

NORTH YORKSHIRE LOCAL ACCESS FORUM

Minutes of the meeting held in the Herriots Hotel, Skipton, on 21 August 2008.

PRESENT:-

Tony Turner in the Chair

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

Other Members:- Allan Aspden, Rachel Connolly, Paul Chapman, David Gibson, Stephen Ramsden, David Swabey and John Taylor.

Officers:- Iain Burgess, Aidan Rayner and Jane Wilkinson.

Apologies for absence were submitted on behalf of Leo Crone, Ian Jakulis, Tony Martin, David Shaftoe and Paul Tibbatts

Two members of the public.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

128. MINUTES

RESOLVED –

That the Minutes of the meeting held on 15 May 2008, having been printed and circulated, be taken as read and confirmed and be signed by the Chairman as a correct record subject to the following amendment:-

- That the term of office for the Chairman and Vice Chairman be amended to one year or until the first meeting of the Forum after 1 April 2009 and not three years as stated in the minutes.

129. MATTERS ARISING

Membership Of The Forum

The Secretary to seek confirmation from Nigel Graham of his resignation.

Min No 98 – LAF Website

Forum Members were advised that the recently appointed post-holder responsible for the development of the new web-site and production of press material had recently tendered their resignation. Consequently there was no progress to report in this area other than the appointment process for a replacement post-holder was now well advanced and it was anticipated that the vacancy would be filled in the near future.

Forum Members requested that the development of a LAF Website be added to the Forward Plan and that further progress be monitored and reported if appropriate to the November meeting.

Min No 124 – Draft Marine Bill

Copies of the Forum's response to the consultation were circulated at the meeting and a copy placed in the Minute Book.

130. PUBLIC QUESTIONS OR STATEMENTS

A member of public said that the National Trust had closed several footpaths across the deer park at Fountains Abbey and asked if this was legal and if so the duration of the footpath closures.

The Access and Public Rights of Way Manager replied that he was not aware of the closures but said that the County Council could only take enforcement action if the routes were recorded on the Definitive Map. If the routes in question were permissive however the landowner did not need the consent of a third party. He undertook to investigate the matter further but thought it likely that the routes in question were permissive and had been closed for public safety reasons in view of the recent heavy rainfall.

131. FEEDBACK REPORTS FROM SUB-GROUPS

Access for All

Paul Chapman presented the Minutes of the meeting of the sub-group held on 24 July 2008. Photographs showing the range of signage currently in use were circulated at the meeting.

Forum Members noted the enormous variation in signage that existed and agreed that this was an area in need of review. The Access and Rights of Way Manager said that the County Council was in the process of drafting a signage policy that would incorporate recommended designs for signs and aimed to introduce a recognised standard. Advice from a specialist firm would be sought and the draft designs would also be checked against the requirements of the Disability Discrimination Act. He was hopeful that both North Yorkshire National Parks would adopt the same Signage Policy thereby leading to greater uniformity and less confusion for the public. He gave assurances that the County Council would be careful not to give offence to any third parties who had erected signs to assist users. It was noted that the limited resources available would be an important consideration when deciding what materials to use and their durability.

The Access & Rights of Way Manager agreed to send an officer from countryside services to attend the next sub group meeting on 9 October 2008. At the sub-group meeting Forum Members would put forward their suggestions for inclusion in the signage policy. The draft policy would then be referred to the Forum for consideration in due course.

County Councillor John Fort suggested that Iain Burgess contact NYNet with regard to the use of ICT technology and to find out if they were aware of any potential sponsors of signs.

It was agreed that Signage should be one of the topics for discussion at the joint LAF event.

Improving Rights Of Way

Alan Aspden presented the tabled minutes of the meeting of the sub-group held on 24 July 2008. He said that there was some confusion surrounding what 'access for all' actually meant. The Forum debated the matter and agreed that 'access for all' meant pedestrians.

The Forum supported the appointment by the sub-group of a member to be responsible for publicity and who would work with the web-site officer once appointed.

LAF Principles

Following discussion by the sub-groups an amended version produced by Rachel Connolly was tabled for discussion alongside the version printed with the agenda. The Forum debated at length the exact wording to be adopted. The following was agreed:-

- Principle 1 – incorporate amendment shown on copy attached to agenda.
- Principle 2 – to remain unchanged from version printed with agenda.
- Principle 3 – Any new access to the countryside or permissive access should be at the most practical and appropriate.
- Principle 4 – to remain unchanged from version printed with agenda - addition not approved.
- Principle 5 – to remain unchanged from version printed with agenda.
- Principle 6 – replace the word promotes with the word stresses in the version attached to agenda.
- Principle 7 – adopt the wording in the version tabled by Rachel Connolly.
- Principle 8 – The Forum recognises the establishment and challenges of new initiatives eg Coastal Access, access to water, access to forests and woods and dedication of land for public access.
- Principle 9 – remains unchanged without amendment from copy attached to agenda.

It was suggested that a further Principle be drafted that focused on education. Members agreed that this was important and said that instead of being a Principle education should form the basis of a mission statement for the Forum.

Meeting Arrangements For Sub Groups

The Chairman said that he was aware that the meeting arrangements for the sub groups been commented upon in the past and he said that he welcomed suggestions from Members as to how to improve future meetings.

Members agreed that it was useful for both meetings to be held on the same day as this enabled Members to attend both meetings if they chose to do so. It was also agreed that the membership of the Sub Groups should not be restricted and that meetings were open to all Members of the Forum to attend. All Members were encouraged to use email as the primary channel of communication. Agendas and

minutes would be circulated well in advance and meeting dates printed in the Forward Plan.

The Access and Rights of Way Manager said that there was a possibility that staff from countryside services could service future meetings. Forum Members whilst grateful for the offer of support said that they preferred to manage the meetings themselves. The Access and Rights of Way Manager agreed to book a room and refreshments for the Sub Group meeting due to take place on 9 October 2008.

RESOLVED -

- (i) That the wording of the Forum's Principles agreed at the meeting is not revisited for one year.
- (ii) That the Sub-Groups at their next meet put forward their suggestions for the wording of a mission statement to be adopted by the Forum at its November meeting.

132. UNSURFACED, UNCLASSIFIED ROADS GROUP

Rachel Connolly reported orally that she had no progress to report. The Unsurfaced, Unclassified Roads Liaison Group had failed to meet in May. The Group was due to meet shortly but the meeting arrangements had yet to be announced. Rachel Connolly had attempted to contact Doug Huzzard but had been advised that he was on annual leave for three weeks and that in his absence no one had any knowledge of meetings of the Liaison Group.

County Councillor John Fort said that he would chase the matter up.

133. MINUTES OF MEETINGS OF NORTH YORKSHIRE LOCAL ACCESS FORUMS

CONSIDERED

That the minutes of meetings of the North York Moors and Yorkshire Dales National Park Local Access Forums held on 3 June and 17 June 2008 respectively.

Members noted the item on the need to address health and safety aspects relating to dogs crossing fields with suckler cows and calves and suggested that following the appointment of the new website and press officer further thought be given to issuing publicity and promoting public awareness of this important issue.

David Gibson referred to the presentation given to the Yorkshire Dales Access Forum by Michael Breckon from the National Byway which he said had been both interesting and informative. He suggested Michael Breckon as a possible future speaker for the North Yorkshire Local Access Forum.

The Chairman read out an email he had received from Ken Miller a member of the Yorkshire Dales LAF seeking expressions of interest to attend a meeting with representatives of all three North Yorkshire Local Access Forums together with Officers from the County Council's Highways and Public Rights of Ways sections to discuss cross border bridleways and unclassified, unsurfaced roads.

The Access & Rights of Way Manager acknowledged that he was aware of a number of cross border routes that were currently unusable and said that he would be very interested in developing a coordinated identification and prioritisation scheme that incorporated volunteer resource.

Members of the Forum expressed their strong support for the proposal.

RESOLVED –

- (i) That the Minutes of the meetings of the North York Moors and Yorkshire Dales Local Access Forums held on 3 June and 17 June 2008 respectively be noted.
- (ii) That Stephen Ramsden and David Gibson be nominated to represent the North Yorkshire Local Access Forum at a joint meeting to be arranged to discuss cross border bridleways and unclassified, unsurfaced roads.

134. OPEN ACCESS - LINKS TO ISOLATED AREAS

CONSIDERED –

Report of the Public Rights of Way Team Leader updating Members on work to identify and address problems relating to the lack of access to areas of Open Access Land.

It was reported that the Ramblers Association had suggested that this work should not be exclusive to Nidderdale and had requested that Thixendale be included. Officers had agreed the request and Forum Members were advised that survey work for the Wolds was now complete whilst the survey work for Nidderdale was only partially complete.

Lack of resource was identified as being responsible for delays in achieving future progress and the Public Rights of Way Team Leader expressed his gratitude to the Volunteers for the support they had given to date to the project and their offers of future support.

RESOLVED –

That the content of the report be noted.

135. BUILDINGS AND OTHER OBSTRUCTIONS ON PUBLIC RIGHTS OF WAY

CONSIDERED –

Report of the Access and Rights of Way Manager on buildings and other obstructions on Public Rights of Way in North Yorkshire. The report sought Members approval and support for the appointment of a new member of staff who would support the work of the diversions officer on a self funding basis.

The Access & Rights of Way Manager said that he was convinced that the adoption of the firm but fair approach outlined in the report was the only way to tackle the backlog of obstructions some of which were very long standing and had in some instances even been inherited. Many of the buildings in question had been erected prior to the early 1990's when planning permission was not needed for farm buildings. Changes in farming practices had further contributed to the problem and had led to concerns about public health and safety on those routes that went through farm yards. Most members of the public he said would prefer in any event not to go through farm yards.

Forum Members expressed their support for the recommendation but recognised that serious challenges underlay many of the potential applications and requested that if such an appointment was made all applications were extensively advertised.

RESOLVED –

- (i) That the content of the report be noted.
- (ii) That the North Yorkshire Local Access Forum supports the Access and Rights of Way Manager in his presentation of a business case to the Corporate Director of Business and Environmental Services for the appointment of another member of staff to support the work of the diversions officer.

136. ACHIEVEMENTS AND PERFORMANCE 2007/08

CONSIDERED –

Report of the Public Rights of Way Team Leader providing details of achievements and performance within the 2007/08 financial year.

The Public Rights of Way Team Leader presented his report, which broke down the relevant complaints by reference to the subject matter of the complaints giving details of the numbers of complaints received and the numbers of complaints resolved. The Public Rights of Way Team Leader drew to Members attention that the percentage of complaints attributable to each subject matter broadly matched the percentage of complaints resolved; this was evidence that the County Council did not ‘cherry pick’ the easiest reported issues to resolve.

Forum Members were advised that historically the greatest number of reported issues received were in respect of ploughing and cropping. Consequently the County Council supported by the National Farmers Union and the Country Land and Business Association had adopted in 2007 a more proactive approach for dealing with such complaints. Details of the process were outlined to Forum Members. Only six instances of reinstatement had been affected by the Council in 2007. It was hoped that this improvement in working relationships together with increased levels of cooperation would result in future instances of reinstatement becoming even rarer.

In response to Forum Members concerns about the increasing backlog of issues recorded the Public Rights of Way Team Leader agreed to prepare a report for consideration at the November meeting. The report would contain an analysis of the increasing recorded backlog and suggest how these issues could be prioritised.

RESOLVED –

- (i) That the content of the report be noted.
- (ii) That analysis and prioritisation of the increasing recorded backlog of issues be added to the Forward Plan and a report referred to the November meeting.

137. PROW DEFINITIVE MAP MODIFICATION ORDER APPLICATIONS

CONSIDERED –

Report of the Definitive Map Team Leader updating Forum Members on progress made processing Definitive Map Modification Order applications since February 2008.

Forum Members supported the suggestion of the Access & Rights of Way Manager for the Definitive Map Team Leader to present her report in detail to the Access For All Sub-Group at its forthcoming meeting on 9 October 2008.

RESOLVED –

That the Definitive Map Team Leader be invited to attend the meeting of the Access For All Sub-Group to be held on 9 October 2008 to present her report in detail.

138. FORWARD PLAN

CONSIDERED –

Report of the Access and Rights of Way Manager outlining the Forum's future work programme.

Members commented that the Forward Plan did not accurately reflect the decisions made at the previous meeting and requested that it be amended accordingly. It was agreed that the decisions made that day be added and a copy of the amended Forward Plan circulated to Members to enable them to plan ahead for the November meeting.

The Chairman tabled for information a draft Forward Plan of Action which he suggested was considered in detail at the sub-group meetings on 9 October 2008. The document if approved could then form the basis of a report for discussion with Richard Flinton Corporate Director Business & Environmental Services at the November meeting. He welcomed any suggestions from both officers and members on its content.

RESOLVED –

- (i) That the information contained in the Forward Plan is amended to accord with decisions made at the previous meeting and that the following matters referred to during discussion of earlier agenda items are incorporated:-
 - LAF Website.
 - Backlog of recorded issues – analysis and prioritisation.
 - Signing Policy.
- (ii) That the draft Forward Plan of Action prepared by the Chairman be referred to meetings of the sub-groups on 9 October 2008 with a view to it forming the basis of a report to the November meeting.

139. FUTURE MEETING DATES

RESOLVED –

- (i) That the next meeting of North Yorkshire Local Access Forum take place on Thursday, 20 November 2008 at County Hall, Northallerton commencing at 1.00 pm.
- (ii) That the sub-groups next meet on 9 October 2008 at County Hall commencing at 9.45 am and 11.30 am respectively.
- (iii) That meeting dates for 2009 be agreed at the November meeting.