

NORTH YORKSHIRE COUNTY COUNCIL
NORTH YORKSHIRE LOCAL ACCESS FORUM

Minutes of the meeting held at County hall, Northallerton on 17 February 2005.

PRESENT:-

In the Chair: Derek Welford.

North Yorkshire County Council: County Councillors Eric Broadbent and Bill Hoult.

Other Members: Roland Firby, Edward Flexman, Alison Fuller, John Goss, Max Grant, Tim Laurie, Stephen Ramsden, Judith Ratcliffe, Rodney Waddilove and Thomas Wheelwright.

Officers: John Edwards, Angela Flowers, Sarah Glover, Chris Jones, Keith Watkins and Jane Wilkinson.

Apologies for absence were received from Steve Barnes, Edward Dennison, Nigel Graham and County Councillor William F Barton OBE.

One member of the public attended the meeting.

94. MINUTES

RESOLVED –

That subject to the following amendments, the Minutes of the meeting held on 11 November 2004, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record:-

- Minute No 88 – Open Access Update – Fourth paragraph, second sentence delete the word “not”.
- Minute No 87 – Public Rights of Way Improvement Plan, third paragraph, second sentence delete the word “land”. Fourth paragraph, second sentence substitute the word “create” for “dedicate”. Sixth paragraph refers to rights of way under the Stewardship Scheme. Eighth paragraph, first sentence delete the words “including different types of known access”. The sentence to run on and read ‘such as routes created by inheritance tax for exemption purposes’.

95. MATTERS ARISING

Minute No 93 DEFRA Environmental Stewardship Scheme

The Committee was advised that the new Environmental Stewardship Scheme was due to be launched on 3 March 2005 and that prior to that date DEFRA representatives were not able to actively promote the new scheme.

Contact had been made with the local DEFRA representative who had confirmed his willingness to attend a future meeting of the Forum to discuss the operation of the new scheme and the effect it would have upon existing schemes.

RESOLVED –

- (i) That a representative of DEFRA be invited to attend the next meeting of the Forum.

96. PUBLIC QUESTIONS OR STATEMENTS

The Committee was advised that no notice had been received of any public questions or statements to be made at the meeting.

97. MINES AND QUARRIES

The Forum was advised that an application for exclusion had been lodged by a landowner in the Greenhow, area on public safety grounds due to the presence of exposed mine and quarry workings on his land. The application, the first in the Country was subject to an application to extend the statutory time limits by the Countryside Agency. Chris Jones, the Open Access Officer, had spoken to the case officer responsible for the application Ann Glover who had advised him that the Forum might not be formally consulted on the exclusion application. Chris Jones had invited Ann Glover to attend the meeting to explain to Members in detail the Countryside Agency's position on the application. Unfortunately, Ann Glover was currently on sick leave and her colleagues were unable to act as a substitute.

The Open Access Officer stated that he had conducted a site visit of the area the subject of the application and confirmed that some fencing of steep shafts had been completed. There remained however a lot of indentation on the land and during the course of the last year a hole had opened up and several of the buildings were in a dangerous condition. That apart the open access land was in his opinion a fantastic area that would be much used by the public.

The Open Access Officer agreed to write to the Countryside Agency on behalf of the Forum and request formal notification of the consultation arrangements on the submitted exclusion application. The Chairman agreed to call a special meeting of the Forum if necessary.

RESOLVED –

- (i) That the Countryside Agency be invited to respond in writing to the North Yorkshire Local Access Forum regarding the exclusion application in the area.
- (ii) That a Special Meeting of the North Yorkshire Local Access Committee be convened to consider the exclusion application for the area if necessary.

98. RIGHTS OF WAY IMPROVEMENT PLAN UPDATE

Angela Flowers reported on progress with the Rights of Way Improvement Plan (ROWIP).

The Forum was informed that consultation on the Local Transport Plan was due to start on 1 March 2005. Members were advised of the monthly meetings of the technical group for the Rights of Way Improvement Plan and of the meeting which took place on 14 February 2005.

Members suggested the following minor amendments be made to the wording of the high level policies for the Rights of Way Improvement Plan:-

- 'AC1 residents survey results', - second bullet point delete the word "all" and substitute "some".
- 'Economy consultation results', - the wording amended to reflect that the

economic benefits derived are not always directly connected to the frequency of usage of Rights of Way.

John Goss informed the Forum that it was often his experience that those public transport buses equipped with wheel chair access ramps often did not work. This was a particular problem in the Harrogate and Pateley Bridge areas. As the bus service to these areas was also infrequent the quality of the service provided to disabled users was poor. The Rights of Way Improvement Plan Officer agreed to pass on his comments to colleagues in the Passenger Transport Section.

RESOLVED –

- (i) That the contents of the report be noted.
- (ii) That the amendments suggested by Members of the Forum be incorporated into the Rights of Way Improvement Plan.

99. ACCESS AVAILABILITY TO THE PUBLIC IN NORTH YORKSHIRE

CONSIDERED –

The report of Angela Flowers on different types of access available to the public in North Yorkshire including public rights of way.

Members congratulated Angela Flowers on production of an interesting and comprehensive reference document that would be invaluable to Members in the future.

RESOLVED –

That the contents of the report be noted.

100. OPEN ACCESS UPDATE

CONSIDERED –

The report of the Open Access Officer on progress in producing an Access Management Plan. Conclusive maps for Area 4 were available at the meeting for Members to peruse.

Members were advised that the grant bid application for 2005/2006 could be extended to cover mine shafts and quarries that were not currently included once the decision of the Countryside Agency in respect of the Exclusion Application was known. There were other areas of access land affected by mine shafts and quarries outside the boundaries of the land the subject of the exclusion application. In such instances it was the responsibility of the landowner to contact the Open Access Officer to discuss infrastructure requirements. Members were advised that monies for additional infrastructure works were available from the emergency fund budget.

Rodney Waddilove advised the Committee that the Ramblers Association in conjunction with Yorkshire Water was in the process of organising a launch event on 28 May 2005 for Area 4. The launch event would utilise the facilities at Scarhouse and Janet Street-Porter had agreed to be a guest speaker. There would be a number of guided walks available on the day over both long and short distances to enable members of the public to view the newly opened access land which included a reservoir, railway and mine workings. Following an enquiry from John Goss, Rodney Waddilove agreed to investigate the provision of a walk suitable for wheelchair users and people with pushchairs and buggies.

Members of the Forum suggested that guided walks be arranged intervals throughout the year that utilised existing tracks and view points and promoted the quiet enjoyment of the countryside. Members were assured that the launch event on 28 May would be educational and would promote the 'do's and don'ts' of the countryside. The Open Access Officer agreed to investigate the attendance by an AONB Officer at the event which would provide an opportunity for leaflets to be distributed and educational stands to be displayed.

The Forum was advised that all information boards that formed part of the grant application would be in place by 28 May 2005.

RESOLVED –

- (i) That the content of the report be noted.
- (ii) That the North Yorkshire Local Access Forum endorses the Access Management Plan.
- (iii) That the Chairman be authorised to write a foreword for inclusion in the introduction to the Access Management Plan.

101. URBAN COMMON LAND

CONSIDERED –

The report of the Rights of Way Improvement Plan Officer regarding urban commons in North Yorkshire.

RESOLVED –

That the contents of the report be noted.

102. COUNTRYSIDE VOLUNTEER SERVICE – PROGRESS UPDATE

CONSIDERED –

The report of the Countryside Volunteer Co-ordinator on the Countryside Volunteers Service.

Those Members of the Forum who had been recruited as volunteers reported that the quality of the training they had received was very good and was equally balanced between theory and practical. Volunteers had been drawn from a wide area and many were from outside the Nidderdale area. Within the volunteers themselves was a good mixture of ages and experience and it was pleasing to see the enthusiasm with which the training had been received. The Forum congratulated those officers involved for the work carried out to date.

Keith Watkins agreed to contact Judith Ratcliffe with details of a further training event on accessing the archives to be held in March 2005.

Members of the Forum suggested that an event be organised to enable the newly recruited volunteers to meet those landowners and farmers affected by open access land so as to get to know one another and to swap local knowledge. Chris Jones stated that he was in the process of organising a lunch for the volunteers in May and would extend the invitation to landowners and farmers.

RESOLVED –

That the contents of the report be noted.

103. BEST VALUE REVIEW OF COUNTRYSIDE SERVICES – PROGRESS WITH IMPLEMENTATION

CONSIDERED –

The report of the Head of Countryside Services detailing progress made in implementing the Best Value Review of Countryside Services Improvement Plan.

The Forum was advised that overall significant progress had been achieved during the course of the previous year but it was acknowledged a few areas of concern remained.

Members were provided with information on the funding arrangements and bidding process for future years.

Members discussed the number of definitive map modification orders outstanding and were advised that the department had a target of 30 applications to be determined in the current year. In the previous year “quick win” applications had been dealt with which left the more difficult applications to be resolved. The department now had a full compliment of staff and it was hoped that the target of 30 applications was achievable. It was acknowledged that delays in receiving a response to consultation on applications was regrettable but unavoidable. Members were advised that the target of 30 applications would be spread evenly across all areas of the County. Some applications had been resolved by Legal Services completing a creation/diversion order which in effect transferred responsibility for the application from Legal Services to Countryside Services. Legal Services had also used their own accounting method to count applications which had to be reconciled with the practice of Countryside Services once they had assumed responsibility. The target of 30 applications was a mixture of both old and new in accordance with the policy agreed by the Rights of Way Liaison Group. The Forum was advised that all new applications supported by a good standard of evidence would be fast tracked. Old applications were being dealt with on an equal footing as due to the passage of time some of the original evidence givers were now deceased.

Members were reminded that if LPSA targets were achieved the resulting monies would not be spent exclusively on Rights of Way but would form part of the capital receipts of the County Council.

Members were reminded of the leaflets produced by Countryside Services which summarised the work of the Section.

John Goss referred to leaflets produced by Cumbria and the Yorkshire Dales which identified footpaths that were particularly suitable for wheelchair and buggy users. Officers acknowledged that this was an issue that had been identified previously and agreed to contact the Yorkshire Dales and Cumbrian authorities to investigate the production of a similar leaflet for North Yorkshire.

RESOLVED –

That the contents of the report be noted.

104. MERGER OF LOCAL ACCESS FORUM

CONSIDERED –

The report of the Secretary regarding an approach from the City of York Local Access Forum with a view to possible merger and informing Members of research being conducted on behalf of the Countryside Agency.

Members discussed in detail the possible benefits to be derived from a merger of the two Local Access Forums and agreed that provided a commitment was received from City of York Council regarding funding and officer resource Members had no principal objection to the merger.

RESOLVED –

That the North Yorkshire Local Access Forum supports in principle a merger with the City of York Local Access Forum provided the Local Access Forums (England) Regulations 2002 are amended to permit such a merger and agreement can be reached with the City of York Council regarding resources.

105. MEMBERSHIP OF THE LOCAL ACCESS FORUM

CONSIDERED –

The report of the Secretary informing Members of the Forum of forthcoming vacancies amongst its Membership and seeking direction on arrangements for filling those vacancies.

Members discussed in detail the recruitment and selection process used the previous year to appoint Members and requested the following amendments:-

- The application form to be simplified and reduced in length.
- Existing Members wishing to re-apply are not required to complete an application form.
- That the Secretary maintains a reserve list of potential applicants to the Forum.

RESOLVED –

- (i) That the term of office of all Members of the North Yorkshire Local Access Forum is extended to 28 April.
- (ii) That an advert be placed in the local press seeking applicants to North Yorkshire Local Access Forum.
- (iii) That the existing arrangements regarding appointments are endorsed.

106. MEETING DATES

CONSIDERED –

The report of the Secretary on the arrangements for meetings of the Local Access Forum over the course of the forthcoming year.

RESOLVED –

- (i) That the dates and times for regular meetings of the North Yorkshire Local Access Forum for 2005/06 be fixed as follows:-

Friday, 3 June 2005
Thursday, 18 August 2005
Thursday, 24 November 2005
Thursday, 23 February 2006

- (ii) That Special Meetings be convened as and when necessary to deal with exclusions and/or restriction applications, in consultation with the Chairman.

107. ANY OTHER BUSINESS

The Chairman announced with regret the resignation of Stephen Barnes, Alison Fuller and Max Grant as members of the Forum. Members thanked them for the valuable contribution they had made on behalf of the Forum.

RESOLVED –

That a letter of thanks be sent to Stephen Barnes, Alison Fuller and Max Grant on behalf of the Forum.