

North Yorkshire Local Access Forum

Minutes of the meeting held in The Grand Meeting Room, County Hall, Northallerton on 11 February 2015, commencing at 10 am.

Present:-

Rachel Connolly in the Chair

Les Atkinson, David Barraclough, George Bateman, Edward Dennison, David Gibson, Roma Haigh, Tom Halstead, County Councillor Robert Heseltine, Tony Martin, Paul Sherwood and John Taylor.

Officers:- Penny Noake, (NYCC Countryside Services), Jane Wilkinson (Legal & Democratic Services).

The Chairman paid tribute to Chris Clarke who had died suddenly in January.

85. Apologies for absence

Apologies for absence were received from Doug Cartwright and County Councillors John Fort BEM and David Jeffels and Iain Burgess (NYCC Countryside Services).

86. Minutes

Resolved –

That the Minutes of the meeting held on 19 November 2014, be agreed as a correct record and be signed by the Chairman subject to the following:-

Min No 78 – Meeting with David Bowe – NYCC Corporate Director – Business & Environmental Services.

5th paragraph - delete the word 'not'.

Meeting with Penny Noake & Iain Burgess – NYCC ROW Priorities

8th paragraph, second sentence be amended to read 'Not all Members favoured resources being diverted into PROW from other services such as education and social care and were supportive in principle of the PROW network being maintained at a minimum standard'.

87. Public Questions or Statements

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

88. Matters Arising

Review of Waste & Countryside Services

Consultation on the proposed new staffing structure had now concluded. Responses were in the process of being collated and it was anticipated that the final structure would be announced before the date of the next meeting.

Lickber Lane, Melmerby, Richmondshire

Responses to two letters written by the Chairman to Barrie Mason (NYCC Assistant Director Highway) were outstanding. The Chairman asked for her disappointment to be recorded.

A response from NYCC Highways was also outstanding in respect of a letter sent by the Forum regarding the Scotch Corner Retail development.

89. Schools and Education Project

Considered -

The Forum received for information a report from Roma Haigh on progress of a project aimed at promoting outdoor access for school children that had been agreed at the previous meeting.

Members looked forward to receiving further updates in due course.

Resolved -

That the content of the report be noted.

90. Achievement of Minimum Statutory Standard

Considered -

A report of the Forum's Sub-Group asking the Forum to endorse its advice and recommendations to the County Council on how best to achieve minimum statutory standards for the rights of way network in North Yorkshire.

The Forum was advised that an initial draft of the report had been presented to Ian Fielding (NYCC Assistant Director Waste & Countryside Services). Ian Fielding had welcomed the advice in respect of maintenance priorities but had commented that he would appreciate more clarity on what the Forum thought the priorities should be for the Definitive Map Team.

A Member asked if the priority outlined in Section 4.1 of the report (ensuring that all ROWs were included on the Definitive Map by the 2026 deadline) was intended to take precedence over production of a new Definitive Map. It was suggested that protection of routes should take precedence, but it was acknowledged there was little point recording routes that were not capable of being used.

Members said that until the content of the Deregulation Bill was known it would be very difficult for them to recommend priorities for the Definitive Map Team due to the technical issues involved. A Member commented he was surprised that the County Council was seeking to make long term decisions about staffing in advance of publication of the Bill and this was at variance with other organisations.

Members discussed paragraph 4.2 of the report

"The Forum urges NYCC to recognise that statutory consultees and Parishes have a role in alerting the Planning Authority if there are any ROW issues".

The Chairman pointed out that planning application forms had recently been changed. Previously, applicants were required to specify if ROW would be affected by proposed developments. This was no longer the case. Declarations about ROW were now at the discretion of the Applicant. The Chairman said she had asked for this issue to be discussed at the forthcoming LAF Regional meeting and was seeking

their support to recommend that the wording on new planning application form was amended.

Members expressed overwhelming support for the Forum to adopt the content of the sub-group's report and called for a formal response from the County Council. It was agreed that a relevant NYCC officer would be invited to attend the next meeting and for the matter to be listed as a separate specific item on the agenda. Members further requested that NYCC be asked to provide their response in writing in advance of the meeting (to be circulated with the agenda).

Resolved -

- (a) That the Forum endorses and adopts the recommendations in the report of the sub-group on how to best achieve minimum statutory standards for the rights of way network in North Yorkshire.
- (b) That North Yorkshire County Council notes that the NYLAF wish to be consulted on the development by the County Council of its strategy to prioritise ROW resources.
- (c) That the County Council be requested to provide a written response to the sub-group report and for an NYCC Officer to attend the next meeting when the matter will be listed for discussion on the agenda.

91. Public Rights of Way Definitive Map Orders and Processes - An Update

Considered -

The report of NYCC Definitive Map Team Leader updating Members on progress processing Definitive Map Modification Order and Public Path Order applications since September 2014.

A Member asked what was happening regarding an amended management and maintenance proposal raised at a previous meeting that involved the PROW Service and a transfer of maintenance and management arrangements for urban PROW. In response it was agreed that a report on this would be referred to the next meeting.

Resolved -

That the report be noted.

That a progress report on a management and maintenance proposal involving the PROW Service and a transfer of maintenance and management arrangements for urban PROW be added to the work programme and considered at the next meeting.

92. Minerals and Waste Joint Plan - Supplementary Sites Consultation

Edward Dennison declared an interest in two of the additional minerals and waste sites.

Considered -

The report of the Definitive Map Officer advising the Forum of the current Supplementary Revised Sites Consultation. The report invited Members to submit a response in respect of the identified minerals and waste sites. Attached to the report was a copy of the letter inviting comments.

The Chairman said that maps of the additional sites did not show access provision clearly. The situation was compounded by the new planning application forms (referred to earlier in the meeting) which did not require Applicants to disclose if ROW would be affected by proposed developments. The Chairman said she had spoken to NYCC Planning Officers who had agreed to provide her with the necessary information by the end of the week. Upon receipt, the Chairman said she intended to look at each site individually with a view to submitting comments. Any offers of assistance were welcomed.

A Member highlighted the national problem of site restoration. Enforcement of planning conditions was often ineffective due to the organisations responsible being difficult to trace. County Councillor Robert Heseltine stated that based on his experience as a Member of the County Council's Planning and Regulatory Functions Committee, North Yorkshire had a good track record with regard to site restoration. Members asked if it would be possible for North Yorkshire to ask for a bond to cover the cost of site restoration. The Forum was advised that this would require a change in the National Planning Regulations.

The Chairman said that any response submitted on behalf of the Forum would highlight concerns around the enforcement of site restoration schemes and call upon the planning authority to take whatever steps were available to ensure planning conditions were adhered to.

Resolved -

That the Supplementary Revised Sites Consultation be noted.

That the Chairman together with Roma Haigh and Tom Halstead draft responses on behalf of the North Yorkshire Local Access Forum to the consultation on additional waste and minerals sites.

93. Highway Asset Management Database - Symology

Considered -

The report of the NYCC Senior Ranger on use of the Highway Asset Management Database - Symology.

Members were advised that further updates would be provided in due course.

Resolved -

That the report be noted.

94. North York Moors National Park Local Access Forum

Considered -

The Forum received for information the Minutes of a meeting held on 2 December 2014.

A Member referred to the item on 'England Coastal Path' and proposed that the Forum should submit a formal response to the consultation in respect of the small section of the path that was within North Yorkshire boundaries between Scalby and Filey.

The Chairman agreed to contact the National Park with a view to ascertaining if members of the North Yorkshire Forum could attend the national park sub-group meeting when the proposals were discussed following publication of the consultation.

Resolved -

That the Minutes of the meeting held on 2 December 2014 be noted.

95. Yorkshire Dales National Park Local Access Forum

Considered -

The Forum received for information the draft Minutes of a meeting held on 30 September 2014.

Resolved -

That the draft Minutes of a meeting held on 30 September 2014 be noted.

96. Forward Plan

Considered -

The report of the Public Rights of Way Team Leader setting out possible future agenda items. Members were requested to forward any requests they had for future agenda items to the Secretary.

Arising from discussions earlier in the meeting the following items were added to the Forward Plan:-

27 May 2015

- Highway Asset Management Database – Symology (Update)
- Deregulation Bill
- NYCC response to the Forum's recommendations on PROW priorities
- Proposed transfer of maintenance and management arrangements for urban PROW - Update

It was agreed that the Chairman together with Roma Haigh and Paul Sherwood would attend the meeting of the Regional Local Access Forum on 6 March 2015.

Penny Noake advised that she had been contacted by the LAF Co-ordinator at the Yorkshire Dales National Park asking if Members would be interested in attending a joint training event hosted by the National Park. The Chairman agreed to circulate Members with further information about the event following the meeting.

Members asked what was happening with regard to recruitment in light of what Ian Fielding had said at the September meeting about a possible reduction to the frequency of meetings and membership size. Members pointed out that their current term of office was about to draw to an end.

Members were not in favour of a merger of North Yorkshire Local Access Forums and considered that any reductions to the size of the membership and frequency of meetings would be detrimental to geographical representation.

The Chairman agreed to draft a letter setting out the Forum's position for Members to approve prior to posting.

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.

97. Date of Next Meeting

Resolved -

That the next meeting of the Local Access Forum be held on Wednesday 27 May 2015 at 10 am.

The meeting concluded at 11.45am

JW