

DEVON LOCAL ACCESS FORUM

**Sixth Public Meeting of the Devon Local Access Forum
FRIDAY, 23 APRIL 2004 10.00 a.m.
Larkbeare House, Topsham Road, Exeter**

The meeting will be open to the public in accordance with the provisions of reg. 7 of The Local Access Forums (England) Regulations 2002 (under s 94 and 95 of the Countryside and Rights of Way Act 2000).

AGENDA

- 1. ATTENDANCE**
- 2. Election of Chair**
- 3. Election of Vice Chair**
- 4. MINUTES** of the meeting held on Tuesday, 24 February 2004
- 5. MATTERS ARISING**
 - (3.7) Local Transport Plan (Letter to Department of Transport attached)
 - (3.8) Disability needs
 - (7) Landowner and land manager presentations
 - (7) Insurance cover for landowners with rights of way/open access land
 - (8) Response to DEFRA on the consultation document on the use of mechanically propelled vehicles on rights of way (Response attached)
- 6. Correspondence**
- 7. Provisional Maps**
- 8. Annual Report**
- 9. Regional LAF Workshop – June 24 2004**
- 10. REPORT from the Rights of Way Improvement Plan Working Group**
 - 10.1 Scoring matrix**
 - 10.2 Vision Statement**
- 11. Consultation relating to regulations about public places under section 42 of the Countryside and Rights of Way Act 2000**
www.defra.gov.uk/wildlife-countryside/cl/index.htm
- 12. Consultation paper on proposals for regulations on appeals against notices under section 38 of the Countryside and Rights of Way Act 2000**
www.defra.gov.uk/wildlife-countryside/cl/index.htm

- 13. Agricultural Shows – attendance and publicity**
- 14. Leisure Industries Research Centre – Report on access and multi-use for Devon County Council**
- 15. WORK PLAN 2004/5**
- 16. Any other business**

Note:

Notice of questions from the public should be submitted in writing three days before the Forum meeting. At the discretion of the Chairman members of the public may be invited to pose a question or make a statement.

To make contact with the Devon Local Access Forum or for further information, please contact the Secretary, Hilary Winter. Contact details are given at the top of the agenda.

MATTERS ARISING (3.7)

Mr C Mackie
Local Transport Policy
Department for Transport
3/18 Great Minster House
76 Marsham Street
LONDON
SW1P 4DR

4 March 2004

Dear Mr Mackie

LOCAL TRANSPORT PLAN POLICY

Thank you for your e-mail regarding the development of the new guidance for Local Transport Plans.

The Devon Local Access Forum met last week and was advised that the draft guidance would be available for consultation shortly. The Devon LAF looks forward to commenting on the draft but, in the meantime, wishes to advise that it is of the opinion that horse-riders and carriage-drivers should be specifically included within the policy guidance for any future Local Transport Plan. A number of bridleways in the County are virtually unusable as they cross busy or dangerous main roads. In addition, many bridleway links use minor roads where the volume and speed of traffic, plus the increase in size of HGVs and farm machinery, render these increasingly unrideable.

The current Local Transport Plan for Devon incorporates proposals to assist horse-riders at particularly dangerous road crossings where a bridleway crosses a main road. However, the Devon LAF would welcome the inclusion of a more detailed and pro-active approach to horse-riding and carriage-driving within the LTP which might include greater opportunities for off-road riding and integration into the wider access network. Consultation with the appropriate user-groups would be beneficial as part of this process.

Yours sincerely

Hilary Winter
Secretary
Devon Local Access Forum

MATTERS ARISING (8)

Mr W Propert-Lewis
Countryside (Recreation and Landscape) Division 5
Department for Environment, Food and Rural Affairs
Zone 1/01
2 The Square
Temple Quay
BRISTOL
BS1 6EB

15 March 2004

Dear Mr Propert-Lewis

Use of mechanically propelled vehicles on Rights of Way

The Devon Local Access Forum welcomes the opportunity to comment on this consultation which was considered by members at its meeting at the end of February.

It would have been helpful if the consultation document had contained statistical information on the extent of the problems caused by mechanically propelled vehicles as the issues perceived by the public may, in reality, be less significant. In Devon the main problems are not on rights of way but on other areas of land not subject to the proposed legislation.

Lack of maps showing clearly legal rights of way for use by mechanically-propelled vehicles has contributed to these problems and the Devon LAF consider publication of such maps a high priority.

The Devon LAF would like to make the following points on the proposals.

Proposal 1

‘We will develop a strategy to disseminate and better inform the police, local authorities, the courts and others about the extensive powers and penalties already available for dealing with vehicles using rights of way illegally, anti-socially, or, in sensitive areas, harmfully.

As a first step, we will be issuing a Departmental Circular shortly covering the use of powers in paragraphs 6.1-7.5 below, with particular reference to encouraging the better understanding and appropriate use of traffic regulation orders.’

Devon LAF members agreed with this proposal to disseminate knowledge on powers available to deal with vehicles using rights of way illegally. As part of this process DEFRA should, in addition, contact the Community Safety Partnerships (set up under the Crime and Disorder Act 1998) at District level. The CSPs provide a co-ordinated multi-

agency approach to reducing crime and could be asked to seek opportunities to reduce illegal use of rights of way and educate the public.

Devon County Council is to be commended for its recent initiative in arranging to discuss enforcement and access issues with the Devon and Cornwall Constabulary, a move supported by the Devon LAF. Any increase in the knowledge base within the Constabulary will lead to a stronger role in enforcement. The LAF would recommend that DEFRA explores opportunities to provide a dedicated Access Officer within each Police Authority area to strengthen this aspect of police work.

The LAF would expect provision of information to the public to be included within this proposal.

Proposal 2

‘We invite views on the revision of the advice and guidance on managing the different sorts of traffic on vehicular rights of way in the publication *Making the Best of Byways* (1997)

We will also publish the results of the research project on the use of byways open to all traffic, which will be used to inform the revision of *Making the Best of Byways*.’

Members considered that ‘Making the Best of Byways’ (1997) was a useful working document. It was difficult, however, for members to comment on revising this publication without full knowledge of the revisions proposed nor details of the research project which will inform this process. It would have been helpful if these had been provided with the consultation paper.

Proposal 3

‘We propose to introduce legislation to provide that any future use of a footpath or bridleway that would (immediately before the commencement of the new legislation) have given rise to a public right of way for vehicles shall be treated as giving rise to a restricted byway rights, but no other public rights of way.

This will prevent any future usage giving rise to claims for public rights of way for mechanically propelled vehicles.

Members accepted that any future use of a footpath or bridleway shall be treated as giving rise to restricted byway rights but no other public rights of way.

Proposal 4

‘We propose to introduce legislation, which will make it no longer possible to establish the existence of a byway open to all traffic by reference to historic (pre-commencement) use by, or other evidence relating to, non-mechanically propelled vehicles.

We propose to do this by introducing a cut-off date after which (subject to certain exceptions) any unrecorded right of way for vehicles shall be recorded as restricted byways in the definitive map and statement.

We propose the cut-off date should be one year from the commencement of the new legislation.

Exceptions

We consider it should be possible to show that the public have a right of way for vehicles where the right arose

- (1) by virtue of an express dedication for mechanically propelled vehicles;**
- (2) by virtue of an enactment authorising use by mechanically propelled vehicles; or**
- (3) by virtue of any qualifying use by mechanically propelled vehicles. This means that applications to record byways open to all traffic can continue to be made until the end of 2025 where they are supported by evidence of lawful use by mechanically propelled vehicles.**

Whilst accepting the need to clarify the situation, members felt the one year cut off date was unfair to users of mechanically propelled vehicles. It did not give them much time to submit a claim and, in the case of Devon, the relocation of the Devon Record Office during 2004 and subsequent closure for a period of several months could create significant problems in providing evidence for any claim. Members agreed that a 3-5 year period was more realistic.

Proposal 5

‘We propose that applications for definitive map modification orders (DMMOs) to recognise vehicular rights submitted before the end of the one-year cut off date will be processed to their conclusion. Similarly orders already in progress will be processed to final determination.

We propose to introduce the register of applications for DMMOs prior to commencing the relevant new legislation.

We do not intend to review or amend the rights attached to ways already shown in the definitive map and statement as byways open to all traffic.’

Members supported the proposal to process orders to their conclusion and to set up a register of applications for Definitive Map Modification Orders, subject to extending the term to 3-5 years.

Proposal 6

‘We propose that an easement conferring a private rights of way for vehicles for the benefit of an owner or occupier should be recognised where (before the commencement of new legislation) a public right of way has arisen, which would before the one year cut off date have been treated as a right of way for vehicles, and is now being treated as giving rise to restricted byway rights.’

Devon LAF members supported the proposal for an easement to confer a private right of way for vehicles for the benefit of an owner or occupier. Clarification on the process of granting easements would be helpful.

Proposal 7

‘We invite views on bringing forward the 2026 cut off date under section 56 of the 2000 Act and section 54A of the Wildlife and Countryside Act 1981 for the purposes of recording byways open to all traffic based on the evidence of mechanically propelled vehicular use.’

The Devon LAF propose that the 2026 cut-off date is brought forward to a period of 3 to 5 years.

Members of the Devon Local Access Forum would like to make the following additional points:-

- ◆ There should be supporting legislation to strengthen powers to deal with illegal and damaging use on areas of heathland, commonland and open country.
- ◆ DEFRA should examine whether changes to the planning system, allowing the potential to create a certain number of areas which mechanically propelled vehicles could legitimately use, would ease problems elsewhere. Currently, it is difficult to obtain Planning Permission for this type of use.

We look forward to receiving information on the outcome of this consultation.

Yours sincerely

Hilary Winter
Secretary
Devon Local Access Forum

Agenda Item 10

DRAFT – DEVON LOCAL ACCESS FORUM - EXAMPLES
ROWIP ROUTE IMPACT MATRIX . ROUTE AND SAFETY

FOR NEW ROUTES

SCORE	ISSUE	SAFETY	LINKAGES	MULTI-USE	LINKS TO LOCAL TRANSPORT PLAN/COMMUNITY TRAVEL PLAN
HIGH	ACCESSIBILITY				
	Route can be accessed from nearby rights of way. Accessible by public transport. Accessible to all groups.	Increases safety aspects for users. Overcomes known problem areas and reduces conflict with vehicular users.	Major and significant contribution. Links into other rights of way and increases circular routes.	Maximises benefit for maximum number of access user groups.	Links into proposals under the Community Travel Plan or Local Transport Plan
	Accessible from nearby rights of way. Car parking available.	Reduces a more limited number of safety concerns.		Increases benefit to more groups and satisfies identified need.	
	Accessible from nearby rights of way. No public transport. Not wholly accessible to disabled.	Addresses one or two safety issues.	Contributes in a more minor way to linked routes.	Large part of route has been opened up to all users.	Makes some contribution to the CTP
	Very limited access for disabled.			Small section of route has been opened up to all users.	
	Island site but linkages Identified. Limited disabled access.			Part of route has been opened up to some additional users.	
LOW	Island site. No disabled access.	Makes no contribution towards safety issues.	No linkages identified.	Preserves the status quo and does not increase number of user groups.	Makes no contribution to the Community Travel Plan or Local Transport Plan

ROWIP ROUTE IMPACT MATRIX . RESOURCES

SCORE	ISSUE					
HIGH	Availability of funding	Unit Cost	Maintenance	Staff Cost DCC	External Costs	Voluntary Input
	Local authority and external funding identified and available	Scheme costs less than comparable schemes. Good value for money.	Low engineering costs once initially established.	Low staff costs.	Low external costs	Voluntary input through P3 or similar scheme community scheme.
	Local authority or external funding available to meet 50% of costs.					
	Local authority or external funding available to meet less than 50% of costs.	Scheme costs are on par with comparable schemes.	Medium engineering costs to protect surface and clear overhanging trees etc.	Medium staff costs.	Medium external costs	Regular input promised from environmental group.
	Funding sources identified. Project proposals to be submitted.			High staff costs in developing and submitting proposals.	High external costs	Occasional input from environmental group or similar not based in community
	Funding sources identified but in the short term funds committed.	Scheme costs are high compared with similar schemes.	High maintenance and engineering costs to keep route in good order.			
LOW	No resources available.					No voluntary input.

ROWIP ROUTE IMPACT MATRIX . NEED

SCORE	ISSUE					
HIGH	LOCAL DEMAND	USER GROUP DEMAND/ INDIVIDUALS	STRATEGIC ROUTE	ECONOMIC BENEFITS	SOCIAL/HEALTH BENEFITS	TOURIST ATTRACTIONS
	Community has put forward detailed proposals through P3 or Parish Council or community group. Groundswell of support from community and landowners.	Demand from group with special needs.	Route meets major criteria identified in local authority plans and strategies.	Scheme brings substantial economic benefits.	Fulfils important social and health objectives laid down in policy documents	Substantial tourism benefits through links to a tourist attraction.
	Detailed Community proposals but limited support from landowners.	Several user groups have identified the route and are co-operating in producing proposals.				Minor tourism benefits through a tourist attraction.
	Community has idea but not yet firmed up into definite plans.	Route identified by several groups agreed on vision but no co-operation.	Meets some of the main objectives cited in plans and strategies.	Medium economic benefit to local economy.	Fulfils some social and health objectives	Provision of route could lead to establishment of new tourist facilities.
	No one has asked for this route although it has been identified by the local authority	Identified by a couple of user groups but different objectives.				
		Demand from one user group.		Low economic benefit to local economy.		
LOW		No group has identified this route.	The proposal has no strategic importance.	No economic benefit identified.		There are no linkages to a local tourist attraction.

ROWIP ROUTE IMPACT MATRIX . IMPACT

SCORE	ISSUE				
	ENVIRONMENTAL & WILDLIFE BIODIVERSITY	DESIGNATED SITES	HERITAGE	LANDSCAPE & ASSOCIATED DEVELOPMENT	LOCAL RESIDENTS
5	Enhances wildlife and environment	Scheme significantly improves management or edge of designated site.	Proposed scheme offers major improvements to historic or heritage features.	Major but positive impact on the landscape.	Significant number of residents favour proposal.
4	Close to significant wildlife area. Area can be enjoyed.				
3	Moderate environmental enhancement.	Moderate improvement to designated area.	Minor improvements to historic features.	Minor but positive landscape change.	Most residents favour scheme.
2	Minor environmental enhancement				
1	No effect on the environment	No effect on nearby sites.	Neutral effect on historic features.	No effect on the landscape.	
0					No strong views on scheme.
-1	Too close to sensitive environmental area.	Minor damage but acceptable with consultation.			
-3	Minor potential damage to environment.		Minor threat to historic features.	Minor changes to landscape seen as detrimental.	Route adversely impacts on small number of residents.
-5	Significant impact on environment and wildlife.	Illegal damage to site.	Major threat to historic features.	Major changes to landscape seen as damaging.	Major impact on residents and large number of complaints.

ROWIP ROUTE IMPACT MATRIX . LANDOWNERS/LAND MANAGERS

SCORE	ISSUE				
	GAIN FROM LEGAL PROCESS	LANDOWNER AGREEMENT	CREATION ORDERS	COMPENSATION LEVEL	IMPACT ON ENTERPRISES
HIGH +	Contribution to definitive map review or other process	Agreement achieved with all landowners	No Creation Orders required	Agreement secured without financial payment	Major positive impact on associated farm enterprises.
				Agreement reached with minor financial incentive.	Some benefits from proposals.
		Agreement with a couple of landowners reached.	Creation Order with one landowner required for substantial link.		Minor benefits resulting from route.
				Agreement secured with compensation.	
		Agreement reached with one landowner.	Creation Order with one landowner for moderate improvement.		
					No impact on existing enterprises on holding.
		One landowner in dispute about scheme.	Creation Orders with several landowners for substantial link.		Minor disturbance to enterprises.
		A couple of landowners reject proposals.			Moderate impact on enterprises.
HIGH -		Strong opposition from all landowners.	Creation Orders needed with several landowners for moderate/small link	Compensation level too high	Significant safety and other impacts on enterprise.

Agenda item 11

CONSULTATION RELATING TO REGULATIONS ABOUT PUBLIC PLACES UNDER SECTION 42 of the Countryside and Rights of Way Act 2000
(DEFRA Consultation – response date 23 April. Devon LAF has been granted a brief extension)

SUMMARY

Background

Open Access land will be subject to public place legislation **unless** DEFRA introduces regulations allowing such legislation to be disregarded. There is some concern that applying public place legislation on a whole range of issues might place an unnecessary and unreasonable burden on landowners. Any regulations that are developed would therefore seek to achieve a balance between protecting public safety and the amenity and environment of access land, and minimising the impact on landowners and managers.

Such regulations would not affect land, which already constitutes a public place, such as a public right of way.

OPTIONS

There are three approaches DEFRA can adopt.

- ◆ **Do nothing.** Public place legislation will apply to **all** access land. This would include access users but also **landowners, managers and their visitors.**
- ◆ **Make regulations under section 42 so that, in all cases, the right of access conferred by section 2(1) of the Act is disregarded in determining whether access land is a public place.** No public place legislation would apply thus reducing the legislative or financial burden on landowners and occupiers. **BUT** none of the restrictions moderating behaviour of access users in public place legislation would apply.
- ◆ **Consider the case for making regulations on a case by case basis.** This would allow a certain number of regulations to ease the burden on landowners and occupiers.

However, making all or some regulations could lead to confusion with Open Access land being treated differently to other public spaces.

Making regulations may not be necessary if the activity is unlikely to take place on access land or where a provision exists to protect public safety.

Regulations are likely to be warranted in a number of limited cases.

- ◆ Does the existing provision place an undue burden on the landowner/occupier?
- ◆ Will safety be compromised if the provision is disregarded?
- ◆ Will the amenity and environment be unduly compromised if the provision is disregarded?
- ◆ What will the effect be on the ground?

- ◆ Does the current enactment implement an EU requirement – in which case the provision cannot be disregarded?
1. DOES THE LAF THINK THE ABOVE CRITERIA ARE CORRECT AND APPROPRIATE IN CONSIDERING REGULATIONS UNDER SECTION 42.

DEFRA invites views on whether the following regulations should be made so that these provisions do not apply to Open Access Land.

2. Mines and Quarries Act 1954

Owners of mines, not worked for a period of twelve months or more, have to take action to prevent any person accidentally entering the outlet or falling down the shaft. This will **not** be affected by any regulations on access land. But this does not apply to metalliferous mines not mined since 1872 (non-coal, ironstone, shale or fireclay mines) or quarries – important in the Devon context. Currently, if one of these is not sufficiently secured and is accessible to the public, it is deemed a statutory nuisance under Part 111 of the Environmental Protection Act 1990.

The local authority has a duty to carry out surveys and detect statutory nuisances. It may serve an “abatement notice” on the person responsible requiring works to be carried out to secure any disused mine or quarry. This could prove costly for the person responsible. The authority may undertake the necessary work itself and either seek to recover costs or meet these from its own budget. Costs are variable depending on the site but could typically be several thousand pounds.

Arguments in favour of making regulations

If regulations were made it would prevent a quarry or mine being considered a statutory nuisance just because of the new open access land. This would reduce the financial burden of remedial work on landowners and occupiers. Regulations might protect the environment from the negative impacts of remedial work and could also reduce the risk of a reduction in the capital value of the land. But making regulations would not absolve landowners and occupiers from civil liability claims if someone were to be injured at abandoned workings on their land.

Arguments against making regulations

If regulations are made it might increase the risk to access users. However, the risk of accidents is expected to remain low. Making regulations might also lead to confusion about where the statutory nuisance legislation applies, as it would still apply to all land accessible to the public before the CROW Act was introduced.

Owners considering section 16 dedications under CROW might be discouraged from doing so, if there was a risk in the future that they might be required to carry out remedial work under an abatement notice served by the local authority.

Local authorities will have the power to exclude the public from areas surrounding dangerous abandoned workings on the grounds of public safety but they are not required to secure any workings or warn of any dangers.

Options

- ◆ **Do nothing. The Mines and Quarries Act 1954 will apply to all open access land;**
- ◆ **Defer a decision until it can be assessed how landowners and local authorities might react once access comes into force;**
- ◆ **Make regulations to prevent disused metalliferous mines and quarries being deemed as statutory nuisances on new open access land.**

3. Excavations

(Local Government (Miscellaneous Provisions) Act 1976

The local authority can take action if it considers that an excavation, on land accessible to the public, is a danger to the public. The local authority can carry out work to remove the danger.

Making regulations would prevent this applying to Open Access land. Some landowners and occupiers may wish regulations to prevent local authorities carrying out such work on their land.

4. Anti-Social behaviour

(Criminal Justice Act 1967, Licensing Act 1902, Confiscation of Alcohol (Young Persons) Act 1997 and Children and Young Persons Act 1993)

The current provisions cover drunken people and use of tobacco and alcohol by those under age. Without regulations these provisions would apply to landowners and occupiers and could restrict their freedoms.

Making regulations could reduce enjoyment of access land by users. It is unclear whether making regulations would really benefit landowners.

5. Dogs

(Dangerous Dogs Act 1991)

It is currently an offence to allow any dog bred for fighting to be in a public place without being muzzled and kept on a lead (e.g. pit bull terrier, Japanese tosa)

Without regulations The Dangerous Dogs Act 1991 would restrict landowners' and occupiers' freedoms to exercise their own (fighting) dogs on their own land. Making regulations would prevent these provisions being applied to access land but might create an unacceptable danger to members of the public.

6. Dogs Act (1906) and Environmental Protection Act 1990.

Dogs can be seized in public places by a police officer (Dogs Act) or the local authority (Environmental Protection Act) if it is believed that the dog is a stray.

On land, which is not a public place, the consent of the owner or occupier of the land is required.

If regulations are not made a landowner or occupier could be disadvantaged by the small risk that a dog owned by him/her could be taken without consent.

LAF VIEWS ARE SOUGHT ON THE ABOVE

DEFRA do not propose to alter existing Acts which cover explosives, firearms and offensive weapons, criminal justice and the prevention of crime.

(Proposals 7, 8 and 9)

PAGES 14-17 cover other enactments that contain provisions that apply to public places. DEFRA are not proposing to introduce any regulations as it appears unlikely that such activities would be carried out on access land; or the provisions aid public safety without compromising freedoms enjoyed by landowners and occupiers.

DOES THE LAF WISH DEFRA TO CONSIDER MAKING REGULATIONS TO LAY ASIDE ANY OF THOSE PROVISIONS?

Agenda item 12

**CONSULTATION PAPER ON PROPOSALS FOR REGULATIONS ON APPEALS AGAINST NOTICES UNDER SECTION 38 OF THE CROW ACT 2000.
(DEFRA – closing date 2 June 2004)**

SUMMARY

The consultation sets out the Government's proposals for regulations on appeals under section 38.

Background

Under Chapter 111 or Part 1 of the CROW Act, the local highway authority is expected to assess the likely requirement for new means of access so that the public can use the new rights. The local authority is required to consult the local access forum and landowners/occupiers.

Under section 35, the local authority may make an agreement with a landowner or occupier where it thinks that an existing access needs to be improved or a new one constructed to ensure public access. The local authority may carry out the necessary works, or pay the landowner the whole or part of the costs. Agreements can also include a restriction on doing anything which would prevent the public gaining access. Agreements provide the best means of securing access.

Under section 36, the local authority can carry out the work when a landowner or occupier does not abide by the agreement to do the work. The local authority can recover costs, or part costs from the landowner or occupier. If this does not succeed, section 36(3) allows the local authority to serve a notice about failure to observe a restriction, or under section 37 (1) allows the local authority to serve a notice on the landowner or occupier stating it will carry out the work.

APPEALS

Section 38 allows an owner or occupier to appeal to the Secretary of State against the Notice requiring the carrying out of works to remedy the failure to observe a restriction, or notice of intention to carry out the work.

Reasons for appeal (section 36(3))

- ◆ The works are not necessary to remedy the breach in an agreement;
- ◆ the works have already been carried out;
- ◆ the period to complete the work is too short

Reasons for appeal (section 37(1))

- ◆ The works are not necessary to allow the public reasonable access;
- ◆ an alternative means of access or place of access should be provided;
- ◆ the work has already been carried out

On appeal the Secretary of State may confirm, modify or cancel the notice. During this process the local authority cannot carry out works.

The consultation document sets out the appeal process.

- ◆ The Appeal process would be by written representation, hearing or inquiry to be determined by the Planning Inspectorate or, more rarely, the Secretary of State.
- ◆ Copies would be sent to the local authority, the local access forum and anyone who has requested it. Copies would be available on the Planning Inspectorate website and open to inspection at the local authority.
- ◆ Regulations should enable the Planning Inspectorate to require the access authority to publish the notice of the date and venue in local newspapers or to send a notice to any persons that it specifies. (This may not be considered necessary in many cases).
- ◆ There should be a common procedure for initial stages of appeals, along the lines of the provisional map appeal system. This gives specified times for dealing with and submitting information but does not specify a time limit for providing a verdict on the appeal.

The procedure appears relatively straightforward.

ACTION

1. The LAF should consider whether the process seems fair and reasonable.
2. There seems to be no mechanism for informing and consulting with the Parish Council. The onus seems to be on organisations and the public to find out an appeal is taking place.
3. Copies of appeals would be sent to LAF. Should LAF ask for guidance on its involvement?