

North Yorkshire Local Access Forum

17 October 2018

Secretary's Update Report

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 Update

2.1 Consultation submissions and responses

Since the last meeting in July, the LAF has submitted formal comments in response to the following:

- An application for a woodland creation scheme above Angram Reservoir by the Forestry Commission.

In response to the LAF response sent on 2 October 2018, we have received confirmation that after planting, the land will remain as open access land and the provision of field gates into the woodland enclosure will allow walkers to transit the areas. The first phase of the scheme will be the erection of fences and gates, probably next summer and materials and work areas should be easily bypassed at minimal risk. The planting will take place during the following autumn/winter period and again should not impinge on general access. The Forestry Commission believe the creation works should have a relatively low impact on walkers and have agreed to add a comment on the site instruction for proper signage and warnings to direct walkers during the creation period.

- A consultation on the proposed scope and application of Natural England's SSSI byelaw-making powers. The response was submitted on 22 August 2018.

- 2.2 In addition, the LAF has been asked to comment on the Howardian Hills Area of Outstanding Natural Beauty (AONB) Management Plan 2019-2024. The Plan covers an area that straddles Hambleton and Ryedale, and has therefore been sent to the two relevant District Liaison Representatives to consider and draft an appropriate response. The consultation period closes on 11 November 2018.

2.3 Gap closures along the A19

At the previous meeting of the LAF held in July 2018, it was agreed the Chair would draft and circulate a response to Highways England on the A19 gap closures, accepting the offer of future engagement with the LAF on further gap closures along the length of the A19. It has since been agreed that a representative from Highways England will attend the next LAF meeting in January 2019.

2.4 Local Development Plans

One of the key areas of involvement for the Forum is to ensure appropriate engagement in the preparation of Local Development Plans. Set out below is an updated summary of the current position in relation to each District Council area, and

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in relation to the Minerals and Waste Joint Plan. This information is taken from the websites of the relevant authorities and correspondence received.

Authority	Status
Craven	The Draft Plan was submitted on 27 March 2018 for public examination by the independent inspector. Update - The Inspector will be holding a series of hearings as part of the Examination process and these will commence at 10.00am on Tuesday 9 October at the Council's Belle Vue offices in Skipton, and are scheduled to run until 26 October 2018.
Hambleton	The next stage of consultation will be the Publication Local Plan. This is now expected in Autumn 2018 Update - No start date has been agreed as yet.
Harrogate	Update - The draft plan was submitted for independent examination on 31 August 2018. The public examination will take place in winter 2018 prior to adoption of the plan in spring 2019. No specific dates agreed as yet.
Richmondshire	Update - The Local Plan Issues & Options Consultation is currently underway (3 September – 31 October 2018 – see: https://www.richmondshire.gov.uk/planning/planning-policy/issues-and-options-consultation/ A draft response has been included in Agenda Item 7 for the LAF's consideration.
Ryedale	The Local Plan was submitted on 29 March 2018 for public examination by the independent inspector. Hearings are scheduled to commence on 25 September- see: http://www.ryedaleplan.org.uk/local-plan/sites/submission-and-forthcoming-examination
Scarborough	Scarborough Borough Council formally adopted their Local Plan on 3 July 2017.
Selby	The Pool of Sites consultation is due to run from 2 October – 27 November 2018 and will inform the draft Sites Allocations Local Plan to be published next year for consultation.
Minerals and Waste Joint Plan	The Public Examination took place in March/April 2018. On 5 July 2018 a Select Committee report was published relating to Planning Guidance on Fracking which needs to be taken into consideration by the minerals and waste joint plan. The Inspector has invited those who participated in recent examination hearings to comment on the select committee report and its implications for the joint plan.

- 2.5 It is suggested that the LAF authorises the relevant district council liaison representative to lead in preparing a draft response to the Richmondshire consultation It is suggested that the LAF also authorise the relevant district council liaison representative to lead in preparing a draft response to the forthcoming Hambleton consultation in case that commences before the next meeting of the LAF. Both responses to be drafted in conjunction with the Chair and Secretary for circulation by email to all LAF members for comment, before being finalised for formal submission before their deadlines.

2.6 Regional Forum

A meeting of the Yorkshire Humber and North Lincolnshire Regional Access Forum was held on Wednesday 26 September 2018, hosted by North Yorkshire Moors National Park Authority. The draft Minutes and associated letters are attached at Appendix 1 for member's information.

2.7 2026

There is no new information on 2026 to share with the Forum at this stage.

2.8 NYLAF Webpage

Work is ongoing on preparation of the webpage. The Chair will provide a verbal update at this meeting.

2.9 Open Access Restrictions

The Forum is consulted on a range of restrictions under the Countryside and Rights of Way Act 2000. There have been no new notifications received from the Open Access Contact Centre at Natural England confirming restrictions since the last meeting, and the Forum has received 4 notifications of discretionary open access restrictions since the last meeting.

3.0 **Draft Annual Report**

- 3.1 LAF members are asked to consider the draft Annual report attached at Appendix 2 prior to its submission to Natural England.

4.0 **LAF Recruitment**

- 4.1 Current LAF members' terms of office come to an end on 3 November 2018. The County Council is currently running a recruitment campaign. The closing date for applications is 26 October 2018, with interviews scheduled to take place on 12 November 2018. The new members will be in place ahead of the next formal meeting of the LAF on 16 January 2018. All existing LAF members are eligible to apply for re-appointment.

- 4.2 At the last meeting of the LAF held in July 2018 Members agreed to review the published LAF Principles and Sec.94 (4) Bodies Advice sheet at this meeting. A proposal has been made that the Advice sheet be revised to include the following additional wording:

In addition, as Local Access Forums are directed to be inclusive in approach, which avoids discrimination and provides Best Value in access provision, we strongly advise that all new paths should be for the widest range of users, as in this way it encourages sustainable travel and supports safer and healthier journeys for as many as practicable.

- 4.3. Members are asked to comment on the LAF Principles & revised Sec.94 (4) Bodies Advice Sheet attached at Appendix 3, and agree all revisions.

5.0 Recommendations

5.1 The Local Access Forum are asked to:

- i) Note the update report
- ii) Note the draft Minutes from the meeting of the Regional Access Forum held on 26 September 2018, as shown at Appendix 1.
- iii) Consider the draft Annual Report attached at Appendix 2, and identify and agree some priorities for the year ahead and any additional comments for inclusion in the Report, ahead of its submission to Natural England.
- iv) Agree any necessary revisions to the LAF Principles & Advice Sheet attached at Appendix 3.
- v) Authorise the relevant District Council liaison representative to work with the Chair and Secretary of the Forum to prepare a draft response on behalf of the LAF, to any relevant consultations with a closing date before the next meeting of the LAF on 16 January 2019 (for consultation etc as detailed in paragraph 2.5 above).

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

Report Author: Melanie Carr, Secretary to North Yorkshire Local Access Forum

Background Documents: None

Appendices:

Appendix 1 – Draft Minutes from meeting of Regional Access Forum held on 26 September 2018

Appendix 2 – Draft Annual Report 2017/18

Appendix 3 – LAF Principles & Revised Advice Sheet

YORKSHIRE HUMBERSIDE & NORTH LINCS

REGIONAL ACCESS FORUM

LOCATION: The North Yorks Moors National Parks Offices, Helmsley.

MINUTES

Date: 26th September 2018 **Start time:** 10.30 **Finish Time:** 15.00

Attendees:

John Richardson (JR)	Chair	NYMNPA LAF
Didy Metcalf (DM)	Y & H RAF Vice Chair and Secretary	Bradford LAF
Mike Willison (MW)	Chair	Leeds LAF
Catriona Cook (CC)	Vice Chair	NYMNPA LAF
Malcolm Petyt (MP)	Vice Chair	YDNPA LAF
Jim Buckley (JB)	Chair	Wakefield LAF

Apologies:

Andy Mackintosh	Senior Specialist Access and Engagement	Natural England
Daniel Marsh	Secretary	N Lincs LAF
Richard Alderson	Chair	N Lincs LAF
Frances Ross	Vice Chair	N Lincs LAF
	Chair & Vice Chair	East Riding & Hull LAF
Julie Swift	Secretary	Calderdale LAF
David Jeffels	County Councillor	NYCC LAF
Roma Haigh	Chair	NYCC LAF
Terence Howard	Chair	Sheffield LAF
Pam Allen	Chair	Bradford LAF
Julie Swift	Secretary	Calderdale LAF
Peter Charlesworth	Chair	YDNPA LAF

Actions

Item 3	Network Rail (NR), Memorandum of Understanding	DM to circulate the main points flagged up by members, with a view to framing a response to NR.
ITEM 4	NE New Chair	DM to ask AM (NE) if he has any information about this.
ITEM 5a	Venue for next meeting	DM to give LCC an idea of numbers and let them know the date of our next meeting.
ITEM 5a	Members contact details	DM to check Chair's contacts are up-to-date & ask for confirmation that they agree to receiving group emails from the Forum.

ITEM 9a	Agriculture Bill 2018	DM to send minutes of our discussion to MPs
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1. Introductions/Apologies

John Richardson, Chair of NYMNPA LAF welcomed members to Helmsley. He said he has not previously suggested this venue because he felt it might be too far for some members to travel. Although this may well be the case today; he thanked Vanessa Burgess, (Secretary of the NYMNPA LAF) for offering us a venue at such very short notice and providing us with refreshments.

MP attended as the new Vice Chair of YDNPA LAF. Peter Charlesworth is their new Chair but as he was not able to attend the meeting had asked MP to give his apologies.

JB submitted a note explaining that he would be unable to speak very much during the meeting because he is not well, but he had submitted some comments in writing.

2. Minutes of last meeting

Approved following minor amendments. Proposed CC. Seconded JB.

3. Matters Arising

Rail Crossings Closures

Public Rights of Way, Level Crossings on the Rail Network (NR), Draft Memorandum of Understanding between NR, ADEPT & IPROW.

Background: The Forum has been asking for sight of the above document since September 2016, when we learned that NR was working with ADEPT & IPROW on a protocol to be applied to the closure or alteration of rail crossings that convey PRoW over its railway lines. We have now received a draft version which states it:

'...may evolve over time as the working relationship between NR, ADEPT and IPROW develops. It does not detail any agreed processes: these will be set out in future documentation.'

JR noted that there are numerous level crossings on the East Coast, making this document highly relevant to our region.

CC said provisions should include a risk assessment for the safety of users forced onto busy roads as a result of any closures. There should also be a responsibility for NR and local authorities (LAs) to negotiate new access to the nearest convenient crossing down the line.

MW cited NRs current proposals to upgrade the line to the east of Leeds, which involves reducing journey times and extending platforms, resulting in relocation of bridges and crossing closures. 4 or 5 closures are proposed and Leeds LAF has assessed the impact of these.

1. Micklefield: an extension of the platform will decrease the sightline of a bridleway (BW) crossing. It is proposed to divert it onto the old A1 running under the station. This is not ideal for BW users and a new bridge has been suggested. NR claim that would be too costly and a footbridge is being considered.

CC cautioned that the LA may agree to this, but the possibility cannot be ruled out that the bridge may be abandoned and the crossing closure will proceed anyway.

2. Garforth Moor: here a temporary TRO has been put in place, but the LAF has questioned the accompanying description which is not fit for purpose. The crossing has already been closed and completely obstructed despite the fact that the interruption is supposed to be only temporary. This is an example of the risks involved and procedures need to be tightened up.

MW said he felt that a wholesale disconnect of public rights of way (PRoWs) is being proposed. This is a departure from the assurances we were given by the NR representative who explained the process to us at the LAF National Conference in Durham in 2014. MW suggested that we should send our comments to NR as the Memorandum is still at a draft stage and this is clearly an ongoing procedure.

The unanimous feeling among members was that the document is opaque, and has been drawn up exclusively for the benefit of NR; allowing it as much leeway as possible to alter or stop up PRoWs. There is too much emphasis on keeping the development of what appears to be a national protocol '*confidential*': whilst restricting the input of RoWs Stakeholder Groups to the later local consultations where the outcomes may have already been pre-determined under this agreement.

Resolved: we send our comments to NR. DM to draft the main points and circulate them.

Bus Access to Yorkshire Dales

JR asked MP if he was able to give us an update.

MP said that he was not aware of any forward progress but that voluntary groups were still active and applying pressure.

Lobbying MP's

CC pointed out that although we need to lobby MPs, it is really the job of LAFs to lobby their own representative because MPs are restricted to responding to comments from their own constituents.

MW agreed, Leeds LAF lobbies only if a query relates to their patch.

JR said that our route to Government seems limited to contact with Defra.

CC added that it was not encouraging as the latest NE Update has reported that Access is not a Defra priority.

Restoring the Record

JR asked if there were any training session planned in the region. CC offered to make enquiries.

HS2

See below at **Item 7b**.

4. Natural England update

JR noted that access is not currently a priority.

CC commented that gates installed at the Aston Rowant National Nature Reserve are a positive step forward and are similar to those at the Askham Bryan trial in which she took part.

MW said that the Deregulation Regulations are clearly not a priority either as the Guidance is now not expected until next year. CC thought that someone has at least been appointed to work on them.

DM was pleased Andrew Mackintosh had taken the trouble to provide us with an update as he seems to have moved teams and it is possibly not his direct responsibility. She was also puzzled that he referred to a new NE Chair (Lord Blencathra), as NE is currently in the process of recruiting a Chair, and the date for applications only closed on Monday 24th September, with the appointment process likely to continue beyond December.

JR suggested DM asks Andrew if he can shed any light on this.

See also relevant ITEM 6a: House of Lords Select Committee Report 2018, on the Natural Environment and Rural Communities Act 2006

5. Future of Regional Access Forum

a) Remaining relevant and boosting attendance

Background: since Natural England withdrew its support in 2016, the Forum has adopted a policy of rotating the location of our meetings around the region, with the host LAF Chair acting as Chair for our meetings. A number of LAs have kindly supported us by providing venues. Members are very grateful for this and it has also given us the opportunity to visit places we otherwise would not. However, some locations are much less accessible than others and those who rely on public transport have found them difficult to attend.

MW said that following our March meeting when the above was discussed, he had raised the issue at the next Leeds LAF meeting. Councillor John Illingworth was present and kindly offered to ask the Leader of Leeds City Council (LCC) if it would be possible for the Leeds to offer the Regional LAF a permanent venue for its meetings. MW had received a

reply from Councillor Illingworth the previous day, confirming that LCC has can offer us a permanent venue at the Civic Hall with tea and coffee provided.

JR recalled attending earlier Regional meetings in Leeds when NE provided the venues. These had been well attended (probably because of the location) – the meetings had been productive and much easier for everyone to reach.

DM welcomed the offer and hoped that it would also help to attract influential speakers as many of the regional organisations have offices in Leeds.

MW said he would be happy to Chair the next meeting but we would need to give LCC an idea of numbers and let them know the date well in advance.

JR asked MW if he would accept the position of a permanent Chair. MW felt that although the idea of a rotating Chair related to the change of venues, LAF Chairs should continue to take their turn in a fixed venue and none of us should be shying away from the responsibility.

JR said he supported that idea and we can discuss it further in March.

It was resolved: that the MW will Chair next meeting to be held in Leeds, on Thursday 7th March 2019, and DM will let LCC know.

b) Should the Regions boundaries be revised?

Background: this item was put on the Agenda as a result of a request from Terrence Howard, Chair Sheffield LAF. Whilst stressing his continued support for the Forum, he questioned whether the area we cover is too large to address all of our differing concerns and issues. Holding meetings at rotating venues where public transport is not easily available also presented problems to members. He cited the example of Sheffield' LAF area; much of which is in the Peak District National Park and covered by a different Regional Access Forum. He suggested that our Forum could be split into two, perhaps north and south of the Humber, so that people can more easily relate to their familiar landscape character.

CC said that settling on a permanent venue in Leeds might well solve part of the problem, as it is easier for the southern LAFs to reach by train. She thought they would still have an option to attend the East Midlands RAF meetings.

DM noted that one disadvantage of a split might be associated with Rail Issues, as the upgrading of various lines and HS2 affects us all.

MW said he appreciated that there are differences between the work of rural and urban LAFs.

JR did not think we should depart from the regional boundaries drawn up by NE, and hoped the Leeds venue would alleviate the problem. He suggested we look at this again at our next meeting when hopefully members from the southern LAFs would be able to attend.

6. Consultations

Defra Agriculture Bill 2018

We considered 2 Defra documents that have fed into the Bill, a) The House of Lords Select Committee Report on the NERC Act 2006, and b) Government's response to the Health Harmony Consultation. Both shed some light on what Defra is trying to achieve.

a) House of Lords Select Committee Report 2018, on the Natural Environment and Rural Communities Act 2006

<https://publications.parliament.uk/pa/ld201719/ldselect/ldnerc/99/9902.htm>

Paras 158 – 181 recommended that the functions of NE be re-viewed:-

- Develop proposals for the long term funding and maintenance of National Trails, and consider the roles that sponsorship, partnership and local interest groups could play in maintaining national and local routes.
- Include payments for the maintenance and enhancement of public access within the new system of public funding for environmental payments.
- Ensure NE has sufficient resources to promote and deliver public access (at present the NERC Act 2006 limits how it can raise and spend funds).
- Ensure NE's function to promote public access is appropriately prioritised.
- Increase NE's independence from Defra.
- Re-launch the Countryside Code
- Defra should commit to a longer term review of the distinct functions of NE and the Environment Agency.

CC noted that NE's functions are to be reviewed, which will probably involve creating a new environmental body. She felt a dedicated access body is needed, as public access has largely been ignored since the Countryside Commission was dissolved under the CROW ACT 2000.

DM agreed: up to 2000, the Countryside Commission had worked effectively with both the then Ministry of Agriculture, the Department of Transport and Local Authorities. The successor bodies the Countryside Agency and NE, seemed much more focused on working solely with Defra. This has created a deficit in the efficient funding for the PRow network.

Rights of Way Improvement Plans (RoWIPs) had been created under the Crow Act as a way of providing a much needed reliable source of funding for the improvement of the

PRoWs network. No sooner had LAs completed them (at some expense in time and money), than Defra announced that LAs should bid for funding through Local Transport Plans (LTPs) instead. Lately there have been reports from LAFs that this source of funding is also drying up.

MW said that a bridleway had been created in Leeds through the LTP and there had been successes, but now reviewing their RoWIP is a low priority. He understood that the Leeds has received its last tranche of money through the West Yorkshire Combined Authority LTP and is not expecting there to be anymore.

Paras 299 – 317 of the report, applies to green lanes and PRoWs: it contains a recommendation to:

- Simplify the process of making of TROs and reduce their cost.

JR noted that he was not familiar with the North York Moors Green Lanes Alliance whose evidence was quoted in the Report.

MP said he knows Dr Bartholomew of the Green Lanes Protection Group (GLPG), whose comments were also quoted in the Report. In the YDNP, GLPG had monitored in great detail green lanes that are being used and those most at risk. TROs were applied to a small number where needed and the results monitored. Previously, there had been a large number of complaints which have now dropped to almost nil as a result.

CC said that in Devon there are few bridleways and most of the equestrian network consists of Unsurfaced Unclassified County Roads (UUCRs). The Trail Riders Fellowship (TRF) had done a tremendous job there monitoring and maintaining routes.

Where she lives in the NYMNP there is a dense network of UCRs. Visitors from Europe come across on the ferries to use them irresponsibly which is very unpopular with local people. Some of the damage is due to sheer neglect or natural causes, but although agreement can be made with responsible user groups, there does not seem to be a solution to irresponsible individuals who ignore the advice in place in place to protect them..

NYMNPA had set up a working group who walked 9 routes and discussed what should be done (speed limits being one suggestion). JR had represented 4X4 drivers and there had been consensus but NYCC had ignored their advice and is now applying TROs.

JR did not believe a blanket ban was correct: the routes have a legal status and everybody should be able to use them. Protecting them from damage involves quite a lot of work, such as installing LARA signs, but sadly individuals have ignored these. They had previously tried seasonal bans, (for example in spring), and these had been successful and people had adhered to them. He said he would get some background information about what is planned.

b) Health Harmony, the future of food, farming and the environment in a Green Brexit

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/741461/future-farming-consult-sum-resp.pdf

CC asked how many members had responded to the Consultation. JB had responded to the whole consultation. CC had responded to the Farming and Access questions and DM had responded to the Access questions on behalf of the Forum.

Chapter 5: Public money for public goods – Pages 51 – 52 public access

Reported that public access had been a popular topic for discussion with many respondents flagging up its beneficial impact on public health. On the whole, representatives of walking, equestrian, cycling and disabled user groups favoured enhancing the existing network, and including measures to make sure farmers fulfil their existing legal responsibilities.

Not surprisingly, landowners and managers wished to minimise the impact of public access on their businesses, keep any schemes voluntary and flexible and suggested the promotion of educational visits to farms.

Chapter 15 summarised what might be included in the Bill – Page 120, public access

- the location of access, to avoid disturbances and damage to residences, businesses, livestock and wildlife habitats;
- assurances that payments only go to those who improve access;
- protection for landowners against illegal trespassing;
- educating the public on responsible access; and
- ensuring that access is improved for all, particularly those with limited mobility.

c) The Agriculture Bill 2018 with Explanatory notes.

<https://services.parliament.uk/Bills/2017-19/agriculture/documents.html>

CC welcomed s. (1)(b) of the Bill, giving new financial assistance powers by:

‘...supporting public access to and enjoyment of the countryside etc... .’

But felt that the CLA and NFU, who had been pushing hard to get their views incorporated into the Bill, had unduly influenced the actual intentions behind this section. According to the Explanation Notes, supporting public access is interpreted as assistance to support:

'...understanding about the environment benefits of the countryside, such as: educational; visits for schools, supporting pupils visiting the natural environment and learning about the environment;'

CC said that those categories are not Public Access and are by no means comprehensive. For example: the Farm Sunday initiative is designed mainly for the benefit of landowners and managers. There is a tendency to develop policy which merely allows or invites the public into the countryside, rather than promoting and enhancing the public's existing statutory rights of access.

Far more needs to be done to improve the PRow network. In some areas there are whole parishes with hardly a right of way through them and we are seeing an increase in extinguishments and blocked paths. PRows are a public facility, and their value as green gyms and the contribution they make to sustaining healthy communities should be prioritised.

MW agreed. Government policy is attempting to change the emphasis of what Public Access actually is. We have already seen examples of this with the proliferation with Friend Groups running Parks and other open spaces – these have no statutory underpinning but rights of way do. Pound for pound investment in the PRows network would bring far more benefit.

CC proposed we write to Defra setting out our main points. MW seconded this.

Resolved: DM to draft a letter containing the points covered here and email it to members.

7. Rail issues

a) Transpennine route

MW said this has been largely dealt with under ITEM 3.

b) HS2

MW said that Leeds now has the proposals for PRows.

The main areas affected are:

- 1) Around Leeds City Station
- 2) The Church Fenton section, where about 15 routes are affected.

Roger Brookes and the NR Engagement Officer are considering the working Draft of the Hybrid Bill and the Environmental Statement which will include the landscaping detail. But, it is not known when it will be fitted into the Parliamentary timetable. It is still up to each LAF to look at the impacts in their own area when the Statement is published.

JB reported that Wakefield LAF had a meeting with the HS2 team on 3rd September, but since then had heard nothing. At one point, someone had pressed the theme of a track alongside the railway. JB said that he had difficulty following and hearing the conversation, but he thought that HS2 had said there would be a track alongside for their own use and maintenance/repairs etc. Anything more is up to the LA. He has been trying to contact Virginia Moulton and her new boss but so far heard nothing.

CC commented that a multi-use route should be created on both sides of the track to improve the network.

8. ROWIPS

Bradford

DM nothing to report as our last meeting was cancelled.

Leeds

MW nothing further to report, other than an acknowledgement that things need to be done but this is restricted owing to limited resources. They have however been looking at Neighbourhood Plans. There are 35 designated areas in the Leeds area, 9 of which have been made so far. 7 are close to examination or referendum – Shadwell at pre-submission stage and Kippax at the representation stage. Although the Inspector cannot force plans to include PRoWs, he has recognised the value of the input from the LAF. These plans are a good way to ensure PRoWs are included in the agenda and their importance recognised. MW recommended this approach to other LAFs.

North York Moors

JR said the Definitive Map work has gone back to NYCC; however, NYMPA has retained the maintenance work. Two NYCC PRoW Officers (Ian Kelly and Richard Marr) attended our last meeting in June. JR believed it was a useful visit for us and them, with an interesting exchange of views: such face to face time is always beneficial.

YDNPA

MP said he was not aware of any developments.

Wakefield

JB said he was not sure what is going on. The previous LAF Secretary, Virginia Moulton, has moved post (onto bringing the PRoWs record up to date, serving all the notices and paperwork etc.). Our new Secretary is still bedding in and we have heard nothing.

9 Reports

a) Contact with MPs

None reported

JR the second reading of the Agriculture Bill will be on 10th October, which leaves very little time to flag up our concerns to MPs. He suggested that we could send our minutes to them highlighting our concerns.

DM said she would try to do that.

b) Minutes from other Regions

None

10. Items for next agenda

JR suggested we invite a representative from the Yorkshire Wildlife Trust.

MW agree to contact them to try to arrange that.

11. A.O.B. Date and location of next meeting

The Forum would again like to express its sincere thanks to: the NYMNPA and Vanessa Burgess for hosting our meeting, and to Councillor John Illingworth, for offering us a venue in Leeds.

The DoM Thursday 7th March 2019 - Venue: The Civic Hall, Leeds

Meeting closed 15.00.

Item 8 Appendix 1

THE YORKSHIRE, HUMBER AND NORTH LINCOLNSHIRE REGIONAL ACCESS FORUM

Representing the constituent Local Access Forums of:

Barnsley, Bradford, Calderdale, Doncaster, East Riding and Humber, Leeds North Lincolnshire, North Yorkshire, North Yorks Moors, Rotherham, Sheffield, Wakefield and Yorkshire Dales

Public Rights of Way, Level Crossings on the Rail Network,

Draft Memorandum of Understanding (MOU) between NR, ADEPT & IPROW.

Forum Members have now had the opportunity to consider the scope and content of the Draft MOU that you kindly sent to us in July. As we note from your email, a new team will be working with ADEPT and IPROW to finalise the document, and the Forum Members have asked me to write to you with their comments.

We recognise that you have an overriding responsibility to manage the Network Rail estate with the utmost safety in mind, and that every level crossing carries with it a risk. However, our position is that rights of way are also a national asset and we are concerned that not enough is being done to ensure that the numerous closures do not lead to a wholesale disconnect of the PRow network.

The unanimous feeling among members was that:

- The document is opaque, and seemingly drawn up exclusively for the benefit of NR; allowing it as much leeway as possible to alter or stop up public rights of way (PRow).
- There is too much emphasis on keeping the development of what appears to be a national protocol '*confidential*', whilst restricting the input of PRow Stakeholder Groups to local consultations where the outcomes may have already been pre-determined under this agreement.
- NR should extend its working group to include recognised Stakeholders who represent the users of PRow, i.e. The Ramblers, The British Horse Society, Byways and Bridleways Trust and The Open Spaces Society.
- Objectives: Para 1.5. The wording wrongly confines the scope of LHAs to secure '*safe and unrestricted movement of pedestrians to the PRow network*' only. This should be changed to include the full range of their responsibilities i.e. equestrians and cyclists.
- All proposed closures should include a risk assessment of the safety of PRow users who may be forced onto busy roads as a result.
- There should also be a responsibility for NR and local authorities (LAs) to negotiate new access to the nearest convenient crossing down the line.

Representing the constituent Local Access Forums of:

Barnsley, Bradford, Calderdale, Doncaster, East Riding and Humber, Leeds, North Lincolnshire, North Yorkshire, North York Moors, Rotherham, Sheffield, Wakefield and Yorkshire Dales .

RT Hon Michael Gove MP
Secretary of State for the Environment Food and Rural Affairs
House of Commons
London
SW1A 0AA

Langwith
Cragg Drive
Ilkley
West Yorkshire
LS29 8BE

5th October 2018

Dear Minister,

THE AGRICULTURE BILL 2017-19

Members of the Yorkshire, Humber and North Lincolnshire Regional Access Forum have asked me to write to you on their behalf, about the proposals for payments for public goods included in the above Bill. In particular those that relate public access.

We very much welcome your innovative proposal to include public access as a public good in the new farm payment schemes. However, we are concerned that the definition of public access (in the Bill) should include specific reference to supporting and enhancing the existing statutory network of public rights of way (PRoW).

We feel strongly that far more needs to be done to improve the PRoW network. In some areas it is incomplete and unsafe to use. Fixing this would bring about meaningful and cost effective benefits to peoples' quality of life. There would also be cost saving advantages for the NHS as their value as green gyms and the contribution they make to sustaining healthy communities is well recognised. PROWs are a public facility and should be prioritised.

We recognise that voluntary permissive access has a place in the range of benefits that land owners and managers could offer, and there may well be a case for more educational visits. However, it seems to us that recent Governments have attempted to change the emphasis of what Public Access actually is. There has been a tendency to develop policies which merely allow or invite the public into the countryside on a short term basis, rather than promoting and enhancing the public's existing legal rights of access for future generations.

Our constituent Local Access Forums would very much welcome specific reference to PROWs in the Bill.

Yours sincerely

Dinah A R Metcalf

Vice Chair and Secretary: Yorkshire, Humberside and North Lincolnshire Regional Access Forum

Local Access Forum Annual Review Form

August 2017 to July 2018

Name of LAF	North Yorkshire Local Access Forum
Name of LAF Chair	Roma Haigh
Name of LAF Secretary	Kate Arscott

Total number of LAF members (includes 4 vacancies)	17
Number of members representing users of public rights of way or access land	8
Number of members representing owners and occupiers of access land or land over which PROW subsist	3
Number of members representing other interests	2

Number of full LAF meetings held	4	Number of sub-group meetings held	0
Number of working groups led by others	0	Number of training days provided by the Appointing Authority	0
How many km of PROW have been improved due to LAF input?	?	How much funding did the LAF (or an associated body) raise?	£0.00
How many extra volunteer hours were committed to public access (not including LAF committee meetings)? (Exact figure not available but significant number)			

Partners your LAF worked with during 2017/18 (click on a box or type 'x')

The LAF has worked with the following partners:

- North Yorkshire County Council
- District Councils across North Yorkshire
- Regional Access Forum
- Highways England
- Teesdale Way Project
- Yorkshire Wolds Way Partnership

LAF achievements/making a difference?

Please give examples to illustrate how your LAF has improved public access to land for the purpose of open air recreation and the enjoyment of the area. Do you think your LAF has made a difference to public access in your area via its discussions and actions?

The LAF has continued to comment on the emerging Local Development Plans across the 7 District Councils that fall within the LAF area, as well as individual planning applications where appropriate.

The LAF has also commented on various other local consultations on access issues from a range of bodies including the Ministry of Defence, Network Rail, Forestry Commission and Highways England.

Individual LAF members have continued to be directly involved in the County Council's work with volunteers to deliver practical work on the ground. Ongoing monitoring of the performance County Council's Countryside Access Service and regular discussion with the Countryside Access Service Manager.

Consideration of issues relating to UURs and recommendations regarding specific sites.

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What activity did your LAF undertake to help record historical PROW before 2026?

2026 is as a standing item on the LAF agenda. It was identified as a priority for future action by the LAF in its 2015/16 annual report. The LAF was awaiting further information from government before developing its strategy. No further confirmed information has come forward since the time of the last report.

Please add numbers to the following differentiating between formal consultations and general advice given by the LAF on particular subjects. If a consultation covered more than one subject area, please count separately.

	Consultations	Advice	Optional Detail
Green Infrastructure strategies			
Transport (LTP, traffic management, rail, DfT, Highways Agency)	4		<ul style="list-style-type: none"> • Transport for the North draft Strategic Transport Plan • Network Rail consultation on crossing closure • A59 Kex Gill preferred proposed alignment • A19 Trunk Road (Tontine, Northallerton) Gap Closure
Water / Coast (slipways, flood defence, EA, shoreline)			
Public open space (public space protection orders)			
Dog control/exclusion/on leads/fouling orders			
Planning applications Housing development schemes	10+		Comments on individual planning applications
Land use and planning matters (e.g. informal advice on land development)			
Local development frameworks and planning strategies	7		<ul style="list-style-type: none"> • Craven District Council third pre-publication draft Local Plan • Harrogate Local Plan Alternative Sites • Selby Pool of Sites • Harrogate Publication Draft Local Plan • Craven Publication Draft Local Plan • Ryedale Local Plan Sites Document and Policies Map • Harrogate Community Infrastructure Levy Draft Charging Schedule

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PROW creation, diversion or closure - number of each			
Recording lost ways/historical rights - working towards the 2026 cut-off			
Rights of Way Improvement Plan review			
Route improvements (to PROW and other multi-user/cycling/horse-riding/walking routes)	1		Malton to Pickering Cycleway design
Promotion of access, open air recreation and the enjoyment of the area			
Vehicular access and issues relating to motorised use of PROW			
Parish Council or other grant schemes			
Access for people with reduced mobility			
Commons, village greens			
Open Access land restrictions	1		MoD review of Section 28 indefinite directions Notifications circulated for information
Coastal Access/National Trails	1		England Coast path Consultation
NNR dedication			
Greenspace including Country Parks and Local Nature Reserves			
Nature conservation (including SSSIs)	1		Proposed Scope and Application of NE SSSI Byelaw-Making Powers
Agri-environment scheme issues (HLS and new Countryside Stewardship) e.g. expiring permissive access agreements, effects of land management options on public access etc.			
Forestry and woodland	1		Forestry Commission woodland creation proposal (Lothersdale, Craven)

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Any other LAF activity (please specify)

Ongoing liaison by LAF members regarding a range of issues, such as A59 Kex Gill realignment, A1(M) upgrade and Local Access Roads, A66 dualling project, A19 gap closures, and HS2 (through Regional Access Forum), Local Liaison Groups

Consideration of public requests for LAF support in relation to specific UUR issues

Presentation and discussion on cycling with County Council officers

Discussions on Highway Authority and Landowner responsibilities

Presentation from LAF member on Restoring the Record – advice on researching and submitting claims for rights of way

What are your top priorities for the year ahead?

Do you foresee any issues or challenges that may affect your LAFs operation and/or its ability to deliver improvements to public access in the coming year?

The current financial climate continues to restrict the support available to the LAF at a national, regional and local level, as well as the ability of partners to fund and deliver improvements

Is there any particular support or training that you need to deliver your priorities or work program for next year?

Induction of new members

Summarise any feedback received from section 94(4) bodies

Comments acknowledged and formally reported in relation to Development Plans, planning applications and other consultations

Progress reports from North Yorkshire County Council Countryside Access Service

Comments from the Appointing Authority

The Local Access Forum has continued to engage with and provide formal advice to a broad range of Section 94 (4) bodies in the past year, with particular reference to the significant number of Local Development Plan consultations that have taken place across the 7 District Council areas covered. LAF members have also continued to be involved in the County Council's approach to increasing the use of volunteers.

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Comments from LAF Chair

Any other comments

NORTH YORKSHIRE LOCAL ACCESS FORUM

Local Access Forums perform a statutory function and all section 94(4) bodies are required under section 94(5) of the CROW Act 2000 to 'have regard in carrying out their functions to any relevant advice given to them' by a Forum. Reflecting the directives given to forums, the North Yorkshire LAF has drawn up a set of principles which now underpin their work and advice.

- Any new access should be at the highest rights practicable
- All rights of way should be maintained to the standard required and, where needed, upgraded physically and legally to a higher standard
- The Forum will work to see rights of way developed to redress the fragmentation of the network, connect communities and improve links to places of demand
- The Forum will work to develop more access opportunities to include the widest possible range of users, especially families, children, minority groups and the less able
- The Forum seeks the establishment of an annual budget to fund the fulfilling of the Rights of Way Improvement Plan (RoWIP)
- Whilst the creation of all access is welcome, the Forum stresses that permissive (temporary) access does not equate with the public benefit of definitive (permanent) access
- The Forum wishes to raise awareness of how different users can enjoy responsible sharing of routes where appropriate, whilst supporting challenges to illegal use
- The Forum recognises the establishment and challenges of new initiatives such as coastal access, access to water, access to woodland and the dedication of land for public access

The above may be summarised simply as:

The Forum seeks to maximise every opportunity for improved access, providing safer non-motorised journeys for the widest range of users practicable.

The Forum welcomes consultation from all section 94(4) bodies or others who feel they might benefit from discussion with them. For further information please contact the chair through the Secretary to the Forum - Melanie Carr, at North Yorkshire County Council either by telephone on 01609 533849 or by email at: melanie.carr1@northyorks.gov.uk

NORTH YORKSHIRE LOCAL ACCESS FORUM

Advice to District Councils as Sec.94 (4) bodies

Whilst each District will have different priorities within its Local Plan, the North Yorkshire Local Access Forum, in accordance with its statutory remit under sec. 94(5) of the CROW Act 2000, recommends the following points, which it hopes will be reflected by every District Council:

- The Forum advises that Good Practice in planning matters will incorporate connections for non-motorised users to local services and the rights of way network whenever possible. Such routes should be multi-user, if practicable, to encourage sustainable travel.
- That new sites provide informal as well as formal green space.
- That Local Plans reflect the objectives of NYCC's Rights of Way Improvement Plan and the Local Transport Plan.
- That Councils identify popular rights of way so they can put measures in places to enhance them and ensure their sustainability.
- That Councils seek opportunities to remedy missing links in a fragmented network to encourage healthy and sustainable travel.
- Councils should take advantage of Community Infrastructure Levy, Sec.106 arrangements, minerals tax and wind farm contribution to invest in initiatives and improvements for access.
- That Councils recognise the value of strong partnership with NYCC's rights of way department to promote the benefits accruing from a useful network of public paths.

These can be loosely summarised in the advice 'that all planning applications, should be considered from the Access point of view, to ensure opportunities for access are included'. Once missed, it is unlikely they can be added at a future date.

In addition, as Local Access Forums are directed to be inclusive in approach, which avoids discrimination and provides Best Value in access provision, we strongly advise that all new paths should be for the widest range of users, as in this way it encourages sustainable travel and supports safer and healthier journeys for as many as practicable.

The Forum welcomes engagement. Contact can either be made through your named LAF member or through the LAF secretary - Melanie Carr, at North Yorkshire County Council either by telephone on 01609 533849 or by email at: melanie.carr1@northyorks.gov.uk