

NORTH YORKSHIRE LOCAL ACCESS FORUM

Minutes of the meeting held at The Regen Centre, Ricall, near Selby on 22 November 2007.

PRESENT:-

Tony Turner in the Chair.

North Yorkshire County Council:- County Councillors Eric Broadbent and John Fort BEM.

Other Members:- Paul Chapman, Rachel Connolly, David Gibson, John Goss, Doug Huzzard, David Swabey, John Taylor and Paul Tibbatts.

Officers:- Iain Burgess Aidan Rayner, Gavin De la Tour and Jane Wilkinson.

Present by Invitation: Les Ford – Trans Pennine Trail Officer.

Apologies for absence were submitted on behalf of County Councillor Mike Knaggs, Diane Baines, Leo Crone, Nigel Graham, Stephen Ramsden.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

87. CHAIRMAN'S ANNOUNCEMENTS

The Chairman read out a letter of resignation from David Currie. The Secretary recorded the Forum's thanks to David Currie and the Chairman said that he had written a letter thanking David for his service and contribution to the Forum whilst a Member.

88. MINUTES

RESOLVED –

That the Minutes of the meeting held on 16 August 2007, having been printed and circulated, be taken as read and confirmed and be signed by the Chairman as a correct record.

89. MATTERS ARISING

BVPI 178

A copy of the response of North Yorkshire County Council dated 16 October 2007 was circulated and noted.

Proposed Wind Farm Brightenber Hill

A copy of the Forum's advice dated 1 November 2007 in response to the consultation was circulated at the meeting for information.

90. PUBLIC QUESTIONS OR STATEMENTS

None received.

91. GREEN LANES

The Chairman agreed to the following matter being dealt with as an item of urgent business to enable an appointment to the North Yorkshire Unsurfaced Unclassified Roads Liaison Group to be agreed in readiness for the Group's next meeting.

The Forum welcomed Doug Huzzard (Highway Asset Manager NYCC) who gave an oral presentation on the latest position. He said that previously the Council had established a Green Lanes Liaison Group to address issues about damage to specific routes within the National Parks and Areas of Outstanding Natural Beauty (AONBs) that existed within North Yorkshire. As a result of subsequent legislative changes the County Council now needed to address management and maintenance issues. Consequently a new North Yorkshire Unsurfaced Unclassified Road Liaison Group had been established to assist the County Council develop policies for the network of Unsurfaced, Unclassified Roads. A copy of a briefing statement covering the points he made is appended to the Minutes.

The Chairman supported the remit of the newly formed Liaison Group which he said would provide greater clarity for all users about the status of the existing network of routes. Members of the Forum said that they were keen to continue their involvement in this work.

In response to a question Doug Huzzard said that once the Liaison Group had finalised highway management and maintenance policies for the network of unsurfaced, unclassified roads that existed within the County then work to implement those policies could begin. Members enquired if in the meantime the network was being maintained. The Forum was advised that the County Council received no direct monies to carry out maintenance on the network which was why very little work had been carried out in the recent past. The monies that were received by the County Council were for maintenance of the highway network which had a huge backlog of outstanding works. This was why the development of policies by the Liaison Group was important as without a business case for their future upkeep the network was both unviable and unsustainable.

Members enquired if any priority would be awarded to those routes of historic importance. Doug Huzzard replied that he was unable to give any firm assurances on this point. The situation at present was that some of the routes recorded on plans did not physically exist on the ground and there was no evidence to support they were in use. In such cases, in order to achieve a sustainable network, application would be made to the Magistrates Court to have the route officially "stopped-up". He stressed that the aim of the County Council was not to remove user rights however in some instances this would be necessary as the County Council simply couldn't afford to reinstate and sustain a network of routes that were no longer used. Members were advised that the National Parks and AONB's had at their disposal additional powers to supplement those of the County Council.

Members were advised that a range of criteria (not just physical evidence) would be used to identify whether a specific route was still in use. One of the criteria used would be whether any public "need" had been identified in the Rights Of Way Improvement Plan (ROWiP). It was acknowledge that some of the decisions to be taken were almost certainly bound to be unpopular. The County Council had no alternative but to grasp the problem and try and find a solution. Unless progress was achieved the situation would remain unchanged which was deeply unsatisfactory for all parties. The approach outlined offered a constructive way forward.

The Forum supported in principal the approach outlined but reserved its judgement on individual routes.

Members agreed that the Forum needed to elect a new representative to be member of the North Yorkshire Unsurfaced Unclassified Road Liaison Group. In view of the importance of the subject and as not all Members of the Forum were present at the meeting it was agreed that the Secretary should seek a nomination from Members outside of the meeting. County Councillor John Fort said that if Forum Members were interested in a specific item to be considered by the Liaison Group he could not see any reason why attendance at the meeting should be restricted to only one representative of the Forum. It was agreed that the Secretary would circulate a copy of the agenda of Liaison Group meetings to Forum members for information and that the Forum's nominated representative provide regular feedback.

Doug Huzzard informed the Forum that the deadline for completion of the policies to be developed by the Liaison Group was March 2008. He anticipated that the next meeting of the Liaison Group would take place sometime during January 2008.

RESOLVED –

- (i) That the Secretary seek expressions of interest from Forum Members to be a member of the North Yorkshire Unsurfaced Unclassified Road Liaison Group.
- (ii) That Green Lanes/Unsurfaced Unclassified Roads is a regular item on future agenda of the Forum.
- (iii) That the subject of Unsurfaced Unclassified Roads be referred to the Access for All Sub Group for further discussion.

92. TRANS PENNINE TRAIL

CONSIDERED –

The Forum received a presentation that included a number of slides from Les Ford (Trans Pennine Trail Officer) that summarised the history of the Trail and gave an overview of its current levels of use. He also described funding and maintenance arrangements. In particular he drew to Members attention issues that were specific to the North Yorkshire part of the Trail. Copies of promotional leaflets for the Trail were circulated at the meeting.

Forum Members noted from the presentation the importance of the route to different types of users and the economic benefits it provided via users who visited the many places of interest on route. The original concept behind the Trail had clearly proved to be successful and the Forum recognised the added value to be gained from making further improvements. It was noted that the standard of the surface of the route deteriorated noticeably as it crossed the local authority boundary into North Yorkshire and that this made it unattractive and unusable to some users. With regard to the issues that were specific to North Yorkshire, Forum Members agreed that it would be extremely beneficial if the suggested improvements were effected. Namely that the County Council secure the formal dedication of that part of the Trail around "Selby Farms" as a bridleway and allocated funds to improve the surface of the route around the Selby area.

RESOLVED –

That the Forum write to North Yorkshire County Council emphasising the importance of the Trans Pennine Trail and recommending that it allocate resources to improve the surface of the North Yorkshire section of the route around Selby and that the section around “Selby Farms” be formally secured as a bridleway.

93. REPORTS AND MINUTES FROM SUB GROUPS

Members considered details of the membership of the Forum’s sub-groups together with proposed sub-group meeting dates for 2008, and minutes of Sub-Group meetings. Suggested principles to underpin the work undertaken by the Forum in the future were also considered.

Members agreed that the first round of Sub-Group meetings had proved extremely beneficial. Alternative arrangements for subsequent meetings were proposed and after some discussion it was agreed that they should proceed for the time being as outlined in the report. The Chairman said any Member unhappy about the sub-group to which they had been allocated should not hesitate to contact him.

Members agreed that the duration of future Forum meetings should not if all possible exceed two and half hours.

The Forum noted the minutes of the sub-groups and Paul Chapman asked that his apologies be included in the minutes of the meeting of the Access For All Sub-Group held on 6 September 2007.

Members discussed at length whether the principles to underpin the Forum’s work outlined in the report should be either amended or numbered in order of priority. Members concluded that it would be impossible to prioritise the principals numerically and that there was a “flow of readability” in the suggested list.

RESOLVED –

- (i) That membership of four Forum Sub-Groups as outlined in the report is approved.
- (ii) That each of the four Sub-Groups is to meet on the following dates:-
 - 24 January 2008,
 - 17 April 2008,
 - 24 July 2008
 - 9 October 2008.
- (iii) That the content of the Minutes of the meetings of the:-
 - Access for All Sub- Group held on 6 September 2007,
 - Improving Rights of Way Sub-Group held on 11 September 2007
 - Definitive Map Task Group held on 14 September 2007
be noted.
- (iv) That the principles outlined in the report to underpin the Forum’s future work be approved.

94. OPEN ACCESS – LINKS TO ISOLATED AREAS

CONSIDERED –

The report of the Public Rights of Way Team Leader updating Members on work being done to identify and address problems relating to the lack of access to areas of Open Access land.

In presenting his report the Public Rights of Way Team Leader added that he was in receipt of a number of practical offers of support from volunteers who were keen to implement an action plan. Accordingly in due course a further report on the work to be undertaken by the volunteers would be referred to a future meeting.

The Access and Public Rights of Way Manager said that he had been contacted by the AONB Officer at Nidderdale who had asked if he could attend the next Forum meeting to update Members on Open Access.

RESOLVED –

- (i) That the content of the report be noted.
- (ii) That the agenda for the next meeting of the Forum include a presentation by the AONB officer at Nidderdale on Open Access.

95. YORK CITY COUNCIL LOCAL ACCESS FORUM MERGER

The Access and Rights of Way Manager reported orally that since the last meeting he had no further progress to report. The Officer at York who had originally initiated the request for a merger had now left the Authority and the questions that had been raised about finance and political representation remained unanswered. Given the lack of interest he proposed that unless there were significant developments the merger was not pursued.

RESOLVED –

That negotiations surrounding the proposed merger of York Local Access Forum with North Yorkshire Local Access Forum be terminated.

96. IMPROVEMENTS IN THE USE OF THE COUNTRYSIDE ACCESS MANAGEMENT SYSTEM (CAMS)

Forum Members were given a power-point presentation on the Countryside Access Management System (CAMS). Members were informed of progress made since the previous presentation and examples of performance management information reports now capable of being produced by the system were circulated at the meeting. Members were shown how complaints were processed and informed that in time this information would soon be made available to the public who would be able to track individual complaints. The Forum was advised that the further development of the system would be soon curtailed as the post of the Officer responsible had been deleted from the structure of the directorate.

Members noted the flexibility, speed and level of detail the system provided and how data could be further refined. Members readily agreed that it was an essential as well as valuable management tool.

Forum Members were advised that the CAMS system would be used to extract the information that would form the basis Forum's annual report.

Members requested that copies of the data charts circulated at the meeting be made available to them upon request for reference purposes.

RESOLVED –

- (i) That the content of the presentation on the Countryside Access Management System be noted.

97. WHARFEDALE TRAIL

CONSIDERED –

The tabled background report of the Rights of Way and Access Manager on the Wharfedale Trail proposal. When presenting his report Iain Burgess drew Members attention to paragraph 3.3 that concerned the behaviour of local campaigners which he said had been particularly unpleasant. He confirmed that a further report on the matter would be referred to the February meeting.

RESOLVED –

- (i) That the content of the report be noted.
- (ii) That the Forum write a letter of support to the Chairman of the Wharfedale Trail Forum.

98. LAF WEBSITE

CONSIDERED –

The Rights of Way and Access Manager reported orally that the County Council had commissioned the redesign of its website. He said that the project had ran into difficulties and that the County Council had decided to terminate the contract and had subsequently recommenced negotiations with another provider. The new provider would include as part of the project a link from the County Council's new web-site to a new web-site for the Forum.

The Rights of Way and Access Manager agreed that between now and February he would research the content other Forum's web-sites to gain ideas on best practice. He confirmed that he would like the Forum's own web-site to have the capability of being able to include new material, publish Minutes and Agendas including those of Sub-Groups in order to raise the profile of the Forum.

The Chairman suggested that at the next round of Sub-Group meetings it would be helpful if Members could make suggestions about the type of information they would like to be included on the new website. The Rights of Way and Access Manager stated that the next meeting in February would coincide with the launch of the new website.

RESOLVED –

That a further report on the development of the Forum's own web-site be referred to the next meeting.

99. LOCAL ACCESS FORUM MEMBERS' HANDBOOK

CONSIDERED –

The report of the Chairman informing members of the consultation on the Local Access Forum Members Handbook. He drew Members attention to the four questions at the end of the report and asked Members to forward their responses to those questions to him direct outside of the meeting. The Chairman agreed to collate the responses and respond on behalf of the Forum to the consultation.

RESOLVED –

- (i) That Forum Members contact the Chairman with their response to the four questions on the content and format of a Members handbook.
- (ii) That the Chairman respond on behalf of the Forum to the Local Access Forum Members' Handbook Consultation.

100. FORWARD PLAN

CONSIDERED –

The report of the Access and Rights of Way Manager requesting Members to consider future agenda items, with a view to establishing a forward work programme for each meeting to cover the year ahead.

Details of suggested agenda items for forthcoming meetings were set out in the Plan and it was agreed that the items referred to earlier in the meeting be incorporated. The Chairman requested that an item on a Tool Kit for Parish Councils be added to the agenda of the February meeting of the Forum.

Forum Members agreed that it would be beneficial if there was greater contact between the three Local Access Forums in North Yorkshire. Members suggested that future agenda include as a standard item the Minutes of the two other Forums in North Yorkshire and an invitation to attend future Forum meetings be extended to members of the other two Forums in North Yorkshire.

A Member asked if an item on wind farms could be added to the Forward Plan. He referred to the recent consultation in respect of a proposed wind farm at Brightember Hill and suggested that if the Forum were able to agree a position statement on wind farms then this could be used to inform responses to future consultations.

Members were informed that the Forum had been approached by the Croft Estate near Darlington who were seeking to divert routes that affected the racing circuit. Forum Members agreed that this matter should be referred in the first instance to the Access Improvement and Definitive Map Sub-Groups for comment.

The Access and Rights of Way Manager stated that he had received a letter from the British Horse Society seeking information from of the Forums on the list of streets maintainable at public expense under section 36 (6) of the Highways Act 1980 maintained by the highways authority in North Yorkshire.

RESOLVED –

- (i) That the information contained in the Forward Plan is noted and approved and the matters referred to in earlier agenda items incorporated.
- (ii) That a report on a Parish Council Took Kit be included on the agenda for the next meeting.
- (iii) That the Forum write to North Yorkshire County Council requesting information as requested by the British Horse Society in respect of the list of streets maintainable at public expense prepared under section 36(6) of the Highways Act 1980.
- (iv) That an invitation to attend the next meeting be extended to members of the two National Park Forums in North Yorkshire.

101. DATE OF NEXT MEETINGS

Members agreed that it would be beneficial if all of the dates for meetings in 2008 could be set in advance.

RESOLVED –

That the following future meeting dates be agreed:-

- 28 February 2008 at 1.00 pm at County Hall.
- 15 May 2008 at 10.00 am followed by afternoon site visit – Venue Stokesley area.
- 21 August 2008 at 10.00 am followed by afternoon site visit – Venue Craven area.
- 20 November 2008 at 1.00 pm at County Hall, Northallerton.

JW/ALJ

The North Yorkshire Unsurfaced Unclassified Road Liaison Group

The liaison group held its inaugural meeting on the 27th July 2007 at County Hall.

The agenda for the meeting included discussions on the following, remit of the UUR Liaison Group, the UUR Network in context, Legislation, Highway Maintenance and Management, Current Situation, Action Plan, proposed progress meetings.

Remit of the Liaison Group

To assist the County Council as Highway Authority in developing its Highway Management and Maintenance policies for the network of Unsurfaced Unclassified Roads within the County.

The remit excludes the detailed discussions and consultation / legal processes which may be necessary for the management and maintenance of individual routes, decisions of this nature will be taken by the County Council's Area Committees.

Membership

The membership comprises:

- 3 County Councillors, County Councillor John Fort will chair the group
- 3 representatives from the North Yorkshire Access Forum
- 2 officer representatives of the National parks (North Yorkshire Moors and Yorkshire Dales)
- 2 officer representatives of the Areas of Outstanding Natural Beauty (Howardian Hills and Nidderdale)
- 1 officer representative of NYCC PROW Service
- 1 officer representative of NYCC Highways and Transportation Service

Other officers of NYCC will service and contribute to the group as appropriate.

Statement of North Yorkshire County Council regarding the UUR Network

In defining the maintenance and management policies and strategies for the Counties network of Unsurfaced Unclassified Roads the County wishes to adopt a holistic route based approach that will seek to maximise sustainable use for as broad a range of network users as possible.

The County Council also intends that these maintenance and management policies and strategies provide a consistent baseline for service delivery across the County that can be enhanced by management proposals currently being developed by the two National Park Authorities whose powers under the NERC Act 2006 come into force on the 1st October 2007.