

## North Yorkshire Local Access Forum

Minutes of the meeting held at Northallerton Town Hall, Northallerton on 2 March 2017, commencing at 10 am

### Present

Roma Haigh, David Barraclough, George Bateman, Doug Cartwright, Rachel Connolly, Edward Dennison, Tom Halstead, County Councillor David Jeffels, Barrie Mounty, Sue Raper, Paul Sherwood and Richard Smith

County Councillor Don Mackenzie, Executive Member

Officers: Ian Kelly (Business and Environmental Services) and Kate Arscott (Legal and Democratic Services, Secretary to the Local Access Forum)

### 149 Election of Chair

Roma Haigh was nominated for election as Chair of the North Yorkshire Local Access Forum. She indicated that she was prepared to undertake the role, provided that Forum members provided support in carrying out the role. This might involve taking part in sub-groups or volunteering to take a lead on behalf of the Forum on a particular project. The Forum would then be expected to back the decisions of the delegated representative(s).

**Resolved** – (a) That Roma Haigh be elected Chair of the North Yorkshire Local Access Forum for one year.

(b) That Rachel Connolly be unanimously thanked for her period as Chair of the Forum and her excellent work on the Forum's behalf.

**Roma Haigh took the Chair**

### 150 Apologies for absence

Apologies for absence were received from Michael Bartholomew, County Councillor John Fort BEM and County Councillor Robert Heseltine.

### 151 Election of Vice-Chair

Doug Cartwright was nominated for election as Vice-Chair of the North Yorkshire Local Access Forum. He indicated that he was prepared to undertake the role with the same support requirements as those outlined by the Chair.

**Resolved** – That Doug Cartwright be elected Vice-Chair of the North Yorkshire Local Access Forum for one year.

### 152 Minutes of the meeting held on 23 November 2016

With regard to minute 142 – Countryside Access Service review Update – it was noted that the report did not include any reference to definitive map issues and the 2026 deadline, and that Members had identified this as a standard agenda item for future meetings.

With regard to minute 144 – Schools and Education Project – it was confirmed that Ian Kelly had indicated that the Directorate had decided to support the Pathways to Health pilot project in preference to the GOAT project. Resolution (a) should

therefore record “That the Forum supports the piloting of Pathways to Health with a small number of schools.”

In agreeing this amendment, the Forum thanked Rachel Connolly for her commitment on behalf of the LAF to raising the profile of this issue and persuading the Local Authority of the need to fill a gap, albeit taking a different approach to the one originally put forward by the LAF. The Forum asked for feedback on the Pathways to Health pilot school project in a year’s time.

**Resolved** – (a) That, subject to the above amendments, the minutes of the meeting held on 23 November 2016 be agreed as a correct record and be signed by the Vice-Chair.

(b) that 2026 be included as a standard agenda item for future meetings

(c) that a report on the Pathways to Health schools project be scheduled in a year’s time

### 153 Matters Arising from the minutes

The majority of the actions identified in the minutes of the previous meeting had been completed or were included elsewhere on the agenda.

The Secretary reported that there were two actions still outstanding from the minutes of the July 2016 meeting. In relation to minute 127, the Secretary had still to clarify the route for Forum members to access the Local Street Gazetteer. In relation to minute 129, the Secretary was still in the process of collating information on the planning notification and consultation processes for each of the various planning authorities within the LAF area for circulation to LAF members.

There was also an action outstanding from minute 147 of the previous meeting with regard to investigating options for a LAF web presence. The Secretary proposed to report back to the April meeting.

With regard to minute 142, Richard Smith circulated a number of photographs showing the work of the Lower Wharfedale Ramblers volunteer group. He reported that the formal review of the pilot volunteer project was due to take place shortly. Members indicated that they were eagerly awaiting the extension of the project to other groups to increase the number of groups participating and the amount of work undertaken. Supervision was highlighted as a key issue.

Members also referred to the Area 3 pilot project for Unsurfaced Unclassified roads (UURs), and the existence of various groups willing to contribute resources to these routes on a similar basis.

It was noted that a progress report on volunteering was currently scheduled for the April meeting of the Forum. Ian Kelly confirmed that he would also include an update on the Area 3 pilot.

**Resolved** – (a) That the Secretary reports back to the April meeting regarding a LAF webpage.

(b) That the Forum receives an update on the Area 3 pilot at the April meeting.

### 154 Public Questions or Statements

There were no public questions or statements.

## 155 Executive Member

County Councillor Don Mackenzie attended the meeting at the Forum's invitation, in his role as Executive Member for highways, road safety, access to the countryside (including Broadband and mobile phone coverage) and public transport and champion for road safety, walking and cycling.

By way of introduction he outlined some of the key areas of work across his portfolio:

- As the largest county in the country the council is responsible for around 6,000 miles of highways and 3,000 miles of footways. Budget reductions had resulted in a decline in maintenance; however in the last few years the Council has invested more in road surfaces and better treatments
- There are around 1,800 bridges in the county, with a particular legacy of problems arising from flooding during the winter of 2015/16. Tadcaster bridge was reopened on 3 February and as part of the repair work it has been widened, making it safer for pedestrians and cyclists.
- Whilst subsidies for the rural bus network have reduced to £1.5m, work to ensure value for money means that this money is achieving better results than previously, and the council is working closely with operators to make more routes commercially viable. The concessionary fare scheme continues to cost the Council Tax payer around £8m per year
- With regard to countryside access, nearly 200 responses had been received so far to the Public Rights of Way consultation
- The Council has been active since 2012 in investing in bringing super fast broadband to more areas of the county, particularly to areas where it is not commercially viable to lay fibre cables. By the end of phase 2 in June 2017, 90% of the county will be covered, moving to 95-96% of premises by the end of phase 3. The council is also discussing 4G roll out with the major mobile phone operators, including offering help through making land available, in order to support the local economy

In discussion with the Executive Member, the following issues were raised by Forum members:

- The successful Access Fund bid. The County Council will receive £968k for sustainable transport, principally walking and cycling, in Scarborough, Harrogate and Skipton. The full bid is available on the Council's website. Members indicated that the LAF would be keen to engage in any opportunities to contribute to future bids of a similar nature, or to contribute as appropriate to the development of detailed plans for the delivery of specific aspects of the Access Fund programme.
- A member referred to the plan to extend the bikeability scheme into secondary schools and queried whether this represented good value for money compared to other potential options for spending, such as covered cycle parking provision, given that all children should be able to access the scheme at primary school. Councillor Mackenzie stressed the County Council's ongoing financial commitment to invest in cycle training for young people following national funding cuts in this area, and the importance of equipping children with the skills and confidence to cycle safely
- The desire of the motor cycle and 4x4 trail riding community to offer their skills and support to the council to help maintain those routes that are available to them. The Executive Member welcomed this desire to work together, at the same time acknowledging the underlying tensions with ramblers where irresponsible use by a small minority has caused damage to routes
- Changes in national planning policy with regard to off street parking provision for new developments, which was now based on a minimum requirement, and the implications in regard to there being less call for specific requirements for cycle parking provision
- The County Council's commitment to promote investment in improving provision for cyclists

- Whilst accepting the need for strategic planning, LAF members were concerned about the proportion of time spent on planning, prioritising and recording work at the expense of on the ground activity, within the significantly reduced staffing resources available in the public rights of way service. The LAF supported maximising the contribution of volunteers and ensuring that landowners fulfil their responsibilities
- Concern was raised about the state of gullies and verges and the dangers this poses for cyclists
- A request for information on progress in uploading County Council data onto the National Street Gazetteer – it was agreed that the Secretary would pass on details of the specific request to the Executive Member after the meeting for a response
- Concerns about the protection of access where Network Rail may wish to close crossings that currently included rights of way.
- In response to specific local issues raised, members were advised to raise these through their local County Councillor

In conclusion, the Chair thanked Councillor Mackenzie for attending the meeting and proposed that this should become a regular event.

**Resolved** – (a) That the Executive Member be thanked for his attendance.

(b) that the Secretary pass on details of the request for information regarding the National Street Gazetteer

(c) that the Executive Member be invited to attend the Local Access Forum on a regular basis every 12-18 months.

## 156 Public Rights of Way Consultation

The Forum considered a report of the Secretary introducing the current public consultation by North Yorkshire County Council on Public Rights of Way. Ian Kelly, Countryside Access Manager, attended the meeting to respond to Members' questions about the consultation.

Members were reminded that the Forum had previously responded to an earlier stage of consultation, in February 2016.

In response to a query regarding resources, Ian Kelly confirmed that, of the six field officers in his team, only one was involved with this project for a part of their time.

Whilst recognising that this consultation was aimed at providing a structure against which to prioritise future work, the Local Access Forum was very keen to see that the time spent on the relatively complex administrative processes needed to apply and record the suggested criteria was minimised, in order to maximise the amount of time spent "doing". In any event, the LAF agreed that the criteria were only a guide in the efficient resolution of issues, as indicated in the consultation paper.

Members understood that the driving force behind this exercise was the reduction in available funding. Nevertheless, the LAF felt that the public needed explicit reassurance that the County Council did not intend to use this process to avoid fulfilling its statutory duty to maintain the rights of way network.

Concerns were expressed about the fate of routes accorded a low priority in the current exercise, and the possibility of this being perceived as a back door route to these routes disappearing in the future.

Members of the LAF felt that, in order to maximise available resources, the County Council should be shifting the onus back onto landowners to fulfil their responsibilities, and back this up first with a communications strategy and then with enforcement action where required. The Council would then be able to focus more of its limited resources on dealing with those issues for which it was directly responsible. Arising from this, the LAF requested that a report clarifying the different County Council and landowner responsibilities be brought to a future meeting for discussion.

Following the LAF's initial comments in February 2016, members remained concerned that the scoring system would lead to urbanisation of the network, in what is largely a rural county. For example, under the proposals, a footpath in a town would automatically be given priority even if it was a dead end.

Members also remained concerned as to whether the proposals would support connectivity between settlements. It was suggested that at least one route between each town or village should be made a priority in order to maintain a network of good walks.

It was suggested that the form filling required for reporting issues could be simplified.

Despite the concerns expressed, members were very keen to see volunteer skills and resources harnessed to deliver against the model once it was agreed, and as soon as the pilot volunteer scheme was ready to be rolled out following the upcoming review.

As in its previous comments, the LAF supported the need for officers to be able to exercise their professional judgement in delivering the service on the ground.

Ian Kelly confirmed that it was expected that, following consideration of the consultation responses, the new prioritisation and maintenance model would come into operation over the summer period. The Forum welcomed and strongly endorsed the commitment to review the scheme after 12-18 months of operation, and would wish to contribute to this review process.

**Resolved** – (a) That the Secretary produces a summary of the comments made at the meeting and circulates it by Friday 10 March to all LAF members for comment.

(b) That David Barraclough co-ordinates a formal response to the consultation based on the above comments, which the Secretary will submit on behalf of the Forum.

(c) That the LAF contributes to the review to be undertaken after the new arrangements have been in operation for a year.

(d) That a report clarifying the different County Council and landowner responsibilities in relation to Public Rights of Way be brought to a future meeting for discussion.

This item had been added as a standing item on the agenda at Members' request, to enable the LAF 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 that there was no change from the County Council's perspective since the position was last formally reported to the LAF, as government feedback was still awaited. He confirmed that, to the best of his knowledge, the ADEPT group of local authority officers had made representations to DEFRA.

Members of the Forum expressed frustration at the continuing national delays in relation to 2026, which was felt to have been exacerbated by the impact of Brexit work.

Richard Smith reported on extensive involvement with both Bradford and Leeds regarding 2026. He referred to work being carried out by Otley Parish Council to research and claim paths, which might provide a useful example to encourage Parish Councils in North Yorkshire.

Ian Kelly confirmed that, to date, the County Council had not seen an influx of new claims for paths, but that he anticipated that this would happen at some point. He shared the frustrations of both users and landowners regarding the complexity and costs of the current statutory process for DMMOs, which it had been hoped would be simplified following on from the Deregulation Act.

LAF members suggested that the County Council should be more proactive in reminding landowners of their responsibilities through proactive publicity. This could take some of the emphasis away from inappropriate expectations on the County Council to undertake work. Ian Kelly confirmed that information is provided on the Council website, but it would also be timely to undertake some additional publicity following on from the public consultation.

**Resolved** – That the discussion be noted.

## 158 District Council Updates

The Forum considered a report of the Secretary providing an update on liaison with District Councils.

Members noted the update on the Scotch Corner development from David Barraclough. They supported the proposal to investigate the potential for further consultation with the LAF regarding highways requirements, if the consultations referred to had not already taken place, and agreed that David Barraclough should take this forward on behalf of the Forum.

Members noted that David Gibson's formal resignation from the Forum had been received by the Secretary during the course of the meeting. As a result of this, changes in District Council liaison representation was discussed.

Tom Halstead reported that a new lead Planning Officer had been appointed in Selby, in a shared arrangement with York. He and Barrie Mouny were requesting a meeting.

**Resolved** – (a) That the updates on liaison with District Councils be noted.

(b) That the Secretary investigates whether there is an opportunity for David Barraclough to comment on behalf of the LAF in relation to the Scotch Corner Development highways requirements.

(c) That the following changes in District Council liaison representatives be agreed: Roma Haigh to become Ryedale representative; Doug Cartwright to replace Roma Haigh as Scarborough representative.

## 159 Regional meeting and National Conference

Members considered a report regarding the forthcoming Regional Access Forum meeting and the LAF national conference.

It was noted that the proposed national conference had now been deferred until June, with a final date still to be confirmed.

**Resolved** – (a) That Roma Haigh and County Councillor David Jeffels attend the Regional Access Forum meeting on 8 March.

(b) That consideration of attendance at the national LAF conference be deferred until the April meeting.

## 160 Secretary's Update Report

Members noted a report from the Secretary updating the meeting on activity since the last meeting. The report covered the following items:

- Noted that the Planning Inspector had now issued his report on the soundness of the Scarborough Borough Local Plan
- David Barraclough had attended a workshop regarding the River Swale Catchment Management Plan and Councillor Jeffels had attended a Tour de Yorkshire roadshow event
- Noted the latest position on Local Development Plan progress across the District Councils
- Noted one Open Access restriction

The Secretary also reported that the Joint Minerals and Waste Plan was due to be considered by the County Council's Executive on 7 March. The Forum's formal comments on the latest consultation had been reported and noted.

Rachel Connolly reported back on contact with Catterick Garrison regarding access issues relating to future expansion plans. The current Commander, who she had been in contact with, was being replaced. She would be trying to make contact with the area MOD officer with responsibility for access issues.

Rachel Connolly also reported back on meetings regarding Non-motorised Users and the A1 upgrade project, which was due to be completed by the summer. It was felt that positive progress had been hindered by the need to cut costs and also by having 5 different project directors across the scheme period. Rachel was asked to provide a brief summary of the project experience for the next meeting, to enable the LAF to formally acknowledge the work undertaken.

**Resolved** – (a) That the report be noted.

(b) that Rachel Connolly provides a report on the A1 upgrade for the next meeting of the Forum.

## 161 Forward Plan

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

It was agreed that the start time of future meetings should be considered as the first substantive item at the next meeting.

