

North Yorkshire Local Access Forum

Minutes of the meeting held in The Council Chamber, County Hall, Northallerton on 12 February 2014, commencing at 10.00am.

Present:-

John Taylor in the Chair

David Barraclough, Rachel Connolly, David Gibson, Roma Haigh, and Tony Martin.

Officers:- Aidan Rayner and Brian Mullins (Countryside Services), and Jane Wilkinson (Legal & Democratic Services).

Apologies for absence were received from Les Atkinson, George Bateman, Edward Dennison, Tom Halstead and County Councillor John Fort.

Copies of all documents considered are in the Minute Book

The Chairman announced that he had received from Leo Crone and John Gibson a letter of resignation.

34. Minutes

Resolved –

That the Minutes of the meeting held on 20 November 2013, be agreed as a correct record and be signed by the Chairman.

35. Matters Arising

Minute No 29 Deadmans Hill – Members sought clarification about whether the temporary traffic regulation order remained in force as reported or if it had as they suspected expired.

Aidan Rayner to find out the position and report his findings to Members.

Minute No 31 – Definitive Map Modification Order and Public Path Order Applications
 – Members enquired about the date of the RT workshop agreed at the previous meeting.

Aidan Rayner to ask Penny Noake to circulate Members with dates for the RT workshop.

36. Public Questions or Statements

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

37. High Speed 2

The report of the PROW Team Leader updating the Forum on the latest position with respect to HS2 and its impact on public rights of way within North Yorkshire.

Members noted that there were no significant changes since the matter was previously reported. The preferred alignment avoided the majority of rights of way in the vicinity. Only two routes were directly affected. A map showing the routes in question was appended to the report.

After studying the map, Members agreed that the preferred alignment of HS2 presented no specific rights of way issues and agreed not to make any comments.

Resolved –

That the content of the report be noted.

38. Upgrade of the A1

Considered -

The report of the PROW Team Leader updating the Forum on the latest position of the A1 upgrade between Leeming and Barton. The report also described progress with residual issues in respect of non-motorised user access around the Dishforth to Leeming scheme.

The report was introduced by Brian Mullins (NYCC PROW) who reported that the Highways Agency had appointed Mike Chaytor an engineer with their contractor Atkins as the person now responsible for resolving non-motorised user access issues on the section of the A1 between Leeming to Barton. An itemised list of outstanding issues had now been agreed with a proposed completion date of 28 February 2014. Through regular contact a good working relationship had developed and a site visit was planned for later that day. The target completion date was purposely ambitious and it was anticipated that perhaps only 50% of the outstanding issues would be cleared by this date and these were likely to be “quick wins”. Shortly thereafter it was expected that a number of remaining physical issues would be resolved. Those matters that then remained were likely to have legal barriers and proceedings would be commenced by the end of the month to start the ball rolling. Brian Mullins was confident that the list was achievable and that by the end of March 2014, would be approximately 60/70% complete. He agreed to update the schedule as and when matters were completed.

In response to questions the Forum was advised that a further audit would only be carried in the case of a dispute between the parties.

The Chairman commended Brian Mullins on the progress he had made and hoped that the lessons would be learned when it came to dealing with the next section of the upgrade.

With regard to the upgrade between Scotch Corner and Barton the situation was that a public liaison officer had now been appointed and that working relationships were improving. A meeting was planned for the following day and Brian Mullins agreed to mention that user groups would appreciate regular meetings being held.

Rachel Connolly read out a summary statement she had made to the Public Inquiry held earlier in the month in which she had called for improved clarity regarding certain design aspects and in particular the type of surface to be used on the Local Access Road. Copy in the Minute Book.

Rachel Connolly sought the support of Forum to seek an assurance from the County Council that the surface of all new local access roads in the county including those on the A1 and Bedale Bypass would be suitable for all users. She contended that SMA was not appropriate and that hot road asphalt should be used. It was pointed out that matters pertaining to the surfacing of local access roads fell outside the remit of the Forum and that any discussion about Bedale Bypass should be deferred to a future meeting when it could be listed on the agenda and all members be given an opportunity to participate/contribute.

Members debated whether to take action and issue a recommendation about the type of road surface to be used on local access roads on the A1 in advance of publication of the inspectors report. The majority of Members agreed it would be better to wait until the content of the inspectors report was known.

Members requested that an update on Bedale Bypass be added to the agenda of the next meeting and thanked Rachel Connolly for her work at the Public Inquiry.

Resolved -

That the content of the report and the information provided at the meeting be noted.

That an update report on Bedale Bypass be added to the agenda of the next meeting.

39. Access to Open Access Land

Considered -

The report of the PROW Team Leader describing projects aimed at increasing the accessibility of Open Access land within North Yorkshire.

The report summarised progress achieved by two projects within Nidderdale AONB and the Yorkshire Wolds.

In response to questions Members were advised that often landowners were unwilling to increase public access as they considered the existing levels of public access levels to be adequate. Also as DEFRA was now focusing on coastal access there was no funding available to fund improvements to access to open access land.

Members noted that in the light of unprecedented budget cuts facing the County Council there were no plans to continue non-statutory work on Open Access following conclusion of current projects. It was reported that the 2015/16 budget for rights of way faced a 40% cut and that consequently major changes would have to be made to the way services were currently delivered. As yet no details were available but assurances were given that Members would be kept informed of new initiatives.

Resolved -

That the content of the report be noted.

Aidan Rayner to contact Tom Halstead outside of the meeting regarding survey work undertaken by the Ramblers in the east of the County.

40. Commons Act 2006 S38 Application - Burnmoor Common

Considered -

The report of the PROW Team Leader inviting Members to comment on a consultation in respect of an application to fence an area of common land at Burnmoor Common near Bentham.

In response to representations made during the consultation period, a copy of a briefing note prepared by the Applicant in which he proposed a number of revisions to the original application was tabled at the meeting. Appended to the briefing note was a large scale plan of the proposed works. Copy in the Minute Book.

As a local resident, David Gibson said he was familiar with the land in question and the application. The revisions proposed by the Applicant were a big improvement on what had originally been proposed and consequently he now did not object to the application.

Forum Members were reassured by the comments of David Gibson and offered no objection to the application.

Members said that the Applicant should however be advised to apply to the Highway Authority for authorisation to install kissing gates on the public rights of way crossings under S147 Highways Act 1980. On a more general point Members highlighted that the Forum had not been initially notified of the application and said it would be helpful if a protocol could be devised, in conjunction with Natural England to ensure that both the local highway authority and Local Access Forum received the required notification.

Based on the comments made during the meeting the Chairman agreed to send a formal response to the Planning Inspectorate with a copy to Natural England.

Resolved -

That the North Yorkshire Local Access Forum does not object to the application to fence an area of common land at Burnmoor Common near Bentham.

The Chairman to draft a formal response to the application based on the comments made during the meeting and recorded in the Minutes.

41. Use of Volunteers in Public Rights of Way Management and Maintenance

Considered -

The report of the PROW Team Leader describing work carried out by volunteers in the management and maintenance of the public rights of way network.

Members were advised that there were currently 85 registered volunteers whose activities were supplemented by a number of external groups that were not directly

registered as countryside volunteers. In the light of unprecedented budget cuts the County Council was seeking to expand this number and contribution they made.

In response to a question from a Member the Forum was advised that it was possible that volunteers could be used to carry out work on RT routes. Members agreed to explore this further at the forthcoming RT Workshop.

Resolved -

That the Forum supports the extensive use by the County Council of countryside volunteers and the initiative currently underway to expand the involvement of volunteers and community groups.

42. Forward Plan

Considered -

A report setting out possible future agenda items.

The following items were added to the agenda of future meetings:-

June 2014

- Bedale Bypass including surface types
- A1 Update

Rachel Connolly sought the agreement of Members to contact Hambleton District Council to arrange a meeting with them to discuss a proposed network of cycle routes between Bedale and Leeming funded by Sustrans. Members supported her request and she agreed to report the outcome of her visit to a future meeting.

Resolved –

That the content of the Forward Plan be noted and approved and the suggestions made during the meeting and recorded in the Minutes incorporated.

The meeting concluded at 12.30pm

JW