

## North Yorkshire Local Access Forum

Minutes of the meeting held in The Grand Meeting Room, County Hall, Northallerton on 10 September 2014, commencing at 2.00 pm.

### **Present:-**

Les Atkinson, David Barraclough, Keith Bartlem, George Bateman, Doug Cartwright, Rachel Connolly, Chris Clark, County Councillor John Fort BEM, David Gibson, Roma Haigh, Tom Halstead, County Councillor Robert Heseltine, Tony Martin, Paul Sherwood and John Taylor.

In attendance County Councillor Carl Les.

Officers:- Ian Fielding, Penny Noake, and Brian Mullins (NYCC Waste & Countryside Services), Jane Wilkinson (Legal & Democratic Services) and Steve Graham (NYCC Head of Outdoor Education).

### **55. Election of Chairman**

#### **Resolved -**

That Rachel Connolly is elected to serve as Chairman of the North Yorkshire Local Access Forum until the meeting of the Forum in May 2015.

**Rachel Connolly in the Chair**

**Copies of all documents considered are in the Minute Book**

### **56. Election of Vice Chair**

#### **Resolved -**

That John Taylor is elected to serve as Vice Chairman of the North Yorkshire Local Access Forum until the meeting of the Forum in May 2015.

### **57. Apologies for absence**

Apologies for absence were received from County Councillor David Jeffels.

### **58. Minutes**

#### **Resolved –**

That the Minutes of the meeting held on 4 June 2014, be agreed as a correct record and be signed by the Chairman.

## **59. Matters Arising**

### Min No 52 – Public Rights of Way Maintenance Update

Brian Mullins agreed to provide Forum members with a copy of the maintenance priority index as agreed at the previous meeting.

George Bateman repeated comments made at a previous meeting about the need to review the criteria used to award priority, as currently only 4% of reported issues were awarded the highest priority. He requested a report on the subject be included on the agenda of the next meeting. In response Brian Mullins said that as part of the County Council's savings programme a review of countryside services was underway. Service delivery would be affected and the matrix would almost certainly change as a result. He assured Members that their comments would be taken into account as part of that process.

A Member referred to the County Council's proposals to alter the arrangements for grass verge cutting and sought information/clarification on the new policy. The Chairman proposed that those members who were interested should meet with highway officers to discuss new working practices. Members endorsed this approach and Roma Haigh, George Bateman, John Taylor and Rachel Connolly volunteered to meet with highway officers. The Chairman agreed to draft and circulate in advance of the meeting a list of matters to be discussed.

A Member enquired about a date for the RT workshop and Penny Noake agreed to progress.

## **60. Public Questions or Statements**

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

## **61. Review of Waste and Countryside Services**

The oral report of Ian Fielding, NYCC Assistant Director Waste and Countryside Services.

Ian Fielding outlined the affect of the Government's austerity programme and the County Council's plan to deal with reduced central government financial support and rising demographic pressures. He described the scale of the budget cuts needed and the process that would be followed. All areas of service delivery would be affected and the result would ultimately be a smaller council with a workforce that was more generic and flexible and less specialised.

As part of work to prioritise resources and manage demand, Ian Fielding envisioned that within countryside services the County Council would seek to increase its working with volunteers, parish councils and community groups whilst moving towards implementing minimum service standards. He emphasised that a new prioritisation system would have to be agreed as it would not be possible to have a single standard of service across the whole of the county. Whilst the detail was still work in progress reductions to staff numbers and the maintenance programme were envisaged.

Ian Fielding advised that the review would also explore income generating opportunities such as the introduction of charges for public path orders.

Ian Fielding said that whilst overall the budget cuts were not good news he was keen to work with the Forum and was interested in their views and welcomed their input as

a critical friend in the development of a new prioritisation system and working with community groups and volunteers.

The Chairman said she was keen to understand more about what was being proposed and invited comments from Members.

One member commented that if the County Council took the decision to proceed with the incinerator at Allerton Park this would have an adverse impact on its ability to provide services. The Forum was advised that the Allerton Park project would produce long term benefits but that it was not relevant to the debate about public rights of way. Ian Fielding offered to meet with Forum members outside of the meeting to discuss the Allerton Park project in detail.

Members recognised the significance of impending budget cuts on future service delivery and were keen to influence policy development.

Members asked if there was any connection between the review and the decision to restrict the term of office of recent member appointments to one year. Ian Fielding replied that the instigation of the review meant that it made sense to look at everything including the size of the membership of the Forum. He said he would be interested in hearing Members views on whether meetings met their expectations and its future role. He raised the suggestion of there being a divergence in the relationship between the County Council and the Forum that would benefit from debate.

It was the Chairman's view that the relationship between the County Council and the Forum could be better but contended that this was in part due to the failure of the appointing authority to offer more engagement and fulfil their remit.

Members agreed to work with the County Council on the review of countryside services and development of the relationship between the Forum and County Council. It was agreed that this should include looking at the performance and structure of other Local Access Forums.

The Chairman suggested that a sub-group of members meet with PROW staff prior to the next meeting to discuss the matters raised in further detail. Members supported this approach and the Chairman agreed to circulate a date in due course.

#### **Resolved-**

That the information provided at the meeting be noted.

That a working group of Forum Members hold a meeting with PROW staff to discuss in further detail the review of countryside services and the future role of the Local Access Forum in North Yorkshire.

#### **62. 'Access to Young People'**

The Forum received a presentation from Steve Graham, NYCC Education Development Adviser on the outdoor education service in North Yorkshire. He described the extent of the outdoor learning service, activities provided and numbers of service users. Members were advised that the service was self-financing and that programmes were bespoke to meet the needs of individual schools and corporate groups.

Members noted that increasingly land agents viewed the activities provided as a commercial venture and sought payment in return for groups accessing their land.

Forum Members were keen to support the work of the outdoor education service and discussed the possibility of updating a 'schools pack' previously produced by the Forum for distribution to pupils. Forum Members also wanted to explore opportunities to work with the outdoor service to promote access and enjoyment of the countryside. Ideas suggested included web-site links and literature and using one of the outdoor education centres as a venue for a future meeting.

**Resolved -**

That the presentation be noted.

**63. Upgrade of the A1 and Agricola Bridge**

Considered -

The report of NYCC Countryside Access Officer updating the Forum on the progress associated with the outstanding issues in respect of the non-motorised users access from Dishforth to Leeming and the latest position regarding the A1 upgrade between Leeming and Barton including Agricola Bridge.

The Forum was advised that as at the date of the meeting publication of the Completion of Construction Stage Non-Motorised Users Audit and Designers' Response and Exemption Report were still awaited. Assurances were given that the situation would continue to be closely monitored and Forum members kept informed.

Forum Members commended Brian Mullins on his continued good work and commitment.

**Resolved -**

That the report be noted.

**64. North Yorkshire Local Access Forum Annual Report 2013/14**

Tabled at the meeting was the draft Annual Report 2013/14. Members were asked to forward any comments/amendments they had on the draft report to either the Chairman or Vice Chairman.

**Resolved -**

That the Forum approves the delegation of authority to approve and submit the North Yorkshire Local Access Forum Annual Report 2013/14 to the Chairman and Vice Chairman in consultation with Penny Noake.

**65. Definitive Map Modification Order & Public Path Order Applications - Update**

Considered -

The tabled report of the Definitive Map Team Leader summarising progress achieved since November 2013 processing Definitive Map Modification Order and Public Path Order applications. Appended to the report was a schedule of individual cases referred to in the report.

One Member commented that receiving the report at the meeting provided Members with no opportunity to consider its content properly.

In response to questions about the reason for the high number of applications that had been rejected Members were informed that the procedure for processing diversion applications was undergoing some amendment. Now if an objection was lodged to an application it would not necessarily be progressed, and the onus would be put on the applicant who would be encouraged to resolve issues with the objector. Members queried the legality of this approach and quoted an example of a diversion order that had been requested due to an obstruction by the land owner. Officers agreed to investigate the position after the meeting. Members said they were disappointed not to have been consulted about the change in procedure and agreed to take the matter up when they met with PROW staff as discussed earlier in the meeting. Members agreed it would be useful to discuss with PROW staff the process for dealing with definitive map modification orders, and in particular the prioritisation of applications and the format of similar reports presented to future meetings.

Some Members expressed disappointment at the cancellation of the previous round of local liaison meetings and were advised that this was due to the person responsible leaving the employment of the County Council. Members were assured that the October round of meetings would take place and that they would be notified of the dates shortly.

**Resolved -**

That the content of the report be noted.

That a meeting with PROW staff be arranged to discuss:-

- The review of waste and countryside services
- The relationship between the county council and the local access forum
- Definitive map Modification Orders
- Rights of way priority matrix

**66. Anti-Social Behaviour, Crime and Policing Act 2014: Reform of Anti-Social Behaviour Powers**

Considered -

The report of David Gibson, NY Forum Member summarising guidance in respect of Public Spaces Protection Orders.

It was anticipated there would not be a big demand for Public Spaces Protection Orders in North Yorkshire. The Orders were likely to be more popular in urban areas as they could be used to restrict anti-social behaviour and were more flexible than gating orders.

It was agreed that the Chairman would contact each of the district councils in North Yorkshire and to request that they forward details of any application to the Forum via the rights of way paths in-box.

**Resolved -**

That the guidance be noted.

That the Chairman write to all district councils in North Yorkshire requesting them to notify the Local Access Forum of applications for Public Spaces Protections Orders.

**67. Dog Walking Advice - Development Guide**

Considered -

The tabled report of the Definitive Map Team Leader advising the Forum of a consultation by Natural England on the content of a proposed advice document for dog walkers in England and Wales.

Members commented that the language used in the guidance document was patronising and felt that the document served little useful purpose unless it spelled out the law concerning dogs keeping to rights of way because dog dirt on grassland could cause cattle to abort.

**Noted**

**68. Woodhall Bridge**

Considered -

The tabled report of NYCC Countryside Access Officer updating Members of the current position relating to the repair of Woodhall Bridge.

Forum Members commended the efforts of officers to bring about the repairs.

**Resolved -**

That the report be noted.

**69. York Potash Project**

**County Councillor Robert Hesletine declared that although not a disclosable pecuniary interest he wished it to be known that he was a member of the County Council's Planning & Regulatory Functions Committee and for this reason took no part in the discussion.**

The Forum received an oral report from Forum Member Les Atkinson on expansion plans for Boulby potash mine near Whitby and the implications for the surrounding area. Tabled at the meeting was a report setting out the latest position regarding the proposals to open a mine head at Dove Nest Farm that would be connected to a 23 mile long tunnel opening up at Teesside to extract polyhalite, a form of potash used for fertilizer.

Members noted that the proposals did not affect the rights of way network. The Chairman agreed to contact North York Moors Local Access Forum to explore opportunities to make representations to the developer to utilise Section 106 monies to improve a route across the mine head to take in the Coast to Coast walk.

**Noted.**

**70. Crow Restriction on Angram Moor**

Considered -

The report of NYCC Countryside Access Officer bringing to the attention of the Forum the consultation by Natural England to review the current direction on Angram Moor under the Countryside and Rights of Way Act 2000.

In his capacity as the local elected member County Councillor John Fort said that the restrictions were long established and that he was in support of there being no change made to the existing direction. His comments were echoed by David Gibson who was also familiar with the area in question.

Members offered no objection to the application and agreed not to submit a formal response.

**Resolved -**

That the report be noted.

**71. District Council Review - Summer 2014**

Considered -

The report of the Chairman Rachel Connolly highlighting communication channels between the Forum and district councils in North Yorkshire.

**Resolved -**

That the report be noted.

**72. Forward Plan**

Considered -

A tabled report setting out possible future agenda items. Members were requested to forward any requests they had for future agenda items to the Secretary.

Expressions of interest were sought from Forum Members to attend the regional local access forum meeting on 19 September 2014. John Taylor, David Gibson and Tony Martin agreed to attend.

In respect of dates for the meetings/workshops agreed earlier in the meeting and recorded in the Minutes, Penny Noake agreed to circulate dates for the week commencing 13 October 2014.

**Resolved -**

That the content of the Forward Plan be noted and approved and the suggestions made during the meeting and recorded in the Minutes incorporated.

**73. Date of Next Meeting**

**Resolved -**

That the next meeting of the Local Access Forum be held on Wednesday 19 November 2014 at 10.00 am.

The meeting concluded at 4.25pm

JW