
NORTH YORKSHIRE LOCAL ACCESS FORUM

AGENDA

Meeting: Local Access Forum

**Venue: Brierley Meeting Room,
County Hall, Northallerton DL7 8AD
(see attached location plan)**

Date: Wednesday 23 November 2016 at 10.00 am

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Business

1. Apologies for absence
2. Minutes of the meeting held on 6 July 2016 (Pages 6 to 11)
3. Matters Arising from the minutes
4. Public Questions or Statements

Members of the public may ask questions or make statements at this meeting if they have given notice to Kate Arscott of Democratic Services (*contact details below*) by midday on Friday 18 November 2016, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will ask anyone who may be taking a recording to cease while you speak.

For enquiries relating to this agenda please contact Kate Arscott Tel: **01609 532834**
or e-mail kate.arscott@northyorks.gov.uk Website: www.northyorks.gov.uk

5. **Harrogate District Draft Local Plan Consultation – Report of the Secretary**
(Pages 12 to 13)
 Purpose: To consider the draft Local Plan and the Forum’s response
 Attending: James Langler, Principal Planner, Harrogate Borough Council

6. **Hambleton Draft Local Plan Consultation – Preferred options - Report of the Secretary**
(Pages 14 to 17)
 Purpose: To consider the draft Local Plan and the Forum’s response
 Attending: Jennine Nunns, Planning Policy Officer, Hambleton District Council

7. **Joint Minerals and Waste Plan Consultation – Publication Report of the Secretary**
(Pages 18 to 31)
 Purpose: To consider the draft Plan and the Forum’s response
 Attending: Rachel Pillar, Senior Planning Policy Officer, North Yorkshire County Council

8. **Countryside Access Service Review Update – Report of the Assistant Director - Transport, Waste & Countryside Services**
(Pages 32 to 40)
 Purpose: to consider progress with the review and comment on the approach to work processes
 Attending: Ian Kelly, Countryside Access Manager, North Yorkshire County Council

9. **Permissive Access – Referral from Yorkshire and Humberside Regional Access Forum - Report of the Secretary**
(Pages 41 to 45)
 Purpose: To consider whether the LAF wishes to undertake any work on permissive access

10. **Schools and Education Project - Report of the Chair/Secretary**
(Pages 46 to 47)
 Purpose: To note progress with the Getting Out and About (GOAT) project

11. **Secretary’s Update Report – Report of the Secretary**
(Pages 48 to 51)
 Purpose: To receive an update on developments since the last meeting

12. **District Council Updates – Report of the Secretary**
(Pages 52 to 55)
 Purpose: An opportunity for District Council liaison representatives to update the Forum on activity since the last meeting

13. **Forward Plan – Report of the Secretary**
(Pages 56 to 61)
 Purpose: To consider and prioritise items of business for future meetings

14. Dates of Next Meetings

Wednesday 11 January 2017
Thursday 6 April 2017
Wednesday 12 July 2017

Wednesday 11 October 2017
Wednesday 17 January 2018
Wednesday 11 April 2018

15. Other business which the Chairman agrees should be considered as a matter of special urgency because of special circumstances

Kate Arscott
Secretary to North Yorkshire Local Access Forum
County Hall
Northallerton
15 November 2016

NOTES

(a) Interests

The Local Access Forums (England) Regulations 2007 state:-

- (7) "A member of a Local Access Forum who is directly or indirectly interested in any matter brought up for consideration at a meeting of the Forum shall disclose the nature of his interest to the meeting".

Those members of the Local Access Forum who are County Councillors are also bound by the North Yorkshire County Council Members' Code of Conduct, as they serve on the Forum as County Councillors. County Councillors must, therefore, declare any interest they may have in any matter considered at a meeting and, if that interest is financial, must declare it and leave the meeting during consideration of that item.

(b) Emergency Procedures for Meetings

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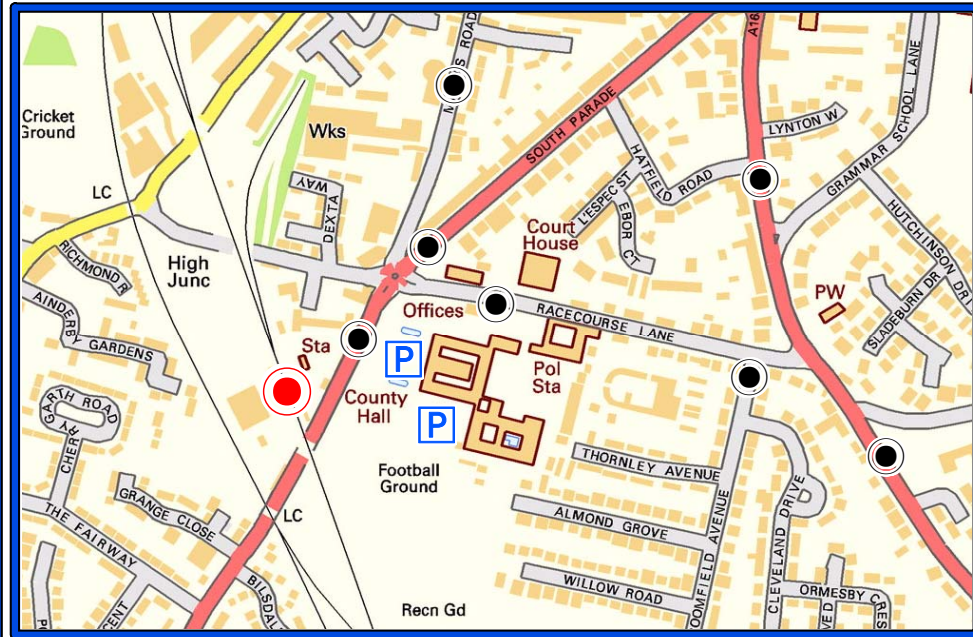
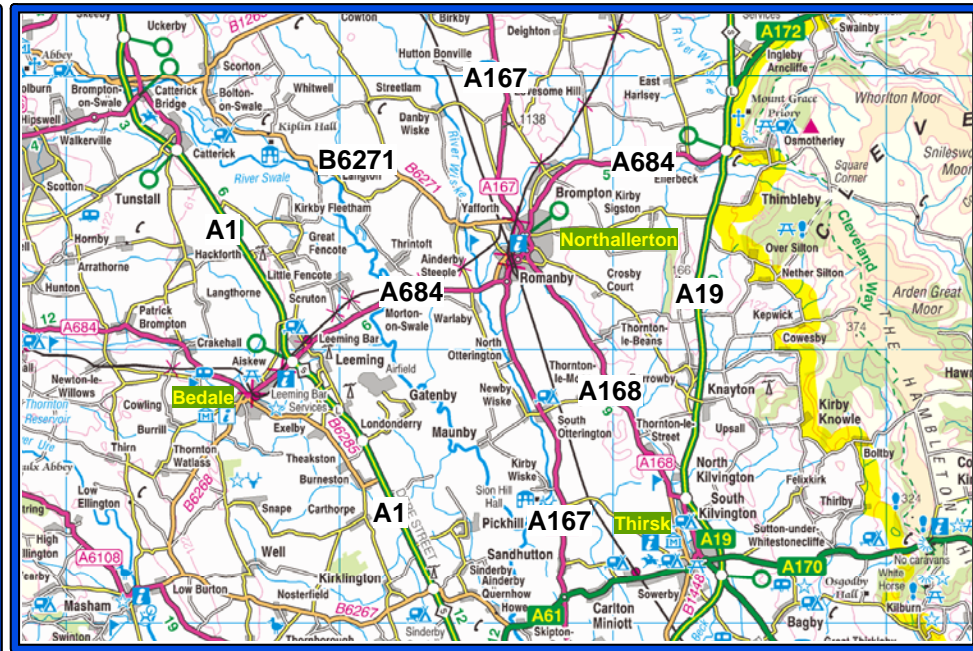
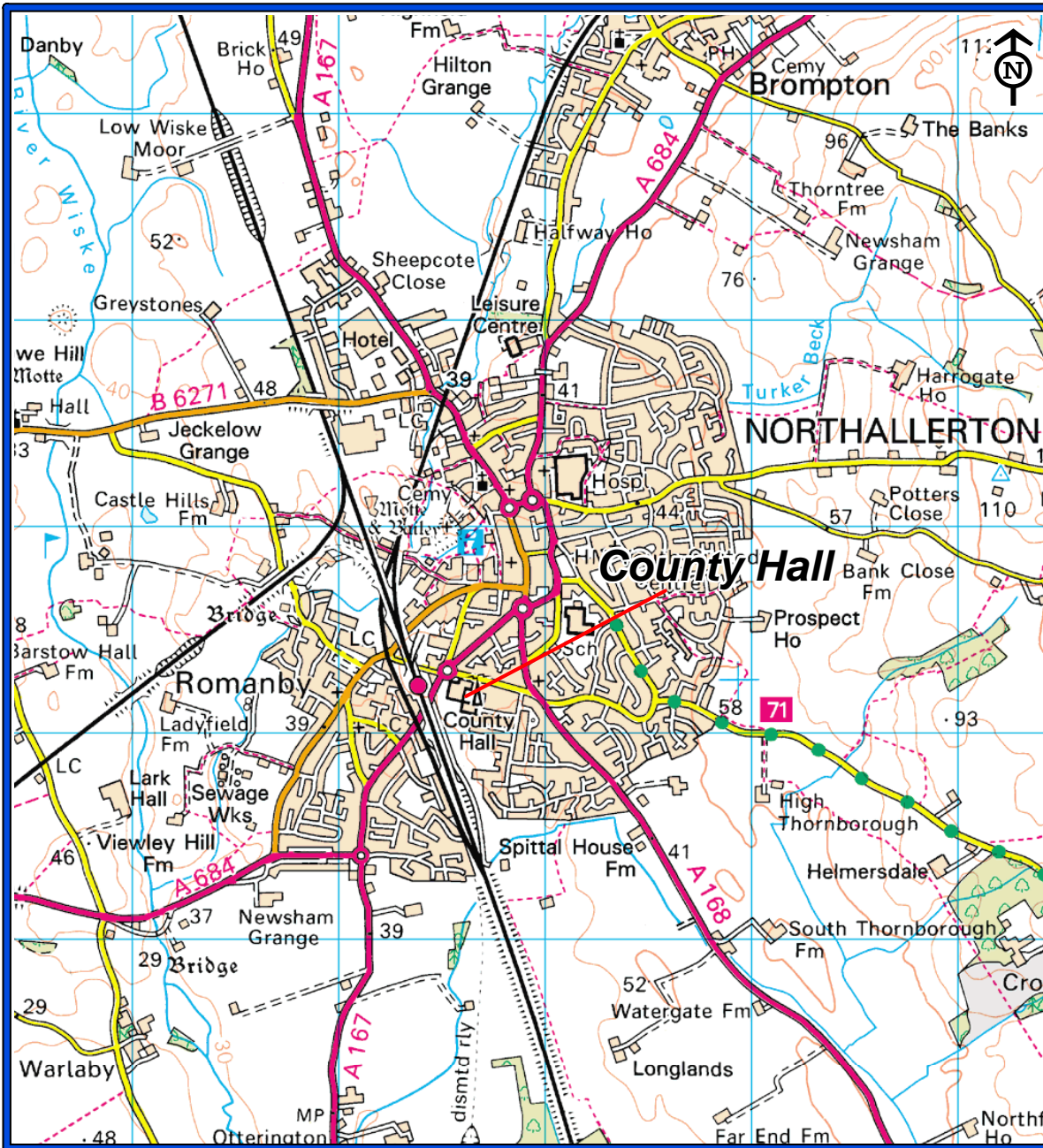
Accident or Illness

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NORTH YORKSHIRE LOCAL ACCESS FORUM

Membership

1	BARRACLOUGH, David
2	BARTHOLOMEW, Michael
3	BATEMAN, George
4	CARTWRIGHT, Doug
5	CONNOLLY, Rachel (Chair)
6	DENNISON, Edward
7	FORT, John BEM (County Councillor)
8	GIBSON, David
9	HAIGH, Roma (Vice-Chair)
10	HALSTEAD, Tom
11	HESELTINE, Robert (County Councillor)
12	JEFFELS, David (County Councillor)
13	MOUNTY, Barrie
14	RAPER, Sue
15	SHERWOOD, Paul
16	SMITH, Richard
17	Vacancy
18	Vacancy



Visitor Parking
at County Hall



Northallerton National
Rail Station



Bus Stops

County Hall

Northallerton
North Yorkshire
DL7 8AD

Tel : 0845 8 72 73 74



North
Yorkshire County Council

North Yorkshire Local Access Forum

Minutes of the meeting held in The Brierley Room, County Hall, Northallerton on 6 July 2016, commencing at 10 am

Present

David Barraclough, Michael Bartholomew, George Bateman, Doug Cartwright, Rachel Connolly, County Councillor John Fort BEM, David Gibson, County Councillor Robert Heseltine, County Councillor David Jeffels, Barrie Mouny, Sue Raper, Paul Sherwood and Richard Smith

Officers: Ian Kelly, Sheila Laking, Allan McVeigh, Neil Leighton (Business and Environmental Services) and Kate Arscott (Legal and Democratic Services, Secretary to the Local Access Forum)

121 Apologies for absence

Apologies for absence were received from Tom Halstead.

The Secretary informed members of the resignation of John Ainsworth.

122 Minutes of the meeting held on 4 February 2016

Resolved – That the minutes of the meeting held on 4 February 2016 be agreed as a correct record and be signed by the Chair.

123 Matters Arising

With reference to the Schools and Education Project, County Councillor David Jeffels reported that he had met with the Assistant Director - Waste and Countryside Services to discuss the project. He reiterated his commitment to assist with progressing the project now that his period of Chairmanship of the County Council had finished and he would have more time available.

It was agreed that the Chair, Councillor Jeffels and the Secretary would meet with the appropriate officer from Children and Young People's Services to progress the issue.

Sue Raper reported that she had discussed work with schools with the Howardian Hills Area of Outstanding Natural Beauty (AONB) team. They had confirmed that, notwithstanding funding cuts, they continued to carry out a lot of work with schools.

124 Public Questions or Statements

There were no public questions or statements.

125 Increasing the Use of Volunteers and Strategic Partners to Assist with the Delivery of the Countryside Access Service

The Forum considered a report of the Assistant Director – Waste and Countryside Services setting out how the County Council is using volunteers and strategic partners to assist with the delivery of the Countryside Access Service. The report included a review of the recommendations made by a sub group of the Local Access Forum in February 2015, together with a summary of future plans to expand the role of volunteers and strategic delivery partners.

Ian Kelly, Countryside Access Manager, and Sheila Laking, Volunteer Co-ordinator, attended the meeting to present the report and respond to Members' questions. They stressed their commitment to maximising the use of volunteers where possible, but that the context had changed as outlined in the report.

The Forum acknowledged that the authority faced increased constraints in using volunteers compared to the situation in the past, with regard to health and safety matters and liaison with landowners. Officers reassured members that they sought to take a pragmatic approach and not to be overly restrictive.

They were also limited by the reduced level of resources available to manage volunteers in the field on tasks where this was required. Given the limited resources, going forward it was important to channel volunteer efforts into priority areas of work. It was recognised that this could be difficult for some potential volunteers to understand, if they were wanting to help in an area that was not judged as a priority.

The role of recognised groups was discussed. Officers confirmed that it was helpful where such groups have their own insurance and risk assessments etc. However, liability for the work undertaken would still ultimately rest with the Council.

A meeting was taking place later in the day with the Lower Wharfedale Ramblers group to discuss a pilot scheme, which had the potential to be rolled out if successful. Richard Smith confirmed that he was hoping that a model could be developed for North Yorkshire, building on an existing partnership the group already had in place.

It was noted that a group Doug Cartwright was involved with would be interested in this option for the future and may also have some funding available. Other groups may also wish to come forward with self-funded proposals, once the initial pilot has been set up and assessed.

Members were also reminded that some Parish Councils still employed local caretakers or similar roles, and that there may be opportunities to build on this resource.

Overall, the Forum welcomed the report and the willingness on all sides to take a flexible approach to the use of volunteers and resources to maximise impact on the rights of way network. It was agreed to request a progress report in six months' time.

Resolved – That the Forum receives a further progress report in six months' time.

126 Position Statement – Unsurfaced Unclassified Roads (UUR) in North Yorkshire

The Forum considered a statement summarising the current position with regard to the management of Unsurfaced Unclassified Roads (UURs) in North Yorkshire, including details of the current operational management process; longer term management options; and an internal pilot project regarding management arrangements for UURs being trialled in the Scarborough Borough area.

Allan McVeigh, Network Strategy Manager, and Neil Leighton, Team Leader Network Management, attend the meeting to present the document and respond to members' questions. They invited comments from the Forum on the document. They also stressed that requests regarding individual routes are considered on a case by case basis.

Members of the Forum broadly welcomed the document as a useful outline of the current position, acknowledging the challenges that officers faced in the light of increasing recreational use and restricted resources.

Members raised a range of issues in discussion with officers, including:

- Methods of measuring levels of use both before and after in order to assess the effectiveness of voluntary restraints
- Ways of differentiating directional use in measuring the impact of one way voluntary restraints
- Work with user groups to support voluntary restraint, and dismay at those who choose to disregard such initiatives
- The relative merits and costs of temporary and permanent Traffic Regulation Orders
- Confirmation that the Police are consulted on proposals for Traffic Regulation Orders
- Difficulties that can be caused for walkers and cyclists where crushed stone was used for repairs
- Exemptions for local and emergency access
- Work undertaken, for example with timber extraction companies, to limit the damage caused by vehicles and to encourage restoration
- A commitment to review the current pilot project before deciding whether to roll it out

Resolved – That the position statement be noted.

127 Position Statement – List of Streets, Local Street Gazetteer and Definitive Map

The Forum considered a statement summarising the position with regard to the different requirements on the Local Authority to keep a List of Streets, Local Street Gazetteer and Definitive Map and Statement. The statement also included information on the Local Land and Property Gazetteer, Street Works Register and Ordnance Survey.

Allan McVeigh, Network Strategy Manager, and Neil Leighton, Team Leader Network Management, attended the meeting to present the document and respond to members' questions.

Members discussed the various uses of the different resources, including their relevance to the recording of public rights of way by 2026 covered under the next agenda item. They asked about possible access to the Local Street Gazetteer for those Forum members who may be interested.

Resolved – That the position statement be noted and that the Secretary clarifies the route for LAF members to access the Local Street Gazetteer.

128 Recording of Public Rights of Way within the Definitive Map and Statement by 2026

The Forum considered a report of the Assistant Director – Waste and Countryside Services. The report provided a summary of the County Council's position in respect to recording of public rights of way within the Definitive Map and Statement by 2026, as requested by the LAF. It also provided an update on the national position and the delayed publication of regulations to implement the 2026 'cut-off date'. The report confirmed that no specific local authority strategy would be devised until there is greater clarity on the Regulations, although some steps had been taken in preparation of anticipated changes.

Ian Kelly, Countryside Access Manager, and Penny Noake, Principal Definitive Map Officer, attended the meeting to present the report and respond to Members' questions.

Members thanked officers for the update and shared some of their own concerns about the huge amount of work still to be carried out by both local authorities and other interested parties in preparing and responding to applications for including public rights of way in the Definitive Map and Statement by the 'cut-off date'.

Resolved – That the report be noted.

129 Secretary's Update Report

The Secretary presented an update since the last meeting of the Forum, covering the following issues:

- Consultation responses
- Feedback from last meeting on Countryside Access Service Review
- Notification of Open Access restrictions
- National conference and regional meeting
- LAF newsletter and Huddle
- Local Development Plans
- Working Group report
- England Coast Path

The Forum noted the position with regard to the preparation of Local Development Plans by District Councils. A correction was noted with regard to the position in Richmondshire, that the Core Strategy has been adopted as opposed to the Local Development Plan.

The Forum noted that a number of consultations were scheduled to take place between this meeting and the next meeting of the LAF in October. Arrangements were agreed for preparing a response from the LAF to these consultations.

The working group report referred to in paragraph 2.10 of the report was circulated at the meeting. The Forum agreed to the proposal in paragraph 2.5 of the report with regard to collating planning notification and consultation processes for each of the various planning authorities within the LAF area.

Resolved – (a) That the report be noted.

(b) That the relevant District Council liaison representative be authorised to work with the Chair and Secretary of the Forum to prepare a draft response on behalf of the LAF to the Local Development Plan consultations anticipated to take place over the summer of 2016 as set out in paragraph 2.8 of the report. This would then be circulated for consultation by the Secretary and a formal LAF response submitted by the Secretary to meet the deadlines for each consultation, assuming that this is before the LAF meeting on 12 October 2016.

(c) That the Secretary collates information on the planning notification and consultation processes for each of the various planning authorities within the LAF area for circulation to LAF members.

130 Local Access Forum Annual Review

The Forum considered a report of the Secretary presenting the draft annual review form which was required to be submitted to Natural England by 31 July 2016.

It was noted that the membership of the forum should read 18 members including 2 vacancies. Members confirmed the category of Local Access Forum membership they considered they fell into for inclusion in the review.

It was suggested that the influence of the sub group work on the report on volunteering considered earlier in the agenda should be added to the list of achievements.

It was also suggested that it be noted that the Forum was awaiting further information from the government with regard to the 2026 deadline in order to develop its own strategy.

Resolved – That the Secretary amend the draft to reflect the comments made at the meeting, and submit the annual review to Natural England to meet the deadline of 31 July 2016.

131 Local Access Forum Principles and Advice

The Forum considered a report of the Secretary seeking formal confirmation of updated position statements relating to Local Access Forum Principles and advice to District Councils.

Resolved – That members agree the position statements relating to North Yorkshire Local Access Forum Principles and Advice to District Councils as Section 94 (4) bodies.

132 District Council Updates

The Forum considered a report of the Secretary providing an update on liaison with District Councils. The report included information on liaison with Hambleton, Richmondshire and Selby District Councils. Richard Smith confirmed his intention to make contact with Harrogate Borough Council. The Chair emphasised the value of face to face contact in developing good relationships.

Resolved – That the updates on liaison with District Councils be noted.

133 Forward Plan

The Forum considered a report of the Secretary inviting members to identify items of business for future meetings.

Members agreed to the Chair's suggestion that an item on cycling should be included on the agenda for the next meeting.

Members also requested a further update on progress with the Countryside Access Service Review at the next meeting, with particular reference to the areas identified in the final bullet point of paragraph 2.2 of the Secretary's Update Report.

Members confirmed their support for the strategic use of working groups to be commissioned to progress priority issues between formal meetings.

Members were invited to inform the Chair and Secretary of any further proposed issues for future meetings.

Resolved – That the issues identified during the meeting and recorded in the minutes be incorporated into the Forum's Forward Plan.

134 Date of Next Meeting

The next meeting of the Local Access Forum will be held on Wednesday 12 October 2016 at 10 am.

The meeting concluded at 12.10pm.

KA

North Yorkshire**Local Access Forum****23 November 2016****Harrogate District Draft Local Plan Consultation****Report of the Secretary****1.0 Purpose of the Report**

- 1.1 To advise members of the current consultation on the Harrogate District Draft Local Plan and to invite the Forum to consider its response to the consultation.

2.0 Background

- 2.1 Harrogate Borough Council is currently consulting on its draft Local Plan.
- 2.2 The draft Local Plan provides details of:
- Draft development management policies
 - Draft allocations for housing, employment and Gypsy and Traveller sites
 - Options for a new/expanded settlement for the district
 - Draft allocations for Local Green Spaces
 - Draft development limits for settlements
- 2.3 The Council is also consulting on the following documents:
- Harrogate District Draft Sustainability Appraisal
 - Harrogate District Draft Local Plan Habitat Regulations Assessment
 - Harrogate District Draft Local Plan Equality Analysis Report
 - Strategic Housing and Economic Land Availability Assessment
 - Provision for Open Space Supplementary Planning Document (SPD)
- 2.4 The new Local Plan will cover the period 2014-2035. When adopted it will replace the Local Plan (2001), Selective Alteration (2004) and the Core Strategy (2009).
- 2.5 Harrogate Borough Council has invited the North Yorkshire Local Access Forum to participate in the consultation. The consultation can be viewed here:
- <http://consult.harrogate.gov.uk/portal/pp/lp/dlp>
- 2.5 James Langler, Principal Planner, Harrogate Borough Council, will attend the meeting to give a brief presentation on the Draft Local Plan and to respond to Forum members' questions. It is hoped that this will be useful in helping the Forum to consider the contents of any formal response it wishes to submit as part of the consultation process.

3.0 Responding to the consultation

- 3.1 The closing date for the consultation is 4.30pm on Friday 23 December 2016.
- 3.2 It is suggested that the Forum adopts a similar approach to that applied for other recent consultations – ie that the relevant District Council liaison representative and the Secretary work together to draft a summary of the Forum's views based on the

discussion at the meeting, and adding any additional issues arising from consideration of the consultation documents. The draft response will then be circulated by email for members' comments prior to formal submission on behalf of the Forum by the given deadline.

4.0 Recommendations

- 4.1 That the Local Access Forum considers the content of any response it wishes to submit to the Harrogate District Draft Local Plan consultation.
- 4.2 That the relevant District Council liaison representative and the Secretary prepare a draft formal response to the consultation, and circulate it by email for members' comments prior to submission on behalf of the Forum.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Kate Arscott, Secretary to North Yorkshire Local Access Forum

Background Documents: None

North Yorkshire

Local Access Forum

23 November 2016

Hambleton Draft Local Plan Consultation – Preferred Options

Report of the Secretary

1.0 Purpose of the Report

- 1.1 To advise members of the current consultation on the Hambleton Draft Local Plan and to invite the Forum to consider its response to the consultation.

2.0 Background

- 2.1 Hambleton District Council is currently consulting on its draft Local Plan for the District, which will cover the period up to 2035. The current consultation on Preferred Options sets out the Council's preferred spatial approach and preferred policy approach for the emerging Local Plan.

- 2.2 The response to the consultation will help to shape the final version of the Local Plan which will be submitted for independent examination in late 2017.

- 2.3 Hambleton District Council has invited the North Yorkshire Local Access Forum to participate in the consultation. The consultation can be viewed here:

[Preferred Options Consultation Part 1](#) sets out the Council's Preferred Policy approach which will help to shape policies for determining planning applications in the new Local Plan.

Part 2 sets out the Preferred Options for new development, including preferred sites for new housing and employment and leisure and greenspace designations across the District up to 2035. Due to the size of the document it has been split into five Sub Areas of [Northallerton](#), [Thirsk](#), [Bedale](#), [Easingwold](#) and [Stokesley](#).

The full assessment of the first tranche of proposals submitted for Local Green Space can be viewed [here](#).

- 2.4 Jennine Nunns, Planning Policy Officer, Hambleton District Council, will attend the meeting to give a brief presentation on the Draft Local Plan and to respond to Forum members' questions. It is hoped that this will be useful in helping the Forum to consider the contents of any formal response it wishes to submit as part of the consultation process.

- 2.6 Members will recall that the Forum responded to an earlier stage of consultation, the Local Plan Issues and Options stage, in February 2016 (copy attached). Feedback on the contribution from the Forum has been requested as part of the input at the meeting.

3.0 Responding to the consultation

- 3.1 The closing date for the consultation is 5.00pm on Monday 12 December 2016.

- 3.2 As the District Council liaison representative is not currently available, it is suggested that the Secretary co-ordinates a draft summary of the Forum's views based on the discussion at the meeting, incorporating the initial observations already provided by the representative and adding any additional issues raised by Forum members arising from consideration of the consultation documents. The draft response will then be circulated by email for members' comments prior to formal submission on behalf of the Forum by the given deadline.

4.0 Recommendations

- 4.1 That the Local Access Forum considers the content of any response it wishes to submit to the Hambleton Draft Local Plan consultation.
- 4.2 That the Secretary co-ordinates a draft formal response to the consultation, and circulates it by email for members' comments prior to submission on behalf of the Forum.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Kate Arscott, Secretary to North Yorkshire Local Access Forum

Background Documents: 2016-02-19 LAF Submitted comments on HDC Issues and Options Consultation

NORTH YORKSHIRE LOCAL ACCESS FORUM

These comments constitute formal advice from the North Yorkshire Local Access Forum. Hambleton District Council is required, in accordance with section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to relevant advice from this forum in carrying out its functions.

Hambleton District Council Local Plan Issues and Options Consultation

Comments of the North Yorkshire Local Access Forum

Introduction

North Yorkshire Local Access Forum considered the Issues and Options consultation on the Hambleton District Council Local Plan at its meeting on 4 February 2016. The following response has been agreed by Forum members following the meeting.

Supporting Economic Growth (page 4)

Q1. Are there any other issues regarding economic growth which you think should be included?

A: The LAF commends the recognition of the opportunities and need for encouraging growth of the Tourism industry and the diversification of agriculture and stresses the value of rights of way and safer travel modes to support these ambitions. Applications for fracking should have due regard to impacts on public rights of way and the enjoyment of the countryside.

Supporting Housing Growth (page 5)

Q2. Are there any other issues regarding housing growth which you think should be included?

A: The LAF acknowledges the strategy that Hambleton has outlined, but would emphasise that wherever and whatever development is favoured, there should be an ambition to ensure there is sustainable connectivity so that new development is not isolated, with all the negatives that derive from this.

Managing our Environment (page 6)

Q3. Are there any other issues regarding managing our environment which you think should be included?

A: The LAF suggests adding 'applications for fracking and wind turbines should have regard to potentially adverse effects on users of rights of way.'

Improving Transport (page 7)

Q4. Are there any other issues regarding improving transport which you think should be included?

A: The LAF commends the text, but would prefer the last bullet point to be amended to read 'more provision needed to support journeys by the non-motorised and community transport'

Creating Better Places (page 8)

Q5. Are there any other issues regarding creating better places which you think should be included?

A: The LAF feels the application of the strategy for Health and Wellbeing in North Yorkshire is very significant given the importance of healthy lifestyle to economy and place. The Plan should highlight recreational 'space', rather than 'activities' because space can either be for organised or for informal use.

The list of issues, challenges and opportunities arising from the initial engagement exercise includes the statement 'the environments of our towns are key assets'. The LAF believes that it is important to recognise that the countryside environment is also a key asset of the District.

Q6. Do we agree with the main topics covered by questions 1-5?

A: Yes. However, the LAF would like to see a stronger reference to outdoor recreation and walking, including recognition of the contribution of such activity to tourism.

Q7. Are there any other topics you think should be included within the Plan?

A. No

Q8. Are there are other issues regarding cross-boundary matters which you think should be included?

A: What about the River Tees Rediscovered project, or matters of cross-border tourism?

Section 3 Hambleton's Growth (page 10)

Section 4 Number of Homes and Jobs (page 13)

Section 5 Where should Development go? (page15)

Conclusion

We hope you will find our suggestions constructive which are offered under the LAF's remit to advise section 94(4) bodies. We should also like to engage further on any particular issues arising from this consultation, and look forward to your feedback.

Feedback

The Forum requests feedback on the above advice. Please provide this to the Secretary to the Local Access Forum – kate.arscott@northyorks.gov.uk

19 February 2016

North Yorkshire**Local Access Forum****23 November 2016****Joint Minerals and Waste Plan Consultation - Publication****Report of the Secretary****1.0 Purpose of the Report**

- 1.1 To advise members of the current consultation on the Joint Minerals and Waste Plan and to invite the Forum to consider whether it wishes to respond to this phase of the consultation.

2.1 Background

- 2.1 North Yorkshire County Council, City of York Council and the North York Moors National Park Authority are working together to produce a Minerals and Waste Joint Plan which will cover the period up to 2030.
- 2.2 A number of public consultations have already taken place to help develop the new Plan, including an 'Issues and Options' consultation in 2014 and a 'Preferred Options' consultation in 2015.
- 2.3 A final draft of the Joint Plan has now been prepared and has been published for a six week period to allow for representations to be made, before it is submitted for examination in public by an independent planning inspector. At this stage only representations relating to the legal compliance and soundness of the Joint Plan are required.
- 2.4 The North Yorkshire Local Access Forum has been invited to participate in the consultation. The consultation can be viewed here:
www.northyorks.gov.uk/mwconsult
- 2.5 Rachel Pillar, Senior Planning Policy officer for North Yorkshire County Council, will attend the meeting to introduce the consultation and to respond to Forum members' questions. It is hoped that this will be useful in helping the Forum to consider the contents of any formal response it wishes to submit as part of the consultation process.
- 2.6 Members will recall that the Local Access Forum considered the Preferred Options consultation at its meeting on 4 December 2015 and submitted a formal response to the consultation. A summary of the responses to the Forum's formal comments is attached.

3.0 Responding to the consultation

- 3.1 The closing date for the consultation is 5.00pm on Wednesday 21 December 2016.
- 3.2 At this stage of the Plan's development, the consultation process is limited, and the officer attending has been asked to explain the remit of this current phase of

consultation in order that any comments the LAF decides to formally submit are channelled appropriately.

- 3.3 It is suggested that the Secretary co-ordinates a draft summary of the Forum's views based on the discussion at the meeting, adding any additional issues raised by Forum members arising from consideration of the consultation documents. The draft response will then be circulated by email for members' comments prior to formal submission on behalf of the Forum by the given deadline.

4.0 Recommendations

- 4.1 That the Local Access Forum considers the content of any response it wishes to submit to the Minerals and Waste Joint Plan – Publication consultation.
- 4.2 That the Secretary co-ordinates a draft formal response to the consultation, and circulates it by email for members' comments prior to submission on behalf of the Forum.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Kate Arscott, Secretary to North Yorkshire Local Access Forum

Background Documents: 2016-02-19 LAF Submitted comments on Jt MW Plan preferred sites consultation

Summary of responses to the LAF's comments on the Minerals and Waste Joint Plan – Preferred Options Consultation

Extract from report to North Yorkshire County Council Executive – 18 October 2016

2192 Local Access Forum

DNS

004: Vision Q02 0889 The 'range of benefits for local communities' should specifically refer to restoring/maintaining the connectivity of local access in the same way it included 'connecting habitats' for the benefit of wildlife.

Response to comment: *Agreed that this should be referenced in the text*

2192 Local Access Forum

DNS

005: Objectives Q03 0952 A specific reference to access should be added to Objective 9 and Objective 11.

Response to comment: *It is agreed that this should be referenced in the objectives but would be best achieved by a revision to objective 11.*

2192 Local Access Forum

S

D01 Q04 0953 The presumption in favour of sustainable development leads MPAs to use 106 agreements to ensure that mineral extraction and subsequent site restorations are sustainable.

036: Presumption in Favour of Sustainable Development

This should include maintenance, or temporary diversion and final reinstatement of rights of way across an area of mineral extraction.

There are large areas of suspended quarry extraction where PROW have been diverted for many years and loss of wildlife habitat in hedgerows and fields.

Response to comment: *Restoration is covered in Policy D10 and protection of PROW covered by Policy D2.*

D02

Q04 0954

Do not support replacing policy 4/15 with policy D02 as it does not provide the same level of protection.

037: Development Management
Criteria

Section 130 of the 1980 Highway Act there is a duty to assert and protect the rights of the public to the use and enjoyment of any highway. This poses a problem where a planning application conflicts with existing rights of way. Policy D02 needs rewording to reflect this duty.

'Adverse effects to rights of way' is too imprecise a term open to uncertain interpretation and could result in inadequate protection of existing rights of way around the site.

Suggest after the words 'cumulative effects' a new sentence is added 'PROPOSALS THAT CONFLICT WITH AN EXISTING RIGHT OF WAY OR IMPINGE ON THE SAFETY AND WELL-BEING OF THOSE USING THE RECREATIONAL NETWORK, WILL ONLY BE PERMITTED WHERE SATISFACTORY PROVISION HAS BEEN MADE FOR ALTERNATIVE ARRANGEMENTS BOTH DURING AND AFTER WORKING.'

As the provision for the National Parks is covered by the sustainability appraisal, these have not been specifically mentioned in the recommended text.

Response to comment:

It is agreed that the content of the additional wording should be referred to in the supporting justification for the policy for clarity.

D03

Q04 0955

There are unlikely to be many sites where there is an alternative to road transport which can be used. The effects that heavy traffic has on local amenity, especially for non car users, has not been sufficiently addressed in the assessment criteria.

037: Development Management
Criteria

Unsurfaced roads and bridleways can be used as access to sites, but are too narrow for HGVs and other road users to pass safely, and associated noise and dust will detract from the recreational enjoyment of the countryside.

Suggest adding another bullet point: ACCESS ARRANGEMENTS MUST MAKE SAFE PROVISION FOR THE NEEDS OF NON-MOTORISED ROAD USERS TO, AROUND OR ACROSS THE SITE, WHO MAY SUPPRESS THEIR JOURNEYS IF THE ADVERSE EFFECTS OF QUARRY TRAFFIC ARE NOT ADEQUATELY MANAGED.

Response to comment:

It is agreed that reference should be made to needs for non-motorised users.

2192 Local Access Forum DNS

D04 Q04 0956 The maintenance of connectivity and continuity in the local access network is an 'important asset' that should be protected under the terms of this policy and a bullet point included.

038: Protection of Important Assets

Response to comment: *This point is covered under policy D02.*

2192 Local Access Forum DNS

D07 Q04 0957 The maintenance of connectivity and continuity in the local access network is an 'important asset' that should be protected under the terms of this policy and a bullet point included.

038: Protection of Important Assets

There needs to be suitable access for the public to enjoy biodiversity and geodiversity.

Response to comment: *PROW and public open space is covered under policy D02.*

2192 Local Access Forum DNS

D10 Q04 0958 The policy needs rewording, instead of 'Proposals will be permitted...' it should be 'Proposals will be REQUIRED...'

040: Reclamation and Afteruse

One of the principal problems in the areas of extensive mineral extraction is securing effective and appropriate restoration, a much more positive policy is required. This is acknowledged in paragraphs 9.74 and 9.75 but it is not carried through into the working of policy D10.

All applications for sites should include detailed restoration proposals, where sites are extensive proposals for phased restoration should be required. The Policy should clearly indicate that minerals operators will be required to enter into section 106 agreements to underpin planning conditions requiring such measures. The policy should be reworded to address the concerns above.

Para 9.75 advises that the NPPF states that 'bonds and financial guarantees to underpin planning conditions should only be sought in 'exceptional circumstances'. It would be helpful if policy D10 acknowledged that this option is available and indicated what are 'exceptional circumstances' in which it would seek such bond guarantees.

Response to comment: *Requirements for phased restoration and for longer term management is already referenced in part one vi and vii of the policy and in the relevant supporting text, including reference to use of s.106 agreements.*

2192 Local Access Forum

DNS

044: Site Allocations

0959 Section 130 of the 1980 Highway Act there is a duty to assert and protect the rights of the public to the use and enjoyment of any highway. This poses a problem where a planning application conflicts with existing rights of way. Policy D02 needs rewording to reflect this duty.

Cumulative effects in areas where there are several sites need to be taken into consideration in terms of landscape and amenity.

In the site proformas the heading regarding restoration is 'Possible Site Restoration (if applicable). This seems to imply that reinstatement is an optional extra, so operators less likely to provide this information. Recommend changing the title to 'PLANS AND TIMESCALE FOR REINSTATEMENT/AFTER USE'

Policy D10 should be reworded. The suggestion of section 106 agreements and bonds to ensure compliance is also strongly recommended. Should consider a Community Infrastructure Levy to recompense communities.

Response to comment:

The issues of impact on rights of way and cumulative effect of development will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The 'restoration' heading is so phrased to recognise that some of the site submissions are on sites with existing permanent planning permissions as at Site WJP13. It is not possible for the County Council to collect CIL from mineral operations as it is not a CIL collection authority.

2192 Local Access Forum

DNS

MJP03 Q14
044: Site Allocations

0979 The access is along a bridleway and there will be impact on the users with no opportunity for passing places or alternatives.

Response to comment:

The MJP03 site has been withdrawn.

2192 Local Access Forum

O

MJP04 Q14 0960
044: Site Allocations

This site should not be preferred. The proposed quarry crosses bridle paths and footpaths which cannot easily be rerouted. If the rights of way were avoided there would still be an impact from noise, dust and loss of wildlife habitat.

Since there is a lack of off-road routes for recreation in the area there would need to be further detailed discussions prior to permission being granted.

Response to comment:

The MJP04 site has been withdrawn.

2192 Local Access Forum

DNS

MJP06 Q14 0961
044: Site Allocations

The cumulative effects are disproportionately negative on habitat, recreational users of the rights of way and local lanes. Restoration should be defined before permission is given.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. Restoration details would be required as part of any planning application.

2192 Local Access Forum

DNS

MJP14 Q14 0962
044: Site Allocations

There is no possible re-routing of the lorry access, unless by parallel track, but the peace and pleasure of this section of the promoted Rowel Way would be diminished. More detailed discussion regarding access would be required before permission was granted.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

DNS

MJP15 Q14 0963 What are the plans to restore this mothballed site.

044: Site Allocations

Response to comment:

The proposed restoration is referred to in the site table. Reference is also made to the current planning application NY/2011/0465/73 which is awaiting determination.

2192 Local Access Forum

DNS

MJP17 Q14 0964 There is a bridleway which runs across the centre of this site which must be retained. The bridleway from Ghyll Lane to Leases Lane (new, in connection with the A1 upgrade) is not shown on the plan. Detailed access plans must be approved before the site is progressed.

044: Site Allocations

Response to comment:

Issues raised regarding bridleways and access will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

DNS

MJP21 Q14 0965 Previously advised that all new access's should be as inclusive as possible. In view of the cut off date for rights of way it is expected that proposed 'permissive walkways' are made into dedicated bridleways, if this occurred the gain could be seen as some recompense for noise, dust etc. during the life of the quarry working.

044: Site Allocations

The traffic arrangements for linking to the Local Access Road have been ignored so should be revisited so non motorised users of Low Lane are not put at risk.

The connecting bridge across the Swale should be left after the operation is complete as a benefit to the community, but this is not mentioned in the details.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

DNS

MJP33 Q14 0966
044: Site Allocations

The connecting bridge across the Swale should be left after the operation is complete as a benefit to the community, but this is not mentioned in the details.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

DNS

MJP37 Q14 0967
044: Site Allocations

Should this site be reconsidered the sensitive access measures should be agreed before any permission is considered.

Response to comment:

Noted. If the site was reconsidered the issues raised would be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

O

MJP38 Q14 0968
044: Site Allocations

The site has a short life, would not unduly impact on the local roads or rights of way, and should have been one of the preferred sites.

Response to comment:

It is considered the site would be likely to have significant adverse impacts, particularly on the historic environment to the south-west of West Tanfield and on local amenity. The site is only capable of making a small contribution to requirements and other options are more appropriate.

2192 Local Access Forum

DNS

MJP39 Q14 0969
044: Site Allocations

Any reconsideration of this site should ensure that the rights of way are preserved together with mitigation measures for the loss of tranquillity and habitat.

Response to comment:

Noted. If the site was reconsidered the issues raised would be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

DNS

MJP41 Q14 0980
044: Site Allocations

No problem with access or rights of way.

Response to comment:

Noted.

2192 Local Access Forum

DNS

MJP43 Q14 0970
044: Site Allocations

The applicants will not be aware that NYCC propose to make a non motorised route north of the bypass, almost parallel with the bypass from Hamhall Lane to Low Street, using an existing farm track and the access to the balancing pond just east of Low Street. This is part of the plans for building the bypass.

The site application incorporates this proposed route at the eastern end of the proposed workings, just north west of the railway line. One of the suggested accesses is off the bypass, there should be some recognition and allowance made for the NMU route, if this is not done would not approve of the application.

The total area of the proposed site will dramatically alter the landscape because of its size, there will be an environmental impact on current users of the area. Detailed discussions should be required so the NMU track is not jeopardised.

Response to comment:

The 7 engineering layout drawings that identify for the non-motorised route adjacent to the bypass are public documents accessible on the NYCC online planning register within case reference NY/2010/0126/ENV. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192	Local Access Forum					O
	MJP46	Q14	0971	Do not support the discounting of this site as there would be a large community benefit of having the connecting bridge.		
	044: Site Allocations					
	Response to comment:	No bridge was proposed in connection with the MJP46 site.				
2192	Local Access Forum					DNS
	MJP49	Q14	0972	Need clarification regarding how the public rights of way will be protected with the quarry planned to operate both sides of this footpath as a diversion is not possible.		
	044: Site Allocations					
	Response to comment:	Noted. If the site was reconsidered the issues raised would be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.				
2192	Local Access Forum					S
	MJP53	Q14	0973	Negative impacts on NMUs too great to reconsider this site.		
	044: Site Allocations					
	Response to comment:	Noted.				
2192	Local Access Forum					DNS
	MJP55	Q14	0974	Concerned no reference is made to the Trans Pennine Trail, which runs through the middle of this site, in the mitigation measures. The people who use the rights of way are not given consideration in minerals and waste applications. Protection of rights of way should be agreed prior to permission being granted.		
	044: Site Allocations					
	Response to comment:	The Trans Pennine Trail is the 'leisure route' referred to in the MP55 sensitivities and mitigation sections in Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.				

2192 Local Access Forum DNS

MJP57 Q14 0981 This site has disappeared from Appendix 1.

044: Site Allocations

Response to comment: *The MJP57 site was withdrawn prior to the publication of the Preferred Options consultation in November 2015 so was not included in the consultation document.*

2192 Local Access Forum S

MJP58 Q14 0982 Negative impacts on NMUs too great to reconsider this site.

044: Site Allocations

Response to comment: *Noted.*

2192 Local Access Forum DNS

MJP59 Q14 0975 Rights of way issues to be fully resolved and detailed if this site is to be reconsidered.

044: Site Allocations

Response to comment: *Noted. If the site was reconsidered the issues raised would be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

2192 Local Access Forum

DNS

MJP60 Q14 0976
044: Site Allocations

The cumulative impact of yet more quarrying in the locality could be justified if one of the nearby application sites is withdrawn due to loss of habitat, landscape features, safety on Low Lane and recreational pleasure will far outweigh the gain from mineral extraction. No mention is made of the bridleway running right through the site.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The right of way through the site is a footpath, not a bridleway.

2192 Local Access Forum

DNS

MJP61 Q14 0978
044: Site Allocations

Planning permission was granted in July 2015, how have the rights of way on this site have been protected and what mitigation has been provided.

Response to comment:

The MJP61 site submission was withdrawn prior to the Preferred Options Consultation in November 2015. The presence of the footpath was taken into account in the determination of the planning application NY/2014/0204/FUL. Details of the mitigation measures can be found within the application details and decision notice.

2192 Local Access Forum

DNS

WJP07 Q14 0983
044: Site Allocations

This site is missing from the assessments of site preferences.

Response to comment:

Site WJP07 was withdrawn prior to the publication of the Preferred Options in November 2015 so was not included in the consultation document or the assessments. Assessment was however made separately of the WJP22 site submission.

WJP23 Q14 0977 Has vanished from the site assessments.

044: Site Allocations

[Response to comment:](#)

Details of WJP23 were published on pages 81-83 of Appendix 1 to the Preferred Options Consultation, but the site has now been withdrawn and a new site submitted (to be referenced WJP24) which will be subject to consultation.

North Yorkshire County Council**North Yorkshire Local Access Forum****23 November 2016****Countryside Access Service Review Update****Report of the Assistant Director – Transport, Waste and Countryside Services****1.0 Purpose of Report**

- 1.1 To provide NYLAF with an update on progress on a comprehensive review of the Public Rights of Way Service following a restructure carried out in 2015.

2.0 Background

- 2.1 Under the auspices of the North Yorkshire 2020 programme, Waste and Countryside Services undertook a restructuring exercise in December 2014 – March 2015 to move the service to a ‘minimum standards’ position. The restructure removed 3FTE front line Public Rights of Way (PRoW) staff. The new staffing structure for the PRoW team became operational in October 2015. The team now has a Principal Officer, four Public Rights of Way Officers, two Field Officers and a Technical Officer shared with the Definitive Map Team. The saving also removed £105k from PRoW maintenance and operational budgets.
- 2.2 In Autumn 2015 the team started a fundamental review of its purpose and operational work models and practices, with the aim of ensuring that the savings made are sustainable in the long run and that the service meets its statutory responsibilities while providing the best level of service for the available funding.
- 2.3 The review being carried out is a ‘root and branch’ review of the PRoW Service and how the Council delivers its responsibilities for management of public rights of way. The intention is that this review will lead to more transparency over why we do what we do, and therefore why we don’t do other things. An important part of this approach is the development of service standards which will be published towards the end of the programme.
- 2.4 The NY Local Access Forum received a detailed report on initial route prioritisation proposals in February 2016. North Yorkshire County Council BES Executive Members received an update report in April 2016. Executive Members were happy that the review should continue along the lines set out. North Yorkshire Transport, Economy and Environment Scrutiny Committee received a report in October 2016 and were supportive of the approach being taken.

3.0 Update on Review Progress at October 2016

3.1 Paragraph 3.2 sets out the scope of the review programme, and provides an update on what has been achieved to date. Sections 5, 6 and 7 provide more detail on three key elements of the review.

3.2 The workstreams within the review of the Public Rights of Way service are:

3.2.1 To refresh the service's policy framework.

Update: A proposed updated policy statement has been prepared. In practice the proposed new statement is little changed from the old.

3.2.2 To deliver a revised, comprehensive and transparent route categorisation of all the paths on the network, resulting in publishing a category map of the entire network on the Council website for the first time.

Update: The NY Local Access Forum provided comments on an initial route categorisation proposal at their February meeting. Those proposals have since been mapped in detail. The mapping exercise suggested that the initial proposals were too complex and included too many path characteristics. The proposals have been simplified and remodelled. Section 5 provides more detail. The proposals are ready for public consultation to begin once support resources are available. An 8-week consultation is envisaged to allow all interested parties enough time to provide their comments.

3.2.3 To refresh the model used by the team to prioritise the resolution of defects reported to it.

Update: The existing issue prioritisation model has been examined and alternatives discussed. The conclusion is that the existing model has the benefit of being simple and familiar, and therefore only very minimal change is proposed to the model the team uses to prioritise its response to customer reports of defects. This will therefore not be the subject of public consultation.

The three factors that contribute to prioritising our response to a report of a defect will remain:

- *The category of the route (ultimately including an element of community value),*
- *The effect that the reported defect has on the ability of people to use the network,*
- *The health and safety risk posed by the reported defect i.e. potential severity of injury x likelihood of injury.*

The introduction of a new route categorisation model will change the specific scores assigned to individual reported defects. The model ensures that while in general defects on higher category paths will be prioritised, defects that cause a risk to the public and defects that stop people using paths will tend to come to the top of the pile for attention even when they are on lower category paths.

- 3.2.4 To revise all existing detailed work processes to ensure consistently efficient approaches are taken to reported network defects. New procedures will be developed for all of the 'volume' issue types reported by customers.**

Update: Work has been undertaken on almost all of the service's work processes. A more detailed update on this element of the review is provided in section 6 and the Forum is invited to comment on the direction of travel.

- 3.2.5 To ensure that the service maximises the benefit from the continuing support of its existing group of countryside volunteers, by ensuring that the volunteer role is set out clearly within the new working procedures, and by ensuring that we manage our offer to the volunteers and other groups more efficiently.**

Update: All of the work undertaken to this point to develop revised working processes have included an important role for the countryside volunteers, and have brought the countryside volunteers into the flow of work processes. The task of working through the existing procedures has reinforced the desire within the service for countryside volunteers to play a key role in supporting the service to work more efficiently.

- 3.2.6 To decide on the future of the team's core IT system.**

Update: A systems appraisal has been undertaken and considered, but was not conclusive. NYCC Technology and Change has been asked to undertake a further comprehensive analysis of the current and future benefits of either maintaining and investing in the current system, or transferring to an alternative system that would need to be developed but that could offer significant potential synergies with the system currently used by NY Highways. In the meantime the team is continuing to use the current system.

- 3.2.7 To explore the potential to make use of new IT functionality around managing volunteers, enforcement activity, mobile working and statutory reporting.**

To develop integrated on-line defect reporting for customers, to reduce administrative work and to provide better real time feedback for customers.

Update: No progress has been made on these items as they are dependent on a decision regarding the team's core IT system. Both system options will be able to support these objectives.

- 3.2.8 To examine how we can work with existing community and user groups who want to work on maintaining or improving the network.**

To set out our approach to requests from communities to improve the network to ensure consistency in response and that expectations are realistic.

Update: Progress has been made to develop a pilot with the Lower Wharfedale Ramblers Group who are keen to support the service by undertaking practical maintenance and improvement tasks on the network within an area comprising 17 parishes. We hope that this pilot will inform our approach to improving the network. Further detail is provided in section 7.

3.2.9 To set out a published statement of service standards.

Update: A statement of service standards will be developed and published once the prioritisation and new working processes have been implemented.

4.0 Review Timetable.

4.1 While progress has been made, the review programme has fallen behind its initial timetable. The route categorisation work in particular has taken longer than expected due to technical difficulties in mapping the network and conflicting pressures within and outside the service area. Table 1 sets out a revised outline timetable for key expected activity relating to the route categorisation and process review elements of the review programme.

Table 1: Review programme – revised outline timetable

Autumn 2016	Develop detailed proposals around the proactive seasonal vegetation programme.
Autumn 2016 to Winter 2016/17	Public consultations on: <ul style="list-style-type: none">• approach to route categorisation;• principles applying to the proactive seasonal vegetation programme.
Winter 2016/17 to Spring 2017	Implementation of route categorisation, with knock on effect on issue prioritisation.
Through to Summer 2017	Ongoing programme of process reviews relating to the majority of reported defects.
Through to Summer 2017	Implementation of process reviews, following agreement of a categorisation model following public consultation.
2017/18	Develop workable proposals on the detailed measurement of community value.

5.0 Approach to Route Prioritisation.

5.1 Overview of the Proposed Approach to Route Categorisation

The aim is to assign and then publish a route category for every section of path across the network. We have considered a range of options, and propose the following model with the following key elements:

- We will continue to manage the network based on 'Links' – sections of paths.
- Each link will have a category assigned.
- Eventually, a category banding will be assigned to each link based on a total points score which will be the sum of (a) a points score assigned for the characteristic of the route, and (b) a points score assigned for the value placed in the route by the community.
- We will assign a category banding to each link. This will be mapped and published on the website.
- The category will be assigned based on the distribution of scores once all links have been scored, and on the capacity level within the service.

- The category rating will then form part of the issue prioritisation model.

5.2 This approach has been proposed because we think:

- that it is a transparent approach to assessing the entire network;
- that the inclusion of community value in the model will focus attention and resource onto parts of the network that will provide greatest benefit and value per pound spent.
- that it provides a means to alter obviously perverse and incorrect categorisations over time.

5.3 While we believe that the aim to measure and include community value remains valid, measuring the value that different communities place on different types of footpath is complex. We will need to define what we mean by community value and how to measure it objectively.

5.4 Therefore, the intention is to initially implement the new route categorisation based on the characteristic score alone. Then over time we would seek to add a measure of community value into the model in a way that provides real differentiation between routes which are genuinely valued above others.

5.5 Detailed Route Prioritisation Proposals: Characteristics

Table 2 contains the proposed characteristic scores to be applied. It shows the type of characteristic that we consider important, how that characteristic is to be defined, and the score linked to each defining characteristic. Many paths and sections of route are multi-faceted in nature and could fall into more than one of the defining characteristics set out below. It would be possible to give a multi-faceted section or path points for each of its characteristics. However this would make the model much more complex. Therefore we have opted for a 'key characteristic' model that will assign one score to each path based on its highest scoring characteristic. The characteristics chosen have the advantage of being factually objective. They can all be mapped using currently available datasets.

Table 2: Path characteristic scores

Path characteristic	Defined by / as	Score
National Trail	Defined by Natural England	10
National Cycle Network	Defined by Sustrans	
Safe routes to schools	Rights of Way that coincide with the SRTS network. Only included within 3km of secondary school and 2km of primary schools. Usually surfaced routes providing alternative direct pedestrian / cycle route from population centres to schools avoiding busy roads or roads without a footway. Just that section of the route defined as a SRTS scores 10.	
Routes within urban areas	Routes mostly within a development limit of service centres/large villages. The whole length of the route is classed as a 10.	
NYCC promoted routes	A number of routes promoted by NYCC. This list will be subject to review over time	8

Routes within 1km of urban fringe	Routes that lie within 1km of the development limit of service centres/large villages. The whole length of the route scores 8.	
Multi-user trails	Largely barrier free, surfaced strategic routes that can be used by walkers but which are also good for cyclists and horse riders either linking communities or over 5km in length. For example Nidderdale Greenway.	
Routes within 1km of village centres.	Paths that lie within a radius of 1km from a village centre. The whole length of the route scores 6.	6
Routes within AONBs	As defined by Natural England	
Routes along main rivers and canals	As defined by the Environment Agency	
Routes avoiding A and B class roads	Routes within 50m of an A or B class road that run parallel and offer an alternative route.	
Routes onto access land	As defined by Natural England	
Other routes	Routes that don't have any of the other characteristics	4

5.6 The modelling undertaken has not pointed to any obviously unreasonable or perverse results overall. The Local Access Forum, while understanding the benefits of operating within a 'strong' model, felt it desirable for officers to have a degree of flexibility at the local level. We therefore intend to develop and operate a mechanism by which officers can amend path category scores within the model in order to recognise specific local characteristics and amend any obvious local anomalies.

5.7 Table 3 illustrates the proposed breakdown of the network into four category bandings:

Table 3: Path Characteristic Categorisation.

Path characteristic	Length (km)	Characteristic Score	Path Categorisation
National Trail	87.5	10	Category A (15.1%)
National Cycle Network	260.2	10	
Safe routes to schools	411.7	10	
Routes within urban areas	161.7	10	
NYCC promoted routes	609.7	8	Category B (21.4%)
Multi-user trails	65.3	8	
Routes within 1km of urban fringe	633.5	8	
Routes within 1km of village centres.	2211.6	6	Category C (45.9%)
Routes within AONBs	411.8	6	
Routes along main rivers and canals	74.1	6	
Routes avoiding A and B class roads	4.5	6	
Routes onto access land	102.8	6	

Other routes	1077.5	4	Category D (17.6%)
Total	6112		100%

6.0 Review of Working Procedures.

6.1 One objective of the review is to ensure that the newly structured team has clear and consistent procedures in place to prioritise cases, resolve cases on the ground, and review, close or resolve the backlog of cases.

6.2 To this end, work is being undertaken on a rolling programme of procedure reviews. Some procedures exist but are outdated and have fallen into disuse. Work has been undertaken to review the service's approach to the following issue types:

- a) Ploughing and cropping
- b) Obstruction / approach to enforcement
- c) Furniture - gates and stiles
- d) Signposting
- e) Waymarking
- f) Seasonal vegetation
- g) Bridge inspection

Defect reports falling broadly within these categories make up about 85% of the reports received by the PRoW team.

6.3 A number of proposals have emerged on how to deal with defects better in future:

- a) We will triage reports initially in order to prioritise them more consistently and close out cases that are invalid.
- b) We will seek to ensure that work is undertaken at the appropriate level within the team – for example by making more use of Technical Administrative resource, and by passing cases on to PRoW team officers only when full information is available.
- c) Volunteers will be asked to undertake activities that help the service react to defects reported to us – in particular undertaking site inspections to act as the service's 'eyes and ears' on the ground.
- d) Volunteers will become an integral part of the thinking of team staff when faced with an issue to resolve, and staff will use volunteers more consistently.
- e) We will ask landowners to take more responsibility.
- f) We will move to enforcement action more quickly within the procedures. We cannot afford to go back and forth numerous times before taking action or requiring landowners to undertake necessary works.

6.4 To provide an example of the sort of issues we are considering, Table 4 sets out the approach envisaged to deal with reports of routes obstructed due to ploughing and cropping activities. This includes desired outcomes together with potential risks and issues to consider at each step. The table shows that we will seek to have the appropriate officers undertake appropriate work, seek to reduce the need for officers to undertake site inspections and visits, and place more emphasis on landowners to do what they should be doing.

Table 4: Ploughing and Cropping draft processes.

Step	Outcome, issues and risks
Customer sends a report of a P&C issue on the network, logged accurately within the system.	There is scope to encourage customers to send us a photo of the issue? This would reduce need for inspection. Potential to improve the advice offered on the NYCC website.
Initial screening undertaken by Technical Administrative staff instead of PRow team officers. Is there a photo, is the report valid, do we know the landowner details?	Desire to ensure that as much information is available as possible before PRow team officers gets involved in a case
If landowner not known PRow team officer tries to find the information.	Potential to put less effort into this activity for low priority paths.
A standard letter is sent to the Landowner where known asking them to reinstate within 14 days. Ask them to send us a dated photo once they have undertaken any reinstatement work, and inform them of intention to take enforcement action to reinstate the route and seek to recover costs and to inform Rural Payments Agency of the situation.	We are going to take reports that appear valid at face value and contact known landowners without prior inspection. Risk that the report is incorrect. A proportion of cases will be resolved through this action alone. Potential to stop after this point and close the case for low priority paths. Is it appropriate to enforce P&C issues on low priority paths?
Depending on response (if any), volunteers carry out a site inspection within an appropriate time period, take a photo and report on site condition.	Reduces the need for multiple visits. Confirms issue either exists or has been resolved.
If path has been reinstated send thank you letter and record for proactive work in future seasons.	We may wish to undertake proactive work with landowners in future seasons where there have been issues reported.
If path has not been reinstated and remains blocked then pass case to PRow team officers for review and decision on whether enforcement is in public interest.	There are occasions when it may not be in public interest.
If so undertake enforcement action and seek to recover costs. Inform RPA and record on P&C spreadsheet for proactive work in future seasons	

7.0 Working with third party volunteer groups

7.1 The service is keen to find a way to tap into the enthusiasm and energy of existing groups of volunteers who have expressed an interest in supporting the maintenance and improvement of the network in their local areas. The objectives of the developing pilot project described briefly below is to ensure that groups of volunteers can work on the network safely and legally, that the service can maintain a degree of direction and quality control over work being undertaken, and that the engagement

doesn't require a significant amount of officer time to be directed away from issues that would be deemed a higher priority by the service.

- 7.2 Staff have been working to develop a pilot project with Lower Wharfedale Ramblers. Work on the pilot has included:
- a) Data protection – a protocol is now in place to enable us to share landowner contact details;
 - b) Health & Safety – we have discussed risk assessments and training requirements and have identified which types of work can proceed without certificated training so that the pilot can get underway. Work will continue on future training arrangements so that additional types of work can be added as the pilot develops.
 - c) A list of potential maintenance tasks has been identified together with provision of specifications for construction of furniture to relevant British Standards.
 - d) Members of the Lower Wharfedale group have undertaken some practical work with the PRow team officers to further develop the relationship and to assess confidence and competence in a range of tasks.
- 7.3 A formal agreement is now in place and the operational phase of the pilot has begun. The next step is to engage with other groups around the county that have also expressed an interest in proactively supporting the service to maintain the network. This will allow us to review and refine the model as appropriate.

8.0 Recommendations

- 8.1 The North Yorkshire Local Access Forum is invited to comment on the content of the report.
- 8.2 In particular Forum members are asked to comment on the approach to work processes as detailed in section 6.

IAN FIELDING

Assistant Director – Transport, Waste and Countryside Services.

Author of Report: Ian Kelly, Countryside Access Manager.

Background Documents:

Report to NY Local Access Forum 4th February 2016

Report to BES Executive Members 22nd April 2016

North Yorkshire Local Access Forum**23 November 2016****Permissive Access –
Referral from Yorkshire and Humberside Regional Access Forum****Report of the Secretary****1.0 Purpose of the Report**

- 1.1 To consider whether the Local Access Forum wishes to undertake any work on permissive access.

2.0 Background

- 2.1 The Yorkshire and Humberside Regional Access Forum discussed the attached report on Permissive Access at its meeting on 28 September 2016.
- 2.2 The Regional Forum suggested that all Local Access Forums consider the report. LAFs were encouraged to identify any potential access loss, evaluate its importance to the Rights of Way network and discuss possible solutions. Regional Forum members will be asked to report back at the next regional meeting in March 2017.

3.0 Recommendation

- 3.1 That the Forum considers what, if any, work it may wish to undertake in relation to permissive access in its area.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Kate Arscott, Secretary to North Yorkshire Local Access Forum

Background Documents: None

PERMISSIVE ACCESS YORKSHIRE AND HUMBERSIDE

Introduction

In the past, landowners have been able to apply for grants under various agri-environmental schemes, such as Higher Level Stewardship, to create permissive routes across their sites. In 2010 it was announced that this subsidy will cease, although current payments will be honoured until 2020. As a consequence, it is likely that many of these routes could be lost to the public unless landowners continue to support them voluntarily. Various LAF's in other parts of the country are following this up & it is suggested that local LAF's in the Yorkshire & Humber region should do the same.

Recent correspondence with DEFRA has confirmed that permissive access funding is no longer available, although access 'furniture' will continue to be funded within the new Countryside Stewardship scheme for those who wish to continue to provide access voluntarily, particularly where there has been previous investment in permissive access.

There are currently some 91 such sites across the Yorkshire & Humberside region (see annex). A register is maintained by Natural England on <http://cwr.naturalengland.org.uk> where a search can be made by County or Region. Most sites last only 10 years & are not on Ordnance Survey maps. Some are widely publicised but others are less well known.

Walking, cycling & other recreational activities are recognised by the Government as being important forms of exercise & are being promoted & encouraged to help improve health & general well being. Access to the countryside should therefore be maintained wherever possible & landowners should be encouraged to play their part, supported by LAF's & other local forums, communities & user groups.

LAF & Other Partnership Support

It is suggested that each LAF reviews the sites listed on the Natural England register for their local area to determine which routes would benefit from continued permissive access arrangements. Suggested criteria for prioritising permissive access routes include, but should not be limited to:

- What date does the current permissive access period end?
- Does the access area include &/or form links with an existing PROW?
- Is the route suitable for a wheelchair?
- Does the route have scenic, historical, or geological value?
- Is there an opportunity to view wild life on the route?
- Are there examples of unusual or picturesque flora on route?
- Is there safe off-road access from the nearest community?

The prioritised list of permissive routes should be refined in discussion with local communities & user groups. It may be advantageous for local Rights of Way Officers to be given an opportunity to comment.

Also, with the increasing Government encouragement on improving health & wellbeing, the support of local Health & Wellbeing Boards may be of benefit. Similarly, if there are opportunities to view wild life &/or flora then the Local Nature Partnerships may be supportive.

Landowner Discussions

Once a prioritised list of sites &/or routes has been determined, landowners should be approached with a view to seeking their comments on continuing to voluntarily support the existing permissive access arrangements.

When discussing permissive access with landowners, it may be beneficial to consider what access 'furniture' may be eligible for funding under the new Countryside Stewardship scheme. There may also be opportunities for landowners to consider other arrangements which may attract funding such as Educational Access Visits.

Landowners will need to discuss the ramifications of continuing to support permissive access routes across their sites with Local Authorities & others. Advice & guidance is also available from the Natural England Permissive Access Team in Cambridge.

Environmental Stewardship Permissive Access Team
Natural England
Customer Services
Eastbrook, Shaftesbury Road
Cambridge, CB2 8DR

Mailbox address: CS.Access.Cambridge@naturalengland.org.uk
Customer Services Helpline: 0300 060 1114

Suggested Timescales

Some permissive access sites have already expired and others will do so at various dates until 2020. It is therefore suggested that LAF's seek the help of their members to undertake an initial desk top review of the current Natural England register of local sites & develop an initial prioritised list based on the expiry date of the access permission in their areas.

It is recommended that an initial review is completed before the end of 2016. A more detailed prioritised list, based on the suggested criteria above, should be compiled in parallel with a view to finalising this by mid-2017.

Discussions with landowners could start to be initiated by late-2016/early-2017, subject to priorities, with a view to completing all such discussions by the end of 2017. This would give everyone involved a chance to implement any changes by 2020.

EXTRACT – NATURAL ENGLAND, CONSERVATION WALKS & RIDES REGISTER, MAY 2016

There are 91 sites in Yorkshire and The Humber which match your requirements.

EAST RIDING OF YORKSHIRE and THE HUMBER

- Benningholme Grange - near Hull
- Buckton Cliffs - near Bridlington
- Cleaving Coombe - near Market Weighton
- Densholme Farm - near Witherwick
- Filbert Grange Farm - near Howden
- Golden Hill Farm - near Driffield
- Hall Farm - near Goole
- Hall Farm - near Howden
- Head Farm - near Bridlington
- Head Farm - near Flamborough
- High Callis Wold - near Pocklington, York
- Holme House - near Market Weighton
- Home Farm A - near Bridlington
- Home Farm B - near Bridlington
- Home Farm C - near Bridlington
- Ivy House Farm - near Selby
- Westfield Farm - near Driffield
- Wold House Farm Site A - near Driffield
- Wold House Farm Site B - near Driffield

NORTH YORKSHIRE

- Askham Bog - near York
- Baldrence Farm - near Easingwold
- Bellmanear Farm - near Malton
- Beningbrough Home Farm - near York
- Bent Rigg Farm - near Scarborough
- Bishop Monkton Railway Cutting - near Bishop Monkton
- Broad Lane Farm - near York
- Buck House Farm - near Kirkby Malzeard, Near Ripon
- Burton Leonard Lime Quarry - near Burton Leonard
- Carlton Farms - near Helmsley
- Church Farm - near Myton On Swale
- Cockhill - near Greenhow
- Cogden Hall Grinton - near Reeth
- Colburn Hall - The Batts - near Richmond
- Colcroft Farm - near Scarborough
- Crayke Estate Walk (Home Farm) - near Crayke
- Crayke Estate Walk (Launds Farm) - near Crayke
- Crayke Estate Walk (Mount Pleasant Farm) - near Crayke
- Crimple Head Farm - near Harrogate
- Daleside Farm - near Helmsley
- East Underbanks - near Richmond
- Friar's Hurst A - near Ripon
- Friar's Hurst B - near Ripon
- Griff Farm - near Helmsley
- Home Farm - near Knaresborough
- Home Farm Site A - near Boroughbridge
- Home Farm Site B - near Boroughbridge
- Jeffry Bog - near Westow
- Kexmoor Farm - near Kirby Malzeard/ Ripon
- Land At Asenby - near Asenby

- Lee Gate Farm - near Malham
- Littlebeck Wood - near Scarborough
- Lower Winskill - near Langcliffe
- Lowgate Farm - near Hawes
- Lownethwaite Farm - near Richmond
- Milbank Farm - near Rillington/Malton
- Newsham Hall Farm - near Richmond
- Norton Tower - near Skipton
- Nosterfield Nature Reserve - near Masham
- Oak Bush Farm A - near Stamford Bridge
- Ousebank Farm - near Selby
- Pear Tree Farm - near York
- Punchard House Farm - near Richmond
- Rspb Bempton Cliffs - near Bridlington
- Sherburn Willows Nature Reserve - near Sherburn-In-Elmet
- Staveley Nature Reserve - near Staveley
- Stillingfleet Green - near Stillingfleet
- The Hall Sinnington - near Pickering
- Town Farm - near Scarborough
- Town Farm - near Scarborough
- Town Head Farm - near Grassington
- Webster's Farm - near Thirsk
- West Side Farm Site A - near York
- West Side Farm Site B - near York
- Wilkinsons Farm East Marton - near Skipton
- Woodend Farm - near Leyburn

SOUTH YORKSHIRE

- Delf House - near Barnsley
- Denaby Ings Nature Reserve - near Doncaster
- Hoyles Farm - near Sheffield
- New Hall Farm - near Barnsley/Darfield
- Wentworth Castle Park - near Barnsley

WEST YORKSHIRE

- Bramham Moor - near Wetherby
- Fairburn Ings - near Castleford
- Hazel House Farm - near Methley
- Martin Wood, Mytholmroyd - near Mytholmroyd
- Penistone Hill - near Howarth
- Rodley Nature Reserve - near Leeds
- Scaife Hall Farm - near Otley
- Stoney Royd Farm - near Mytholmroyd
- Willow Garth Nature Reserve - near Knottingley
- Wothersome Lake Plantation - near Wetherby
- Yorkshire Sculpture Park - near Wakefield

North Yorkshire Local Access Forum**23 November 2016****Schools and Education Project****Report of the Secretary****1.0 Purpose of the Report**

- 1.1 To update the Forum on progress with the Getting Out and About (GOAT) project.

2.0 Background

- 2.1 The Chair, Councillor Jeffels and the Secretary met with the Head of the Outdoor Learning Service within the Children and Young People's Service on 20 September.
- 2.2 The Chair explained the background to the worksheet for schools and the ambition for a laminated version to be circulated to all primary schools within the council's area, along with a copy of the relevant Ordnance Survey map, using the schools' distribution service.
- 2.3 As a result of the meeting it was agreed that the Chair would review the sheet with the teacher who had originally assisted her in putting together the sheet, to check if there should be any changes or updates since it was originally conceived. The Chair has now produced a revised draft for consideration. The Head of Outdoor Learning also agreed to review the source notes, and to consider any possible links to training and to online mapping that could be provided. Councillor Jeffels agreed to follow up potential community funding sources with his colleague councillors, possibly through the Locality Budget route.
- 2.4 It was also noted that there is a wide range of work currently taking place within the Authority to encourage young people to get out and about. It was suggested that the Local Access Forum may wish to consider receiving a report on this work at a future meeting.

3.0 Recommendation

- 3.1 That the Forum notes progress.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Kate Arscott, Secretary to North Yorkshire Local Access
Forum

Background Documents: None

North Yorkshire Local Access Forum**23 November 2016****Secretary's Update Report****Report of the Secretary****1.0 Purpose of the Report**

- 1.1 To update members of the Local Access Forum on developments since the last meeting of the LAF.

2.0 UpdateConsultation responses

- 2.1 The response to the Local Access Forum's comments on the Joint Minerals and Waste Plan Preferred Options consultation, submitted in January 2016, is included as part of the report at Item 7 on the agenda.

Natural England

- 2.2 The Local Access Forum contact at Natural England, Phil Robinson, has recently retired. The new contact is Susan Booth. She can be contacted at susan.booth@naturalengland.org.uk

Regional Access Forum

- 2.3 The Secretary attended the Yorkshire and Humberside Regional Access Forum on 28 September in Barnsley. The draft minutes have been circulated to all Forum members. A referral from the regional forum in relation to Permissive Access appears as a separate item on this agenda. The next regional meeting will take place on 8 March 2017 in Scunthorpe.

Engagement with other bodies

- 2.4 The LAF was invited to send a representative to the launch of the England Coast path in North Yorkshire and Teesside on 21 July 2016. The vice-chair agreed to attend on behalf of the forum.
- 2.5 Along with other LAF chairs, the Chair of the Forum was invited to a members meeting in October as part of the Trans Pennine Trail Partnership, although she was unable to attend on this occasion.

- 2.6 Paul Sherwood agreed to represent the Chair at a meeting on 16 November with the chairs of the Tees Valley, Durham and Redcar and Cleveland LAFs, to discuss the Teesdale Way and River Tees Re-discovered.

Local Development Plans

- 2.7 One of the key areas of involvement for the Forum is to ensure appropriate engagement in the preparation of Local Development Plans. A number of items have been included on recent agendas. Set out below is a brief summary of the current position in relation to each District Council area, and in relation to the Minerals and Waste Joint Plan. This information is taken from the websites of the relevant authorities.

Authority	Status
Craven	The planned consultation on preferred housing sites took place in July/August 2016 A revised local plan timetable (LDS) was agreed in October 2016 The pre-publication draft plan is now expected to be published for consultation during February/March 2017
Hambleton	The Hambleton Draft Local Plan Preferred Options consultation is on the agenda for this meeting
Harrogate	The Harrogate District Draft Local Plan consultation is on the agenda for this meeting
Richmond	Delivering Development document – Issues/Preferred Approach due June 2017
Ryedale	Preferred Sites consultation anticipated January 2017
Scarborough	Main Modifications to the Local Plan consultation took place between 21 September and 2 November 2016 The Vice-Chair responded (see agenda item 12 for a copy of the response)
Selby	Consultation on the next stage of 'Plan Selby' – Further consultation: Sites and Policies – is now anticipated in 2017
Minerals and Waste Joint Plan	The final 'publication' draft plan consultation is on the agenda for this meeting

North Yorkshire County Council Planning Applications

- 2.8 In October the Secretary began a trial of providing regular email notification of new planning applications on the NYCC website for all LAF members.

Restrictions

- 2.9 The Forum is consulted on a range of restrictions under the Countryside and Rights of Way Act 2000. No consultations have been notified since the last meeting of the Forum. 8 notifications have been received from the Open Access Contact Centre at Natural England confirming restrictions:

Direction Case No	Period of Restriction	Land Affected and Reason
2016048138	1 May 2016 – 30 April 2021	Discretionary dog exclusion Pockstones Moor
2016078190	22-24 August 5-7 September	Blubberhouses Moor Section 22
2016078191	22-24 August 5-7 September	Bolton Abbey Estates Section 22
2016078203	15-16 August 22-23 August 30 August 5-6 September 12-13 September 19-20 September 26-27 September 3-4 October 10-11 October 17-18 October 24-25 October 31 October-1 November	Pockstones Moor Section 22
2016088210	15-16 August 22-23 August 30 August 3 September 5 September	Dallowgill Moor South Section 22
2016088211 2016088210	12-13 September 20-21 September 26-27 September	Dallowgill Moor North and South Section 22
2016088211 2016088210	3-4 October 10-11 October 17-19 October 24-25 October	Dallowgill Moor North and South Section 22

2016088211 2016088210	8 November 14-15 November	Dallowgill Moor North and South Section 22
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3.0 Recommendation

3.1 That the Local Access Forum notes the update report.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Kate Arscott, Secretary to North Yorkshire Local Access
Forum

Background Documents: None

North Yorkshire Local Access Forum**23 November 2016****District Council Updates****Report of the Secretary****1.0 Purpose of the Report**

- 1.1 To update the Forum on liaison with District Councils.

2.0 Background

- 2.1 At the LAF meeting on 4 February 2016, the forum agreed an updated list of nominated representatives willing to act as the first point of liaison with the constituent District Councils in relation to planning and other relevant matters.
- 2.2 This agenda item provides an opportunity for the Forum to be updated on activity since the previous meeting.
- 2.3 David Barraclough has provided a report of comments submitted on two planning applications in Richmondshire (attached).
- 2.4 Roma Haigh has provided a report of responses to Local Plan consultations in Scarborough and Ryedale (attached).
- 2.5 Rachel Connolly submitted a comment with regard to a planning application for additional car parking at County Hall to North Yorkshire County Council.
- 2.6 Richard Smith and Rachel Connolly have worked with Harrogate and Hambleton respectively in relation to the draft Local Plan consultations covered elsewhere on the agenda.
- 2.7 Nominated representatives are invited to report verbally at the meeting on activity undertaken.

3.0 Recommendation

- 3.1 That members note the updates on liaison with District Councils.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Kate Arscott, Secretary to North Yorkshire Local Access Forum

Background Documents: None

LIAISON WITH RICHMONDSHIRE DISTRICT COUNCIL

Application 14/00779/OUT – Residential Development (up to 35 houses) at Kneeton Lane, Middleton Tyas

In October 2014, I commented to the District Council as follows -

“This comment is made on behalf of the North Yorkshire Local Access Forum. The Forum has no objection in principle to the proposed development. However, if it is to proceed, the footpath on Kneeton Lane, and the 30 mph speed limit, should be extended at least as far as the access to the development, to ensure safe pedestrian movement to/from the school and Middleton Tyas village centre.”

Determination of the application has been delayed awaiting completion of the LPA’s settlement appraisal of Middleton Tyas, but I was notified on 11 October that outline permission had been granted subject to numerous conditions. These included the extension of the footpath and extension of the 30 mph speed limit, in line with my comments.

Application 16/00686/OUT – Residential Development at Robin Hood Farm, Gatherley Road, Brompton-on-Swale

I recently sent the following comments to the District Council –

“I am submitting these brief comments on behalf of the North Yorkshire LAF. I have looked at the above application, picked up from the weekly list. It appears from the map showing the location of the application site, and the applicant’s site layout plan, that the public bridleway running east from the A6136 towards The Grange borders the northern boundary of the site, though it is unclear whether it is inside the application site or just outside it. There is no recognition of its existence in the Planning Statement.

“The LAF has no objection in principle to the proposed development but would clearly wish to see the line of the bridleway safeguarded both during any building works and for the longer term after development is completed. It would also recommend the provision of a direct link to the bridleway from within the proposed development for use by future residents for dog walking and informal recreation, so avoiding a more circuitous route via Gatherley Road.”

David Barraclough
14 October 2016

SCARBOROUGH – MODIFICATIONS TO LOCAL PLAN CONSULTATION

Sent: 01 November 2016 22:03

To: localplan@scarborough.gov.uk

Subject: Response - Consultation on Main Modifications to Scarborough Local Plan

Please find attached Representation Form for the Scarborough Borough Local Plan - Main Modifications Consultation which runs until 5pm 2nd November 2016.

I would be grateful if you could acknowledge receipt of my representation form.
Thank you .

Kind regards
Roma Haigh

RH RESPONDED TO MODIFICATION REFERENCE NUMBER Number *SBLP-MM_006*

This policy looks good for encouraging use of electric vehicles and sets out a good precedent of requiring something to be done (in this case the provision of charging points). In our opinion it is a missed opportunity that the Scarborough Local Plan and these Modifications do not contain a similar requirement for the necessary provision of access for all non-motorised users (eg for those walking or cycling to school/shops/work etc.). This is particularly relevant in new developments where non-motorised access routes might be at the centre of planning the layout of houses and roads and such a policy should be included in the Local Plan.

RYEDALE – VIUAs

Sent: 01 November 2016 22:59

To: ryedaleplan@ryedale.gov.uk

Subject: Consultation on VIUAs

Dear Sirs

Thank you for inviting us to participate in the consultation on Visually Important Underdeveloped Areas as part of the Ryedale Plan.

Designation of VIUA's generally falls outside the remit of our Local Access Forum, but we would like to applaud Ryedale's use of VIUAs and it is particularly gratifying to see proposals for new land areas to be added to the VIUA designation.

Kind regards
Roma Haigh
Vice-Chair of North Yorkshire Local Access Forum

North Yorkshire Local Access Forum

23 November 2016

Forward Plan

Report of the Secretary

1.0 Purpose of the Report

- 1.1 To invite members of the Local Access Forum to consider items of business for future meetings.

2.0 Background

2.1 The 'Guidance on Local Access Forums in England' published by the Department for Environment, Food and Rural Affairs (Defra) strongly recommends that forums prepare a forward work programme which sets out the forum's priorities and special areas of interest.

- 2.2 This can play an important role in helping the forum to:
- Ensure a focus on issues which are the most relevant for the area
 - Clarify the issues on which the County Council or other section 94(4) bodies would benefit from receiving advice
 - Timetable when specific matters are likely to be considered
 - Inform the public about the forum's work
 - Identify training needs
 - Review effectiveness and prepare an annual report.

3.0 Forward Plan

3.1 Future meeting dates are:

- 11 January 2017
- 6 April 2017
- 12 July 2017
- 11 October 2017
- 17 January 2018
- 11 April 2018

Meetings are scheduled to start at 10.00am.

- 3.2 The Forum will need to consider items of business for future meetings. The attached draft forward plan presents the business currently identified.
- 3.3 The British Horse Society has circulated the attached document – Auditing the list of streets: a role for local access forums. Members are asked to consider whether they wish to seek a response to the questions raised from the Highway Authority, for reporting back to the next meeting.

- 3.4 Following recent announcements regarding future plans for the Catterick Garrison area, the Chair has suggested that she seeks a meeting with the appropriate representative to discuss access issues, and reports back to the next meeting. Members are asked to agree this proposal.

4.0 Recommendation

- 4.1 That the Local Access Forum considers items of business for future meetings.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Kate Arscott, Secretary to North Yorkshire Local Access Forum

Background Documents: None

NORTH YORKSHIRE LOCAL ACCESS FORUM

Forward Plan 2017/18

Date of Meeting	
Standing items	<ul style="list-style-type: none"> • Minutes • Matters Arising • Public Questions and Statements • Consultations • Secretary's Update Report • District Council Updates • Forward Plan
11 January 2017	<ul style="list-style-type: none"> • Update report on use of volunteers (requested July 2016) • Cycling • Ryedale Local Plan consultation (provisional) • Selby Local Plan consultation (provisional)
6 April 2017	<ul style="list-style-type: none"> • • •
12 July 2017	<ul style="list-style-type: none"> • 2017 LAF annual report
11 October 2017	<ul style="list-style-type: none"> • • •
17 January 2018	<ul style="list-style-type: none"> • • •
11 April 2018	<ul style="list-style-type: none"> • • •
Unscheduled	<ul style="list-style-type: none"> • Draft terms of reference • Health and Wellbeing Strategy (suggested at February 2016 meeting) • Rights of Way Improvement Plan

Auditing the list of streets: a role for local access forums

1. The stakeholder working group on rights of way recommended that: "Routes identified on the list of streets/local street gazetteer as publicly maintainable, or as private streets carrying public rights, should be exempted from the cut off.¹" The British Horse Society expects this recommendation to be given effect in regulations made under [section 54\(1\)\(d\)](#) of the Countryside and Rights of Way Act 2000, exempting routes from the cut-off provisions in Part 2 of the 2000 Act.

2. The 'list of streets' is maintained by every highway authority under [section 36\(6\)](#) of the Highways Act 1980: "The council of every county, metropolitan district and London borough and the Common Council² shall cause to be made, and shall keep corrected up to date, a list of the streets within their area which are highways maintainable at the public expense." The list should contain every way which is maintainable at the public expense, regardless of whether the way is, in fact, currently maintained. Most public rights of way are maintainable at public expense³, and 'street' being defined so as to include paths⁴, ought to appear on the list; however, very few highway authorities are believed to have included all publicly maintainable public rights of way on their list. But it is not unusual to find urban alleyways and some byways open to all traffic on the list of streets.

3. An exemption for routes on the list of streets may be valuable in preserving routes not on the definitive map and statement which would otherwise be extinguished by the cut-off in 2026, primarily:

- unsealed routes (often referred to as unclassified county roads, UCRs, and frequently marked on Ordnance Survey maps as 'other route with public access', ORPA⁵) which, on evaluation, are found to be public footpaths or public bridleways⁶;
- urban footpaths, alleyways, ginnels *etc.*

4. Surveying authorities and rights of way researchers may wish to rely on the exemption (if granted) for routes on the list of streets so that scarce resources may be focused on applying to record other routes which will not be exempted. However, an exemption is dependable only if:

- the terms of the exemption apply to a particular route,
- a route is currently shown on the list of streets⁷, and the route will continue to be shown on the list of streets at a date (expected to be close to 2026) specified in regulations.

1 [Stepping Forward — The Stakeholder Working Group on Unrecorded Public Rights of Way: Report to Natural England](#) (NECR035): proposal 25.

2 *i.e.* of the City of London.

3 Some public rights of way, particularly many ways presumed to have been dedicated since 1949 through long use, are not publicly maintainable.

4 [Section 329\(1\)](#) provides that, "except where the context otherwise requires—...street has the same meaning as in Part III of the New Roads and Street Works Act 1991". Section 48(1) of the 1991 Act provides that: "a "street" means the whole or any part of any of the following, irrespective of whether it is a thoroughfare—(a) any highway, road, lane, footway, alley or passage, (b) any square or court, and (c) any land laid out as a way whether it is for the time being formed as a way or not."

5 For a fuller explanation of ORSPA, see pannageman.craddocks.co.uk/#post32.

6 There is no provision to extinguish any type of roads (*i.e.* carriage roads of whatever character) in 2026, except roads which are shown in the definitive map and statement as a public footpath or public bridleway and which are not otherwise excluded from extinguishment.

5. Rights of way user groups and researchers believe that some highway authorities amend their list of streets without any external oversight or engagement: it is alleged that, in those authorities' areas, numerous minor or unsealed routes have been deleted without due process or accountability. Of course, it is a requirement that the authority "shall keep [the list] corrected up to date" to reflect, for example, new roads which are adopted by the authority, publicly maintainable streets which are stopped up under a legal instrument, and publicly maintainable streets which cease to be maintainable on the order of a magistrates' court⁸. But a highway authority should not remove a street from the list simply because it no longer wishes to maintain it, or because it sees no value in maintaining it, without following a statutory procedure to relieve it of the obligation of maintenance, or to extinguish it. Even if the highway authority believes an entry in the list to be mistaken, the Society believes that the authority should follow a transparent, accountable process to corroborate its belief. Given that reliance may now be placed on entries in the list being retained up to and beyond 2026, the Society asks local access forums to address highway authorities' present practice, and where that is found to be deficient, to press for a transparent, accountable process and public engagement where appropriate.

6. The Society recommends that the following questions could be addressed by the forum to highway authorities in the area covered by the forum:

- *What unsealed highways have been removed from the list of streets since 1998 (the year in which the Ordnance Survey collected such data for the purposes of showing ORPAS on leisure mapping)?*

If the forum is concerned that routes have been removed from the list of streets prior to 1998, an earlier date might be substituted and appropriate evidence presented.

7. If the response to this first question is 'we don't know', then clearly, the highway authority has no easily accessible record of changes made.

- *What procedures apply to any proposal to remove a highway from the list of streets, other than in response to a legal event (such as a magistrates' court stopping up order, or a Town and Country Planning Act diversion order)?*

8. If the response suggests that changes, including removals, may be made by officers without any reference to a council committee, and without any external consultation, it is not safe to rely on a route being exempted owing to its inclusion on the list of streets, because that route is vulnerable to removal at any time.

9. Assuming that the response to these questions is insufficient, the forum may propose that—

- *No highway (or part highway) should be removed from the list of streets, other than pursuant to a legal event, unless to correct a mistake where there has been consultation with local interests (such as the local access forum and parish council), the correction is fully documented for archiving and indexation, and the decision is taken transparently within the authority on the basis of a report by officers (e.g. by a committee or by the executive).*

7 The exception from extinguishment may apply to routes added to the list of streets in the future, but before the date specified in regulations. However, until such routes are added, they are not obvious candidates for protection from extinguishment.

8 Sometimes referred to as a 'cessor order': see [section 47](#) of the 1980 Act.

10. Highway authorities may be reluctant to engage in time-consuming, costly processes to amend the list of streets. But the question remains: what power does the authority have to amend the list other than consequential to a legal event? And if the intention is to correct what is perceived to be an 'error', then the evidence for such a correction should be presented in a report after engagement with local interests, the decision taken by local authority members, and details of the correction should be made available to the public. Removing a route from the list of streets, where that route is not recorded in the definitive map and statement, has the same impact as removing a public path from the definitive map. The latter process involves a familiar and fair public process. Why should we accept anything less for deletions from the list of streets?