
NORTH YORKSHIRE LOCAL ACCESS FORUM

AGENDA

Meeting: Local Access Forum

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

Date: Wednesday 17 October 2018 at 10.00 am

Recording is allowed at County Council, committee and sub-committee meetings which are open to the public, please give due regard to the Council's protocol on audio/visual recording and photography at public meetings, a copy of which is available to download below. Anyone wishing to record is asked to contact, prior to the start of the meeting, the Officer whose details are at the foot of the first page of the Agenda. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive. <http://democracy.northyorks.gov.uk>

Business

1. **Apologies for Absence**
2. **Minutes of the meeting held on 25 July 2018** (Pages 6 to 11)
3. **Public Questions or Statements**

Members of the public may ask questions or make statements at this meeting if they have given notice to Melanie Carr of Democratic Services (*see contact details at bottom of page*) by midday on Monday 15 October 2018, 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.

4. Attendance of Executive Member for Access

Purpose: To hear from and have a discussion with the Executive Member for Access (including highways, road and rail transport, public transport; broadband, mobile phones; public rights of way).

5. Countryside Access Services Review Update - Report of the Countryside Access Manager (Pages 12 to 16)

Purpose: To receive an update on progress on a comprehensive review of the Public Rights of Way Service.

6. Zonal TRO on Blubberhouses Moor (Pages 17 to 19)

Purpose: To consider and agree the proposal for recommending that the network of UURs on Blubberhouses Moot be re-imposed and made permanent.

7. District Council & LAF Project Updates – Report of the Secretary (Pages 20 to 27)

Purpose: An opportunity for LAF members to update the Forum on District Council liaison and other LAF representative project activity since the last meeting. To include an update on:

- Richmondshire Local Plan Review
- Howardian Hill Area of Outstanding Natural Beauty (AONB) Management Plan Review
- A66 Northern Trans-Pennine Route Stakeholder Reference Group ‘Stage 1’ Meeting

8. Secretary’s Update Report – Report of the Secretary (Pages 28 to 51)

Purpose: To update LAF members on developments since the last meeting, including:

- Consideration of the draft Annual Report prior to its submission to Natural England;
- A progress update on LAF recruitment

9. Forward Plan – Report of the Secretary (Pages 52 to 53)

Purpose: To consider develop and adopt a forward plan of items of business for future meetings.

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

Melanie Carr
Secretary to North Yorkshire Local Access Forum
County Hall
Northallerton
17 October 2018

NOTES

(a) **Interests**

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

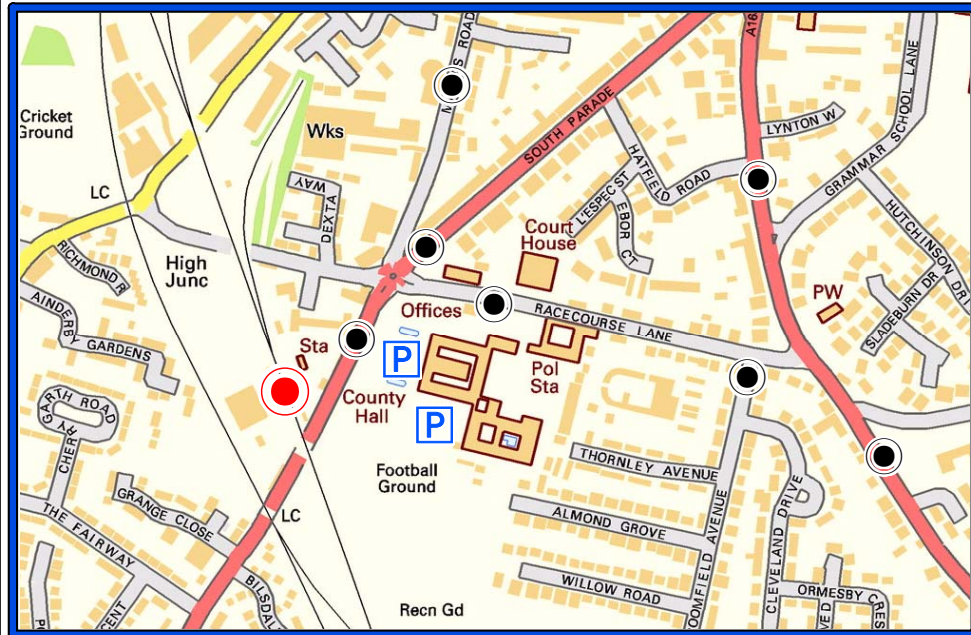
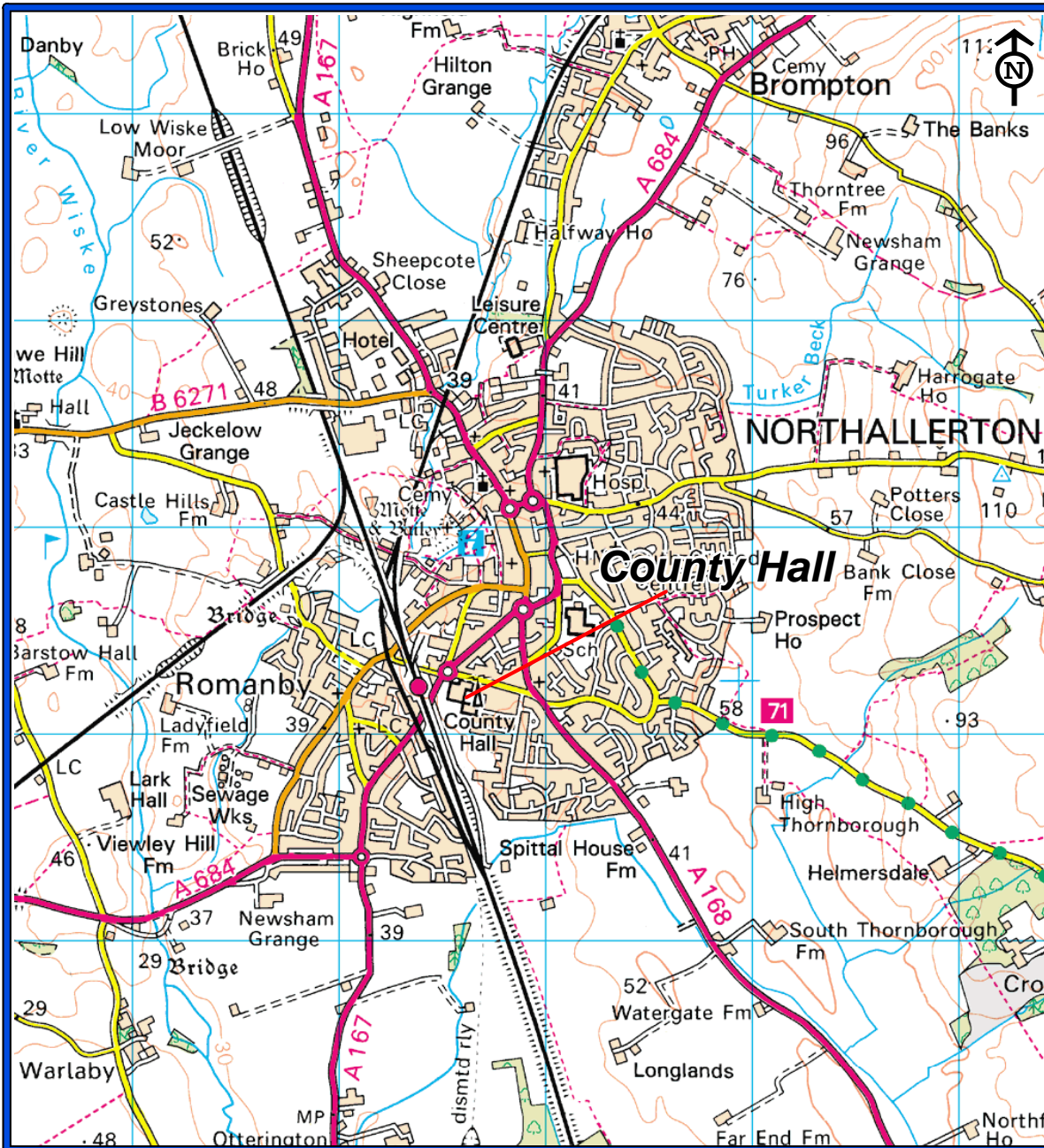
- (7) “A member of a Local Access Forum who is directly or indirectly interested in any matter brought up for consideration at a meeting of the Forum shall disclose the nature of his interest to the meeting”.

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.

NORTH YORKSHIRE LOCAL ACCESS FORUM

Membership

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



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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 at County Hall, Northallerton on 25 July 2018, commencing at 10 am

Present

Roma Haigh (Chair), Michael Bartholomew, Rachel Connolly, Edward Dennison, County Councillor Robert Heseltine, County Councillor David Jeffels, Barrie Mouny, Sue Raper, Paul Sherwood and Richard Smith

Officers: Ian Kelly, Countryside Access Manager (Business and Environmental Services, North Yorkshire County Council), Kate Arscott (Legal and Democratic Services, Secretary to the Local Access Forum) and Melanie Carr (Legal & Democratic Services)

238 Apologies for absence

Apologies for absence were received from David Barraclough, George Bateman & Doug Cartwright.

239 Minutes of the meeting held on 11 April 2018

Resolved -

That the minutes of the meeting held on 11 April 2018 be agreed as a correct record and be signed by the Chair.

240 Matters Arising from the minutes

With regard to Minute 230 Roma Haigh confirmed that a follow up response had been written and agreed, and was ready to be sent.

The Secretary confirmed a number of outstanding items:

- Minute 230 – a follow up response on cycling had been drafted and circulated for comment but had not yet been sent
- Minute 234 - Making contact with Network Rail regarding the possibility of them attending a future meeting of the LAF;
- Minute 236 - Investigating a way of linking applications to vary planning conditions with the original conditions

241 Public Questions or Statements

There were no public questions or statements.

242 Pathways to Health

Considered -

The case study which updated the Forum on the progress of Pathways to Health programme.

The Forum received an update from Ian Kelly, Countryside Access Manager on the intervention to target the general public in Scarborough & Selby with the aim of encouraging more people to engage with walking in their local area. He confirmed that joint working between Public Health, Countryside Access and Stronger Communities had successfully delivered the project.

Members noted the change to the name of the campaign to 'Discoveries on your Doorstep' and were pleased to note that the project had received recognition for its innovative response to a significant concern. It was confirmed that funding for the future rollout of the project to other areas across the region, starting in the Harrogate area, would come from Stronger Communities and Public Health.

Members went on to discuss the barriers to accessing the walking trails network for disabled residents and questioned whether any work had been carried out as part of the project to improve access. In response, Ian Kelly confirmed careful consideration had been given to the suggested routes to limit the barriers to access, and in some places stiles had been replaced by kissing gates.

Cllr Jeffels confirmed his view that it was a first class scheme and suggested that County Councillors may be willing to utilise their locality budgets to support the rollout in other areas. Richard Smith endorsed Cllr Jeffels views and provided anecdotal evidence that more people were out walking, not necessarily as part of a formal group.

Rachel Connolly agreed the project had been successful but questioned whether its benefits could be increased if the previously proposed GOAT Scheme was rolled out in tandem. Ian Kelly confirmed the previous decision not to proceed with the scheme but agreed that if it were re-submitted he would consider it once again.

Resolved -

That the Chair, County Councillor Jeffels and Rachel Connolly work together to re-submit the GOAT Scheme for Ian Kelly's consideration.

243 2026

Considered -

The Forum's standing item enabling members to discuss any new information regarding the 2026 cut-off date for the recording of public rights of way within the Definitive Map and Statement.

Ian Kelly confirmed there had been some progression in that DEFRA had reported their intention to implement rights of way reform as from Summer 2019 with the option of either keeping to the 2026 deadline or extending it to 2031.

Resolved -

The Forum noted the progress and thanked Ian Kelly for the update.

244 Restoring the Record

Considered -

The report of Richard Smith, which shared information produced to help in work associated with claims to the Rights of Way network.

In regards to useful resources, Richard Smith provided a list of online mapping services and useful websites. In particular he drew attention to the national library of Scotland that holds detailed information on the whole of the UK - - <https://maps.nls.uk>

Before commencing work on a new claim, he stressed the benefit of asking a Local Authority what they need as evidence in order to process a claim. He provided a list of historical records in order of importance to a claim, drew attention to the costs involved with getting copies of the necessary supporting documentation and the benefits of local libraries and old postcards, photographs and newspapers etc.

Richard went on to outline two case studies which evidenced the alternative methods for making a claim (i.e. using right of way – where the right of way is not included on a map, and using historical records – to claim a route currently unused that was previously in use), and the possible barriers and potential solutions.

County Councillor Robert Heseltine queried the number of lost routes that might still be claimable and Richard Smith confirmed there were still plenty in rural areas and even more in urban areas.

Ian Kelly confirmed that there was also advice on the County Council's website on this topic.

Resolved -

That Richard Smith be thanked for his very detailed and interesting report.

245 Consultation on the Proposed Scope and Application of Natural England's SSSI byelaw-making powers

Considered -

A report on the Natural England consultation provided by the Secretary and a discussion paper on LAFs and Sites of Special Scientific Interest (SSSI,) provided by Mike Bartholomew.

In regard to the Natural England consultation, Roma Haigh drew attention to the deadline for responses, and the Secretary confirmed that the draft model SSSI Byelaws document attached to the consultation document was a generic example listing all of the potential underlying problems/threats to a site. When in use, it would only include those that were applicable to the SSSI in question.

Members accepted that most of the issues in the consultation paper were beyond the remit of the LAF, and therefore agreed to focus their response on access. They noted that Natural England had no intention of interfering with public rights of way. However they recognised that where there were cases where rights of way were indistinct, non-existent on the ground, or where the actual rights of the public were uncertain, there may be a conflict between the public's right of access, and the preservation of the SSSI.

Using Blubberhouses Moor as an example, Mike Bartholomew explained how promoting access and conserving natural beauty can come into conflict. Specifically in regard to the Moor, he explained the issues around many of the UURs criss-crossing the Moor and highlighted the difficulties with identifying routes on the ground. He also reminded members of the history of using a zonal TRO to protect the Moor against recreational use of motor vehicles and the potential problems that may arise once the current temporary TRO has run out.

Barrie Mouny questioned what could be done to highlight a TRO to potential users of the Moor, and Members agreed that Blubberhouses Moor was unsuitable for such use.

Resolved -

That in regard to the Natural England consultation:

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| i) Michael Bartholomew lead on the response and that the draft response be circulated by email for comment by Forum members before submission |
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That specifically in regard to Blubberhouses Moor:

- ii) It was unsuitable for recreational motor vehicle use, therefore the original zonal TRO imposed by North Yorkshire County Council in 2005 should be renewed in order to protect the Moor.

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| iii) Michael Bartholomew drafts a formal recommendation from the LAF regarding a permanent TRO on Blubberhouses Moor and circulates it for comment prior to submission to the County Council. |
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246 District Council and LAF Project Updates

Considered -

The report of the Secretary giving LAF members the opportunity to update the Forum on District Council liaison and other LAF representative project activity since the last meeting.

Forum members considered a written update from Paul Sherwood on the A66 Project, together with a map detailing the section of the A66 that passes through North Yorkshire. The map highlighted the various public rights of way interfacing with the road, the possible crossing points and the distances between them. Having discussed the potential costs involved in providing safe crossing opportunities for horses, cyclists and walkers, Forum members recognised those costs would be considered prohibitive by Highways England, particularly without good evidence of recent usage, and that it was likely that Highways England would seek to reduce the number of crossings. It was agreed that Paul Sherwood would continue to monitor the situation and would advise the LAF if he felt that formal representations should be made at some future point.

Paul Sherwood also provided a written update on the Teesdale Way Project. Forum members noted the change in project focus with it now centring on the River Tees from Piercebridge to Teesmouth. As the project would no longer encompass the Teesdale Way long distance footpath, Paul proposed that the Forum take no further action and this was agreed. Paul Sherwood was thanked for his input on this project.

In regard to the A1 & Local Access Roads Project, Rachel Connelly provided a verbal update on the meeting held between Forum members, Barrie Mason Assistant Director for Highways & Transportation and other Highways officers. Forum members noted the agreement reached that a map would be drawn up to show which sections of the road margin were considered vital by equine users as requiring linkages between bridleways or lanes, for further consideration by officers. The Chair indicated that she had drafted a follow-up email to Barrie Mason summarising the outcomes of the meeting, which would be submitted following agreement with all LAF members who attended the meeting.

Forum members noted the update report on the recent meetings of the North & East Local Liaison Group meetings provided by George Bateman. The secretary agreed to circulate by email an update from the South & West group meetings.

Resolved –

That:

- i. The updates on the various projects be noted.
- ii. The Forum take no further action in regard to the Teesdale Way Project

- iii. Paul Sherwood keep the Forum updated on the A66 project.
- iv. On behalf of the Forum, Rachel Connolly to send the map identifying the relevant sections of the A1 to Barrie Mason.
- v. The Secretary circulate information from recent meetings of the South & West Local Liaison Groups.

247 Secretary's Update Report

Considered -

The report of the Secretary which updated on developments since the last meeting.

Forum members noted the written response from Highways England to their formal objection to the closure of the gap in the central reservation in the A19 trunk road at Tontine, Northallerton. Members expressed concern about the reasonableness of the alternative proposal from Highways England. Roma Haigh suggested the LAF needed to consider how best to handle that type of issue in the future, and it was suggested that organisations representing those affected by the loss of crossing points e.g. Sustrans and the British Horse Society etc. should be encouraged to get involved.

However, members welcomed the offer from Highways England to engage with the LAF on the wider issue of further gap closures along the length of the A19. It was agreed that the Chair would draft a response to Highways England on this basis.

The Secretary drew attention to the consultation dates for the planned review of the Howardian Hills Area of Outstanding Beauty Management Plan and it was agreed the Chair and Rachel Connolly would consider the consultation on behalf of the Forum, and that it be included on the agenda for the October meeting.

In regard to the next meeting of the Yorkshire Humber & North Lincolnshire Regional LAF in September 2018, it was agreed that the Chair and County Councillor Jeffels would attend.

In addition, the Roma Haigh provided a progress update on the preparation of the NYLAF webpage and confirmed it was likely to go live in November 2018. Forum members also noted the plans in place to recruit new LAF members ahead of the end of the current LAF members' term of office. The LAF also decided to review the published LAF Principles and LAF Advice documents at the October meeting, under the heading of LAF Duties. It was agreed that the Secretary would circulate both documents to all members for consideration in advance of the meeting,

Resolved -

That:

- i) The update report be noted

- ii) Roma Haigh draft and circulate a response to Highways England on the A19 gap closure, for consideration by LAF members prior to submission.
- iii) Roma Haigh and Rachel Connolly lead on the consultation arising from the forthcoming review of the Howardian Hills Area of Outstanding Beauty Management Plan
- iv) The Secretary circulates a copy of the LAF Principles and LAF Advice documents for review ahead of the next LAF meeting in October 2018.

248 Forward Plan

Considered -

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

The Secretary confirmed the intention to hold 3 LAF meetings during 2019/20 (July, November and March).

Resolved -

That the following items be added to the agenda for the forthcoming October 2018 meeting:

- Formal sign off of the LAF Principles and LAF advice
- Issues arising from the Ryedale Local Plan (if required)

250 Dates of Next Meetings

The next meetings of the Local Access Forum will be held at 10am on:

- Wednesday 17 October 2018
- Wednesday 16 January 2019
- Wednesday 10 April 2019

The meeting concluded at 12:25pm

MC

North Yorkshire County Council

North Yorkshire Local Access Forum

17 October 2018

Countryside Access Service Review Update

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.

2.0 Background

- 2.1 In Autumn 2015 the Public Rights of Way (PRoW) team started a fundamental review of its purpose and operational work models and practices. The aims were to ensure that the savings made were sustainable in the long run and that the service could continue to meet its statutory responsibilities while providing the best level of service for the available funding.

3.0 Update on Review Progress at October 2018

- 3.1 Paragraph 3.2 sets out the scope of the review programme, and provides an update on what has been achieved to date.
- 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.

A new statement of service delivery principles was agreed in July 2017 following public consultation. This is complete but not yet published.

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.

A new route categorisation model was agreed in July 2017 following public consultation. The service has now implemented the model within its CAMS IT system. However the map of the new network categorisation has not been published yet. We are still working through some remaining technical mapping issues to remove a range of anomalies thrown up by the approach. We still expect to publish the map and the new policy framework on the Council website before the end of this calendar year.

A second phase of this element of the programme was to develop an approach to engaging with parish councils and user groups to allow the value placed in the path network by those communities to be measured in order to influence the path categorisation model. This idea received support in principle during the public consultation, particularly from parish councils. At

the same time, many respondents warned that developing such a model would be very complex and would take time away from 'bread and butter' path maintenance work. After exploring a number of ideas, we have reluctantly concluded that developing a formal approach to community value is too difficult given current resource levels, and so we have focussed instead on process work. We will continue to take a pragmatic approach to working with parishes or other local groups that approach us suggesting a need to make changes to a route priority on a case by case basis provided there is sound justification for doing so.

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

This element is complete with the review concluding that the team should continue to use the existing issue prioritisation model.

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.

Work has been undertaken on all of the service's work processes. New processes have been written and implemented for the following types of issues reported to the team:

- *Ploughing and cropping*
- *Signposting*
- *Waymarking*
- *Gates*
- *Stiles*
- *Overgrowing vegetation*
- *Other network obstructions*

Together these cases account for about 70% of cases reported to the team.

Work is now being undertaken on how the team will tackle more complex obstruction cases (those requiring magistrates court enforcement), reports of terrain out of repair, bridges, and seasonal vegetation. We will be able to use the principles already established in this work. Once complete we will have updated processes for over 95% of the type of new cases that are reported to us. We now expect this element of work to be completed by April 2019.

Assessment of the new processes has started with the team's case management and workload kept under review.

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 done on developing revised working processes have included an important role for the countryside volunteers, and have brought the countryside volunteers into the flow of work processes.

During Q1 2018, out of a total of 344 cases resolved countryside volunteers were involved in progressing 178 cases (51%), resolving 41 of those. During Q2 2018 countryside volunteers were involved in progressing 294 cases out of a total of 523 overall (56%), resolving 22 of those.

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

A decision has now been taken to retain CAMS (Countryside Access Management System) as the service's current core IT system. This decision provides stability, removes the need to undertake a time-consuming system change, and provides a basis to consider the potential to develop new IT functionality within CAMS.

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.

We are working with NYCC Technology and Change and Exegesis (CAMS suppliers) to develop new functionality within CAMS around managing volunteers and mobile working, together with the inclusion of the Definitive Map team workstreams. We are continuing to work to develop on-line reporting for countryside access customers via a customer portal.

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.

Work has continued with Lower Wharfedale Ramblers (LWR) and Burton in Lonsdale Parish Council and other working groups have been established including Potto, Newton-le-Willows, Hutton Rudby and Goldsborough Parish Councils and Swaledale Outdoor Club. The extent and type of activity varies per group. As well as providing physical resource, they have also secured significant financial contributions and assisted with landowner negotiations to help successfully deliver projects at a local level. This aspect of the review has transitioned into 'Business as Usual' and we will continue to seek opportunities to work with 3rd parties using the framework developed as part of the LWR pilot.

3.2.9 To set out a published statement of service standards.

It is still an aim of the service to set out a statement of service standards, but it can only be developed and published once all of the new working processes have been implemented.

4.0 Service Metrics.

- 4.1 An analysis of data within CAMS gives cause for optimism that the change in approach taken by the team, expressed through the review of process, is having a positive impact in raising the effective capacity of the small team of PRoW staff.
- 4.2 The table below provides high level metrics comparing the first nine months of calendar years 2017 and 2018. They show an improvement in the volume of case resolution. They also show an increase in the proportion of cases logged during the period that have also been resolved during the period. The improvement is more marked for those case types for which new processes have been written and implemented.

	Activity 31/12/16 to 30/9/17	Activity 31/12/17 to 30/9/18	Change
All cases			
Total defect cases logged	1368	1428	+4%
Total defect cases resolved	777	1407	+81%
% of cases logged in period also resolved in period	24%	35%	+45%
Cases for which new processes are in place			
Total defect cases logged	923	980	+6%
Total defect cases resolved	437	976	+123%
% of cases logged in period also resolved in period	20%	31%	+53%
Cases for which new processes are yet to be finalised			
Total defect cases logged	445	448	+1%
Total defect cases resolved	340	431	+27%
% of cases logged in period also resolved in period	32%	43%	+34%

- 4.3 The 27% rise in the level of case resolution for the remaining case types (those that we are working on new processes at present) is notable. The new processes for these types of cases will all involve similar principles to those that have been completed thus far and staff have started to use these approaches across the whole range of case types with positive outcomes.
- 4.4 Over the last 9 months, the team has resolved 99% of the volume of cases reported to it, effectively 'breaking even' over the period and stemming the rise in the level of unresolved cases. While we will continue to monitor case management as a matter of course, this data should give NYLAF members a degree of reassurance about the decision to focus on process work to the exclusion of other work within the review.

5.0 Recommendation(s)

5.1 It is recommended that North Yorkshire Local Access Forum members take note of the content of the report.

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

Report to NY Transport, Economy and Environment Overview and Scrutiny Committee 26th October 2016

Report to NY Local Access Forum 23rd November 2016

Report to BES Executive Members 21st July 2017

Report to NY Local Access Forum 11th October 2017

North Yorks Local Access Forum – Proposed Recommendation on Zonal TRO on Blubberhouses Moor

1. Statutory Duties

- 1.1 The statutory function of the LAF is to improve public access to land. But the Act qualifies this duty by requiring LAFs to have regard to the ‘desirability of conserving the natural beauty of the area for which it is established, including the flora, fauna and geological and physiographical features of the area.’ (CROW Act 2000, section 94.) Using the analogy of the Sandford Principle, which was formulated for the guidance of national park authorities, and which has now been incorporated into the Environment Act, it is reasonable to assume - although of course Blubberhouses is not in a national park - that if these two duties come into conflict, the conservation of natural beauty and of wildlife should take precedence. This is particularly important when the conflict occurs in a Site of Special Scientific Interest, (SSSI), or an Area of Outstanding Natural Beauty. Blubberhouses Moor is wholly within the Nidderdale AONB, and large portions of it are SSSI.
- 1.2 The LAF’s appointing body (NYCC) ‘shall have regard to any relevant advice given to them by the local access forum’ (CROW, 94 (5)).
- 1.3 Accordingly, at its meeting on 25 July 2018, the LAF resolved to advise NYCC that the zonal TRO, originally imposed in 2004/5, should be re-imposed, but made permanent, as soon as possible, on the network of approximately 27km of unsealed unclassified roads that criss-cross Blubberhouses Moor and adjacent land. The moor extends southwards from the A59, between Blubberhouses and Beamsley. It is co-extensive with the open access area.

2. Background.

- 2.1 From around the 1990s the moor became popular with drivers of recreational motor vehicles (motorcycles and 4x4s). The rights on the UURs that they used are uncertain, but presumably these users believed – although they never presented proof - that the UURs carry public rights for motor vehicles. Whether the routes do, or do not, carry such rights; whether the routes were correctly entered on the List of Streets; and whether the routes are accurately depicted on OS maps, are matters that will take much research to establish. But for our purposes, what is important is that motorbikes and 4x4s were driven onto the moor, causing extensive, and in a few places, according to Natural England, irreparable damage.
- 2.2 One of the problems with the network of UURs is that they are unmarked on the ground. There is no sign of them, apart from a few sections that can be distinguished from the adjacent moor. Overwhelmingly, the lines on the map are completely indistinguishable from the heather moorland and blanket bog that the routes traverse. In one case, leading south west from the entry to the moor near Blubberhouses church, the line on the map goes diagonally across two intake fields before emerging on to the moor. Along the way, it crosses three old stone walls, none of which shows evidence of there once having been gateways. In another location, Back Allotments,

the line on the map passes through woodland: mature trees grow directly on top of the supposed line. Out on the moor itself, the lines of the UURs meander about, occasionally, but not invariably, coinciding with stoned tracks built by the owners of the moor for their own purposes - not in order to delineate a public right of way. The result of this confusion is that the motorised recreational users of the UURs had no practical way of knowing when they were on, and when they were straying from the legal route – assuming, that is, that the UURs bear legal public rights for motors, which is by no means certain. Consequently, damage to the moor was inevitable and has been well-documented.

- 2.3 In 2004, and under the chairmanship of Bill Isherwood, a highways officer, now retired, but then based in Skipton, a working group composed of representatives of all those with an interest in the moor was convened. The group included gamekeepers, landowners, Natural England, walkers and – most importantly – representatives of the motoring organisations, the TRF and LARA. Under Mr Isherwood’s skilful chairmanship, the group unanimously recommended the imposition of a zonal TRO that would exclude non-essential motors from the network of UURs. This recommendation was supported by both the motorcycle and the 4x4 representatives, as well as the Police and Natural England. It was agreed that the zonal TRO should run for 5 years, and then be renewed, or made permanent, if the conditions that prompted the imposition of the TRO were unchanged.
- 2.4 The group ruled out a possible alternative – ie that NYCC should build, from scratch, 27 kms of tracks capable of sustaining motor vehicles, along the mapped lines of the UURs. This was ruled out on three grounds: first, that it would be prohibitively expensive; second, that both the rights and the precise direction of the UURs remain unclear; and third, and more important, that the building of vehicle-bearing tracks would change the character of the SSSI and damage the fabric of the ground across which the tracks would have to run.
- 2.5 NYCC accepted the group’s recommendation. A zonal TRO was imposed in 2005. Permanent signs were erected at all the entry points of the UURs onto the moor. The TRO was widely respected by motor vehicle users, and steadily the moor started to recover. It is now in generally good condition, although here and there, there is evidence of the rutting and the stripping-away of vegetation that vehicles caused back at the turn of the century.
- 2.6 Unfortunately, when the TRO lapsed, after its five-year term, the condition of the moor, and the impact on it of recreational motors, were not reviewed. The intention of the original working group was that it should have been reviewed, and if the conclusion of the review was that the order was having the desired effect, it would be renewed. A succession of two *temporary* TROs, each running for 18 months were hastily imposed. Temporary TROs may not be indefinitely renewed. The last temporary TRO has now expired, and 4x4s and motorbikes are returning to the moor. If nothing is done, there is every reason to expect that the good work of the first zonal TRO will be undone, reducing the moor and the SSSI once again to the deplorable condition they were in back in 2004.

3. LAF Recommendation

The LAF recommends to NYCC that, as a matter of urgency, the zonal TRO that was so painstakingly formulated in 2004/5, be re-imposed on the network of UURs on Blubberhouses Moor and made permanent.

4. Legal Powers

- 4.1 The legal powers to impose TROs will be well-known to you, but for completeness, and for the information of LAF members, they are set out below:
- 4.2 Under the Road Traffic Regulation Act 1984, a permanent traffic regulation order may be imposed if there is evidence that the order will achieve one, or more, of the following six outcomes:
- i. Avoid danger to persons or other traffic using the road.
 - ii. Prevent damage to the road or any building near the road.
 - iii. Facilitate the passage of any kind of traffic (including pedestrians)
 - iv. Prevent unsuitable use by vehicular traffic.
 - v. Preserve the character of the road in the case where it is particularly suitable for use on horseback or on foot, or preserve or improve the amenities of the area through which a road runs.
 - vi. Conserve or enhance the natural beauty of an area. This includes conserving flora and fauna, and geological or physiographical features.
- (From the DEFRA publication 'Making the Best of Byways' 2005, p27)
- 4.3 All six of these conditions are met in the case of Blubberhouses Moor, although numbers ii, iv, v, vi are the most obvious.
- 4.4 Finally, you will be aware that TROs can sometimes provoke expensive litigation from opponents of the orders. In order to head off High Court challenges, it is essential that NYCC observes every detail of the legal provisions governing the making of TROs. In particular, it must document that has performed the balancing act between, on one hand, its duty under section 122 of the Road Traffic Act to keep ways open to those legally entitled to use them, and, on the other, its duties under the Road Traffic Act to restrict use of ways for the compelling reasons set out above.

Michael Bartholomew
1 October 2018

North Yorkshire Local Access Forum

17 October 2018

District Council & LAF Project Updates**1.0 Purpose of the Report**

- 1.1 An opportunity for LAF members to update the Forum on District Council liaison and other LAF representative project activity since the last meeting.

2.0 Background

- 2.1 The LAF operates an agreed 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 Individual LAF members are also nominated from time to time to take a lead on specific projects that the LAF has an interest in or in representing the LAF on other partnership bodies
- 2.3 This agenda item provides an opportunity for the Forum to be updated on activity since the previous meeting.

3.0 District Council Liaison

- 3.1 A draft response to Richmondshire District Council's Local Plan Issues & Options Consultation is attached at Appendix 1 for LAF member's consideration.
- 3.2 District Liaison representatives are invited to report verbally on any other activity.

4.0 LAF Projects

- 4.1 An update on a recent 'Stage 1' meeting of the A66 Northern Trans-Pennine Route Stakeholder Reference Group held 25 September 2018 is provided at Appendix 2.
- 4.2 LAF members are invited to report verbally on any other activity.

5.0 Local Liaison Groups

- 5.1 Appendix 3 summarises key issues and items of interest arising from Public Rights of Way (PROW) Local Liaison Group Meetings, as provided by George Bateman. The supporting documents have been circulated separately to LAF members.

6.0 Recommendation

6.1 That members note the updates.

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 response to Richmondshire District Council’s Local Plan Issues & Options Consultation

Appendix 2 – Update on ‘Stage 1’ meeting of A66 Northern Trans-Pennine Route Stakeholder Reference Group held 25 September 2018

**DRAFT RESPONSE TO RICHMONDSHIRE LOCAL PLAN REVIEW
ISSUES & OPTIONS CONSULTATION DOCUMENT**

Background

1. The current Richmondshire Local Plan Core Strategy was adopted in December 2014. At that time, the District Council's intention was to proceed with the preparation of supporting development plan documents that would provide detailed guidance on matters such as the location of new development and development management policies. This approach was abandoned last year when the District Council decided that elements of the Core Strategy were already out of date and that, in line with current Government guidelines, a full review of the Local Plan was a more appropriate way forward. The new Local Plan will include revised strategic and core policies, a Catterick Area Masterplan, strategic site allocations and detailed development management and planning obligations policies.
2. The Issues and Options Consultation Document is the first stage in the preparation of the new Local Plan. It can be viewed at www.richmondshire.gov.uk/local-plan-review and responses are required by 31st October 2018.

The Issues and Options Consultation Document

3. The Consultation Document adopts a "broad brush" approach as is appropriate for what is very much a scene-setting document for later more detailed work. This is aptly demonstrated by the chapter headings which, in sequence, are – Strategic Issues, Vision, Strategic Objectives, Local Objectives and Spatial Principles - though it might be argued that the Council's vision for the future development of the District is a more logical starting point than consideration of strategic issues.
4. The Key Strategic Issues appear largely aspirational and might be likened to motherhood and apple pie. Many of them, especially where economic or social issues are involved, will be difficult to address through local planning policies alone and will require the intervention and co-operation of other agencies if they are to come to fruition. They are listed as follows –
 - (a) Achieving rural sustainability, while retaining local character;
 - (b) Developing a complementary relationship between the town centres in Richmond and Catterick Garrison and the Scotch Corner Designer Outlet Centre;
 - (c) Supporting the integration of communities in the wider Garrison area through development of a main town centre and related services;
 - (d) Securing wider local benefits of a sustained and increased military presence;
 - (e) Improving access to facilities in the villages;
 - (f) Dealing with poor housing mix and lack of access to a wider range of tenures, including affordable housing;
 - (g) Promoting a more diverse rural economy with a wider range of employment opportunities and wages;
 - (h) Developing the quality of the tourism offer;

- (i) Conserving and enhancing natural and built heritage;
- (j) Increasing installed renewable electricity and heat capacity and reducing carbon emissions;
- (k) Complementing neighbouring areas and supporting communities in the Yorkshire Dales National Park;
- (l) Addressing the declining and ageing population particularly prevalent in the rural parts of the plan area; and
- (m) Securing wider local economic and employment benefits of an upgraded strategic road network.

5. The Forum will note that none of the identified Key Strategic Issues, beyond the very broad and unspecific “*achieving rural sustainability*”, can be construed to cover access or the development and encouragement of more sustainable modes of transport, or acknowledge the needs of non-motorised users in the plan area.

6. If the Key Strategic Issues appear aspirational, the Consultation Document actually describes the Vision as a “*statement of ambitions*”. It sets out what changes and developments the new local plan seeks to achieve by 2035 in the following terms –

“In 2035, sustainable growth in the Richmondshire plan area’s towns and villages supports the quality of life of rural communities and addresses their needs for local homes, work and leisure, through development and provision of services. This growth has also complemented neighbouring areas by supporting communities in the Yorkshire dales National Park and the regeneration strategy in the Tees Valley.

“The towns of Richmond, Catterick Garrison and Leyburn play distinct roles as centres for local communities and are the main focus for housing and employment, offering a wide range of services and facilities. Their growth has led to improvements in links to and from surrounding villages and other centres. Richmond has realised the potential offered by its heritage and increased its economic importance to the surrounding area. Private and military investments have transformed Hipswell, Scotton, Colburn and Catterick Garrison into an excellent living environment shared by local and military communities, with a modern town centre, high quality development, accessible green corridors and improved road network.

“Historic Richmond, the modern Catterick Garrison town centre and the Scotch Corner Designer Outlet complement each other in the range of facilities and opportunities they offer to the District. Leyburn continues to be an important centre for a large rural area extending over Wensleydale and Swaledale. The area retains its character and sense of place while offering wider housing and employment choices. The villages and countryside beyond continue to reflect their high quality settings, but a flexible approach to development has provided a range of accessible housing and employment opportunities for local people.

“A diverse, competitive and successful rural economy, providing access to local job opportunities has grown alongside market and affordable homes and embraced

opportunities offered by the upgraded A1(M) and improved digital infrastructure. More people live and work locally, with commuting to and from the plan area reduced. The area's strong rural cultural identity, with its variety of environmental and historical assets, has been sustained and enhanced. Local measures have helped the area to respond to climate change and mitigate the impact of development. Installed renewable electricity and heat opportunities have been realised and green renewable and low carbon industries have developed. These have supported renewable energy provision and low carbon developments."

7. The Forum will have noted that the Vision refers to "accessible green corridors", and to increased sustainability generally. What it does not do is acknowledge the excellent network of footpaths and bridleways that already exists in the plan area and that might be extended to provide sustainable links between communities, nor is there any reference to the potential health benefits to communities in the plan area through increased provision for cycling and walking.
8. The remainder of the Consultation Document consists of sections on the District Council's Strategic Objectives, Local Objectives and Spatial Principles. These provide further detail on the topics already identified as the Key strategic Issues, as described above, but do not contain any specific material on access.
9. A draft response on the Consultation Document follows.

The Forum's Response

10. As the District Council will be aware, the North Yorkshire Local Access Forum exists to advise a range of public bodies (in North Yorkshire outside the National Parks) on the improvement of public access to the countryside and public rights of way in both rural and urban areas. In this role, the Forum welcomes this opportunity to comment on the Richmond Local Plan Review Issues and Options Consultation Document.
11. The Forum sees the Consultation Document as an important first step in reviewing the Richmondshire Local Plan as it provides the overall context for the plan-making process. Topics that do not appear in the Council's Vision for the Richmondshire of the future, or are not identified as Key Strategic Issues at this stage, are unlikely to feature prominently in the evolving Local Plan.
12. The plan area is already blessed with an excellent network of footpaths and bridleways that provides links for non-motorised journeys between communities and from the towns and villages into the countryside. This takes on a greater significance given the current emphasis on the importance of exercise – in this case, walking and cycling - in maintaining the health of the population.
13. Both the Key Strategic Issues and the Vision refer to sustainability at some point. The Forum advises that these statements should be expanded to take on board the health and access issues and that these might be elaborated In the Strategic or Local Objectives. The end product should be policies in the Local Plan that seek to

enhance the public right of way network by making good any missing links and ensuring that all new housing and business development is accessible from the network, so enabling both commuting and recreation by non-motorised means. Such policies would be capable of implementation directly through the development management process or as a result of planning obligations.

David Barraclough
2nd October 2018

Highways England A66 Northern Trans-Pennine Route Stakeholder Reference Group Stage 1' Meeting held 25 September 2018

Pre-amble to the Report

I attended the second of the 'Stage 1' meetings regarding the £1.2b improvements to the A66 Northern Trans-Pennine route, which runs for fifty miles between Scotch Corner and Penrith. A lot of background information on traffic volumes, usage, costings, time-scale etc were given in my report of the first meeting last October. I will try to avoid too much reference to discussions concerning sections of the A66 out of North Yorkshire. The delegate list is an attachment from Highways England.

Report

I don't know how many of these invited delegates actually attended, there appeared to be about sixty five people, including Highways England & Transport for the North staff there when the discussions commenced at 1030hrs. I did note an absence of the Cumbria LAF, however I understand they were invited but unable to attend this meeting - and more importantly still interested in participation.

I was talking to Brian Williams the A66 Project Director & Matt Townsend the A66 Senior Project Manager before the meeting commenced, and it appears that the project management are listening to the opinions expressed by user groups. I have been in contact with Matt Townsend several times.

During the presentations by several staff, Brian Williams did make comments about the importance of NMU connectivity and trying to avoid route severance. Listing existing problems & project objectives.

He continued by stating that since the meeting last year there are now options to do further work on the M6 (J40) interchange at Penrith and on the A1(M) interchange at Scotch Corner, the latter may concern us.

A long presentation from Owen Wilson (Transport for the North) over possible projects for the 'Central Pennines Corridor' including rail travel, trying to "reduce social isolation & giving health and wellbeing benefits" - this was for a period of up to 2050.

The A66 Design Director (HE) Steve Davis, raised issues as diverse as more parking for HGV's on the A66, Smart Technology on the entire route for advance warning to drivers, this is of importance to the Traveller Community when Appleby Fair is on, and information on a system to assist the emergency services by improving radio communications on the route (this is currently in the Department for Transport & Home Office planning stages). He continued by assuring none motorised users that any obstructions to NMU routes would be kept to a minimum during the construction phase. And made similar comments regarding the effects on North Yorkshire & Cumbria tourism during the construction phase. He raised safety concerns at the Mainsgill & Ravensworth junctions. All these points to be fully addressed in the Stage 3 Preliminary Design stage.

Various other speakers talked at length about issues that don't concern North Yorkshire Local Access Forum.

It appears that a lot of these people had addressed (or were implying they had) points raised by the various user groups (NMU included) as each of these have had at least two meetings since last October.

Item 7 - Appendix 2

After lunch there was an hour or so of questions from the floor, mainly on things such as Environmental Assessment/Impact reports, Flood Plains, Constraints such as Warcop MOD range, North Pennines AONB. Both the CTC & BHS raised concerns about safe use of the A66, and the Traveller Community had concerns about 'rest places' for horses during the construction phase. CTC asked about a budget split for NMU use, he thought it was 4% of total budget, Jacqui Allen, H.E. Divisional Director said there were no such things as 'splits' or 'ring fence', it's an overall budget.

The point about parking for HGV's was again raised, not in the construction phase, but eventually, Jacqui Allen said they are looking into where they could be, and also the possibility of a Service Area, but not as part of this project.

Lighting was discussed, as part of the North Pennines 'Dark Skys', Owen Wilson said this was under investigation under the CO₂ & Environmental impact assessments, suitable luminaires to be selected.

The next stage (Stage 2) will involve non-statutory public consultation commencing in May 2019, H.E. are planning 20 events in Penrith, Appleby, Barnard Castle & Richmond, where people can call in to (as yet undecided venues) between 1100hrs & 1900hrs to talk to staff, there will also be an 'on-line' brochure and 'on-line' facility to leave comments. The non-statutory consultation closes on 20th July 2019 when analysis begins. At this point an A66 route will be identified, so until then there's no point getting very involved in particular NMU routes, as we have no idea which ones are involved!

Detailed design, planning and Development Control 2019-21, Full public consultation 2021-2023, and assuming there's no 'appeals' and inquiries, completion by about 2028.

This whole scheme is in the early stages, and as Brian Williams said to me "a change of government or a change of policy could bring it all to a halt" - however, Owen Wilson said there was no E.U. funding involved so no Brexit issues!

The meeting closed at 1330hrs.

Paul A. Sherwood
26 September 2018

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

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.

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.

Local Access Forum Annual Review Form August 2017 to July 2018

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

Local Access Forum Annual Review Form

August 2017 to July 2018

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)

Local Access Forum Annual Review Form

August 2017 to July 2018

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.

Local Access Forum Annual Review Form

August 2017 to July 2018

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

North Yorkshire Local Access Forum

17 October 2018

Forward Plan Report**1.0 Purpose of the Report**

- 1.1 To consider, develop and adopt a Forward Plan of 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:
- 16 January 2019
 - 10 April 2019
- 3.2 The Forum will need to consider items of business for future meetings. The draft forward plan at Appendix 1 presents the business currently identified.

4.0 Recommendation

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

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

NORTH YORKSHIRE LOCAL ACCESS FORUM

Draft Forward Plan 2018/19

Date of Meeting	
Standing items	<ul style="list-style-type: none"> • Minutes • Matters Arising • Public Questions and Statements • Consultations • Secretary's Update Report • 2026 update • District Council and Project Updates • Forward Plan
17 October 2018	<ul style="list-style-type: none"> • Executive Member (to be invited every 12-18 months – last attended March 2017) • Year One Review of Public Rights of Way Prioritisation Framework & other aspects of Public Rights of Way Policy Review • Richmondshire Local Plan Issues/Preferred Approach consultation • Howardian Hill Area of Outstanding Natural Beauty (AONB) Management Plan Review • Draft Annual Report • LAF Duties (formerly LAF Principles & LAF Advice)
16 January 2019	<ul style="list-style-type: none"> • Definitive Map Team Update • Selby Publication Draft Site Allocations Plan consultation (provisional) • Hambleton Publication Local Plan (provisional) • A19 Gap Closure - Attendance of Highways England Representative (Ben Dobson)
10 April 2019	
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 • In-depth discussion on Reinstatement (agreed November 2016) • Proposed joint working with Yorkshire Dales and North York Moors Local Access Forums • Cycling Strategy