

# Minutes

## Minutes of the Bury Local Access Forum Meeting Held at Bury Town Hall on Wednesday 8<sup>th</sup> May 2019 at 1.30pm

### 1.0 Present

#### LAF Members

Edgar Ernstbrunner (Chair)  
 Lesley Tierney  
 Irene Pope  
 Debra Batchelor  
 Fal Binns  
 John Ireland

#### Also Present

David Chadwick (LAF Secretary) - Bury MBC  
 Jon O'Connor – Bury MBC  
 Chris Wilkinson – Bury MBC  
 Paul Robinson – Bury MBC  
 Sian Nicholson – Bury MBC  
 Barry Smith – public  
 Richard Youngman - public

**Apologies** – Val Johnston, Margaret Stewardson, Christine Taylor, John Southworth, Nick Taylor (National Trust)

		Action
<b>2.0</b>	<b>Minutes of the Last Meeting</b> Accepted as an accurate record of the meeting.	
<b>3.0</b>	<b>Matters Arising</b> IP confirmed that she had received a reply regarding the Bee Lines project. Confirmation had been provided that horses and horse riders would benefit from the creation of the proposed new routes.	
<b>4.0</b>	<b>Proposed Bury Walking and Cycling Forum</b> SN introduced herself to the members of the Forum and explained her role which included consideration of the creation of a Walking and Cycling Forum for Bury.  EE and IP asked if horse riding could be included and SN confirmed that it definitely would. EE suggested that a new Forum could	

replace the role of the Public Rights of Way Liaison Group which ceased on the formation of the LAF. This would allow a clear split between the discussion of specific locations and issues at the Walking and Cycling Forum and more strategic matters at the LAF.

IP noted that Lancashire County Council is re-writing its Walking and Cycling Strategy to include horse riding. She would want to be part of the proposed Forum.

SN clarified that the proposal is at an early stage and she is busy collecting the views of all the relevant parties. She is aware of resources such as The Village Link and the Manchester Walking Festival.

FB pointed out that a new cycling club had been formed in Ramsbottom and they should be included. EE asked if the Public Rights of Way Officer would be part of a Forum. DC felt it would be important to be part of a new group as he was aware that walking, cycling and horse riding was becoming a priority issue but that maintenance of the PROW network was not necessarily being considered.

JOC enquired if there was any funding for the proposed Forum. SN responded that there was nothing specifically set aside for the project but it may be possible to access a pot of money.

## **5.0 Public Access to Holcombe Training Area**

Representatives of the MOD were invited to attend the LAF meeting. However, there was no one available, with a number of people already committed to appointments at the time of the meeting.

EE made reference to the reply received from the Minister regarding the notices erected by the MOD at the Holcombe Training Centre prohibiting access at all times other than via the public rights of way network. The reply makes mention of incursions but this has not been substantiated. BS stated that there was no justification for closing the area. EE confirmed that an FOI request has been made for information regarding incursions but a reply had not been received.

DC read an extract from the Minutes of the Holcombe Moor Training Area Conservation Meeting of Tuesday 4<sup>th</sup> September 2018 –

*Major Evans explained that there was a lot of Range Danger Area incursions which mainly occurred at weekends, on one occasion live firing was interrupted 10 times. Major Crease explained the impact this has to soldiers training. Training Area Marshall (North) has been on the area during live firing weekends and explained the danger of passing through the locked gates and flags. One weekend he*

*reported 56 separate incursions, majority of people understood, however some members of the public had been abusive.*

EE stated that any restrictions should not affect use when there is no live firing. IP added that the issue with red flags flying when there was no live firing taking place needs to be resolved as this confuses the situation. FB wondered if the MOD would prosecute anyone and expressed her disappointment that Kevin Peel, a representative of James Frith MP had not attended the meeting. FB added that the MOD may have a case and the matter should be discussed between all the relevant parties.

BS asked if the restrictions to the danger area related to when live firing is taking place or when the red flags are flying as these are not necessarily the same.

DB confirmed that the MOD can close the danger area at all times other than the public rights of way which can only be closed during live firing. The area is not recorded as Common Land and is not Open Access Land. DB had previously pointed out that the relevant area could be guarded by four sentries when necessary but this was deemed to be too expensive.

DB stated that the options seemed to be to re-establish the area as a Common or to claim a public right of way. Members of the Forum then discussed whether public rights of way could be claimed over Crown Land.

BS highlighted that the MOD has upset responsible people by their action.

IP confirmed it is possible to re-register common land and this has been tried previously without success. The Open Spaces Society may be interested in this issue.

BS asked what the LAF should do next. EE suggested contacting the MOD and asking for a concessionary route. Others felt that a response from the local MPs to the letter from the Minister may be the best way forward.

It was confirmed that the matter has been raised with the Chair of the Lancashire Local Access Forum.

#### **6.0 Bridleway Strategy Update/Processing Definitive Map Modification Orders**

IP understood there have been 10 objections to the claim for a bridleway route at Elton Reservoir. She had assumed that the Order has by now been referred to the Secretary of State for consideration.

Regarding her Ainsworth applications, which have not been progressed, IP stated that the Director of Operations has said that

given current budget constraints, the consideration of applications for DMMOs is not a priority for the Council. IP pointed out that the Authority should provide adequate finances to carry out its statutory duties. A direction request has been sent to the Secretary of State. This has been acknowledged and the Authority has been informed that a request has been made but have not yet been asked to respond.

IP pointed out that Bury is in the top 10 of the Ramblers Survey of cuts to public rights of way staff and budget. EE and DC pointed out that this is a survey carried out some years ago as staffing and budget levels have not changed at Bury MBC in recent years.

JOC highlighted the Minutes of a recent Local Road Funding Committee –

**Steve Berry:**

*..... It is a good group to understand some of the issues that highway authorities and engineers are facing, and how we can tackle and end all of those problems.*

**Jesse Norman:** *Madam Chair, may I make a cheeky suggestion?*

**Chair:** *Well, you are going to.*

**Jesse Norman:** *With your permission, I think there is an area the Committee might want to consider looking at that is related to this and which is really interesting and important and on which I am trying to get us to move. It is the whole issue, which I suspect is very close to your hearts, of footways, byways and open to all traffic footpaths and bridleways, and how those are going to be registered in time for the definitive map that is going to be produced in something like seven or eight years.*

*It is a big issue for local authorities. It is a priceless national asset. It would be really interesting if the Committee at some point were minded to think about taking it up. It is a very interesting cross-Government and cross-local authority, national and nations and regions issue. I just put it out there because it bears on some of the things that Jack was describing.*

Q350 **Jack Breerton:** *I agree with that. From my experience of working with local authorities, that is a very high priority.*

IP added that she visited Hawkshaw Lane on Good Friday, looking at the possibility of upgrading the footpath link through to Moorbottom Road. IP has attempted to contact the owners of Three Gates Farm as they control the land crossed by the existing public footpath.

		Action
	<p>They will be asked if they will dedicate the route as a bridleway and if this isn't possible a DMMO will be requested. It is also intended that a DMMO application for a bridleway route at Old Kays Park will be submitted at the next LAF meeting.</p> <p>IP is also investigating a bridleway route off Mather Road, Bury and Walmersley Golf Club will be asked if they wish to dedicate the route.</p> <p>It was noted that a "No Horse Riding" sign has been erected on Public Footpath Number 12, St Andrews, Radcliffe despite the path being a link to the new cycle route at Spen Moor.</p>	
<b>7.0</b>	<p><b>Bury PROW Survey Update</b></p> <p>EE confirmed that the survey has been completed and that thanks should go to all the LAF members who contributed, together with significant input from Bury Ramblers.</p> <p>FB formally expressed the thanks of the members of the LAF for the work undertaken by EE.</p> <p>EE added that it is important to clarify what happens next. The survey identified a number of anomalies that should be resolved as part of a consolidation of the Definitive Map.</p> <p>JOC responded that he is putting the raw data into a format that can be easily investigated to draw out the information and make a case for the allocation of resources.</p> <p>EE would like reports on progress and plans for dealing with the findings of the survey. JOC agreed.</p>	<b>DC/JOC</b>
<b>8.0</b>	<p><b>Prospective Capital Projects Update</b></p> <p>DC agreed to provide an updated list as part of the Minutes.</p>	<b>DC</b>
<b>9.0</b>	<p><b>Officer Report</b></p> <p>DC provided a brief report outlining work with volunteers; the annual vegetation clearance programme; issues with off road bikes on public rights of way in Redisher Wood; clearance and stile replacements on the network of paths between Affetside and Walshaw and the clearance of the path at Castle Road to facilitate the introduction of a footbridge to be funded by Peak and Northern Footpaths Society. A full list accompanies the minutes.</p> <p>PR added that works to the path around Simons Lodge in Redisher Wood are currently being considered. Sections of banking are eroding and affecting the path.</p> <p>DC highlighted an informal enquiry regarding the closure of the end section of a "dead end" footpath – Public Footpath Number 13 St Saviours, Radcliffe. DC acknowledged that whilst this is a "dead end" path, it runs to land managed by the Forestry Commission and there may be options in the future to extend the path. The LAF felt that a closure of one section of the path could lead to other landowners wishing to close their section, and was therefore inclined to oppose a closure of a path that did still have some potential.</p>	<b>DC</b>

		Action
	DC also raised the possibility of the diversion of part of Public Footpath Number 151, Bury. This would move a section of path that runs through the middle of a plot of land allocated for development. No objections were raised by the members of the LAF to the proposal.	
<b>10.0</b>	<b>Any Other Business</b> CW provided a map showing protected multi-user recreational routes highlighted in the Unitary Development Plan, together with routes that have already been added as part of the consideration of a new Local Plan. CW asked for any suggestions for other routes to be added. Members asked if a map could be provided to allow the matter to be considered after the meeting.	
<b>11.0</b>	<b>Date and Time of Next Meeting</b> Wednesday 31 <sup>st</sup> July 2019, Committee Room A, Town Hall at 1.30pm	