

## NORTH YORKSHIRE LOCAL ACCESS FORUM

Minutes of the meeting held in The Grand Meeting Room, County Hall, Northallerton on 18 November 2010.

### PRESENT:-

John Taylor in the Chair.

Rachel Connolly, Leo Crone, Edward Dennison, Janet Dowling, County Councillor John Fort, David Gibson, Tom Halstead, County Councillor David Jeffels, David Shaftoe, Catherine Wardroper and Pat Whelan.

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

Apologies for absence were received from County Councillor Robert Hesletine and Hugh Spencer and Martin Wiles.

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

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#### **74. MINUTES**

##### **RESOLVED –**

That the Minutes of the meeting held on 19 August 2010, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

#### **75. MATTERS ARISING**

##### UUR's

The Chairman said that he had not circulated the response prepared by Leo Crone as his comments related to a version of the draft Policy that had subsequently been revised. The indexing system used in the latest version of the draft Policy differed from that used previously. The different numbering system meant that the response prepared by Leo did not make sense as it contained references to old paragraph numbers which in the latest version of the draft Policy referred to something completely different. The Forum agreed that it was important that they responded to the draft Policy. Leo Crone agreed to remove from his response all references to index numbers before resubmitting it to the Chairman.

Upon receipt from Leo of his amended response the Chair agreed to circulate it to Forum members for comment.

**The Chairman to circulate and invite comments from Members on the response to the draft Policy on UUR's before submitting a formal response to NYCC on behalf of the LAF.**

**Aidan Rayner to invite Doug Huzzard to attend the next Forum meeting.**

### RT Routes

Penny Noake welcomed suggestions from Members on the criteria to be used to prioritise the list of RT routes. She agreed to promote the recruitment of volunteers interested in surveying and researching RT Routes. The connectivity of RT Routes to be discussed at the next sub-group meeting before being referred to the next LAF meeting.

**Immediately after the meeting Penny Noake to circulate to LAF Members a list of RT Routes in the County.**

**Penny Noake to submit to the next meeting a report on RT Routes.**

### Budget

**Next agenda to include a report on the public rights of way maintenance budget.**

## **76. PUBLIC QUESTIONS OR STATEMENTS**

There were no questions or statements from members of the public.

## **77. DRAFT MINUTES OF MEETINGS OF MEETINGS OF NORTH YORK MOORS, YORKSHIRE DALES AND THE REGIONAL LAF**

Draft copies of minutes of meetings that took place during September and October 2010 were circulated for information.

A Member referred to the comments made by the Chairman on Lost Ways at the meeting of the Regional LAF and expressed doubts about whether the North Yorkshire approach was correct given that the purpose of the Forum was to encourage access to the countryside. He suggested that it should be reviewed.

It was explained that the Lost Ways project was an aspiration that would for practical reasons be extremely difficult to complete. Many of the affected routes were no longer used or would be a useful addition to the network. The backlog of DMMO applications together with limited staff resource was why the project was not being taken forward in North Yorkshire. Each application would have to be researched and it was likely that in a lot of cases objections would be lodged. For these reasons many other local authorities had adopted a similar stance.

David Gibson said that the County Council should encourage people who were interested in working on the project to keep good records so that Lost Way Routes could be progressed in the future. He said it was important that there was a record kept of Lost Ways especially those that linked into the public rights of way network.

Members acknowledged the need to prioritise resources but also accepted that as an advisory body with a remit to promote access to the countryside the Forum should not actively support the loss of Lost Ways. Members said that the County Council should make better use of volunteers interested in this work and do more to recruit other interested volunteers.

It was noted that there was the possibility of the cut off date for registering Lost Ways being extended for a further ten years to 2035.

County Councillor David Jeffels suggested that progressing Lost Ways was an area where parish councils might be able to contribute. The County Council was about to

produce a parish council strategy and he suggested that it include reference to the Lost Ways Project.

After discussion it was agreed that the Forum should actively support the efforts of individuals and organisation working to identify and register Lost Ways.

County Councillor John Fort said that after the County Council's final budget settlement was announced in December the County Council intended to produce a budget newsletter. He suggested the section on public rights of way included the Lost Ways Project. It was agreed that the article should make it clear that only applications with supporting evidence would be considered.

**RESOLVED -**

The North Yorkshire Local Access Forum continues to support all efforts to identify and add to the Definitive Map all non-recorded rights of way.

**78. RECORD OF ACTIONS**

CONSIDERED –

The report of the Chairman listing actions completed since the previous meeting. Copies of the appendices referred to in the report were tabled at the meeting.

Members noted the responses sent by the Chairman.

**79. ANNUAL REPORT 2009/10**

Members were invited to approve the draft annual report for 2009/10 on the business of the Local Access Forum.

Those Members whose profile was missing were asked to send details to Aidan Rayner for inclusion. David Gibson pointed out a number of typographical errors which Aidan Rayner agreed to correct.

Members agreed to the suggestion of Rachel Connolly for attendance details to be included in the final report.

**RESOLVED –**

That the draft annual report for 2009/10 be approved subject to inclusion of details of members attendance and missing profiles.

**Those members whose profile is missing from draft annual report to submit details to Aidan Rayner within the next ten days.**

**80. PUBLIC RIGHTS OF WAY MAINTENANCE UPDATE**

The report of the Public Rights of Way Team Leader on maintenance work undertaken during the period 1 April to 8 November 2010.

Members received a power-point presentation of photographs of projects before and after they were completed.

Members commented that the photographs of completed projects were all on the western side of the A1 and asked that future presentations included a wider geographical spread of projects.

David Gibson said that it would have been useful if the report on the 6 Dales Trail had been included on the agenda.

Following the appointment of Iain Burgess as the Skipton Rights of Way Officer, David Gibson asked what if any progress could be expected on the access to open access land in Nidderdale. Aidan Rayner replied that work would continue on those locations identified as a priority. He did not anticipate that the remainder of the project would be taken forward in the near future given the current financial climate especially as the works were not classed as a statutory duty.

The Chairman said that gaining access to parcels of land locked open access land should be treated as a priority as without it what was the point of passing legislation that granted the public access to open access land. Members agreed that the legislation had not been thought through properly and that it placed an unfair burden on local authorities who under the current system were now responsible for negotiating access to land locked open access land. It was pointed out that some Higher Level Stewardship grants were available to landowners to facilitate this.

Richard Walker invited the Forum to make its views known to the County Council on the importance of establishing access to open access land.

Forum Members said that as the problem was not restricted to North Yorkshire the best solution would be for the relevant legislation to be amended. The Chairman agreed to raise the matter with the regional and English Access Forums.

**The Chairman to invite the Regional Access Forum and the English Access Forum to lobby the government to amend legislation to allow access to open access land.**

**The Chairman to write to DEFRA and invite them to make it a condition of Higher Level Stewardship Agreements that access to open access land is granted.**

## **81. OPEN ACCESS LAND – NATURAL ENGLAND DIRECTIONS**

The report of the Public Rights of Way Team Leader on the process by which restrictions on Open Access Land come into force.

Catherine Wardroper explained that although landowners were allowed to have 28 days of restricted access, this didn't include weekends or holidays.

Members noted the content of the report and that an application for a restriction of more than six months had never been granted in North Yorkshire.

## **82. FORWARD PLAN**

A paper setting out possible future agenda items.

It was agreed that the following items be added to the agenda of the meeting in February 2011:-

- RT Routes
- Public Rights of Way Budget
- UUR's

Rachel Connolly said she would like a senior officer from the Business & Environmental Services Directorate to attend a future meeting as she was concerned that the Forum was not being included in relevant consultations. She reminded Members that the Forum had invited Mr Bowe to attend a meeting for over a year but that he had never attended. She hoped his replacement could be persuaded to attend to discuss amongst other things communication between the LAF and his Directorate.

The Chairman said that Barrie Mason the newly appointed Assistant Director had agreed to attend the February meeting. The Chairman requested he be sent advance notice of any questions/topics Forum Members would like to raise with the Assistant Director so that he could forward them to him so that he would come properly prepared.

A Member referred to recent government announcements about the sale of forestry land and for clarification of the current position. Richard Walker replied that at present there was no specific proposal under discussion and agreed to provide a report on the latest position at the February meeting.

Rachel Connolly said the Law Commission had recently published a paper proposing changes to the regulations concerning access at level crossings. The proposed changes were on health and safety grounds and would not necessarily require a diversion order to be made.

The Chairman agreed to circulate details of the proposals and requested that members comment back to him within the next 14 days.

#### **RESOLVED –**

That the content of the Forward Plan including suggestions made at the meeting be approved and noted.

**Rachel Connolly to forward to the Chairman advance note of the questions /topics to be discussed with Barrie Mason.**

**Richard Walker to report on the sale of Forrestry Commission land.**

**The Chairman to circulate to LAF Members and invite comments details of proposed changes to level crossing access.**

### **83. DATES OF FUTURE MEETINGS**

#### **RESOLVED –**

(1) That the following dates for meetings of the North Yorkshire Local Access Forum are agreed:-

- 17 February 2011.
- 19 May 2011.
- 8 September 2011.
- 24 November 2011.

(2) That the above meetings commence at 10.00 am and take place at County Hall, Northallerton.

(3) That the following dates for meetings of the North Yorkshire Local Access Forum Sub Group are agreed:-

- 25 January 2011.
- 19 April 2011.
- 9 August 2011.
- 25 October 2011.

JW/ALJ