

MINUTES

Meeting Date: **Monday 25 March 2024**

Meeting Time: **2pm to 4pm**

Meeting Venue: **MS Teams**

Attendees:

Jeremy Boxall	JBox	Chair
Anne Beecham	AB	(Vice chair) Tourism Representative
Richard Dickenson	RD	(Vice Chair) Vehicular User Representative
Anne Rillie	AR	Equestrian Representative
Charles Tassell	CT	Landowner/ Land Management Representative (CLA)
Robert Peel	RP	Walking Representative
Theresa Trussell	TT	Multi-User Representative
Rachel Carley	RC	Cycling User Representative

Advisor:

Graham Rusling	GR	KCC Public Rights of Way and Access Service – Special Advisor
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Minutes:

Serena Mitchell-Burns	SMB	KCC Public Rights of Way and Access Service
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Apologies:

Sarah Barker	Parish Council Representative (KALC)
Chris Jelly	Dog Walking Representative
Markl Lawrence	User Representative – Health and Wellbeing
Cllr Perry Cole	KCC Elected Member
Hazel Walters	KCC Highways – Special Advisor

Actions arising from this meeting:

Action 1.

GR to circulate development planning references and information.

Action 2.

GR to provide Active Travel England contact details to **AR**.

Action 3.

GR to circulate 'Smarter Regulation Proposed Changes to Legislation for Electrically Assisted Pedal Cycles' consultation questions.

Action 4.

GR to arrange site visits for June and September meetings. **SMB** to arrange venues for June and September meetings.

Welcome and apologies:

JBox opened the meeting and extended apologies from those unable to attend. He also welcomed the newest forum member Rachel Carley.

1. Minutes and matters arising from the last meeting:

Actions from meeting held on 11 December 2023

Action 1.

SMB to arrange an MS Teams meeting for **GR**, **JBox**, and **Rachael Carley** regarding KCAF member recruitment. (Completed)

Action 2.

SMB to add KCIIECP Coastal Margin Safety to March 2024 agenda.

2. Membership (*standing item*):

JBox welcomed Rachel Carley as the new cycling user representative on the forum and asked her to introduce herself.

RC introduced herself as a long-term cyclist who has been involved with Active Travel and Wye Active, had been a Spokes committee member, and a Sustrans volunteer coordinator.

GR advised that after contacting the Woodland Trust about joining the forum they had not responded further. As the forum would benefit from a woodland management representative **GR** asked for recommendations of suitable people in this area that he could contact.

3. Development sites (*standing item*):

a) Lower Thames Crossing

RD provided an update on the Planning Procedure which finished on the 20 December 2023. The Planning Inspectorate is due to produce a report to be considered by the Secretary of State by 20 March 2024. This report will be passed to the Secretary of State for Transport who has until 20 June 2024 to make a decision.

RD advised that at this time National Highways have still to submit their business plan to the Treasury to show why the crossing is financially beneficial to the country.

Of note to the PROW network is that National Highways have appointed contractors for both tunnel works and roads and works south of the river, and the precise details of the rights of way being created will be decided by the contractor. There will therefore be a period of consultation where specifications for PROWs can be discussed with the contractors.

b) Sea Link – The Kent onshore scheme

GR spoke about the project to extend the National Grid which involves the creation of a sub-station in Suffolk and the laying of power cables under the sea around the Kent coast and coming back on land at Richborough.

GR advised there are concerns relating to the final Development Consent Order, the impact on the KCIIIECP, and the landscape.

The three key impacts PROW have commented on are the insufficient weight given to the National Trail and Rights of Way network, mitigation to the ROW network, and a request for a Rights of Way management plan to deal with amongst other matters the temporary closure of PROW during the construction phase.

[Sea Link | National Grid ET](#)

c) Broad Oak Reservoir

GR flagged up that southeast Water are planning a 5.1 million litre water reservoir at Broad Oak and recommended that KCAF make comments on the Development Plan when the opportunity arises.

[Have a say on the latest plans for a reservoir at Broad Oak | South East Water](#)

GR also noted that there are large developments at South Faversham and South Sittingbourne, and he will circulate the Planning Applications references and website links. **GR** recommended that KCAF make comments on the applications.

ACTION 1

[South East Faversham - Duchy of Cornwall \(sefaversham.co.uk\)](#)

[Simple Search \(midkent.gov.uk\)](#) search - 21/503914/EIOUT - Sittingbourne

4. King Charles III England Coastal Path (*standing item*):

a) Coastal Margin Safety (brought forward from 11 December 2023 meeting)

GR advised members about National Trails UK, who are a national body established by the different trail partnerships with the role of sharing best practice and lobbying on behalf of national trails, have recently been discussing coastal margin safety.

National Trails UK have in respect of this now produced their Coastal Trail Safety statement to promote a good safety standard for all.

b) General Progress

GR advised that there is current work on the stretch in Sheppey with plans to open this in May. However, there will still be gaps in the path as there are sections that are proving troublesome and may require realignment. In one location a decision is still required by the Secretary of State.

Currently looking at realignments of the north coast stretch of the path where the proposed routes have already begun eroding.

5. Equestrian Use of Highway Margins & Cycle Tracks:

AR presented to the meeting on Equestrian Use of a highways (particularly cycle tracks and margins), and cited the Government's 2018 Cycling and Walking strategy which was also intended to be aimed at other vulnerable highway users such as horse riders.

However, she feels that Kent County Council's Active Travel policy considers that the travel strategy relates only to commuting or useful journeys, which she feels ignores equestrian use as this is incorrectly categorised as entirely a leisure activity. She feels that equestrian use should be accommodated in the routes identified in the Cycling and Walking Strategy.

AR gave an example of a route close to the new development at Peters Village where safety improvements were made to the highway to benefit vehicle users, pedestrians, and cyclists but that has actually made a highway previously well used by equestrians completely unsafe for such use due to the nature of the improvement works. **AR** advised that in her most recent communication with KCC Highways she was advised that the most suitable option for equestrians at this location would be a separate segregated route but there are currently no funds available for these works. **AR** made the point that if horse riders had been properly considered in the initial stages of the safety improvements scheme a separate route would not now be required, and that horse riders should always be considered equally with vehicle users, cyclists, and pedestrian users.

AR asked if any of the forum members had suggestions of what could be done now regarding this specific route. **GR** advised that an approach to Active Travel England may be beneficial as they are developing rural guidance. Addressing the policy base at a local and national level would make it easier to make the case in respect of specific issues. GR to provide contact details to **AR**.

ACTION 2.

6. Deregulation Act - Right to Apply:

GR provided the meeting with an update on the implementation of Right to Apply ; amendments to the Highways Act 1980 sec 118 and 119 introduced under the Countryside and Rights of Way Act 2000t. District and Borough always have had, the power to make Highways Act 1980 Public Path Orders but have deferred this to the County Council as the Highway Authority.

District and Borough Councils will have the powers and obligations within Right to Apply and it has been suggested that under Section 101 of the Local Government Act (1972) the District and Borough Councils may delegate these functions to the County Council.

GR also spoke about the Presumption Guidance which has been produced relating to the presumption in favour of diversion away from domestic curtilage, agricultural and industrial premises. KCC had always accepted such applications but the tests for diversion and extinguishment have not been amended and must be met if a proposal is to succeed.

7. Smarter regulation: proposed changes to legislation for electrically assisted pedal cycle (EAPC):

Item 6 on the agenda, ELM – Permissive Access, was replaced due to the recent Government consultation relating to EAPCs.

GR spoke to the meeting about the Government proposal to bring in two changes to the regulations on electrically assisted cycles, which are to increase the maximum power output from 250 watts to 500 watts, and allow throttle assistance up to 15.5 mph.

GR advised that responses from the British Horse Society and British Cycling to this proposal have not been positive as there are concerns that these more powerful electric cycles with more throttle assist will be more likely to go off-road on to public footpaths, bridleways, and byways causing dangers to other users.

GR advised that he would circulate a link to the proposed new legislation, which includes a full list of questions. There is also the option to leave comments on the proposal, and **GR** advised that it would be beneficial for KCAF and the various organisations the members represent to give their feedback on this proposal.

RC advised that as the cycling representative for the forum she would construct a KCAF response and then run this by the other forum members for approval before submission.

[Smarter regulation: proposed changes to legislation for electrically assisted pedal cycles - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/smarter-regulation-proposed-changes-to-legislation-for-electrically-assisted-pedal-cycles)

8. Correspondence (*standing item*)

JBox advised no correspondence had been received.

9. Any Other Business:

a) KCAF Meetings

The June 2024 KCAF meeting and venue was discussed, and it was agreed to hold a site visit in Blean Woods to look at the proposed new bison bridges and public paths.

The quarterly meeting will be held locally to Blean Woods after the site visit.

SMB to locate and book a meeting venue.

GR advised that a solar farm development would be a good site visit for the meeting in September and will provide the forum with further ideas on this.

ACTION 4.

b) Medway Towpath funding

JBox spoke about the funding from Active Travel England which will include the Medway Towpath

c) Sheppey Green Way

TT spoke about the proposal to create a non-motorised user route on the disused railway line and asked **GR** if he had any updated information on this. **GR** advised that PROW officers are involved in the discussions but there has been no decision or outcome yet.

d) Invicta Trail

TT spoke about the Invicta Trail work on a long-distance circular route around East Kent. She advised that has been mostly positive however there is a short gap in the route from Whitfield to Tilmanstone and asked for **GR's** help with this. **GR** advised that initially she contact the PROW East Kent Area Manager to advise on the specific locations and discuss the issues.

e) Meeting Agenda items

JBox reminded all forum members that if they have any suggestions for future KCAF meeting agenda items to email these to himself or **GR**.

Next meeting:

Date: **03 June 2024**

Time: **To Be confirmed**

Venue: **To Be confirmed**