

## **STOCKPORT LOCAL ACCESS FORUM (OUTSIDE BODY)**

Meeting: 19 November 2020

At: 6.00 pm

### **PRESENT**

Edgar Ernstbrunner (Chair) in the chair; Debbi Hall (Vice-Chair); Dave Butler, Kathy England, David Gosling, Jan Kitching, Liz Morgan and Chris Walsh.

#### **Also in attendance**

Nicholas Robinson	- Senior Public Rights of Way Officer
Sue Stevenson	- Head of Highways and Transportation
Damian Eaton	- Secretary

### **1 MINUTES**

The Minutes (copies of which had been circulated) of the meeting held on 6 July 2020 were approved as a correct record.

### **2 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **3 DECLARATIONS OF INTEREST**

Members of the Forum were invited to declare any interests which they had in any of the items on the agenda for the meeting.

No declarations were made.

### **4 MATTERS ARISING**

Consultation on Rights of Way affected by New Developments (Minute 12 of 6 July 2020 refers)

It was noted that there was no specific response or outcome identified in the Minutes of the meeting of 6 July 2020 relating to this matter which meant that there had been no commitment on the part of the Council to take any further action.

It was stated that the Council's online mapping resource still did not identify any of the changes to public rights of way resulting from the development of the A6 to Manchester Airport Relief Road (A555) and concern was expressed that changes to rights of way needed to be properly notified and recorded.

In response it was stated that discussions were ongoing with regard to the stage at which the online map should be updated insofar as it was a theoretical representation of the Definitive Map. It was stated that it was clear that when matters had been confirmed the online map could be duly updated, however the alterations resulting from the A555 relief

road had not yet formed part of these discussions and it was suggested that not all of these changes had been finalised.

The Forum was keen that the online map be kept up to date as the public had a reasonable expectation that the information published by the Council was reliable and represented the latest available routes.

It was further stated that the original issue had not been properly addressed by the Council in that key stakeholders in the rights of way network, including this Forum, were not notified when a development application had a consequential impact on a right of way. The difficulties surrounding this matter were noted by the Forum, specifically that development applications were dealt by the Council's planning department who were required to comply with a published Statement of Community Involvement that clearly specified how and with whom the Council was required to consult. However, it was stated that officers in the public rights of way team were consulted in such circumstances but it was not practicable for those officers to be charged with recirculating that information to other interested parties.

RESOLVED – That the Senior Public Rights of Way Officer be requested to discuss with the Chief Planning Officer the potential for the Forum or the Public Rights of Way Forum to be included in the list of consultees when a development application had a consequential impact on a right of way.

## **5 APPOINTMENT OF MEMBERS TO THE STOCKPORT LOCAL ACCESS FORUM**

The Secretary reported that on 17 September 2020 the Council Meeting had given approval to the appointment of Kathy England and Zoe Smith as members of the Stockport Local Access Forum.

The Chair welcomed Kathy England and Zoe Smith to the Forum and noted that the interests that they represented would bring additional insight into the work of the Forum.

The Secretary confirmed that the recruitment process remained ongoing and that further applications for membership of the Forum would be welcomed and could be lodged through the Council's website.

RESOLVED – That it be duly noted that Kathy England and Zoe Smith had been appointed as members of the Stockport Local Access Forum.

## **6 STATUTORY REGISTERS**

The Chair reported that the report for this item had been marked 'to follow' but had not been submitted at the time of the meeting.

The Chair stated that as far as he was aware, the situation with regard to the acknowledged deficiencies in the way in which the Council published statutory registers pertaining to Public Rights of Way and the process for making that information available to the public remained unchanged.

In response it was stated that the public rights of way team was due to receive additional temporary staffing resource that would provide the necessary capacity to regularise the position.

RESOLVED – That members of the Forum be invited to forward suggestions, including examples of other local authorities within the locality whose registers could be considered ‘best practice’, directly to the Senior Public Rights of Way Officer.

## **7 PROGRESS ON CLAIMS**

A report of the Strategic Head of Service (Legal & Democratic Governance and Monitoring Officer) was submitted (copies of which had been circulated) providing an update on the activities of Legal Services towards implementing Definitive Map Modification Orders.

The following comments were made/ issues raised:-

- Disappointment was expressed that the report continued to be provided in an inadequate format despite repeated requests and suggestions from the Forum on how this should be amended.
- The list of outstanding ‘Definitive Map Modification Orders’ (DMMOs) actually consisted of a mixture of DMMOs made under the Wildlife and Countryside Act 1981 and diversion or extinguishment orders made under the Highways Act 1980. It was again reiterated that future such reports should separate out these different categories of order.
- For those claims included within the report, the information provided was insufficient including the omission of dates, progress or failing to identify the nature of the claim.
- It was suggested that the report needed to be completely revised to provide a list of claims, that should be dated and detail what precisely the claims involved along with projected completion dates.
- There was a degree of urgency with regard to recording historic claims imposed by a deadline of 2026, however the report does not allow the Panel to understand which, if any, of the claims fell within this category and to therefore scrutinise whether the Council was fulfilling its duty in this regard.
- There were inconsistencies in the list of claims provided in the report from one meeting to the next.

RESOLVED – (1) That the report be formally rejected.

(2) That the Secretary be requested to place this item on the agenda for the next meeting of the Forum.

(3) That the Strategic Head of Service (Legal & Democratic Governance and Monitoring Officer) be requested to urgently revise the format of the report to separate out the various types of order made to make the report more readily understandable by members of the Forum.

## **8 DEFINITIVE MAP & STATEMENT CONSOLIDATION**

The Chair reported that the report for this item had been marked ‘to follow’ but had not been submitted at the time of the meeting.

The Senior Public Rights of Way Officer reported that the last consolidation of the definitive map in 2014 had been the first since the map was first produced in 1955, and that while there was no confirmed date for the next such consolidation there were a number of matters that were being actively considered as part of the next consolidation process including confirmed orders and the rectification of anomalies on the current map.

The following comments were then made/ issues raised:-

- It was suggested that a consolidation could be considered within the next couple of years, however further work was needed to establish the scale of the work needed to complete this.
- It was stated that there were some difficulties that needed to be worked through. For example, in some place the Statement was out of date as number of entries made reference to places that no longer existed or lacked the level of detail commonly found in other local authority areas such as the location of gates and stiles.
- The recording of furniture on rights of way was acknowledged as good practice, although this varied from authority to authority.
- It was suggested that the widths of rights of way could also be included as this would assist where encroachment had occurred, although it was noted this would increase the level of work required.
- The potential for assistance from third party organisations and stakeholders in logging and recording certain features or furniture was discussed.
- As part of the Council's Asset Management Programme, the provision of new technology would allow officers to more efficiently record infrastructure on rights of way.
- It was commented that the last consolidation involved several years of work.

RESOLVED – That the information provided be noted.

## **9 PSPO REVIEWS**

The Chair reported that the report for this item had been marked 'to follow' but had not been submitted at the time of the meeting.

RESOLVED – That in the absence of a written report, consideration of this item be deferred to the next meeting of the Forum.

## **10 A34 MRN CORRIDOR IMPROVEMENT PLAN - CONSULTATION**

The Head of Highways and Transportation submitted a report (copies of which had been circulated) requesting that the Forum contribute to the ongoing consultation on proposed improvements along the A34 corridor between the A560 and A555 to alleviate congestion, unlock development potential in the surrounding area and enhance accessibility by sustainable modes.

- The proposed improvements for access by walkers and cyclists were welcomed and commended.
- While the proposals contained within the consultation document were broadly welcomed, concern was expressed in relation to how the scheme integrated with

existing routes and infrastructure at either end. It was noted that at its northern and southern extremities where it coincided with the borough boundaries with Manchester and Cheshire East, users of the new routes would be directed onto relatively poor quality highway infrastructure. In response it was stated that wider discussions were ongoing with Cheshire East and Manchester Councils about linkages between schemes developed in Stockport.

RESOLVED – That the report be noted.

## **11 GM CLEAN AIR PLAN: CONSULTATION**

The Head of Highways and Transportation submitted a report (copies of which had been circulated) detailing the ongoing consultation on the Clean Air Plan and the taxi and private hire common minimum licensing standards.

It was noted that private vehicles were excluded from the scope of the plan and it was queried whether this would mean that it would be difficult to achieve the necessary reduction in nitrogen dioxide exceedances. In response, it was stated that the modelling that had been undertaken indicated that the proposals in the consultation document would be sufficient to achieve the reductions mandated by government.

RESOLVED – (1) That the report be noted.

(2) That members of the Forum be encouraged to respond individually to the consultation by the deadline of 3 December 2020.

The meeting closed at 7.08 pm