

## North York Moors National Park

c/o Local Access Forum Secretary,  
 North York Moors National Park  
 The Old Vicarage, Bondgate, Helmsley, YORK  
 YO62 5BP

Public Minutes of the meeting held at The Old Vicarage, Helmsley on 3 June 2008.

**PRESENT:**

Mr G Winn Darley in the Chair.

Mr B Briggs, Mr J Cavana, Mr P Cody, Mrs C Cook, Mrs C Cussons, Mr G Dawson, Mr D Hanson, Mr P Hay, Mrs J King, Lady E Kirk, Mr M Knaggs, Dr D Leyshon and Mrs M Mitchell.

**In attendance:** Richard Gunton (Director of Recreation and Park Management), Karl Gerhardsen (Recreation and Access Officer), Malcolm Hodgson (National Trails Officer), Lesley Barber (Member Services Officer).

**Apologies:** Mr B James, Mrs N Taylor and Mr M Wedgwood.

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**COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK**

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12/08 **MINUTES**

**RESOLVED:**

That the public minutes of the meeting held on 4 March 2008, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

13/08 **MATTERS ARISING**

a) Letter to Natural England regarding Lost Ways – the letter had been drafted and would be sent after the meeting.

b) Consideration of LAF comments in relation to Dogs on Rights of Way and Open Access Land – the Recreation and Access Officer reported that the Forum’s comments in relation to dogs fouling grassland had been taken into account. He read out the proposed wording which had been circulated for the consultation process “Remember that arable crops and grass are used for producing food for people or livestock, so always clean up in farmland too.”; the final document would be considered by the Access and Information Committee on 7 July.

c) Waymark publication – copies had been ordered and would be circulated to Members on receipt.

- d) Ways to improve access for disadvantaged people – the paper from Mrs Mitchell had been circulated to Members at the previous meeting (copy in the Minute Book). The paper highlighted the concerns of Mrs Mitchell in relation to the lack of connectivity between urban bus services and the Moorsbus services. The Director of Recreation and Park Management explained that, where possible, the service was planned to fit with other bus services.

He was aware that lack of transport had been identified in the draft Recreation and Access Strategy as a barrier to urban communities accessing the Park. He suggested that the issue be considered at a future meeting.

**Action: That public transport should be added to a future agenda and the Assistant Director of Recreation and Park Management should attend.**

- e) Pockley Moor - Following a query from a Member, the Director of Recreation and Park Management reported that the route over Pockley Moor was the subject of a temporary Traffic Regulation Order and NYCC were progressing a permanent order, although the timetable had slipped since the temporary order had been made. The National Park had started works to repair the damage to the route.

#### 14/08 **MARINE BILL – COASTAL ACCESS**

CONSIDERED:

The report of the National Trails Officer.

The Forum considered the proposed response at Appendix 4 and made the following amendments to it:

#### **Clause 273 General Provision about the Coastal Access Duty**

- Members preferred for there to be no link to Entry Level Stewardship as they felt the scheme was vulnerable to change– S 39 Agreement route preferred
- Insert reference to need for proper compensation for landowners, otherwise implementation would be very difficult to achieve – the LAF was very disappointed that their previous suggestion regarding this point appeared to have been ignored
- An open and transparent appeals/inquiry process was very important, although the consultation/negotiation approach which was being taken by NE in relation to coastal access was applauded and should lead to fewer problems than had been experienced with the CROW mapping process.

#### **Clause 277 Long Distance Routes**

- The Chairman commented that if the 4 metre strip was extended to 5 metres this could lead to additional maintenance burdens; the route should only be 5 metres in width where a problem with erosion was anticipated.

#### **55C Consideration of reports made pursuant to the Coastal Access Duty.**

- Insert text as underlined in this paragraph: .... Even where an owner or occupier has engaged in the process, there may be unforeseen circumstances, possibly as a result of increased access, or a change of land use or management (to be inserted) where

a need for a restriction of exclusion arises after the publication of the report or after the commencement of the new access rights.

#### **Clause 283 – Power for NE to Fund Works**

- Insert text as underlined: We stress the absolute importance of these funds being available continually and in perpetuity for maintenance of the route. Funding would also be required for the process of establishing diversions (a simpler process for diversions was supported).

#### **Clause 286 – Power of Entry**

- There was a need to clarify in legal terms the differences between existing rights and the new coastal access rights)

#### **Responses Relating to the Paper Coastal Access: Proposed Order under Section 3A of the Countryside and Rights of Way Act 2000**

- Reference should be made to the need to address the health and safety aspects relating to dogs crossing fields with suckler cows and calves; especially since this type of farming was becoming increasingly popular in this National Park particularly along the coast. A clear message about this issue would be needed for the public.
- Dog fouling, particularly on the spreading strip should be addressed as it was likely to exacerbate an existing problem.

#### **Further general points:**

- Strong approval was expressed for the third party insurance provisions in the Bill.
- It was hoped that NE would provide funding for coastal access provision under this legislation (as stated in Appendix 1 para 10) and that there would not be an impact on highways authority's maintenance budgets.

#### **RESOLVED:**

That:

- a) The Local Access Forum response be as printed in Appendix 4, subject to amendment to reflect the changes suggested above; and
- b) That Derek Hanson and Muriel Mitchell attend the Coastnet Conference on Coastal Access to be held on 19 June in Durham.

#### **15/08 THE BUSINESS PLAN REVIEW**

CONSIDERED:

The report of the Director of Recreation and Park Management.

Forum Members commented as follows:

- Hasty Bank Car Park – very well used facility but no toilets provided there. Perhaps some “sustainable” facility could be installed there.
- There was a discussion about car park charging and the reasons for it; the Director of Recreation and Park Management explained that only those car

parks with facilities and an attendant were charged for. The charge was low relative to other Authorities and tickets were not transferable between car parks to encourage longer stays and less car journeys. The funding from the car parks was used to pay for the toilets and maintenance of the surface of the car park. In addition, the car park ticket could be used on Moorsbus to get a discount. A Member suggested that more prominent explanations of the reasons for charging should be displayed.

- Sorting out the Definitive Map was seen as a priority by some Forum Members. It was suggested that schools or educational groups could assist with the process of researching routes.
- The current Ranger Service was seen as a strength and staffing levels should be retained.
- Forum Members agreed that it was a good idea to expand the availability of walks leaflets onto the National Park's website, the Moors Message should be included.
- Improve links between Moorsbus and other transport networks, including the NYM Railway.

**RESOLVED:**

That Forum Members' comments in relation to the access elements of the Plan be considered when priorities for the Business Plan were reviewed.

**16/08 RECREATION AND ACCESS STRATEGY**

**CONSIDERED:**

The Director of Recreation and Park Management reported that the timetable for the Strategy had been delayed. The draft strategy was expected within the next couple of weeks, when it would be circulated to Forum Members for their comments. The timetable would need to be reconsidered following this delay.

**17/08 FIRE RESTRICTIONS DOCUMENTS**

The Recreation and Access Officer explained that the Forum had commented on the consultation on the Fire Restrictions document. The comments had been taken on board and been incorporated within the document (Question 20).

**18/08 NATURAL ENGLAND – A SENCE OF FREEDOM – THE EXPERIENCE OF DISABLED PEOPLE IN THE NATURAL ENVIRONMENT.**

The document would be available at the next meeting for Members to read.

**19/08 REPORT BACK FROM THE NATIONAL PARK AUTHORITY**

Items for reporting had been covered elsewhere in the agenda.

**20/08 UNSURFACED, UNCLASSIFIED ROADS (UUR) LIAISON GROUP**

The Recreation and Access Officer explained that the meetings had been held monthly recently; however, as the notice period for the date of the last meeting had been very short there had not been anyone who was able to attend. The minutes,

however, had been circulated and he updated the Forum on the main points from them:

- The Yorkshire Dales had already compiled a list of dual status routes in their area and had actually made 8 Traffic Regulation Orders, with another five in the pipeline. This Authority was in the process of identifying dual status routes in this area and identifying routes which were particularly vulnerable.
- Before carrying out a condition survey of its UURs, NYCC Highways asked non-motorised users to identify issues of concern for them using unmetalled, unclassified routes. This had revealed that walkers were concerned about the following; streams and fords which were impassable without getting feet wet, thick brambles or undergrowth. Horseriders were concerned about fords which had their bottoms washed out or steep banks, ruts over 7" deep, rabbit holes, sharp surfaces and boggy ground over long stretches.

In response to queries from Members, the Recreation and Access Officer provided the following information:

- There was a continuing problem with illegal motorised use of routes in the South-east of the Park. The National Park continued to address illegal use, where possible, in joint operations with the Police. One recent day had resulted in three people being apprehended on Hambleton Drove Road, for example. A Forum Member commented that this action often resulted in no prosecutions, however, so may not be that great a deterrent. The Recreation and Access Officer explained that the Police had issued fixed penalty notices and formal warnings in the past (the warning meant that if they committed another offence the Police had the power to confiscate and or crush the vehicle). He explained that the Natural Environment and Communities Act (NERC) had given the police greater strength in relation to taking action against illegal users of rights of way.
- The situation with the four wheel drive operator in Langdale Forest was being monitored by the Forestry Commission. The planning permission was the subject of a Section 106 Agreement, the terms of which were being monitored by the National Park's enforcement team.
- Doug Huzzard at NYCC Highways was in the process of surveying UURs in the County. He had surveyed the Whitby Area at the last meeting and had been proposing to close them if they were inaccessible. This had been opposed by Members of the meeting. He needed to complete this survey for the Asset Management Plan as part of the Local Transport Plan
- Information on the list of streets was currently available on the NYCC website; however, the file was very large and time consuming to download.

**Action: the Recreation and Access Officer would ask if a copy of the list of streets could be made available for the Local Access Forum at the next UUR Meeting.**

**RESOLVED:**

That the report be noted.

**21/08 ITEMS FOR FUTURE MEETINGS**

- Recreation and Access Strategy (from 4 March and 3 June)
- Moorbus – access for disadvantaged people, improvements to linkages between urban services and the Moorsbus. (from 4 March and 3 June)
- Waymarking moorland paths and provision of stiles to access fenced open access land (from 4 March)
- Highways Asset Management Plan and list of streets (from 3 June)

- Natural England – A Sense Of Freedom – The Experience Of Disabled People In The Natural Environment (carried forward from 3 June – document to be made available at the meeting).