

NORTH YORKSHIRE COUNTY COUNCIL
NORTH YORKSHIRE LOCAL ACCESS FORUM

Minutes of the meeting held at Darlington College, Catterick on Thursday, 11 November 2004.

PRESENT:-

In the Chair: Derek Welford.

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

Other Members: Steven Barnes, Leo Crone, Robert Dennison, Roland Firby, Edward Flexman, Mrs Alison Fuller, Nigel Graham, Max Grant, Stephen Ramsden, Judith Ratcliffe and Rodney Waddilove.

Officers:- John Edwards, Angela Flowers, Chris Jones, David Ranner and Jane Wilkinson.

Apologies for absence were received from John Goss and Thomas Wheelwright.

One member of the public attended the meeting.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

83. MINUTES

RESOLVED –

That subject to the following amendments, the Minutes of the meeting held on 5 August, 2004, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record:-

- Minute Number 77 page 15 - fourth paragraph typographical error the word 'wardens' to be substituted for wardalls.
- Minute Number 8 page 17 - Max Grant asked if anything was happening with regard to the 'Skipton Pilot of the Rights of Way Improvement Plan'.

84. 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.

85. NORTH YORKSHIRE LOCAL ACCESS FORUM – PROPOSAL FOR SUB-GROUP ON RESTRICTIONS TO ACCESS LAND

CONSIDERED –

Report of the Secretary to the Forum regarding the establishment of a Sub-Group to deal with applications for long-term restrictions on access to open access land.

Members discussed the options available and agreed that as the number of restriction applications to be considered by the Forum was likely to be very small the submission of comments to the Countryside Agency would not significantly increase the workload of the Forum. Members agreed that the timely submission of comments should be a priority and that if a scheduled meeting did not coincide with the time limits of a restriction application, a Special Meeting should be arranged to enable the Forum to fulfil its statutory role.

Members discussed the advantages of the continuation of the Sub-Group and agreed it still had a valid role to play. Members agreed that the Sub-Group should continue to meet and act in an advisory capacity only. The sub-group would act as an initial sounding board for Officers responsible for the preparation of the Draft Access Plan.

RESOLVED –

- (i) That all restriction applications are considered at meetings of the full Local Access Forum and that if necessary a Special Meeting be arranged.
- (ii) That the Local Access Forum Sub-Group continues to operate in an advisory capacity only.
- (iii) That the notes of the meeting of the North Yorkshire Local Access Forum Sub-Group held on 11 November 2004 be noted.

86. NORTH YORKSHIRE GREEN LANES LIAISON GROUP

CONSIDERED –

Report of Max Grant on progress regarding the arrangements between North Yorkshire County Council and other interested bodies on techniques to manage green lanes in North Yorkshire.

It was reported that at the meeting of the Green Lanes Liaison Group held on 5 November 2004, it had been agreed to commence an application for a Traffic Regulation Order which was currently on target for implementation in February/March 2005. The completion date, however, was dependant upon the number of objections received.

RESOLVED –

- (i) That the contents of the report be noted.
- (ii) That Max Grant continues to be the North Yorkshire County Council's Local Access Forum's representative at future meetings of the North Yorkshire Green Lanes Liaison Group and Blubberhouses Working Party.
- (iii) That any Member of the Forum wanting to make representations to the North Yorkshire Green Lanes Liaison Group is to contact Max Grant direct with their comments.

87. PUBLIC RIGHTS OF WAY IMPROVEMENT PLAN

Angela Flowers referred to results from seven workshops held across North Yorkshire, including advice provided by the three Local Access Forums on local priorities as part of the submission for the Local Transport Plan. Copies of the results of the workshops

were circulated at the meeting. She confirmed that the draft responses would be analysed and converted into the standard format for consideration by Members at the next meeting. Consultation on the Local Transport Plan was already under way and a copy of the survey document was available on the website if Members wanted to participate. Officers were wishing to encourage partnership with tourism operators who they hoped would encourage and promote the use of rights of way.

In the ensuing discussion Members were advised that it was possible for a Parish Council to create, with the agreement of all parties, a local right of way that was permanent, but did not appear on the Definitive Map. Such an agreement was similar to a dedication. As North Yorkshire County Council was not party to such a process and as the newly created right of way land was unadopted, there was no legal requirement for the County Council to maintain a register of rights of way created in this way. Such agreements once created were for the benefit of local people only and not for use by the general public.

County Councillor Bill Hault was aware of another mechanism for creation of a permissive right of way which did not involve Parish Councils. The scheme run by DEFRA made monies available to land owners wanting to dedicate such a right of way. Further information on the DEFRA stewardship scheme was available on their website under the heading "Country Walks".

Not all Members of the Forum were aware of the existence of such schemes. As the rights of way they created were permanent, but did not appear on the Definitive Map, Members requested further information.

It was noted that some Parish Councils had considered improving their own rights of way for which some funding was available through North Yorkshire County Council's Community Paths budget.

It was acknowledged that if a local right of way was created by a land owner it was the usual practice for a sign to be erected in situ and for the public access to be registered locally.

Members agreed that whilst not wanting to discourage anyone from creating rights of way not entered on the Definitive Map, it was important nevertheless that all such rights were registered and records maintained at a central point.

Angela Flowers stated that it was her intention to collate all known routes for public access, including different types of known access, such as routes created by inheritance and tax for example.

Members agreed that collation of the different types of schemes currently in existence at one central point would be helpful and would avoid the possibility of duplication.

Members further agreed that following receipt of a report information on the different schemes available to create rights of way and the respective processes should be forwarded to Parish Councils.

RESOLVED –

- (i) That progress made on the Rights of Way Improvement Plan be noted.

- (ii) That a report on the different mechanisms available to create both rights of way and other public access provision and processes involved be considered at the next meeting.
- (iii) That the report referred to in (ii) above consider the establishment and maintenance of a register by North Yorkshire County Council of all known rights of way and other public access provision within the County not listed on the Definitive Map.

88. OPEN ACCESS UPDATE

CONSIDERED –

The report of Chris Jones on progress producing an Access Management Plan. He reported on the outcome of four workshops that had been held and stated that there was still a lot of confusion about the difference between open access land and common land.

The amount of the bid submitted for infrastructure items was £33,000, which covered 14 primary gates, 33 secondary gates and 2 kissing gates, the majority of which were in the Nidderdale area. Members requested further information regarding the exact location of access information points. Members were advised that the balance of the monies required for infrastructure items would be met by North Yorkshire County Council and that provision had already been made for the monies in this year's budget.

Members were advised that the final maps had yet to be printed, but would be available for Members' consideration immediately prior to the next meeting of the Forum.

Members discussed the possibility of the existence of urban common land within the County. It was acknowledged that urban common land was not covered by the CROW Act, but that the 1925 Act took precedence.

Nigel Graham stated that he was aware of at least one urban common within the County that had been wrongly mapped under the provisions of the CROW Act. Members requested further information regarding areas of urban common within the County and, if such areas existed, details of the relevant legislation.

County Councillor Bill Hoult enquired if there had been any investigation into innovative/alternative funding mechanisms which would enable community organisations to secure funding currently not available to local authorities. Angela Flowers advised that the County Council currently employed a Partnership Officer who had looked into this area in detail. There were currently monies available to charities that were not available to public bodies. The Heritage Lottery Fund also provided monies for projects if it could be shown that they had an educational benefit.

RESOLVED –

- (i) That the contents of the report be noted.
- (ii) That a report on areas of urban common land within the County and relevant legislation be considered at the next meeting.

- (iii) That a report identifying the location of infrastructure items referred to in the report be considered at the next meeting.

89. OPEN ACCESS VOLUNTEERS

CONSIDERED –

The report of Chris Jones outlining the County Council and Nidderdale AONB's plans to introduce an Open Access Volunteer Service.

He reported that there had been a lot of interest from the public in the scheme and that as at the date of the meeting, 20 people had been recruited and it was hoped that the total would increase to 40 by January 2005 in readiness for the commencement of training. A training programme for the volunteer wardens had already been devised which had been the subject of considerable interest from other organisations. It had been agreed that the wardens would wear some visible means of identification that had yet to be agreed and was, to some extent, dependent upon the amount of funds available. The wardens, whilst carrying out their duties, would be covered by the County Council's existing insurance policy, once they had completed their training.

Members of the Forum were asked to distribute within their groups a recruitment leaflet for volunteers copies of which were available at the meeting.

The Committee congratulated Officers on the thoroughness of the preparatory work in creating an Open Access Volunteer Service.

RESOLVED –

That the contents of the report be noted.

90. VOLUNTARY RANGER SERVICE

Following introduction from John Edwards, the County Council's new voluntary Ranger Co-ordinator, Mr David Ranner outlined to Members his plans for the introduction of a voluntary warden service for North Yorkshire County Council.

Mr David Ranner reported verbally on progress made implementing the voluntary Ranger Service. He referred to the work carried out by existing volunteers whom he was keen to utilise in the co-ordination of a County wide service. Initially, the focus of the scheme would be upon open access and rights of way access, but in time it was hoped to recruit volunteers with specialisms, such as conservation, archaeology and education. Initially, the number of new recruits would be carefully monitored so as not to exceed the management capacity of existing staff. In future, it was envisaged that the service would be semi-autonomous and bench marked against targets. The health and safety of volunteers who would be required to work in remote areas was of prime concern and he emphasised the importance of proper training. Members were advised that officers were keen to liaise with adjacent neighbouring authorities and National Parks to exchange ideas on good practice. The long term aim of the service was to be all encompassing and for recruits to be called Countryside Volunteers and not Rangers.

Members discussed at length the respective merits of the terms Countryside Volunteer and Ranger.

Members were advised that the presentation given by David Ranner represented his initial thoughts. He was responsible for the production of a development plan for the Volunteer Ranger Service which would be available in the New Year for consideration by the Forum. In response to Members enquiries, David Ranner confirmed it was his intention to meet with all existing voluntary groups. He confirmed that it was also his intention to organise a meeting, on a date to coincide with the date for commencement of open access, of all interested parties to enable them to get to know one another.

RESOLVED –

- (i) That progress made regarding introduction of a Voluntary Ranger Service for North Yorkshire County Council be noted.
- (ii) That progress reports on the Voluntary Ranger Service be a regular feature on future Agenda.

91. MINES AND QUARRIES AT GREENHOW HILL

CONSIDERED –

Report of Chris Jones updating Members with public safety issues in relation to Open Access in the Greenhow Area.

Members were advised that a local land owner was currently considering making a restriction application on the grounds of public safety.

RESOLVED –

- (i) That a meeting to discuss open access on former mining land in the Greenhow area be convened on the terms as set out in the report.
- (ii) That County Councillor Bill Hoult and Stephen Ramsden attend the meeting referred to above as Local Access Forum representatives.
- (iii) That a representative of the Countryside Agency be invited to attend the meeting.

92. DATE OF NEXT MEETING

RESOLVED –

That the next meeting of the North Yorkshire Local Access Forum be held on Thursday 17 February 2005 at 1.00 pm at County Hall.

93. URGENT ITEM

DEFRA ENVIRONMENTAL STEWARDSHIP SCHEME

The Chairman agreed that the following item should be dealt with as an urgent item on the grounds of its immediate impact upon rights of way and public access routes within the County.

Members sought clarification of the terms of operation of the new scheme and the effect it would have upon existing schemes.

John Edwards advised that a formal announcement was expected in the New Year together with details of entry levels.

Members requested that a representative from DEFRA be invited to attend the next meeting of the Forum to given an explanation of how the new Environmental Stewardship Scheme would operate.

RESOLVED –

- (i) That a representative of DEFRA be invited to attend the meeting of the Forum on 17 February 2005.