

**KCAF Meeting – Monday 19th April 2021**  
**Meeting venue: Microsoft Teams**  
**Meeting started at 2:00pm**

<b>Attendees:</b>		
Jeremy Boxall	J Box	Chair
Sarah Barker	SB	Kent Association of Local Councils
Anne Rillie	AR	User representative – Equestrian
Richard Dickenson	RD	User representative – Motorised vehicles
Charles Tassell	CT	Land Management Representative – CLA
Robert Peel	RP	User representative – Walkers
Steve Neville	SN	User group – Cycling
Anne Beecham	AB	Other Interest Representative – Tourism
Theresa Trussell	TR	User representative – Multiuser
David Brazier	DB	KCC – Member
Chris Jelly	CJ	Other Interest Representative – Dog Walking
Hazel Walters	HW	KCC – Highways
<b>Advisor</b>		
Graham Rusling	GR	KCC - PROW
<b>Minutes</b>		
Isabel Willson	IW	KCC
<b>Apologies:</b>		
Amanda Corp	AC	Land Management Representative - NFU
<b>Actions</b>		
<ol style="list-style-type: none"> <li>1. IW to send the responses from MPs to the forum</li> <li>2. GR to circulate the revised version of the countryside code</li> <li>3. RP will circulate the 40 year anniversary article</li> </ol>		
<b>Minutes of the last meeting</b>		
The minutes of the meeting of the 7 December 2020 were approved as accurate.		
<b>Matters arising from the last minutes</b>		
<p>SN passed on his thanks to GR for sending over PROW documents.</p> <p>AB requested the list of the identified routes (higher rights linking to lower rights - effective cul-de-sac routes for higher rights users).</p> <p>AR highlighted that the 2026 Cut-off date letter should be sent personally from themselves to their local MPs. IW to circulate the responses received from MPs.</p>		
<b>Membership</b>		
<p>The Forum is still looking to recruit a Heritage and Tourism representative and a representative for disabled users.</p> <p>AR suggested putting a public advert out to find representatives to join the access forum instead of approaching contacts/ colleagues/ associates, as this would be more democratic.</p> <p>GR to draft an advert to put onto the website and to be advertised by Explore Kent social media. This advert can then be passed on by any of the members of the forum to their contacts should they wish. GR offered to also advertise in the Kent Messenger. SB suggested putting the advert into CALC News which is received by all the parish councils. DB offered to organise this advert to be put into the Kent Life magazine.</p>		
<b>Overcoming barriers to use</b>		

### Headcorn Airfield

Byway Open To All Traffic KH649 passes directly across Headcorn airfield and the Tonbridge to Ashford railway.

SN stated that there are a number of barriers to use including locked gates, a railway line including barriers at the crossing - including a stile, an airfield and a bridge that requires repair. barriers and gates up.

GR confirmed that there are a number of obstacles to use present none of which are easy to overcome and that action to resolve the obstructions may well trigger applications to extinguish or divert the byway, particularly where it crosses the airfield and the rail crossing - both of which are significant safety concerns. The bridge over the river Beult would also need repair if it were to accommodate motor vehicle traffic.

GR then set out the general approach KCC takes to long term obstructions/ intractable issues. The approach is to assess all of the known long term obstruction issues in terms of ease of resolution and value added to the network. Many cases had been resolved through direct action or maintenance - eg the provision of a bridge or removal of an obstructing fence. Where this is not possible the PROW and Access Service looks for windows of opportunity - for instance an application to develop the land in question or the identification of the public right of way through the Local Authority Search Process (For CON29) when the land is being purchased. Landowners often sought to resolve obstructions to the PROW to enable a property transaction to be concluded. The most intractable issues invariably require a Public Path Order as part of the solution.

RD recalled that the Parish Council had supported the Definitive Map Modification Order application perhaps hoping that it would limit use of the airfield. It was understood when the route was added to the Definitive Map that there were many practical impediments to use but that once recorded access may be possible in the long term if circumstances changed.

AR asked if there was a potential diversion that would remove the byway to the perimeters of the airfield.

JBox reported that Headcorn airfield has cameras and signals and are able to monitor use of the PROW and that the airfield does not see the problem with walkers using this byway. Walkers use this footpath to gain access to the shops in Headcorn during the air show as it is a safer alternative to the road.

AB asked as to the legalities of a public right of way crossing an airfield or a private air strip. GR to seek clarification.

RD highlighted two other routes with longstanding issues ZR95 Iwade that should be a through route MR412 Oldbury Hill were there is a longstanding obstruction that limits the width of the path.

### **Changing weather patterns**

Severe weather events have had a negative impact on PROW. Heavier or more prolonged rainfall can leave PROW saturated and unable to sustain public use - as had been seen during lockdown where path creep had been evident (the progressive widening of paths by users as more favourable conditions are sought under foot, hoof or wheel). CT had circulated an item by a landowner highlighting the issue where path had progressively widened over the course of the winter with significant damage to crops as a result.

Many byways had been unable to sustain motor vehicle use during the winter months.

CT highlighted the potential of seasonal TROs with the ability to close byways following heavy rain.

CT also highlighted the potential that PROW would be fenced in , in response to specific issues.

GR stated that PROW has additional funding for this coming year for all the damage and overuse caused by covid. A lot of footpaths have deteriorated significantly as a result of increased footfall. Gateways were a particular issue.

GR also pointed to the impact of changing weather patterns on the county's tree stock. Diseases are increasingly prevalent eg - ash die back. GR reported that on average 400 trees a year are reported after falling across the PRoW network. This can be significantly higher if there are a number of storms.

RD highlighted the TRO on byway SD192. The TRO in place on this byway is seasonal but also weather dependant and allows the route to be closed in response to heavy rain (Met Office yellow weather warning): this precedent could be used for other paths.

RD also stressed the need to maintain ditches and the importance of drainage in maintaining highways in good repair.

### **Planning and development**

#### Lower Thames Crossing

GR reported that Highways England (HE) had withdrawn the application following feedback from the Planning Inspectorate (PINs).

HE are looking to resubmit their planning application to PINs in the Autumn months.

AR has asked GR to raise the issue regarding the horse crossing at Nells Café with HE.

#### London Resort

RD reported that the London Resort Development Consent Order application had been submitted - and accepted by PINS in January 2021. There are 450 documents to go through. Applications to register with PINS to be able to comment must be made by the end of March. NE had proposed expanding the Bakers Hole SSSI to cover much of Swanscombe Peninsula and the eastern Ebbsfleet Valley; comments on this proposed expansion may be made by the 12 July. Examination is to take place from mid October and expected to be complete by March 2022.

Proposal opens to comment by the 12<sup>th</sup> of July 2021. There are proposed changes to the right of way networks.

#### Inland Border Facilities

GR reported that at the Sevington Inland Border Facility – 3 PRoW cross the site. KCC are currently consulting on the extinguishment and diversion of the routes. Users will gain a bridleway and the TCPA 1990 section 106 agreement is to reinstate the direct footpath to Mesham across the site at such point as it is no longer operated as a border facility. TT thanked GR regarding the works at Sevington.

Dover IBF – there is a TRO put in place to allow archaeological works. A temporary alternative route will be made available. RD asked for more information on the Dover site. GR reassured RD that he should receive this information once the Secretary of State is in a position to make the necessary TCPA1990 section 247 Order for the diversion of the byway.

### **England Coast Path**

GR reported that a progress map for the ECP is available online:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/984383/coastal-access-england-map.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/984383/coastal-access-england-map.pdf)

The ECP will link with the Thames Path. The Thames Path will therefore run from source to sea, a long held ambition of the National Trail.

Establishment works were progressing and by summer the majority of the work on the north Kent coast should be completed. Exceptions are likely to be - The Sheppey bridge, Kingsgate and Oare Creek. There are a number of short sections in Swale and on the Isle of Sheppey where objections have still to be considered by the Planning Inspectorate.

RD asked about the section from Iwade, Isle of Grain, to Dartford. GR confirmed that the works are in process. There is a deadline of June for this work.

### **Revised Countryside Code**

There had been a huge increase in use for the PROW network in lockdown which was welcomed as delivering benefits in respect of health and well-being. However, the increased footfall had resulted in damage to the network, cases of trespass and associated nuisances such as littering etc. In addition to the increased use many visitors were new to the PROW network and exploring their local countryside for the first time. Natural England had acted at an early stage and introduced an abbreviated COVID Countryside Code. They have since undertaken a more wide-ranging review of the Countryside Code, relaunched at Easter.

GR to circulate the revised version to KCAF Members. Any feedback should be provided to GR who will pass this on to NE.

#### [The Countryside Code – Dropbox Paper](#)

SB confirmed that this has been sent out to the parish councils.

AB expressed her confusion with certain signs which are used on footpaths and would like to raise a discussion to talk these through. Added to the 7 June 2021 agenda.

### **Any other business**

AR raised her concerns regarding Explore Kent not having a representative at the Access Forum meetings. AR would like to discuss the Explore Kent promoted routes. Explore Kent to attend - item added to the 7 June 2021 agenda.

RP explained that it will be the 40-year anniversary of the Ramblers' Weald Way promoted route. There are to be a variety of different events to celebrate this. RP will circulate the article.

RD highlighted that Natural England closed "huddle" last week. It provided a means of information exchange between all local access forums round the country. He is hoping that they will provide something in its place. JBox will investigate this.

RD has had contact regarding antisocial behaviour from motorcyclists round the Cobham area.

DB stated that he had been contacted by a local landowner who has a byway subject to a TRO running through his farm. The landowner had noticed a lot of motorcyclists driving along the byway despite it being closed to motor vehicles. One of the motorcyclists, when challenged, had claimed that KCC advised that they could use the route. These issues were arising in North West Kent and DB emphasised the growing extent of the problem.

GR has confirmed that this a countywide issue but that PROW and Access Service Officers would not have indicated that a byway subject to a TRO prohibiting vehicles could be used by vehicles .  
(Agenda item 7 June 2021)

RD had advised councillors who had approached him that the ASB involving motor use was a police issue and needed to be reported as such. RD also expressed the view that the problems are made worse as a result of planning decisions that result in the closure of off road motoring facilities.

TT asked who the contact for the Experience Project improvements is. GR confirmed that Louise Fox is now in post and is the contact.

Future meeting dates, times, and venues

Date: Monday 7<sup>th</sup> June 2021

Time: 2:00- 4:00pm

Venue: Microsoft Teams

**Future Dates:**

September Monday 6th

December Monday 6th