

NORTH YORKSHIRE COUNTY COUNCIL
NORTH YORKSHIRE LOCAL ACCESS FORUM

Minutes of the meeting held at Middlesmoor Crown Hotel, Middlesmoor, Pateley Bridge on 3 June 2005.

PRESENT:-

North Yorkshire County Council: County Councillor Eric Broadbent.

Other Members: Diane Baines, David Currie, Edward Dennison, Roland Firby, Edward Flexman, David Gibson, Nigel Graham, Stephen Ramsden, Tony Turner, Derek Welford and Thomas Wheelwright.

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

Also in attendance: County Councillor John Fort and Angus Barratt (DEFRA).

Apologies for absence were received from John Goss and Judith Ratcliffe.

1. APPOINTMENT OF CHAIRMAN

RESOLVED –

That Derek Welford be re-appointed as Chairman of the Forum to hold office until the first meeting of the Forum after 28 April 2006.

2. APPOINTMENT OF VICE CHAIRMAN

RESOLVED –

That Edward Flexman be appointed Vice Chairman of the Forum to hold office until the first meeting of the Forum following 28 April 2006.

3. MINUTES

RESOLVED –

That subject to the following amendment the Minutes of the meeting held on 17 February 2005, having been printed and circulated be taken as read and be confirmed and signed by the Chairman as a correct record:-

Minute No 95 – DEFRA Environmental Stewardship Scheme. Members were advised that since the last meeting DEFRA had announced changes to the rules governing the new single payment scheme so as to widen the user groups.

4. PUBLIC QUESTIONS OR STATEMENTS

The Forum considered a letter submitted by Roland Firby a copy of which was circulated at the meeting. The letter concerned the recent application for planning permission for a large housing development at Fulford, York. The letter raised questions about how funding could be secured at the time planning permission was sought so as to support recreation adjacent to the development. The Forum was advised that the development at Fulford was not within the boundary of the County Council and that development control was in any event the responsibility of the District/Borough Council. Members of the Forum accepted the advice given but stated that the general principal of seeking to secure funding to create and maintain rights of way and recreational facilities adjacent to new developments was a good

idea. The current system concentrated on protecting existing rights of way with limited consideration being given to future provision.

Members suggested that the County Council liaise with the planning departments of the District Councils to look at ways to secure monies.

RESOLVED –

1. That the Chairman on behalf of the Local Access Forum write to each of the District/Borough Councils within North Yorkshire inviting them to consider implementing arrangements when granting planning permission to developers to secure funding to create new rights of way on the fringe of new developments.
2. That the Chairman on behalf of the North Yorkshire Local Access Forum write to the North Yorkshire Constabulary requesting that they give consideration to revising their current practice of supporting the closure of footpaths/rights of way on the fringes of housing developments on community safety grounds.

5. ANNUAL REPORT 2004/05

CONSIDERED –

The report of the Secretary on the work of the Forum during the period 2004/05.

John Edwards suggested that the current format of the Annual Report did not do justice to the Forum's achievements nor did it actively promote the work of the Forum which was a lost opportunity. He referred to the glossy user friendly annual reports produced by other Local Access Forums and suggested that North Yorkshire do something similar which could then be published on the Council's website. Members were in agreement with this course of action and made the following suggestions for inclusion in the annual report:-

- A summary of the workshops held.
- A resume of the Skipton Pilot
- A description of the application process relating to long term restrictions and the role of the Local Access Forum.
- A description of the Forum's work on mines and quarries in the Greenhowe area.

Members suggested that a press release be organised to co-incide with the publication of the final report.

The Chairman expressed his disappointment at the lack of attendance by the general public at meetings of the Forum and suggested that improvements be made to the circulation of public notices advertising future meetings of the Forum.

County Councillor John Fort suggested that a regular article in the North Yorkshire County Council Reporter Newspaper promoting the work of the Countryside Services Section be investigated.

Members suggested that copies of the Skipton Pilot report once produced be circulated to all Members of the Forum and that the report's recommendations be referred to the Executive for approval.

RESOLVED –

1. That the North Yorkshire Local Access Forum Annual Report 2004/05 be amended to incorporate Members suggestions made at the meeting.
2. That a copy of the final version of the Annual Report 2004/05 be circulated to all Members of the Forum.
3. That a copy of the final version of the Annual Report 2004/05 be published on the County Council's website.
4. That a press release be arranged to coincide with the publication of the Annual Report.
5. That future editions of the North Yorkshire County Council Reporter magazine contain a regular article on the work of the Forum and the Countryside Services Unit.

6. ENVIRONMENTAL STEWARDSHIP SCHEME

CONSIDERED –

A presentation from Angus Barratt of DEFRA outlining the operation of the three elements of the scheme, hand outs and explanatory booklets were tabled at the meeting.

Angus Barratt stressed the importance of those people with existing agreements under the previous scheme investigating their position so as to safeguard against a break upon the expiry of current agreements. He acknowledged that success could not be guaranteed. Members were advised that a fixed sum of £3m was currently available under the higher level stewardship scheme and that dependent upon the options chosen by initial applicants early applications were more likely to be successful.

At the conclusion of the presentation Members raised the following issues:-

- The need for joined up thinking and greater co-operation between NYCC and DEFRA. Demand from the public was for circular footpaths and Members were concerned that some circular routes of permitted access (using field boundaries) already granted may be withdrawn due to the insistence of NYCC in reinstating existing linear public rights of way through the middle of fields. This was especially the case in instances where permitted and public rights of ways routes were in close proximity to one another. Public footpaths that divided fields were unpopular with both landowners and users. It was suggested that landowners in such circumstances would prefer to negotiate a diversion with NYCC of the public right of way. The current system made this very difficult as it involved lengthy delays and expense to the landowner if objections from third parties were lodged. It was stated that the Ramblers Association often objected in principal to any proposed diversion.
- Under the scoring system for the new scheme four trees equalled a wood. Members were concerned that as there was no cost benefit to applicants with larger groups of trees on their land this could lead to them being felled.
- Concern was expressed at the lack of attention given to marketing sites granted educational access so as to increase the number of school visits to landowners participating in the scheme. Stephen Ramsden spoke of the difficulties he had encountered in trying to establish contact links with schools interested in visiting his farm.

- That consideration be given to making funding available to enable public rights of way to be diverted that passed through farmyards on health and safety grounds.
- Concern was expressed that dependant upon the type of application made by tenants there was no requirement for their landlord to be formally consulted on the application.

Angela Flowers spoke of the difficulties she had encountered as a result of DEFRA not producing information using the GIS system which made it very time consuming to integrate the County Council's work on the Rights of Way Improvement Plan. Angus Barratt agreed to investigate this on his return to the office as DEFRA had the capability to use GIS systems.

The Chairman thanked Angus Barratt for his presentation who agreed to report back the comments made by Members at the meeting.

RESOLVED –

1. That the contents of the presentation be noted.

7. RIGHTS OF WAY IMPROVEMENT PLAN

CONSIDERED –

The report of the Public Rights of Way Improvement Plan Officer updating the Forum on progress made with the Rights of Way Improvement Plan (ROWIP).

Members were advised that the response to the request for feedback on the Skipton pilot had been good and that surveys had been completed for the nine parishes.

RESOLVED –

That the report be noted.

8. OPEN ACCESS UPDATE

CONSIDERED –

The report of the Open Access Officer on progress in producing an Access Management Plan. A hard copy of the Access Management Plan was available to Members at the meeting together with copies of leaflets produced by the AONB Office promoting the launch of open access in Nidderdale on 28 May 2005.

Members were advised that fire plans were currently being updated due to the increased numbers of people on the moor and the drier weather conditions. Funding was also being pursued to employ a full time green lanes officer whose remit would be to combat the problems caused by illegal use of green lanes and to manage the existing legal network and to have an oversee maintenance and restrictions.

Members were advised that the launch of open access on 28 May had coincided with the breeding season for birds and that consequently some land owners had chosen to implement the 28 day closure with effect from 28 May. Staff in the AONB offices were not automatically notified of such closures and had to rely on the Countryside Agency's website for information. The distribution of information regarding closures was further complicated by it not being legal to print the information shown on screen from the website. As landowners were not obliged to stick to the same 28 days closure on an annual basis the production of a manual was not appropriate.

Members were informed that the new maps that had been printed did not show the location of primary information boards.

RESOLVED –

1. That the Open Access Officer contact the printers to ascertain why the location of primary information boards was not shown on the maps and report back to the next meeting of the Committee.
2. That an item on green lanes be referred to the next meeting of the Forum.
3. That a representative from North Yorkshire Police be invited to attend the next meeting of the Forum to participate and contribute to the item on green lanes.

9. ACCESS TO OPEN COUNTRY

CONSIDERED –

Letter from the Minister for Rural Affairs and Local Environment Quality regarding progress on access to open country under the Countryside and Rights of Way Act 2000 dated 7 March 2005.

RESOLVED –

That the contents of the letter be noted.

10. ACCESS NEWSLETTER ISSUE 8 (MAY 2005) DEFRA

A copy of the Access Newsletter Issue 8 issued by DEFRA was circulated for Member's information.

RESOLVED –

That the contents of the Access Newsletter Issue 8 be noted.

11. BULLETIN 4 - ACCESS MANAGEMENT GRANT SCHEME

A copy of Bulletin 4 published by the Countryside Agency was circulated for Members information.

RESOLVED -

Noted.

12. MEETING DATE

Members were reminded of the date of the next meeting of the Forum.

RESOLVED –

That the next meeting of the Forum take place on Thursday, 18 August 2005 at a venue to be determined by the Secretary in consultation with the Chairman.

13. ANY OTHER BUSINESS

David Gibson requested a copy of the County Council's response to the consultation on coast erosion.

RESOLVED –

That a copy of the County Council's response be forwarded to David Gibson.