. This is a major problem and complaints will be looked at over last twelve months and reported back to next TLAF meeting. RB informed scooter, wheel chair users and those using prams experience unacceptable problems due to dog excreta not being cleaned up and getting on hands, and taken on wheels into houses and garages.</p>	JCG
8.3	<p>Cinnamon Trust : JCG has contacted Trust and it would be invited to attend TLAF AGM.</p>	VCS
9.	<p>Update on Reclaiming Footpaths :</p>	
9.1	<p>Fishermans Way : Inspector had held a public meeting in March and decision due shortly - usually takes two months. JC to inform TLAF as soon as known.</p>	JC

9.2	Wishing Fields Playing Field near Berry Head, Sharkham : Claimed as a right of way/open access area - decision awaited.	
9.3	Asset Rationalisation : JCG informed sent an e-mail to Tracey Cabache regarding the 43 sites - suggesting that should any community group require advice in purchasing they should be informed where they can get help and advice. PH informed there is a draft Asset Transfer Policy through the Community Partnerships. Within the next few weeks a meeting will be held to discuss asset transfers. ID informed this was also going to be discussed at Cabinet, but too many people turned up and it was alleged the room could not legally take so many; the Mayor therefore abandoned the meeting and it was rescheduled for Tuesday 20 May 2008.	
10.	South West LAF meetings : Largely nothing to report. Limited relevance to the TLAF.	
10.1	Handbook for LAF Members : Secretary had sent email link to Membership for electronic copy handbook. Natural England not able to send out hard copies due to cost. BH would arrange to photocopy Handbook for any Member, if required - contact either BH direct or TLAF Secretary for photocopied hard copy.	ALL
11.	TLAF Application Pack : TLAF Secretary to add to October 2008 Agenda for revision and update and to arrange for hard copies to be sent out to all members prior to the meeting to enable members to read through and highlight amendments/additions.	Oct. Agenda Item VCS/ALL
12.	Terms of Reference : JCG to e-mail other SW LAF's Terms of Reference (ToR) to members for information. It was agreed that existing ToR would be adopted until a review needed in light of new legislation. PH queried whether TLAF ToR's reflect current customer practice in relation to legislation. Setting Quorum to be an Agenda Item for October 2008 meeting.	Oct. Agenda Item
13.	AGM Arrangements : <ul style="list-style-type: none"> • Discussion took place as to whether to invite the Mayor to the forthcoming TLAF AGM. It was agreed that decisions on whom the TLAF should engage with would be made over the next twelve months and the best time to engage with the Mayor and others from the TLAF Client Groups were clarified (as per exercise at AGM). • JCG to send invitations to AGM to Client Groups. • Colin Jones (English Nature) has agreed to be the facilitator for the exercise. • BH suggested looking at similar authorities to Torbay, matching authorities and also inviting a representative from Plymouth and looking at other boundaries rather than just Torbay's. 	JCG

- Seek advice from other SW LAFs as to where and how they attract their membership.
- BH welcomed the LAF to attend Highway's Offices and use the Council facilities.

Boundary Commission Review : Queried whether boundaries would change for TLAF - if there will be a new unitary there would have to be a new LAF to match the new boundaries i.e. possibly parts of South Hams and Teignbridge becoming part TLAF.

14. **Any Other Business :**

- **Annual Report** : JCG reported first draft for July AGM to be prepared shortly.
- **Regional Co-ordinators** : Natural England had reported that they lack the resources to fund Regional Co-ordinators around the country (incl. Hilary Winter) and that they may not be able to support LAFs
- **Path to Musgrave Hill** : MJ informed path to Musgrove Hill was now a public right of way. JC to email JCG to formally confirm this. JC
- **Scanson Woods & Ocombe Valley** : MJ informed Scanson Woods and Ocombe Valley would become a PROW.
- **SW Coastal Path** : Condition survey of SW Coast Path revealed high level of disrepair; totally inaccessible in places.
- **TLAF Leaflets, etc.** : BH informed TLAF can use Torbay Council's Graphics Department to create leaflets, Annual Report Summary, etc.
- **Letterboxing, etc.** : Suggestions to be made to DH who will continue investigations and report back to TLAF meetings. DH
- **Seminar** : JCG informed of Seminar in the autumn with interested groups. Benchmark against other authorities with similar problems/issues.
- **Women's Running Network** : DH informed that the Women's Running Network had agreed to be on the TLAF webpage as a contact organisation.
- **Local Development Framework & Disability Access Group** : ID to update TLAF after first meeting of the LDF and inform how TLAF and LDF can work together. ID also member of the Disability Access Group for Torbay and would inform TLAF about any common agenda items.

- **Vote of Confidence in JCG as Chairperson** : PH proposed a vote of confidence in JCG as TLAF Chairperson which was unanimously agreed by all members present. It was requested that JCG continue as Chairperson at least until the Boundary Commission Review was agreed to enable the TLAF to move forward in a positive way.

AGREED

15. Dates of Next Meetings

Wednesday 23 July 2008 (AGM)

Wednesday 22 October 2008

All from 7 - 9 p.m. Venue: Oldway Mansion, Paignton.

The meeting session held in public was closed by the Chairman. The meeting then went into closed session - minutes of this to be tabled at a later TLAF meeting.