

NORTH YORKSHIRE  
LOCAL ACCESS FORUM

THURSDAY 18<sup>th</sup> NOVEMBER 2010

RECORD OF ACTIONS

1.0 PURPOSE OF THE REPORT

- 1.1 This report contains a record of those actions completed following the August meeting of the Forum.

2.0 ACTIONS COMPLETED

- 2.1 Response sent by the Chair to Paul Roberts of NYCC Highways in response to a consultation on the 'Way of the Roses' cycle route. The response thanked Mr Roberts for including the LAF and advised that on this occasion the Forum had no comment to make.
- 2.2 Letter sent by the Chair to natural England regarding the future of the EAF (Appendix 1).
- 2.3 Letter sent by the Chair to Elwyn Williams of NYCC Highways following his presentation on the Bedale and Leeming Bypass at the August meeting (Appendix 2).
- 2.4 Response received from Elwyn Williams regarding the Bedale and Leeming Bypass. (Appendix 3).
- 2.5 Response sent to the DEFRA consultation on the 'Nature of England' (Appendix 4).
- 2.6 Response received from DEFRA regarding progress of the guidance to local authorities about stiles and gates on rights of way and their obligations under the Equality Act 2010. The guidance is now available at :

<http://www.defra.gov.uk/rural/documents/countryside/prow/gpg-equality.pdf>

3.0 RECOMMENDATION

- 3.1 It is recommended that members receive this report for information

Contact:  
John Taylor  
Chairman

## APPENDIX 1

From: John Taylor [<mailto:john@cjaylor.net>]  
Sent: 03 September 2010 10:59  
To: '[Andrew.Mackintosh@naturalenglnad.org.uk](mailto:Andrew.Mackintosh@naturalenglnad.org.uk)'  
Subject: EAF and NE

We refer to the letter from Duncan Graham, EAF and Rob Cooke concerning LAFs.

We have discussed this matter within our LAF and put forward the following thoughts:

We believe there is a danger of LAFs becoming isolated and ineffective. A regional structure is a way of addressing this. However in each region LAFs cover very different sizes and types both of geographical areas as well as population and area and sometimes there is very little similarity in their activities. In reality a lack of funding and intent have made our region, (Yorkshire and Humberside?), ineffective as far as we are concerned. As a result we are represented at national level by regional representatives who have had no contact with us except for the occasional set of minutes. This seems to be due to problems of funding and secretariat in this region, which we hope will be sorted out by the change of secretary.

Without wishing to formalise the regional setup too much there must be way of ensuring that all LAFs are consulted when appointing representatives to a national body rather just those attending a regional meeting. Regions cover large areas and many members of LAFs are quite content to be involved in their local area without attending further meetings in distant towns thus reducing the membership who can attend.

We consider there must be an English Forum to liaise with NE and DEFRA and ensure that all consultations are issued to LAFs (we have been missed off a number of consultations) and possibly co-ordinate responses so that all views can be put in a single document rather than each LAF submitting its own reply. EAF can also obtain details of good practice and distribute them - we were promised some interesting sounding papers last year but nothing has materialised.

The whole Access Forum structure is based on volunteers giving up their valuable time to improve rights of way and access issues and advise the appropriate authorities. Enthusiasm levels are undermined by a lack of national and regional support and advice, particularly when combined with being ignored in consultation processes.

In conclusion we strongly support the existing structure but believe that it must become far more robust and authoritative with responsibilities clearly defined. The organisation must be supported, funded and accepted by DEFRA and NE and seen by them as the first point of call on access matters related to all user groups. Communication is at the best vague at present and this must be improved so that there is a flow of information in both directions through the structure.

We will actively support any action to help improve the current situation.

Best Regards

John Taylor

Chairman, North Yorkshire Local Access Forum.

## APPENDIX 2

From: John Taylor [<mailto:john@cjaylor.net>]  
Sent: 13 September 2010 17:26  
To: '[elwyn.williams@northyorks.gov.uk](mailto:elwyn.williams@northyorks.gov.uk)'  
Subject: Bedale By-Pass

Elwyn

First of all I thank you rather belatedly for attending our August LAF and providing more background on the subject project.

Clearly there will be differences of opinion concerning control at the crossing but we recognise that ultimately some compromise is needed.

We do still feel that some control will be needed if horse riders and others create dangerous situations to avoid the detour under the bridge which you described. Obviously if the detour is used then safety will be maintained.

However although our formal advice must be to have a controlled crossing we do support the provision of ducting during the road construction that will allow a controlled crossing to be established if events do prove its need.

We are left, perhaps unfairly, with the view that a more satisfactory outcome could have been achieved if we had been involved at an earlier stage.

We do though recognise your constructive approach and hope that you may still be able to accommodate our suggestion of a controlled crossing.

Best Regards

John Taylor,

Chairman, North Yorkshire Local Access Forum

## APPENDIX 3

From: Elwyn Williams [<mailto:Elwyn.Williams@northyorks.gov.uk>]  
Sent: 25 October 2010 12:57  
To: John Taylor  
Cc: Aidan Rayner  
Subject: Re: FW: Bedale By-Pass

Dear John,

I apologise for not acknowledging your earlier e mail.

Since the meeting of the LAF I have held a meeting with Jenni Gilbert the representative of the British Horse Society. Jenni has requested some detailed changes around the bridge structure to improve usage and forward visibility for horse riders using the track under the bridge adjacent to the railway line. The modifications requested do not require a modification to the planning application and will be dealt with at the detail design stage.

Jenni accepted the position reached by the LAF was a reasonable approach and it was concluded that taking into account the predicted NMU and traffic flows the BHS would also request future-proofing the scheme by installing ducts for potential future cabling and request that the situation be kept under review when the Bypass is opened and usage has stabilised. Additionally, if it becomes clear that there is a major issue in the future for horse riders using the at-grade facility then serious consideration should be given to the provision of either a Pegasus style crossing facility or an arrangement similar to cattle crossing signage with on-demand flashing.

I wish to thank you again for inviting me to your meeting and for providing the opportunity to explain the scheme in detail and respond to questions from your members.

With regard to progress on the Bypass scheme, it is still currently on hold. The DfT, whilst announcing the cancellation of the A1 Leeming to Barton upgrade of the A1 to motorway scheme last week, they have been silent regarding the future of the Bedale, Aiskew Leeming Bar Bypass Scheme. It is anticipated that we will have further information from DfT regarding the impact of the governments comprehensive spending review in the coming weeks

Kind Regards  
Elwyn

Question 1

Agreement by all parties involved that this is a shared objective.

Question 2

Whilst the document broadly identifies the environmental challenge there does not seem to be any reference to making people more aware of the main issues by way of information/education. Creating awareness of the issues should at least start to change people's habits and established life patterns in favour of more sustainable life-styles. The focus must include informing & educating the public and changing attitudes about our social responsibility towards these issues.

Question 3

We are not sure that no technical people can answer this one as the measure of success and achievement lies with specialist bodies & agencies possessing higher levels of technical expertise. We are obliged to rely on so-called experts but often do not have sufficient knowledge to challenge them. For example, the diversity of opinions about the true causes of global warming.

Question 4

It seems that we need more joined-up thinking and co-operation between all the agencies and departments involved with the sharing of well researched data so that properly informed strategies and decisions can be made. Local Transport Plans should be a mechanism for creating off-road links for those without a car. However this type of activity needs to be made simpler and encouraged by central government. For instance some cycle ways could be available for horse-riders as a safer alternative to mixing with motorised traffic. Multi-user rights of way should be an integral part of local transport schemes together with bus services, cycle parking facilities and car-sharing. Perhaps a longer term understanding is needed to maintain or even improve the quality of life achievable by consideration of the recreational and essential use and availability of rights of way. The problem with devolving all decisions to a local level is that Councils will go for populist and cheapest policies. If central government fails to define key policy there will be no uniformity of management in the countryside, merely a weak hotchpotch of approaches in different parts of the country.

Question 5

Perhaps we should get our own countryside in order first?

Questions 6 & 7

The role of Local Access Forums needs to be clarified. These are bodies that could be useful in this role bearing in mind the cross section of interests being represented. However the terms of reference would need changing as at present LAFs are too weak to make the substantial contribution possible.

#### Question 8

Engagement with local communities is paramount if we are to shift responsible decision-making closer to the people. However It is essential that a common policy is adopted.

#### Question 9

The biggest obstacle at present is the large number of organisations involved. There are statutory bodies, voluntary groups and various agencies involved. Communication between these groups, especially the governmental agencies, is poor. At times it does seem that different groups are working to different agendas. A simplified organisation is required linked in closely to local aspirations.

#### Question 10

We need a combination of technical brainpower and academic excellence to drive this forward combined with the flair of entrepreneurs to make the economic and commercial delivery possible.

#### Question 11

Red tape and other restrictions on business must be realistically eliminated to give entrepreneurs sufficient incentive to deliver such programmes and attain a fair return on their input. This does not necessarily mean subsidising projects via the public purse but must offer proper returns for the commitment involved.

#### Question 12

Departmental vested interests and pursuit of declared policies where being prepared to change one's view in the light of further knowledge is deemed a weakness involving loss of face.

#### Question 13

None at all if that is what we really wish to achieve. It's not just bigger thinking we need; it has to be **BROADER AND MORE LATERAL!**

#### Question 14

Sadly the E U is totally responsible for some of the daftest rules ever imagined which seriously undermines it's credibility as a law-making body. Heads need banging together to repeal much poor legislation and only then will people feel more confident about its pronouncements. We should continue to strive for sensible environmental rules .

#### Question 15

Essentially , EDUCATION for the world community to learn about , recognise and responsibly react to environmental issues based on genuine scientific evidence with due acknowledgement to the established cultural habits and the need to improve Planet Earth for future generations .