

NORTH YORKSHIRE LOCAL ACCESS FORUM

Minutes of the meeting held at County Hall, Northallerton on 26 February 2009.

PRESENT:-

Tony Turner in the Chair

North Yorkshire County Council:- County Councillor Mike Knaggs

Other Members:- Allan Aspden, Rachel Connolly, Leo Crone, David Gibson, Tony Martin, Stephen Ramsden, David Shaftoe, David Swabey, John Taylor and Paul Tibbatts.

Officers:- Iain Burgess, Aidan Rayner, Penny Noake (Countryside Services) Jane Wilkinson (Legal and Democratic Services).

Apologies for absence were submitted on behalf of County Councillor Eric Broadbent, Paul Chapman and Ian Jakulis.

One member of the public.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

155. MINUTES

RESOLVED –

That the Minutes of the meeting held on 20 November 2009, having been printed and circulated, be taken as read and confirmed and be signed by the Chairman as a correct record.

156. MATTERS ARISING

Minute Number 144 North Yorkshire Countryside Strategy Consultation Draft

The Forum was advised that due to workload pressures the Sub-Group had not formulated a response to the draft North Yorkshire Countryside Strategy due to be considered at the meeting that day. The Access and Rights of Way Manager said that any comments received after the consultation deadline would still be considered. It was agreed to deal with the matter at the next meeting of the sub-group on 16 April 2009.

Minute Number 145 Public Rights of Way Budget

The Chairman read out the written response of the Corporate Director – Business and Environmental Services to the Forum's letter. A copy was placed in the Minute Book.

Minute Number 154 – Future Meeting Dates

The Chairman said that the date agreed for the joint North Yorkshire Local Access Forum event was 19 March 2009. The event would take place at County Hall, Northallerton and any Member wanting to attend was asked to notify the Secretary.

157. PUBLIC QUESTIONS OR STATEMENTS

The Secretary reported that no advance notice had been received of any public questions or statements.

158. JOINT LAF WITH YORK CITY COUNCIL

CONSIDERED –

Report of the Access and Rights of Way Manager on the possible establishment of a joint LAF between North Yorkshire County Council and York City Council. Details of the proposal together with the associated issues were set out in the report. Members were asked to consider and comment on the merits of a joint LAF covering both council areas.

Members supported the idea in principal of having a joint LAF but agreed that further information was needed before a final decision could be taken. Members noted that York City Council was currently engaged in processing a number of Gating Orders. This would be a relatively new area of work for North Yorkshire and whilst the opportunity to share best practice was welcomed some Members expressed doubts about the capacity of the Forum to take on the additional workload. Members enquired if reports from York City Council would include the comments/recommendations from their own staff and user groups before being forwarded to the joint LAF for consideration. The Access and Rights of Way Manager was unable to answer this point. Without any steer from York City Council or user groups Members agreed that it would place the York City Council representative on a joint LAF in a very difficult position. Members doubted how a joint LAF would be viable without political representation from both councils and said that they would like reassurance from York City Council that it would have proper regard to any recommendations made by a joint LAF. It was acknowledged that political representation by York City Council on a joint LAF would have implications for the North Yorkshire political representatives who currently occupied the maximum number of seats allowed under the Regulations. Finally Members said that further detail was needed about the level of contribution towards the costs of running a joint LAF and future secretariat arrangements.

In view of the comments made by Members the Access and Rights of Way Manager agreed to hold further talks with representatives of York City Council about the arrangements for a joint LAF which he then agreed to report to a future meeting.

RESOLVED –

That the Access and Rights of Way Manager take on board the comments made during the meeting and report the outcome of further discussions with York City Council regarding a joint Local Access Forum covering both council areas to a future meeting.

159. RECRUITMENT OF NEW MEMBERS

The Forum received an oral report from the Access and Rights of Way Manager on the annual recruitment campaign for new LAF members. Members were advised that an advert had already been submitted to the North York Times magazine.

With a view to maximising the response to the campaign Members suggested that a press release was also issued. It was explained that whilst this would be done there was no guarantee that it would be taken up by the local media.

Members agreed that it was important that the selection process remained independent but that there was merit in approaching individuals or groups who had specialist knowledge especially where there was an imbalance in the membership of a particular interest group on the Forum.

It was also agreed that the wording of the recruitment advert and application papers should be reviewed so as to make them less formal and off-putting to potential candidates.

RESOLVED –

That the comments and suggestions made by Members during the meeting be noted and taken on board.

160. PUBLIC RIGHTS OF WAY – DEFINITIVE MAP MODIFICATION ORDER APPLICATIONS - UPDATE

CONSIDERED –

Report of the Definitive Map Team Leader on progress achieved since August 2008 processing Definitive Map Modification Order applications.

The Forum was advised that since the report had been written a further application for a Definitive Map Modification Order had been received from Sherburn Parish Council. It was likely that this application would be dealt with quickly, as the Applicant had indicated that the landowner maybe willing to enter into a Creation Agreement.

The Chairman referred to the paragraph 2.3 of the report and said that the generosity of the Landowner in dedicating the route to the local community should be formally recognised. Members agreed with his suggestion and further suggested that a standard letter be drafted to be signed by the Chairman on behalf of the LAF for use in future similar situations.

RESOLVED –

- (i) That the content of the report be noted.
- (ii) That the Access and Rights of Way Manager draft a standard letter to be signed by the Forum Chairman and sent to landowners who consent to entering into Creation Agreements with the County Council.

161. PUBLIC RIGHTS OF WAY DEFINITIVE MAP TEAM – CHANGING PRIORITIES

CONSIDERED –

The report of the Definitive Map Team Leader seeking support for changes being introduced to the current working practices of the definitive Map Team. It was explained that the proposed changes were in direct response to the County Council's Transformation Agenda which required all directorates to investigate new ways of working.

The Team currently focused on work aimed at achieving a reduction in the backlog of DMMO applications. By concentrating on this work the Team had very limited opportunities whereby it could respond to the demands and aspirations of the public to improve the PROW network.

To address this imbalance it was proposed was that the Team's priorities be revised to reflect a more proactive approach that would allow them to focus on projects with a 'whole landscape' approach that would significantly improve the network. The disadvantage of this was that the backlog of DMMO Applications would have to be re-prioritised and some applications as a result would remain permanently at the bottom of the list.

Members acknowledged the dilemma Officers were confronted with. Whilst supportive of the suggested new proactive approach were concerned that unless further resources were allocated to address the backlog then the affect of current legislation would mean that in 15 years time any unprocessed DMMO applications would be rendered invalid.

As a means of overcoming this problem Members suggested that a letter was written to each of the parish councils with an outstanding DMMO application to ascertain if the application was still required. Members were aware that many of the backlog applications were now historic and that it was not unusual for the County Council in these circumstances not to have had any recent contact with the applicant. By writing a simple letter the number of outstanding DMMO applications could be drastically reduced. It was also suggested that the resource of the countryside volunteers could be better utilised so as to reduce the backlog.

Members said that they would find it helpful if they could see for themselves the work being carried out in the Vale of Pickering Landscape Partnership and it was agreed that it would be beneficial if the venue of the May meeting was the Vale of Pickering.

RESOLVED –

- (i) That the approach outlined in the report in respect of new working practices for the Definitive Map Team be supported.
- (ii) That an audit of the outstanding backlog of DMMO Applications is conducted with a view to rejecting any application no longer required.
- (iii) That the Vale of Pickering be the venue for the May meeting of the Forum.

162. NORTH YORKSHIRE COUNTRYSIDE VOLUNTEERS

CONSIDERED –

The report of the Countryside Volunteer Co-ordinator summarising the activities of the Countryside Volunteers Service.

The Access and Rights of Way Manager said that in order to maximise the valuable contribution made by volunteers the County Council was considering options that would enable some volunteers to be re-numerated. Consideration was also being given to increasing the support available to the Volunteer Co-ordinator.

RESOLVED –

That the content of the reported be received and noted.

163. REVIEW OF TRAILS AND ROUTES CONSULTATION

CONSIDERED –

Report of the Access and Rights of Way Manager seeking the Forum's response to the Review of Trails and Routes consultation being conducted by Natural England.

Members noted the closing date for the consultation had already expired but that Natural England had agreed to extend the deadline so as to accept comments from the Forum.

Members were advised that regardless of what model was ultimately chosen no extra funding had been identified nor had a national 'standard' for the routes and trails been identified.

Members discussed the consultation document and expressed their support for the seven Review recommendations subject to specific resources being allocated by Natural England as otherwise they considered the project unsustainable.

The Access and Rights of Way Manager agreed to respond to the Consultation bearing in mind the comments made during the meeting.

RESOLVED –

That the Access and Rights of Way Manager respond on behalf of the Forum to the Review of Trails and Routes Consultation by Natural England.

164. SIGNS AND WAYMARKS

CONSIDERED –

Report of the Public Rights of Way Team Leader asking Members to comment on a new draft signposting and way-marking policy for the County Council. Sketches and diagrams of signs and way-marks were tabled at the meeting and a copy placed in the Minute Book.

A Member said that the diagrams circulated at the meeting confused the legal status of the route with its fitness for purpose. In order to reflect equality and for them to be inclusive they should include a wheelchair.

Members acknowledged the accuracy of these statements but said that a lot of people had no understanding of the issues surrounding the legal status of a route. Most people needed as much help as possible and found the diagrams helpful especially as they were very few routes in North Yorkshire that were wheelchair accessible. If diagrams were not used it would be extremely difficult to convey to users that a route was suitable for their use. One suggestion for how this could be achieved was to survey and grade route on a scale of 1-10 for ease of use and for this figure to be shown on the sign.

The Public Rights of Way Team Leader said that he would further revise his report to take account of the comments made that day. He would then seek feedback from the members of the two national park forums attending the joint event on 19 March where hopefully common ground could be agreed.

Members congratulated the Public Rights of Way Team Leader for all his hard work in producing the report.

RESOLVED –

- (i) That the comments made during the meeting be incorporated into a revised Signs and Waymarks report to be referred to the joint North Yorkshire Local Access Forum event on 19 March 2009.
- (ii) That a further report on Signs and Waymarks be referred to a future meeting of the Forum.

165. BUDGET UPDATE 2009/10

The Access and Rights of Way Manager reported orally that the Public Rights of Way Budget for 2009/10 had yet to be finalised although the initial indications were that apart from inflationary increases there would be no growth.

Announcements from the Corporate Director – Business and Environment Services on a restructure of the directorate were also still awaited. It was anticipated that the position would be clearer by the date of the next meeting.

RESOLVED –

That the position be noted and the Forum be kept informed of progress and developments.

166. COUNTRYSIDE STRATEGY

The Access and Rights of Way Manager reported orally on the North Yorkshire Countyside Strategy. Members were reminded that the consultation deadline for receipt of responses to the draft Strategy was the end of February 2009. He repeated his earlier comments that the response from the Forum would be taken into consideration despite being received after the close of the formal consultation period.

RESOLVED –

That formulation of a response to the draft North Yorkshire Countryside Strategy be referred to the Forum's Sub Group.

167. PRIORITY SYSTEM

CONSIDERED –

Report of the Public Rights of Way Team Leader updating members on the design and implementation of a prioritisation system for new complaints received about the Rights of Way network in North Yorkshire.

Members expressed support for the approach outlined in the report which would enable issues to be prioritised on a consistent basis. Members noted that monitoring tools for the system were currently under development.

RESOLVED –

That the design and implementation of a prioritisation system for new complaints on the Rights of Way network be approved.

168. WHARFDALE TRAIL UPDATE

The Access and Rights of Way Manager reported orally that since his previous report he had nothing further to add. He had received no recent correspondence from the Chair of the Wharfedale Trail and there was nothing that led him to believe that the project was progressing.

RESOLVED –

That the current position be noted and the Forum informed if and when the Wharfedale Trail project is resurrected.

169. FORUM SUB-GROUPS

The Forum received the Minutes of the meetings of the Access for All and Improving Rights Sub Groups held on 22 January 2009.

Rachel Connolly introduced her report “Riding on Beaches” that highlighted the concerns of equestrian users if the Marine Bill currently making its way through Parliament was implemented without amendment. It was expected that a strong lobby to have the Bill amended so as to protect existing rights would be made. It was noted that Natural England had to date not yet undertaken any form of public consultation with regard to the restrictions in the Bill on horse riding on and access by horse riders to Beaches. Members agreed that existing rights for horses and riders should be protected and extended if at all possible within the confines of current legislation surrounding ownership of the foreshore.

David Gibson introduced his report “Standing Task Groups” that proposed an operating structure and terms of reference for four standing task groups. If Members were agreeable he suggested that the new arrangements were put into effect following the annual recruitment campaign and the appointment of new forum members. Members agreed with his suggestion and in the interim the Access and Rights of Way Manager agreed to put in hand arrangements for the next sub-group meetings on 16 April 2009.

RESOLVED –

- (i) That the Minutes of the Access For All and Improving Rights Sub Groups held on 22 January 2009 be noted.
- (ii) That the North Yorkshire Local Access Forum supports the protection of existing rights for horses and riders on beaches.
- (iii) That the report and recommendations contained in the Standing Task Groups report be approved.

170. MINUTES OF MEETINGS OF NORTH YORKSHIRE LOCAL ACCESS FORUMS

The Forum received Minutes of meetings of the North York Moors and Yorkshire Dales Local Access Forums.

RESOLVED –

That the Minutes of the meetings of the North York Moors and Yorkshire Dales Local Access Forums held on 2 September 2008 and 20 January 2009 respectively be noted.

171. FORWARD PLAN

CONSIDERED –

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

It was noted that the County Council in conjunction with Jacobs was currently updating its Highway Design Guide. The revised Guide was currently out to consultation and any Member wishing to submit comments was invited to do so via the Access and Rights of Way Manager.

RESOLVED –

- (i) That the information contained in the Forward Plan is approved subject to the following topics being added:-
 - Work Completed Update (Min No 147 20.11.08) (LAF May 2009).

172. NEXT MEETING DATE

RESOLVED –

- (i) That the next meeting date for the North Yorkshire Local Access Forum is Thursday 14 May 2009 commencing at 10.00 am at a venue to be determined in the Vale of Pickering. Lunch available from 12.30 pm followed by optional site/field visit.

JW/JD/ALJ