

NORTH YORKSHIRE LOCAL ACCESS FORUM

Minutes of the meeting held in the Grand Committee Room, County Hall, Northallerton on 19 November 2009.

PRESENT:-

Stephen Ramsden in the Chair.

North Yorkshire County Council:- County Councillors Robert Hesletine and Mike Knaggs.

Other Members:- Rachel Connolly, Edward Dennison, Janet Dowling, David Gibson, Tom Halstead, Tony Martin, John Taylor and Martin Wiles.

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

Three members of the public.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

15. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of County Councillor John Fort.

16. MINUTES

RESOLVED –

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

17. PUBLIC QUESTIONS OR STATEMENTS

The Secretary reported that no advance notice had been received of any public questions or statements to be made at the meeting.

18. REPORTS FROM FORUM SUB-GROUPS

CONSIDERED –

The Forum received the Minutes of the meeting of the Improving Rights of Way Sub-Group held on 22 October 2009.

Members noted the work being done to prioritise the improvement suggestions received during compilation of the ROWiP and asked if an initial response to the Local Transport Plan 3 Initial Consultation had been sent as agreed at the previous meeting. Members believed the Local Transport Plan to be an important source of funding improvements to the network. The Public Rights of Way Team Leader advised that the response would be sent later that day with a copy forwarded to all Members. It was confirmed that consultation on Local Transport Plan 3 had now been extended to Spring 2010 and that at the February meeting of the Forum one of the items on the agenda would be consultation with the Local Transport Plan Team.

Tony Martin referred to the Parish Council Initiative described in the subgroup minutes and said that until the level of resources to be provided by the County Council to support this project was known it would be difficult to make any further progress. The Public Rights of Way Team Leader agreed to meet with Tony Martin following the meeting. It was agreed that further progress be reported to the next meeting.

Rachel Connolly sought support from Forum to approve the recommendations from the sub-group. It was suggested that Members would find it helpful if future sub-group recommendations could be formally referred to the Forum in writing for approval.

RESOLVED –

That the minutes of the meeting of the Improving Rights of Way Sub-Group held on 22 October 2009 be noted.

The the North Yorkshire Local Access Forum makes strong representations to the Local Transport Plan Team to provide funding needed to incorporate Ratione Tenurae (RT) Roads on the Definitive Map once they have been identified and that this be achieved through the general justification of 'remedy fragmentation to provide routes which are necessary for current or future demand'.

That a report on implementation of the Rights of Way Improvement Plan and Local Transport Plan 3 Initial Consultation be referred to the next meeting.

That the North Yorkshire Local Access Forum supports the introduction of the Parish Council Initiative in North Yorkshire and looks forward to receiving further progress reports in the future.

19. DRAFT MINUTES - YORKSHIRE DALES NATIONAL PARK LAF AND NORTH YORK MOORS NATIONAL PARK LAF

The Forum received for information the draft minutes of meeting of the Yorkshire Dales National Park LAF and North York Moors National Park LAF held on 22 September and 8 September 2009 respectively.

David Gibson referred to the item on Unsurfaced, Unclassified Roads (UUR's) (Min No 10 Yorkshire Dales LAF) and said that at the meeting of NYCC's Environment & Heritage Overview & Scrutiny Committee held on 21 October 2009, Doug Huzzard had presented a report in which he had expressed a different point of view about the UUR network being affected by the 2026 definitive map cut off date. The Minutes of the overview and scrutiny committee were not yet available and he proposed that a report on UUR's be referred to the next Forum meeting with invitations to attend being extended to Doug Huzzard and David Bowe.

County Councillor Hesletine queried the legality of whether the map of UUR's in North Yorkshire should not be made available to the public when the same information could be requested as the subject of a Freedom of Information request. He asked for the matter to be clarified and for a response to be provided prior to the next meeting.

Members expressed disappointment that not all formal consultations sent by Section 94 bodies appeared to have been received by the County Council and that subsequently the Forum was not given an opportunity to respond. Members asked for a letter to be sent to the Forestry Commission asking for confirmation of the contact details the consultation document on Strategic Policy was sent.

RESOLVED –

That the draft Minutes of meetings of the Yorkshire Dales LAF and North York Moors National Park LAF held on 22 September and 8 September 2009 respectively be noted.

That a report on Unsurfaced Unclassified Roads (UUR's) be referred to the next meeting.

20. MAINTENANCE UPDATE

CONSIDERED –

The report of the Public Rights of Way Team Leader on maintenance work undertaken during the period 1 April 2009 to 30 September 2009. Appended to the report were before and after photographs of completed projects.

The Public Rights of Way Team Leader emphasised to Members that the total number of resolved issues was greater than the number of new complaints that had been received. He said that the table in paragraph 3.2 of the report demonstrated that the number of resolved maintenance issues were also in proportion to the type and number of newly reported maintenance issues.

Members noted that some completed maintenance works formed part of a major scheme that had been expensive to complete. The Settle Riverside project for example had cost approximately a quarter of a million pounds with the majority of the monies coming from non county council funds and grants. Members were advised that all maintenance works were compliant for all lawful users of the route.

Martin Wiles referred to the 12 unresolved ploughing and cropping issues and said on behalf of the National Farmers Union that he was willing to liaise with the parties concerned in an attempt to resolve matters. He said that the contact details for local National Farmers Union group secretaries' could for example be supplied to parish councils.

Members said the use of the word 'total' in the end column of the table in paragraph 3.2 of the report was misleading and suggested that use of the word 'sum' would be better.

Members asked if future reports could contain performance data on the entire maintenance backlog as this would enable comparisons to be undertaken. The Public Rights of Way Leader concurred and said that he would use the data in the report as the basis for future performance reports.

Members ended by congratulating Officers on the standard and quality of the work completed.

RESOLVED –

That the information contained in the report and provided at the meeting be noted.

21. **PUBLIC RIGHTS OF WAY DEFINITIVE MAP MODIFICATION ORDER APPLICATIONS**

CONSIDERED –

The report of the Definitive Map Team Leader updating Members on progress processing Definitive Map Modification Order and Diversion Order applications since February 2009.

In addition to the information contained in the report the Group was advised that a Public Inquiry in respect of the Harrogate Grammar School application had been scheduled for 8 December 2009. It was anticipated that a further Public Inquiry into the Applegarth/Richmond application (downgrade of bridleway to footpath) would be heard during March 2010.

Members were advised that since 2004 all new applications received were prioritised. Applications that pre-dated 2004 were dealt with chronologically. Work was currently underway to merge the two lists and to re-prioritise all outstanding applications to better accord with the Rights of Way Improvement Plan. A report on this work would be referred to the next meeting.

Members asked if the report on the re-prioritisation of outstanding applications could first be referred to the sub-group. Penny Noake agreed to this request.

County Councillor Knaggs thanked Officers for their hard work and the support they had given him on the Creation Agreement at Sinnington Old Road in Ryedale.

RESOLVED –

That the content of the report be noted.

That a report on the re-prioritisation of all outstanding Definitive Map Modification Order Applications be referred initially to the Forum Sub-Group before being referred to the meeting of the Forum in February.

22. **CONSULTATIONS ON PROPOSALS TO AMEND THE CROW ACT 2000 FOR COASTAL LAND**

CONSIDERED –

The report of the Public Rights of Way Team Leader briefing Members on proposals to improve access to the English coast through the Marine and Coastal Access (MCA) Bill.

Members were advised that in North Yorkshire the proposals if implemented would have a limited impact as access as the majority of the coastline was already served by the Definitive Map. It was acknowledged however that once the proposals were active there was likely to be resource implications for the County Council.

Members debated the responses to the questions posed by DEFRA in the consultation document and failed to reach a consensus.

It was agreed that Members would submit to the Secretary their individual responses and authority was delegated to the Chairman to draft the formal response on behalf of the Forum based on the majority of the comments received. The deadline for receipt of comments to the Secretary was one week from the date of the meeting that day.

RESOLVED –

That authority be delegated to the Chairman to draft and submit the response of the North Yorkshire Local Access Forum to the DEFRA consultation on proposals to amend the CROW Act 2000 for coastal land.

23. BEDALE AND LEEMING BYPASS

CONSIDERED –

The report of the Public Rights of Way Team Leader seeking the views of the Forum on the proposed A684 Bedale, Aiskew and Leeming Bar Bypass.

Members were advised that it was not envisaged that the proposed route would have a big impact on existing public rights of way in the area. As the detailed design of the scheme had still to be finalised, Members were asked for general comments only.

Rachel Connolly read out a resume of the issues relating to travel by non-motorised users of the scheme. She sought the support of the Forum to request that three sets of user-controlled lights be installed and for all roadside verges to be maintained and cleared by the County Council to a minimum width of three metres where they formed part of a travel plan for non-motorised users. A copy of a leaflet prepared by the County Council as part of the first stage of the consultation process was tabled at the meeting. The locations of the proposed crossing points were marked on the leaflet a copy of which was placed in the Minute Book.

Members debated the merits of the suggestions put forward at the meeting. Members agreed that provision for non-motorised users and maintenance of highway verges to a three metre width were essential on safety grounds. It was suggested that Rachel Connolly and Aidan Rayner meet with Highways Officers to discuss the optimum arrangements on the Bedale bypass for non-motorised users. Discussion took place about the merits of providing traffic lights, or flashing warning lights as in a schools crossing. Some Members thought that traffic lights would disrupt vehicular flow, but others thought that usage by non-motorised users would be light and needed some sort of motorist awareness device to promote safe crossing.

Martin Wiles said that when the bypass was finished a weight restriction would be imposed and he asked if there could be an exception made for agricultural vehicles.

RESOLVED –

That Rachel Connolly and Aidan Rayner meet with Officers from North Yorkshire County Council's Highways Section to discuss provision for non motorised users of the proposed scheme.

That North Yorkshire Local Access Forum requests that all highway verges where they are planned as part of a travel plan for non-motorised users are maintained to minimum width of three metres.

24. WEBSITE UPDATE

The Forum received an oral report from the Public Rights of Way Team Leader. It was reported that in line with government guidelines the re-structure of the County Council's web-site was now complete. Consequently work was about to commence on the design of the Countryside Services section that would include information on rights of way and a link to the North Yorkshire Local Access Forum. It was

anticipated that this work would not be complete until the end of March 2010. Full details on the design of the new web-site would be reported to the May meeting.

NOTED

25. 2009/2010 FUNDING UPDATE

The Public Rights of Way Team Leader gave an oral report. He described current budget provision and expenditure on rights of way in North Yorkshire outside of the National Parks.

In response to questions from Members it was confirmed that no details were available regarding the content of the 2010/11 budget. Consultation budget meetings were due to start in January 2010.

NOTED

26. FUTURE MEETING DATES

RESOLVED –

(i) That the meeting dates for the North Yorkshire Local Access Forum during 2010 are as follows:-

- 25 February 2010 at 10.00 am at County Hall, Northallerton.
- 20 May 2010 at 10.00 am – venue to be agreed (possible afternoon site visit).
- 19 August 2010 at 10.00 am – venue to be agreed.
- 18 November 2010 at 10.00 am – venue to be agreed.

(ii) That the next meetings of the North Yorkshire Local Access Forum sub groups be held on 28 January 2010 commencing at 9.45 am and 11.30 am respectively at County Hall, Northallerton.

27. Urgent Business.

The Chairman agreed that the following item be dealt with as an item of special urgency in order to respond to correspondence received.

Ryedale Local Development Framework: Further Development Sites

A copy of a letter dated 22 October 2009 received from Ryedale District Council was tabled at the meeting. The letter sought the response of the Forum to additional sites that had been proposed during the Summer.

It was agreed that the Forum should formally acknowledge receipt of the letter.

RESOLVED –

That a letter of acknowledgement be sent to Ryedale District Council on behalf of the North Yorkshire Local Access Forum.

JW/ALJ