

## NORTH YORKSHIRE LOCAL ACCESS FORUM

Minutes of the meeting held in the Grand Meeting Room, County Hall, Northallerton on 19 May 2011, commencing at 10.00 am.

### PRESENT:-

John Taylor in the Chair.

Rachel Connolly, Edward Dennison, David Gibson, Tom Halstead, County Councillor Robert Hesletine, Tony Martin, Hugh Spencer, Catherine Wardroper.

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

Apologies for absence were received from Leo Crone, Janet Dowling and Pat Whelan.

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

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#### **97. MINUTES**

##### **RESOLVED –**

That the Minutes of the meeting held on 17 February 2011, be agreed as a correct record and be signed by the Chairman.

#### **98. MATTERS ARISING**

None

#### **99. PUBLIC QUESTIONS OR STATEMENTS**

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

#### **100. YORKSHIRE DALES NATIONAL PARK LAF**

Draft copies of meeting held on 1 February 2011 were circulated for information.

##### **RESOLVED –**

That the draft Minutes of the Yorkshire Dales National Park LAF held on 1 February 2011 be noted.

#### **101. DRAFT UNSURFACED UNCLASSIFIED ROADS POLICY**

The Highways Asset Manager gave an oral report on the pre-consultation draft document Management and Maintenance of Unsurfaced Unclassified Roads, copies of which were tabled at the meeting.

The Forum was advised that the pre-consultation draft document had still to be approved by Legal Services. It was explained that the launch of the consultation had been delayed as other service areas within Highways had taken priority. A three month public consultation was planned for Summer 2011 after which it was hoped

that the draft Policy would be formally adopted by the County Council and implemented with effect from 1 April 2012.

Doug Huzzard confirmed that with the support of the County Council's Public Rights of Way Volunteer Co-ordinator a programme of surveys and inspections had been drawn up and was about to commence. All affected routes (in excess of 1,000) would initially be inspected by volunteers. The work was due to start in June 2011 and would begin in the Hambleton area. Assurances were given that all reasonable responses submitted during the consultation would receive a reply. Members' attention was drawn in particular to the timetable for the democratic process leading up to the adoption of the draft policy and the nine consultation questions listed at the end of the document.

Members noted that key issues would be 'status of routes' and any subsequent enforcement as the County Council was proposing to move away from a 'historic rights' based network to one that was based on sustainability. It was acknowledged that some aspects of the legal position remained unclear.

Doug Huzzard said that Forum Members had two opportunities to respond they could either:-

- Offer comments on the format/process proposed in the pre-consultative document and/or
- Submit a formal response to the consultation – and in particular the questions posed at the end of the document.

If Members wanted to comment on the pre-consultative document itself in view of the timescales involved he requested receipt of their response as soon as possible.

The Forum agreed to respond to both the consultation document and the consultation itself. It was agreed that a meeting of the sub-group be arranged immediately after the meeting. David Gibson offered to prepare an initial draft of the Forum's response to the consultation and to circulate it to Forum Members.

It was agreed that a copy of the pre-consultative draft document would be circulated to all Forum Members not present at the meeting that day.

Members asked if a schedule of the affected routes could be made available and to have sight of the legal advice when available. Doug Huzzard replied that he was concerned that if a schedule of routes was made available to the public it could result in some routes becoming more susceptible to damage and the County Council being prosecuted for failure to properly maintain. He said that whilst not identified as UUR's the routes were shown as being part of the highways network on the County Council's website.

In response to questions from Members, Doug Huzzard confirmed that the Traffic Regulation Order (TRO) affecting Deadmans Hill, Harrogate was due to expire at the beginning of 2012 (February) before implementation of the new policy. The intention was to pilot the draft policy to ascertain route status, management and maintenance needs and to secure funding for the 'works', then if at all possible undertake the works in advance of February. Alternatively the temporary TRO would have to be renewed, Doug Huzzard agreed to apprise the Forum of progress at its next meeting.

**That a meeting of the sub-group be arranged to formulate a response to the Management and Maintenance of Unsurfaced Unclassified Roads pre-consultative draft document.**

**That a copy of the Management and Maintenance of Unsurfaced Unclassified Roads pre-consultative draft document be circulated to all Forum Members.**

**That a further report on the Management and Maintenance of Unsurfaced Unclassified Roads be referred to the September meeting.**

**That a report on Deadmans Hill, Harrogate - Traffic Regulation Order be referred to the September meeting.**

**102. RECORD OF ACTIONS**

The report of the Chairman listing actions completed since the previous meeting.

The Chairman reported that following the previous meeting the content of communications received from DEFRA had overtaken what Members had agreed at the previous meeting. Consequently he had not written to DEFRA in the terms described in the Minutes of the February 2011 meeting. He had instead replied (see appendix 1-3) to the letter from DEFRA that sought LAF input on the make-up of the Forestry Panel. He reported that he was extremely disappointed not to have received a response or acknowledgement.

**103. REGIONAL LOCAL ACCESS FORUM AND ENGLISH ACCESS FORUM UPDATE**

The Chairman gave an oral report and said that this item was inextricably linked to the previous agenda item.

On 5 April 2011 DEFRA Minister Richard Benyon MP had written to all LAF Chairman. The letter acknowledged concerns expressed about the relationship between the English Access Forum and Natural England and said that Forums would be contacted by Natural England and invited to comment on the future role of the English Access Forum. To date no such communication had been received. The Chairman was very disappointed and concerned at the apparent lack of communication between DEFRA and Natural England and sought the views of the Forum.

The Forum agreed to send a formal response to the letter sent by the Minister. Members agreed that if both the English Access Forum and the Regional Access Forum were to be dissolved then a formal communication mechanism for LAFS to provide advice to Defra and Natural England was needed.

The Chairman invited Forum Members to send their comments on the make-up of the Forestry Panel and the four key points contained in the letter sent by the Minister so that he could draft a formal response

**The Chairman to take into account the comments expressed by Members in a written response on behalf of the North Yorkshire Local Access Forum to the letter sent by Defra Minister Richard Benyon MP.**

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

The Public Rights of Way Team Leader gave an overview of the maintenance work undertaken on the public rights of way network in North Yorkshire during the period 1 April 2010 to 31 March 2011.

The Forum received a power-point presentation of photographs of completed countryside management works.

Members commended Officers for achieving for the first time a reduction in the backlog of reported issues. Officers were also congratulated on improved response times.

It was reported that Officers were hopeful of agreeing with the County Council's bridge engineers an annual programme of bridge surveys to be undertaken by volunteers. Any bridge giving rise to concerns would be further surveyed by the County Council's bridge engineers.

That the content of the report be noted.

**105. RT ROUTES UPDATE**

The Definitive Map Team Leader reported progress investigating the status of the Priority 1 RT routes.

That the content of the report be noted.

**106. RESTRUCTURING THE NORTH YORKSHIRE ACCESS CONSULTATIVE GROUPS**

CONSIDERED –

The report of the Head of Countryside Services seeking comments on a proposal to re-structure and rationalise the number of PROW access consultation groups in North Yorkshire.

It was reported that the same report had been tabled at a meeting of the Public Rights of Way Liaison Group held the previous week. At that meeting no definitive response had been agreed.

A Member commented that the Forum should be routinely and regularly consulted by the County Council and other Section 94 Bodies but that in practice this did not happen.

Concern was also expressed about the possible increased duration of Forum meetings if the central Rights of Way Liaison Group was to be dissolved.

Richard Walker invited Forum Members to send their comments on the proposal to him by no later than the end of July. Richard Walker agreed to include on the next agenda a further report summarising the feedback received.

**That a further report on the proposed restructure of North Yorkshire Access Consultative Groups be added to the Work Programme and referred to the next meeting.**

**107. FORWARD PLAN**

CONSIDERED –

A paper setting out possible future agenda items.

The Chairman referred to the Minutes of the previous meeting and said that he had received no notification from Members of any issues they would like to discuss with Barrie Mason at the November meeting. Rachel Connolly agreed to forward her suggestions following the meeting and added that an update on progress of the Local

Transport Plan considered at a previous meeting would be useful. She also suggested a follow-up report from Defence Estates on public access and expansion of Catterick Garrison following their presentation to the Forum in November 2006.

It was suggested that the newly appointed Executive Member for Rural Services, County Councillor Chris Metcalfe be invited to attend a future meeting of the Forum. Richard Walker said that the appointment had only been announced the previous day and that he would raise the matter with County Councillor Chris Metcalfe when they met.

It was agreed that the following items be added:-

#### **September 2011**

- Draft Policy Management & Maintenance of Unsurfaced Unclassified Roads – Consultation Update
- Restructure of North Yorkshire Access Consultative Groups – Progress Report
- Traffic Regulation Order – Deadmans Hill, Harrogate

#### **November 2011**

- Sponsorship of the Rights of Way Network in North Yorkshire
- Draft 2010/11 North Yorkshire LAF Annual Report

#### **February 2012**

- DEFRA Guidance on Gaps Gates and Stiles following the Equalities Act 2010

#### **RESOLVED –**

**That the content of the Forward Plan together with the suggestions referred to in Minutes be approved and noted.**

**Members to forward to the Chairman notice of the questions/topics they would like to discuss with Barrie Mason at the November meeting.**

#### **108. DATE OF NEXT MEETING**

It was announced that following future meetings a buffet would not be provided on the grounds of the need to make efficiency savings. Members pointed out that the scheme of allowances entitled them to claim subsistence costs and suggested that provision of a buffet lunch could prove to be cheaper. Officers agreed to conduct further research.

#### **RESOLVED –**

**That the next meeting take place on Thursday, 8 September 2011 commencing at 10.00 am at County Hall, Northallerton.**

The meeting concluded at 12.50 pm.

JW/ALJ