



Meeting of the Yorkshire Dales Local Access Forum
Held on Tuesday 18 June 2013
Yoredale, Bainbridge

Present: Jon Beavan (JB), Andrew Colley (AC), David Gibson (DG), Kevin Lancaster (KL), Alex Law (AL), Jocelyn Manners-Armstrong (JMA), Stuart Monk (SM), John Richardson (JR), Jonathan Smith (JS), Sara Spillett (SS), Alistair Thompson (AT), Pat Whelan (PWh), Phillip Woodyer (PW).

YDNPA Officers present: Alan Hulme (AH), Rachel Briggs (RB) – LAF Secretary, Julie Barker (JMB), Tracey Lambert (TL), Kathryn Beardmore (KB).

The meeting started at 1.15pm.

1. Welcome

PW welcomed Tracey Lambert (TL) to the meeting. TL is currently the Senior Planning technician for the Yorkshire Dales National Park Authority (YDNPA) but will be covering for Mark Allum as Recreation and Tourism Manager for one year from 1 July 2013.

PW also welcomed the former chair of the Yorkshire Dales Access Forum (YDAF), Michael Bartholomew, who was present to read out a public statement under item 4.

2. Apologies

Apologies were received from Neil Heseltine (NH), Jerry Pearlman (JP), Nick Thwaite (NT), Ken Miller (KM) and Heather Thomas-Smith (HTS).

3. Approval of Minutes

Page 3: SS said she had agreed to be on the invite list for the Access for All Advisory Group but not be a full member. She asked that the minutes be changed to reflect this.

Page 5: JB asked that the minutes to be changed to read that Ling Gill was 'potentially' a popular caving trip.

The minutes of the previous meeting were approved as a true record of the meeting.

4. Public Question Time

Michael Bartholomew, member of the Green Lanes Alliance, addressed the YDAF. A copy of his statement can be seen in **Appendix 1**.

PW thanked Mr Bartholomew and said that the Traffic Regulation Order review would be covered under item 8.

5. Future Forum Meetings

Dates of meetings

The next meeting of the YDAF will be on 15 October 2013.

Future Agenda Items

Suggested future agenda items put forward by members include:

- Definitive map for North Yorkshire.
- Boundary Review.
- Tour de France.

6. Chairman's Feedback

PW informed members that himself and AT had attended a meeting in April with the Chief Executive of the YDNPA, David Butterworth (DB), KB, JMB and TL to discuss the lack of recognition of the YDAF by the YDNPA. This had come about due to the lack of direct consultation by the Authority on the Cam High Road planning application.

PW said the meeting had been useful and that DB had agreed that there was not enough recognition of the YDAF's work. DB suggested bringing the Chair of the YDNPA to a future meeting, 15 October 2013, to observe, and that any future internal consultation involving the YDAF will include their comments in a clear and concise manner.

AC asked if the planning department will now be consulting the YDAF where applications concern open air recreation. KB confirmed that this would be the case. PW added that these would be dealt with, either, by a holding a special meeting or via email. AL asked how a response was formulated when dealt with via email. PW explained that RB writes the response, with help from PW, and that if there are only one or two responses these are submitted as individual responses and not representing the full LAF. AT added that it was useful if members replied to an email from RB regardless of whether or not they had any comments to make.

DG suggested inviting the Head of Planning to a future meeting. KB said having TL as part of the team for the next year was a great advantage as she can ensure there is some joined up thinking between the YDAF and the planning department.

JB said he had a concern that the loss of the Access Committee has meant that there is no clear and concise way that advice from the YDAF gets to the YDNPA. He added that

good links between the Chair of the YDAF and the Recreation Management Member Champion (Nick Thwaite, NT) were essential. RB agreed to set up a meeting between NT, PW, DG and AH to discuss this issue.

RB to arrange a meeting between NT, AH, PW and DG to discuss liaison between the YDAF and the YDNPA.

7. Feedback from the Recreation Management Member Champion

NT was absent from the meeting. However, it was explained that he would provide feedback from the YDNPA to the YDAF to improve the liaison.

8. Report back from the Yorkshire Dales Advisory Groups

Access on Foot Advisory Group

DG presented the minutes of the Access on Foot Advisory Group.

Bridleways and Restricted Byways Advisory Group

AL presented the minutes of the Bridleways and Restricted Byways Advisory Group.

Yorkshire Dales Green Lanes Advisory Group

PW explained that at the last meeting of the Yorkshire Dales Green Lanes Advisory Group (YDGLAG) there was a discussion regarding the review of the current Traffic Regulation Orders (TROs) in the National Park. JB explained that of the ten TROs currently in place, the advice of the YDGLAG had been to keep five in place as full-time permanent TROs and two to be revoked due to clarification of their status. The group could not agree on the management of The High Way, Carlton to Middleham High Moor and Gorbeck Road. JB explained that if the YDNPA is minded to revoke any of the TROs, then a full consultation exercise will take place, including consultation with the YDAF. KB added that the full Authority meeting would be held on 25 June.

SS asked what the YDAF was been asked to do. PW said that his advice would be to go with the advice of the YDGLAG. KL agreed with this.

SM said that the recreational motor vehicle users would like to see the YDNPA take on a less restrictive approach to the management of some of the routes since the number of complaints and the number of users have both decreased over the last five years. JR agreed with this.

DG reminded members TROs were implemented originally and the fact that these issues are the same e.g. to preserve the amenity and beauty of the area.

AT pointed out that the arguments for and against had both been represented in the minutes from the YDGLAG and that the YDAF were adding no further argument. He felt that it confirmed the good work of the advisory groups.

Members of the YDAF agreed to support the advice of the YDGLAG in the review of Traffic Regulation Orders.

9. Woodland Creation

DG presented the third draft of the woodland creation guiding principles paper to members and PW thanked him for all his work in putting it together.

The draft papers were considered and the following comments were noted.

JB thought that the document was biased towards walking and saw it as a Ramblers Association document. He felt that more emphasis should be given to other recreational activities that make use of woodland, such as cycling and nature/bird watching. For that reason, JB didn't think point 1 was applicable as the land didn't need to be dedicated as open access land. It was, however, important to have a recreational management in place.

SS agreed with JB and also thought it was too specific and needed to be much more general if it was to be used by the Chair when responding to consultations. SS added that she really didn't agree with point 10 in reference to signage as she thought less signage should be used in the National Park, not more.

PW thanked members for their comments and asked if someone was prepared to take the document away to work on it. SS agreed to make some changes.

All members to contact SS with comments on the woodland creation guiding principles document.

10. Fencing on Common Land

DG presented the third draft of the fencing on common land guiding principles paper to members and PW thanked him for all his work in putting it together.

AT began by saying that many of the principles from the previous item were relevant here and that some changes needed to be implemented to the document.

JB asked that there be a mention of the fencing of roads.

KL said he had an issue with the preference for non-barbed wire as he felt strongly that barbed wire was essential for stock management. Members agreed that stock management would be an exception to the rule.

AL felt the key issue was to find out when the proposed fence was due to be removed as they often last for a long after the application has ended.

DG to make the relevant changes to the fencing of common land guiding principles paper, with assistance from KL.

11. Rights of Way Annual Report

JB felt that the Rights of Way Annual Report was a very important document and that it needed to be discussed prior to the full Authority meeting. AH agreed with this and said that he would speak to RB about ensuring timings of the meetings tied in together for next year.

AH thanked members for their comments, which had been emailed to him prior the meeting. Member's comments covered the following issues:

- How the Swaledale floods had been managed.
- More mention of the user rights of way for horse riders, carriage drivers and recreational motor vehicles.
- A concern over the figures of rights of way available for people with limited mobility.
- A concern over the drop in the ease of use figures.

PW added that it was imperative that a mention be made to the staff reductions. AT agreed with this and added that members of the YDAF were all supportive of the work of the YDNPA.

SS wondered how the document fit in with the new Yorkshire Dales Management Plan. KB explained that the Management Plan is an over arching and that the Rights of Way Annual Report sits underneath.

AH was thanked for his work on the document.

12. Good Practice in Traffic Management on Unsealed Routes

JG presented his paper to the YDAF and PW thanked him on behalf of members.

13. Presentation on Ease of Use

AH gave a presentation to members on how the information is collected for the ease of use survey, carried out twice a year by the YDNPA.

DG asked who carries out the surveys. AH said that office staff carry out the survey, accompanied by the Access Ranger for that particular area. He added that this has proven to work well.

DG asked if, when surveying bridleways, the survey is carried out on horseback. AH said that the Rangers had had training at a local riding school some years ago about opening of gates from horseback and that they were well aware of the preferred latch and difficulties that can be encountered.

AL asked for confirmation of who is liable for the surface and furniture on rights of way. AH said that the surface of the definitive line is the responsibility of the Highway Department and that the furniture was the responsibility of the landowner. However, the YDNPA contributes 100% of the furniture cost.

AH was thanked for his presentation.

JB then went on to tell members about a recent attack by cattle on Mastiles Lane on a walker with a dog, where unfortunately the dog was killed. JB felt that the dog and cow message needed to be distributed much more widely i.e. to let your dog go when under attack.

AC said that there were many different messages out there and that lots of the signage asks dog walker to keep their dog under close control, thus going against the dogs and cows message.

AH said that many of the messages were seasonal and that during lambing time or bird breeding season, the message is to keep any dog under close control. However, he added that the YDNPA is not a landowner and so is not able to put up messages about the danger of cows and dogs. Landowners are able to get signage from the NFU. He said that any messages, which are also part of the Countryside Code, could be given via the website, posters within the toilets and National Park Centres etc. and that this was currently happening.

AC felt it was all about the education of walkers and wondered if a leaflet could be produced. KB said there was a Kennel Club leaflet that was available in tourist information centres.

AL concluded by saying that he felt the YDNPA were doing all they could.

14. Secretary's Report

RB presented a report of items for Members' consideration and information. These were:

- Authority Meeting Dates and Venues.
- Meeting of the Yorkshire and Humberside Regional LAF.
 - RB asked for two members to attend the meeting in Leeds on 3 September 2013.
- Tour de France update.
- Natural England Engagement Plan.
- Update on the proposed extension of the Yorkshire Dales National Park.

15. Update on members activities

DG had a day with the Disabled Ramblers in Swaledale which was a great success.

JR is keeping an eye on what's on Huddle.

AC attended his local Parish Council meeting to discuss the Tour de France and was very impressed with the turnout.

JB is now a hire centre for electric bikes and urged members to have a go.

The meeting closed at 4.35pm

Appendix 1

Submission by the Yorkshire Dales Green Lanes Alliance to the Yorkshire Dales LAF

The Traffic Regulation Orders imposed, five years ago, on green lanes in the Park are coming up for review. Two of the orders will not need to be continued, for it has been established that the routes they cover do not carry through-rights for motor vehicles¹. But eight will need to be reviewed². In considering the reviews, we respectfully remind members of the purposes that the orders were designed to serve – and which the LAF endorsed. The orders were imposed:

For the purposes of preserving the amenity and conserving the natural beauty of the area through which the routes pass.

These purposes were elaborated in the authority's statements of reasons. In the case of Gorbeck Road, for example, the amenity of the area and the anticipated effect of a TRO were characterized as follows:

The feeling of wildness, remoteness, and associated tranquillity would be preserved by the Order as the presence of recreational motor vehicles, or anticipation of their presence, and/or evidence of their passing detract significantly from these qualities. Noise from motor vehicles using the route is likely to affect a large area due to the open character of the landscape, and the vehicles would be visible over long distances. The route is away from roads and habitation and other signs of modern human influence, it is in an area of high landscape value, and there are no major noise sources in the vicinity.

The natural beauty of the area through which the green lane passes was described as follows:

The natural beauty of the area the route runs through would be conserved by this Order; the landscape, natural and cultural heritage features are outstanding, and include habitat of national importance. Whilst these features are not directly vulnerable to motor vehicles using the route, the presence of recreational motor vehicles detracts from the experience and enjoyment of the area's special qualities by other users.

Similar justifications for the imposition of TROs were supplied for the other routes.

It is of fundamental importance to recognize that the condition of the fabric of the tracks was not a reason for the imposition of the orders. The reasons were solely to do with amenity, natural beauty and the special qualities of the national park. And in its policy document on Green Lane Management (Dec 2012) the Authority made plain what should be considered when future management of the routes comes up for review. The aim of the five-year review for each of the routes should be to

¹ Cam High Road and Ling Gill

² The Highway, Barth Bridge, Carlton to Middleham High Moor, Foxup Road, Gorbeck Road, Horsehead Pass, Long Lane (Clapham to Selside), Mastiles Lane

Consider whether a TRO is still required to achieve the aim of protecting the special qualities of the route.

It follows, therefore, that the welcome recovery of the surface of the tracks has no bearing on the argument for continuing or discontinuing the TROs. What matters is the protection of the Park's special qualities

The TROs should be discontinued only if the reasons given by the Authority for their original imposition are no longer valid. If the reasons remain valid, then the orders must be continued.

We contend that the two reasons originally advanced by the Authority are as valid today as they were five years ago, when the TROs were endorsed by the LAF. Nothing has weakened these reasons. Indeed, the peace and tranquillity that can now be experienced on the green lanes in question amply confirms the rightness of the Authority's decision to key its TROs to the Park's special qualities, and not to the state of the surface of any particular route. The special qualities of the Park were protected by the TROs. Those qualities continue to need the protection that continuation of the TROs will ensure.

We urge the LAF to recommend to the Authority the continuation of the eight TROs.

Michael Bartholomew
Chairman, Yorkshire Dales Green Lanes Alliance
June 2013