

# NOTES ON THE SPECIAL MEETING HELD AT LITTLE WENLOCK VILLAGE HALL WITH UK COAL AND OBJECTORS TO PROPOSED ALTERATIONS TO THE RIGHTS OF WAY AT 6.00 p.m. ON THURSDAY 14<sup>TH</sup> JANUARY 2010.

## PRESENT:

Councillor Professor Patrick Pietroni, [PP] (Interim Chair of the Community Liaison Committee) who chaired the meeting.

Councillor Debbie Goodman, [DG] (Interim Vice-Chair of the Community Liaison Committee).

Roger Seymour, [RS] (Community Liaison Committee)

Craig Ball [CB] – Planning Manager, UK Coal.

Trevor Parkin [TP] – Technical Director, Entec UK.

Mark Weston [MW] – British Horse Society

Ian Ross [IR] – Solicitor, T&W Council.

Jaswant Sidhu [JS] – T&W Council Rights of Way Officer.

T&W Councillor Tracy Hope [TH].

Marilyn Pietroni [MP] - T&W BHS

Jan Mees [JM] (also representing M. Brown, British Driving Society, D. Martin & S.A. Robinson with their proxy votes)

Also David Blascyk, Anthony Francis-Jones, Elaine Thomas, Barbara M. Preece, Kevin Nicholls, Francis James, Peter King, Pam King, Mr. Perkins.

The Chairman opened the meeting and introduced those present.

The following presentation was given by Craig Ball and Trevor Parkin:

### Background – Types of Rights of Way:

- **Footpath (FP)**
  - Walkers Only
- **Bridleway (BW)**
  - FP plus Horse riders and Cyclists
- **Restricted Byway (RB)**
  - BW plus Carriage Drivers
- **Byway Open to All Traffic (BOAT)**
  - RB plus mechanically propelled vehicles

### Huntington Lane – Key Rights of Way:

- **RB36 & FP37**
  - Connects New Works Lane to Short Wood and Steeraway beyond via FPs38/39 & RB40
- **FPs 26-34**
  - Connects New Works to west via New Works Wood and Short Wood
- **RB51 (& FP51A)**
  - Connects Huntington Lane (from New Works Farm) to Keepers Cottage
- **Un-named Bridleway**
  - Runs past Lower and Upper Huntington Farms to the Hatch and connects to FP187A and then FP187

### Operational Phase (2010-2013). Planning Application / Public Inquiry :

- **Temporary Closure Proposals**
  - RB36/FP37 (344m)
    - Diverted south (380m), then west (287m) and then north (432) around Area B Excavation Area (=1099m)
    - Also FP access to FP34
  - FP33 (121m)
    - Diverted 42m to meet the above diversion
  - RB51/FP48? (997m)/ & FP51A (302m)
    - Replaced by Huntington Lane and Bridleway past Lower/Upper Huntington Farms and FP187A

### Restoration Proposals. Planning Application / Public Inquiry:

- Reinstatement of RB36
- Reinstatement of Existing RB51
- Reinstatement of FP37, FP33 and FP51A
- Creation of new BW from RB36 to RB51 via former haul road corridor
- Creation of new linking FPs near New Works Wood to create new circuits

### Additional RoW Proposals, December 2009:

#### ● **Provisional Agreement with LWPC/T&WC December 2009**

- Via a joint agreement with Mr Beanland, upgrade of FP37-39 to BW following mining operations.
- FP37 to be restored as BW following mining
- Temporary Surfaced Permissive BW1:
  - Dawley Road to Limekiln Lane parallel to northern boundary – Requires new section to be constructed
- Temporary Unsurfaced Permissive BW2
  - Around perimeter of field to East of New Works Lane (Headland) to connect to RB36

### Extra RoW Proposals, January 2010:

#### ● **British Horse Society January 2010.**

- Car Parks to accommodate Horse boxes
- Proposed BW from RB36 to RB51 via New Works Wood (formal haul road) to be restored as RB to facilitate circular carriage route with lanes
- Joint Training of horse riders and HGV Drivers by BHS and site staff

#### ● **UK Coal**

- Permissive use of RB36/ FP37 Alternative Way by Cyclists.

**Trevor Parkin** stated that all the above concessions were subject to the smooth progression of the project and it not going to a Public Inquiry. It was hoped that the objections would be removed in the near future as the site starts operation in the spring.

There would be a legal agreement regarding the RoWs.

T&W Cllr. **Tracy Hope** gave a brief history of the area.

**Ian Ross** (T&W Solicitor) noted that T&W were aware of the high profile facilities agreed under this process and that they would be workable and legally binding. He stated that it would be appropriate to deal with the permanent side of the matters at the time of restoration. He pointed out that the whole framework was in the presentation given by Trevor Parkin.

#### **Walkers:**

Kevin Nichols spoke on the matter explaining that the proposals put him off as a walker because he did not want to share the RoW with horses and cyclists. It was politely pointed that historically the routes had in the past been used by pit ponies and shared with walkers.

#### **Cyclists:**

David Blasczyk said that he had broken his leg climbing over a gate and added that it would be nice to see the paths, gate etc, go back properly,

#### **Carriage Ways:**

It was stated that the area had been used for 40 years,

**AFJ** said that any access is valuable and any recorded access is valuable. There should be respect for walkers and any other users. We don't want a concrete fenced path to walk up. We all stand to gain from the proposals, we do not want it to become a "sterilized" area.

**CB** stated that they will do the job properly and restore the site properly and that they have a good track record for doing this.

**Signage** : this needs to be done sympathetically. Good signage is important.

**JS** stated that FP 37 is a footpath but is used by horse riders.

**Pam King**; the proposals would impact on her business but she was impressed and it was a nice package so long as it was followed through. She expressed concerns about the route via Dawley Road as it was very busy and could a route be found using the inside edge of the site.

**TP** stated that access to the site was a problem at the end of New Works Lane as none of the land belonged to UK Coal and that there would be soil mounds around the edge of the site and thus it would be a tortuous route in which to put a bridle way through.

**JM** was concerned about **RW 51** not having an end because it finishes at a kissing-gate at the junction with FPs 187 & 47.

**TP** responded that the Definitive map indicated that it actually stops at the gate and style on the edge of the field at Keeper's Cottage and that the 45m between this point and the kissing gate was recorded as a footpath.

**JM** disagreed and said that further research needs to be done on this issue.

**JS** said the background documentation was to some extent contradictory regarding status, the section of path in question was beyond the site boundary and that the main interest should be the reinstatement of RB51 within the site.

**TP** stated that UK Coal could not change the status of the RoW or propose new or amended routes on land outside its ownership.

**JS** stated that the background documents need to be discussed. Suggestion it was restored to the gate (boundary) with a 3m wide surface from New Works Farm with hedgerow and fencing.

**JM** stated that they are stopped from using it by the owners and tenant of the land and added that if through connection could be created, then she would want to see a turning loop created at the end of RB51 so that horseriders and carriage drivers could make effective use of it.

**PP** A permanent turning loop / circle would be helpful at the end of RW 51. The Restoration plan is not as yet a formal document and therefore consultation process can still take place and take on board all the consultees \_ LWPC, AONB and SWLT.

### **3 Issues:**

1. **Dawley Road Danger.**
2. **Kissing Gate issue.**
3. **Turning loop / circle.**

**IR** discussed the logistic to "do the deal".

1. Car parks – how will they be established.
2. Access by the public to the car parks.
3. Car park maintenance – who would be responsible?

**IR** felt that what had been proposed by UK Coal was a very positive deal.

**TP** – car park(s) would be on UK Coal's Land.

**IR** – how do we enshrine it?

**MP** raised the issue of conflict between users. She stated that within the RoW improvement plan the future was about multi-user paths including access by the disabled. How they are used and inter-act with each group of users has to be embedded in the etiquette and appropriate culture.

**MP** raised the following points:

1. Signage & information boards to take on a new role; states who can use the RoW and also where a Permissive RoW that it can be withdrawn and therefore we must respect it.
2. Interpretation boards – honour the history of the horse and the areas mining history
3. Turn it into a partnership.

**MW (BHS)** congratulated all parties on the negotiations that had been made. The i's and t's now need to be dotted and crossed. With regards to walkers there were now a number of extra footpaths and the walkers had made a gain. Agreed with the multi-user policy.

He stated that if there was anything he could do to assist he would be willing to give help and advice.

**RS** stated that we were all adversely affected by the planned surface mine but that the Public Inquiry had decided in their favour. He stated that a further Public Inquiry would cause a protracted delay to the project. He stated that we must move forward in a spirit of cooperation with UK Coal and the sooner the project was started to sooner it would be finished and this was what everyone locally wanted. If it was delayed we would all be losers. He passionately asked everyone for that little extra step forward.

**DG (LWPC)** stated that:

1. LWPC did initially object to proposed RoW diversions because of the fact that routes were situated on roads and this was not a good idea either for walkers or riders.
2. As a result of negotiations with UK Coal and the subsequent alternative routes offered, with which LWPC were happy with, the objection was withdrawn.

PP summarised the issue raised.

**IR – Key Issue:**

Someone has to coordinate all the objectors and all present to sign an acceptance and UK Coal to sign.

**RB51**

1. To put something back that is more attractive and useable.
2. UK Coal can only do what is on UK Coal's land.
3. UK Coal cannot please everyone.

**TP** – there needs to be a withdrawal of the objections. If there is a delay then UK Coal will have to review all that it has offered.

The question of a shorter route so as to avoid the Dawley Road was again raised.

**TP** stated that the mining there would be towards the end of the process and would last for approximately 5-6 months. However he would look to see what could be done with UK Coal.

When asked whether the closure of FP37 could be delayed until actually required, **TP** stated that this FP 37 would remain open as a permissive way until it needs to be closed for mining operations.

**JM** stated that the width of the Restricted Byway needed to be 5m and reiterated that she would like a turning loop.

**TP** stated that the proposals were for a Restricted Byway to be surfaced (unlike at present) and 3m wide. He added that any changes to the restoration proposals needed to be widely consulted with interested groups such as the AONB Partnership and SWT and confirmed as a formal planning submission to discharge the appropriate planning conditions with T&WC.

**JM** withdrew her objections and those for whom she held a proxy vote.

**This was somewhat subject to the turning loop being installed.**

**The other objectors withdrew their objections except for:**

**Mr. A. Perkins** would not withdraw his objection. It was pointed out to him that the Public Inquiry would be a costly exercise and that it would not change the decision.

Following representations from those present Mr. Perkins stated that he would withdraw his objection.

**Kevin Nicholls** (walker) was still undecided.

The meeting closed at 7.45 pm