

The Surrey Countryside Access Forum

Minutes of the meeting of the Surrey Countryside Access Forum held online via Zoom Monday, 19 July 2021

Present:

Members (and their primary interests):

- Ian Russell, Chairman (Motor Vehicles)
- Pamela Lyman (Land management)
- Avril Sleeman (Equestrian)
- Elliot Cairnes (Walking)
- Thor Simpson (Walking)
- Romy Jackson (Farming)
- John Barber (Motorcycles)
- Rosie Norris (Mobility Vehicles)
- Lesley Steeds (Local Government)
- David Bellchamber (Walking)
- Sean Harrison (Countryside management)

Officers:

- Joanne Porter, Countryside Access Assistant

Observers:

- Matt Sewell (Police Support Volunteer)
- Joe Bailey (Animal warden, Mole Valley District Council)

1. Declarations of Interest

1.1 There were no declarations of interest.

2. Apologies

2.1 Gail Brownrigg (carriage driving), Paul Marshall (mountain biking), Sophie Gordon (cycling), Claire Saunders (Surrey County Council)

3. Minutes of Previous Meeting

3.1 The minutes of the meeting held on 26 April 2021 were confirmed as a correct record.

4. Matters arising / Action points

4.1 David said that Dave Page at Elmbridge Borough Council has said that the disabled parking spaces at Esher Common are not wide enough so they will be upgraded at some point.

4.2 Cycling UK has changed their policy about cycling on footpaths and are no longer encouraging it.

- 4.3 There will be a public consultation in September for the MoD byelaw review
- 4.4 There is information about the Surrey Wildlife Trust project that has been funded by the Coast to Capital Local Enterprise Partnership (LEP) on the Coast to Capital website. The project will create a nature recovery network between Redhill and Godstone and aims to also work in collaboration with developers.
<https://www.coast2capital.org.uk/media-centre/press-releases/businesses-in-surrey-to-invest-in-nature.html>

4.5 Oak Processionary Moth is on the forward plan as a potential area of discussion.

5. Joe Bailey – Animal Warden, Mole Valley District Council

- 5.1 Joe introduced himself and said that he has worked at Mole Valley District Council for 33 years and is retiring next week.
- 5.2 Joe the last 6-18 months have seen a huge increase in the number of walkers and so also dogs using rights of way and open spaces, although there have not been many reports of attacks by dogs, although it's often the case that people often don't report attacks.
- 5.3 The law is difficult to enforce in relation to dogs, and people usually only receive an advisory letter after a first offence. After a second offence people will usually receive a Community Prevention Warning letter. Failure to comply with this will lead to Community Protection Notice.
- 5.4 Enforcement is very difficult, and Joe covers the large area of Mole Valley on his own, so he is often reactive. People should report any incidents involving dogs so he knows what areas to target for patrol and he can also pick up where there is a problem.
- 5.5 It is difficult to enforce on private land, but Joe does give advice where possible.
- 5.6 There have been problems recently with people from out of the area coming to Surrey.
- 5.7 Matt said that in Waverley there is now about one incident a month of dogs worrying livestock. He agreed with Joe that it is difficult to collect evidence and enforce and that people should report incidents so the police / council will know that there is a spate of incidents in an area.
- 5.8 What level of incident should be reported? Dog fouling is classed as anti-social behaviour now and there is no legislation to prevent this. Public Space Protection Order (PSPO) areas are the only places now where anti dog -fouling legislation is in place, but again it is difficult to collect evidence regarding this.
- 5.9 Dog bites should be reported to the police, as well as if there is an out of control dog. An out of control dog is when a person is in fear of the dog and it is likely to cause injury. Dog on dog attacks are not offences, although they can be if there is a fear of an inadvertent injury.
- 5.10 There are animal wardens at other councils in Surrey, specifically Tandridge, Reigate and Banstead and Guildford, although they may have slightly different duties, and some only do what is required as a statutory duty.

- 5.11 Call 101 if there is an incident involving a dog and 999 if it a very serious incident. If an incident is not reported it will be as if nothing has taken place.
- 5.12 Joe doesn't know yet if he will be replaced.
- 5.13 Matt is trying to do some education through the 'in the know' website.
<https://www.intheknow.community/>
- 5.14 Matt said that livestock worrying is a rural crime, but general dog problems are not.
- 5.15 Farmers are permitted to shoot dogs that are worrying their stock. Joe said that he only knows of one occasion where a farmer has shot a dog and the farmer was devastated as it is the owner's fault and not the dogs'. A farmer has also got to show that they have tried other methods of stopping dogs worrying their livestock before shooting them.
- 5.16 Avril said that the City of London have had a lot of dog attacks on their livestock, mainly sheep, in the last year. They lost 6 ewes and their lambs on Coulsdon Common this year.
- 5.17 Avril also asked about dangerous breeds / 'weapon' dogs and what can be done about these? Joe said that there are not a lot of breeds on the dangerous dogs list and often when a dog is reported as being a dangerous breed they are not. Unfortunately, any dog can be turned into an attack dog through how they are treated. If a dog is being used as an attack dog, then it should be reported to the police.
- 5.18 Elliot asked if sheep could drop their lambs prematurely if they only see a dog and what happens when there is a right of way through a field? Joe said that he hasn't heard of that, although it could happen if they are chased. Joanne said that Open Access Land can be restricted for 28 days during a year which could include if sheep are lambing in a field. Rights of way cannot be closed for this reason and the advice to farmers is to put the livestock in a different field with no public if there is a problem.
- 5.19 Romy said that there is no policy to restrict people with dogs on a footpath. The legislation says that dogs should be under close control – the NFU have asked the government for more clarity on this. Romy said that there will be a 'take the lead' event at Polesdon Lacey in August – she can distribute information about this to members.
- 5.20 Romy said that there are advisory signs which say keep dogs on a lead, but let go if you feel threatened by livestock, especially cattle. It isn't in the cattle's interest to attack people and it is very unusual and unfortunate if this happens. On the whole they ignore people.
- 5.21 Pamela said that dog owners refuse to put their dogs on a lead on footpaths through her land, although it has not been as bad recently. She has had ducks and goslings killed on her pond by dogs but hasn't reported this. Joe said that she should report these incidents and talk to her local community support officer or animal warden.
- 5.22 Avril said that she has been attacked by dogs while on a horse, but it was very difficult to get the police to do anything. There was also a problem on a bridleway where dogs on a neighbouring property would bark and fling themselves against the fence which caused a horse to bolt which was very dangerous. Joe said that is a

difficult situation to deal with as the dogs are contained so it would be difficult to take any action. The only thing to do would be to talk to the landowner.

- 5.22 David asked about how dog walking companies are dealt with if they have too many dogs. These dogs can cause a lot of disturbance to wildlife such as ground nesting birds. Is it possible to have dog free wildlife areas?
- 5.23 Sean said that he used to manage dog free areas which involve working with local dog walkers, but as the number of employees and site-based staff has declined this is much more difficult to do. There is also a problem with the promotion of access to the countryside without enough staff to manage the problems caused by the lack of staff and infrastructure.
- 5.24 Joe said that professional dog walkers should have public liability insurance and he thinks that 4 is the maximum number of dogs that they can walk at one time that is allowed by the insurance companies, although some may allow more. Some landowners are now licensing dog walkers and restricting the numbers, but it needs to be enforced
- 5.25 Romy said that the Surrey Hills AONB does promote responsible access, and there is a new project that the Landowner can apply to, for measures to enhance the visitor experience, including signage.

6. Wolvens Lane proposed Traffic Regulation Order Update

6.1 Claire Saunders, Access Team manager and Dan Williams, Countryside Access Officer provided the following update:

- The Legal Definition Team are presently collating nearly 600 responses to the consultation as well as the Police, Highways and Road Safety.
- Once that completed a Committee report will be written with recommendations and sent to our Legal Services for verification. It is intended that it will be an item at the next Mole Valley Local Committee on 29th September 2021.
- [Surrey County Council - Agenda for Mole Valley Local Committee on Wednesday, 29 September 2021, 2.00 pm \(surreycc.gov.uk\)](https://www.surreycc.gov.uk/agenda/2021-09-29)
- A copy of the report will be available at least 5 working days in advance. Copies will be distributed to interested parties or can be obtained on request. Any representations must have been received 28 days in advance so that they can be incorporated into the report. Those who have made representation in time can address committee on the day in line with the speaking at committee rules (see attached). Each person has 3 minutes in which they can talk about points they have already raised. New issues should not be raised on the day. Up to 5 people for and against can speak. They must register by noon on the day before.
- Wolvens Lane is currently subject to a temporary closure which will need to be renewed shortly (runs out 5 October) as there is not sufficient time to consider the Traffic Regulation Order and put an order in place and/or open the way satisfactorily before it does so. An extension or new order will be sought.

6.2 Ian queried whether the reason for the original temporary closure still stood as the works were complete? Joanne explained that was why a new temporary closure order was being considered.

Action - Ian asked Jo to request a copy of the report as soon as it is available so that it can be distributed to SCAF members.

7. MoD Byelaws Review

7.1 This was covered earlier in the meeting

7.2 John said that he saw an article in a national newspaper about access to MoD land recently

7.3 Joanne said that there will also be a new consultation soon regarding Open Access under the Crow Act to MoD land, although was told by the MoD that nothing will have changed since the previous consultation several years ago.

8. Issues Penny has raised with Ian

8.1 Penny was not at the meeting so item carried forward to the next meeting.

9. Forward Plan

9.1 The forward plan was discussed and amended accordingly.

9.2 A short discussion was held about Oak Processionary Moth and whether it should be discussed at a future meeting. Sean said that it is a notifiable pest and that the landowner is advised to spray it before June. After June the landowner should remove their nests and it is their responsibility. Sean has heard that a predator that preys on OPM has arrived in the country and established in London, so this will hopefully mean that it won't spread so much in the future.

10. Outstanding consultations

14.1 Outstanding consultations were noted.

11. Any other Business / urgent questions

11.1 Gail had alerted Ian to a new Woodland Scheme from the Forestry Commission that as part of it created new access to these woodland areas. There are no projects in Surrey currently. [Forestry England launches new woodland creation scheme for landowners | Forestry England](#)

11.2 Gail also raised the issue of a big cycling event that took place at Denbies recently that caused a lot of concern from other users. There has been a meeting about it subsequently to try to avoid these issues in the future.

11.3 Elliot said that the feedback he heard was that the cycling event went very well.

11.4 Avril asked about what was happening at Surrey County Council. Joanne provided an update:

- Steve Mitchell now works with the Countryside Estate team and Debbie Jones retired at the end of June.

- These two positions are now being advertised.
- Claire Saunders is acting up to Steve's old role as Access Team Manager
- There is still a vacancy for one of the Countryside Access Assistant roles in the East of the County, although this should be filled in the month or so.
- John Baker will move to a newly created role to manage capital works and he will be replaced.
- The Countryside Access Team is currently very short staffed on top of being extremely busy, but this will hopefully be sorted in the next few months.

11.5 Thor asked Pamela if the sites which were promoting access through her land had removed that information? Pamela said that there had been a few places that have promoted access and she had contacted them to have it removed.

12. Date of next meeting

12.1 Monday 18 October 2021 1.30pm
Venue to be confirmed.