

Minutes of the

ROADS, PLANNING & AMENITIES COMMITTEE MEETING OF THE BOARD OF CONSERVATORS OF ASHDOWN FOREST

1430, Monday 14th July 2008
Education Barn, Ashdown Forest Centre

Present: Mr M Cooper (Chairman), Cllr J Barnes, Mr R Beal (Ranger), Mr R Galley, Cllr S Martin, Dr H Prendergast (Clerk), Cllr R St. Pierre, Cllr S Shing, Mr J Spicer. Minutes taken by Mrs T Buxton.

Also present: Mr P Glyn, Mr E Stenhouse and Cllr F Whetstone.

Election of Chairman and Vice Chairman of the RPA Committee as required by Standing Orders

5.3 *“Each Committee shall elect its Chairman and Vice Chairman at its first Meeting following appointment of the Committee members by the Board..”*

Cllr St. Pierre proposed Mr Cooper and this was seconded by Cllr Martin. Mr Cooper was therefore elected and took up the Chairmanship with thanks.

The Committee went on to elect a Vice Chairman. Mr Cooper proposed Mr Spicer and this was seconded by Cllr Barnes. Mr Spicer was therefore elected and took up the Vice-Chairmanship with thanks.

The Chairman opened the meeting. There were no members of the public present. Mr Spicer raised a point of order regarding the pre-circulated papers which lacked attribution. The Chairman noted Mr Spicer's comments.

18/08 Apologies.

Apologies were received from Mr L Gillham and Mr R Thornely-Taylor.

19/08 Declarations of Interest by Members of a Personal or Prejudicial Nature.

No declarations were made.

20/08 Presentation on mountain biking.

The Chairman welcomed Duncan Thompson, Dave Pettitt and Ian Warby. He went on to say that the issue of mountain biking on Ashdown Forest would not be reopened in the near future but when it was next due for discussion the comments made would be taken into account. Mr Warby gave a 15 minute power-point presentation on the benefits of off-road cycling. This was followed by a short question and answer session.

Cllr Martin asked would mountain bikers be going everywhere or diverted to specific trails? Mr Thompson replied that routes and areas depended on management agreement.

Cllr Martin asked would there be help in maintaining trails? Mr Thompson replied that it was vital to engage volunteer groups in trail maintenance, work with management and this was happening in other areas. He went on to say that, in his experience, users were keen to maintain the trails and prevent erosion.

Cllr St. Pierre asked to hear more about self-policing of mountain biking as there were some less than sensible users. She went on to ask how 'rogues' would be managed? Mr Thompson replied 'rogues' would fall into line after interaction and engagement with sensible users. He went on to say that leaflets and the internet were ways of engagement with users and if bikers refused to behave the problem would be passed to the management.

Cllr St. Pierre asked if a permitting system, as used for horse riding, and if regular or one off activities were envisaged? Mr Thompson replied that a range of options should be looked at.

Cllr Whetstone commented that there were difficult soil conditions on Ashdown Forest and what would be done about that? Mr Thompson replied that cycling was done on a great variety of ground such as greensand ridge and areas of granite and that sensitive areas would be flagged up.

Cllr Barnes said that there was an Iron Age fort on the Forest that had undulating terrain and that this was a sensitive area. He was concerned that bikers would create jumps and pits in other locations. Dave Pettitt replied that there were, in his opinion, other places that had downhill trails and pits that were more suitable for that type of riding and that the Forest would not be visited by that type of rider. He went on to say that the Forest terrain was not fast paced and did not lend itself to that kind of rider.

Cllr Martin commented that cycling was a popular family sport but only mountain biking had been discussed. Would there be different types of runs to suit different users, such as families with children? Mr Thompson replied that this depends on management policy. Modern trails have loops designed for shorter or longer rides as required.

Mr Spicer commented that Mr Thompson was talking about two different sets of riders and recreational riders were more likely to turn up in cars, do a short circuit and leave again. He went on to say that some car parks could be designated as bike only. Dave Pettitt replied that Mr Thompson, Mr Warby and himself represented off-road riders only but there was an overlap with recreational riding and that those wanting a more extreme trail would share circuits with those who were more recreational.

Cllr St. Pierre commented that East Sussex roads were not particularly bike friendly and asked if there had been any satisfactory negotiations with local councils on improving approach roads. Mr Thompson replied that some local authorities were very keen to sort out the roads and those that entered into early engagement with Sustrans seemed to do better and that in the future money may be available.

The Chairman thanked Mr Thompson, Mr Pettit and Mr Warby for their time and asked that a copy of the presentation be provided and appended to the minutes. He went on to say that the Standing Orders needed to be checked to find out when the issue could be revisited.

21/08 Matters arising.

21.1/08 Forest Centre development – memo from ESCC Legal and Community Services. – RPA 13/08

This document was pre-circulated. The Chairman apologised that the working party had been unable to meet sooner and reported that a meeting had now been arranged for Monday 21st July. The Clerk commented that he had been asked to find out if the Board was acting *ultra vires* and asked the committee to note the third paragraph.

Mr Stenhouse said that in the FGP minutes 15.2/08 it had been agreed that the Committee would be given all the documentation to date, including the instructions to Andrew Ogden and his reply. He went on to ask why they had not been supplied. The Chairman, and other members of the Committee, stated that they did not recall that agreement. Cllr St. Pierre responded that the Clerk had done what he had been asked. The Chairman went on to say he did not wish the Committee to become involved past correspondence now and the question asked would not elucidate the issue any further. Cllr Barnes reminded the Committee that Mr Stogdon had stated he was not prepared to give a legal opinion, only a personal one, and no papers were produced. The Chairman reminded the Committee that if they wished to see any paperwork they should visit the office.

Mr Stenhouse asked as the Centre car park would need enlarging had the Clerk sought a legal opinion on that? The Chairman replied that the implications would be borne in mind.

21.2/08 A review of issues and unanswered questions about access on the Forest (redrafted) – RPA 14/08 & 15/08

This document was pre-circulated. The Chairman stated that he would like an agreement to form a small working party to deal with access issues rather than the whole Committee discussing them. There was a short discussion regarding the aims of the working party and it was agreed the aim of the working party would be to create a draft policy document to provide a basis whereby issues, as they arose, could be answered on a consistent basis.

The party would consist of the Chairman, the Clerk, Mr Stenhouse and Cllr St. Pierre. The Chairman thought it important the Mr Gillham be involved as he had a long history of involvement and a wealth of knowledge about the Forest. The Clerk would enquire if Mr Gillham would be willing to join. The first meeting would be arranged for September and the first proposals would be ready before the next Committee meeting in October.

21.3/08 Access on Ashdown Forest – a draft contract brief – RPA 16/08

This document was pre-circulated. The Clerk stated the document required some tightening up and there was some overlap with the principles document handed out during the meeting.

Cllr Barnes suggested that any thoughts on the document were best left to the working party and that the principles were an attempt to codify a policy in movement and the working party should study the brief in some detail prior to it being sent to for a legal opinion. Mr Stenhouse commented that the brief wording needed to be very clear and that he was concerned about the costs.

Cllr Barnes stated that it was very important the Board's current policy stood until the working party had made recommendations.

There was a lengthy discussion regarding the choice of the lawyer and various pros and cons were discussed. Mr Stenhouse agreed to provide the Clerk with names of lawyers, in his opinion, able to deal with the work.

Cllr St. Pierre suggested the lawyer joined the working party and there was a short discussion on the costs that this would incur.

The Clerk asked for any comments on the draft contract brief and Cllr Barnes passed over his written suggestions. Mr Stenhouse stated the pre-amble was not required and asked if the aims were right and if there were enough of them. Cllr Whetstone said the sub-letting was not relevant and that domestic properties being used for commercial purposes was more important.

It was agreed that quotes for the legal work should be sought by the Clerk without delay.

21.4/08 Yeomans Cottage Nutley – continuing breaches of bye-laws – a verbal report

The Clerk reported that Ranger Beal had spent a considerable amount of time following up these bye-law breaches. There was photographic evidence with a witness present. He went on to say this issue had been going on for four months and the Clerk proposed legal action be taken and this was briefly discussed by the Committee.

It was agreed that legal action be taken and that a solicitor's letter be forwarded to the property owner followed by court action if there was a failure to rectify the bye-law breaches.

22/08 Planning and Property Issues.

22.1/08 Comment submitted on deregistration of part of Crowborough Common – RPA 17/08

This document was pre-circulated. The Clerk reported that the EU Habitats Regulation Directive was now making an impact and that the only comments he could make regarding Crowborough Common were regarding deregistration of common land which could put extra recreational pressure on the Forest. Cllr Barnes agreed that deregistration of common land and subsequent development were likely to have an impact and this was briefly discussed.

It was agreed the Committee were happy to endorse the Clerk's letter.

22.2/08 Comments on recent planning application at Cecil Cottage, Chelwood Gate – RPA 18/08

This document was pre-circulated. The Clerk asked the Committee to note the planning application. Mr Galley reported that the application had now been withdrawn. The Chairman commented that this, and the previous discussion, suggested that there were areas beyond the Forest that impinged upon it and he went on to ask if Natural England were aware of the developments in Maresfield and at the Grampian site. Mr Stenhouse commented that, as a general point, correspondence should be couched in an incontestable form of words.

23/08 Remembrance Sunday at the Airmen's Grave – the future of the fly-over – RPA 19/08

This document was pre-circulated. The Chairman reported he had received a long e-mail from Mr Gillham on this matter and went on to read an abbreviated version that covered all of Mr Gillham's points such as there should not be a megaphone and the Police should be contacted to provide official 'no parking' sign on the day. Mr Glyn stated that he had officiated at three ceremonies and that people did talk all the way through the event and that the numbers were out of hand. Cllr Barnes stated that the role of the Forest staff needs to be clarified. Ranger Beal commented that there was no suggestion of stopping the ceremony, most questions asked were about the fly-past and the poppy drop and that seemed to be the draw for the public. He went on to say the event was a concern for the Forest staff, an ambulance was required, numerous requests from people wanting to be driven back up hill, the parking was a hazard as signs were ignored and emergency vehicles would not be able to pass. He went on to say that there would come a time when extra staff would need to be drafted in to help. The Clerk commented that school groups, walking groups, horse riders and people from outside the area were coming to witness a spectacle rather than a remembrance ceremony and he proposed that the ceremony continue but without the fly-over. However, it was agreed by the Committee that some members of the public could go away with a deeper understanding of the significance of the event.

It was agreed to recommend to the Board that there would not be a poppy drop and that the pilot be asked to make an appropriate aerial signal.

It was agreed that official 'no parking' signs be made available and that it be made clear to the public no unofficial taxi service would be provided.

24/08 Financial information for RPA Committee Responsibilities – RPA 20/08

This was tabled for note only. Cllr Whetstone asked if the actual for the same period of the previous financial year could be shown. This was agreed.

25/08 Miscellaneous amenity matters

25.1/08 Bye-law breaches (verbal report)

The Clerk reported that on the South Chase, Ranger Beal, had noted 49 separate bye-law breaches including: excessive mowing; parking infringements; hard standing; skips; porta-loos; woodpiles; areas of cleared land; bonfires and dumping of garden waste. He went on to say that this situation was duplicated across all the Chases, new cases came up frequently, and the culture of abuse was making life very difficult for the Rangers. Ranger Beal stated that these issues had been talked about endlessly. Mr Spicer commented the procedures had to be followed through. The Chairman agreed with Ranger Beal and said that issues need to be followed up with the staff and robust action taken. Mr Stenhouse asked for a full list of all infringements across the Forest be supplied to the working party so that they could be categorised and prioritised. He went on to say that the Board could not deal with every single one and that licensing, as discussed by the working party, should be used to deal with some of the lesser infringements. Mr Spicer agreed and stated that, in his opinion, a dozen of the severe infringements should receive solicitor's letter and have legal action taken against them.

The Clerk commented that legal action was a lengthy process and that small problems tended to escalate into larger ones if not dealt with swiftly. Mr Spicer said that the Forest did not have enough staff, with the right powers and it would be better to use licensing. Mr Cooper stated that publicity on the actions taken was essential to get the message across and put others off.

It was agreed at the next meeting the Committee would visit infringements on the North Chase and that the Clerk would classify them as discussed.

25.2/08 Ride and sign maintenance (verbal report)

Mr Spicer commented that some signs were being placed on very short posts that quickly became obscured by bracken. The Clerk replied that, if down an access track, the signs could be cleared by the property owners and it was in their interest to ensure they were visible. He went on to say that taller posts would probably elicit complaints.

26/08 Any urgent item for which the Clerk has notice in order to pass the elected Chairman

There were none.

The meeting closed at 16.50.