

## North Yorkshire Local Access Forum

Minutes of the meeting held at County Hall, Northallerton on 25 July 2018, commencing at 10 am

### **Present**

Roma Haigh (Chair), Michael Bartholomew, Rachel Connolly, Edward Dennison, County Councillor Robert Heseltine, County Councillor David Jeffels, Barrie Mouny, Sue Raper, Paul Sherwood and Richard Smith

Officers: Ian Kelly, Countryside Access Manager (Business and Environmental Services, North Yorkshire County Council), Kate Arscott (Legal and Democratic Services, Secretary to the Local Access Forum) and Melanie Carr (Legal & Democratic Services)

### **238 Apologies for absence**

Apologies for absence were received from David Barraclough, George Bateman & Doug Cartwright.

### **239 Minutes of the meeting held on 11 April 2018**

#### **Resolved -**

That the minutes of the meeting held on 11 April 2018 be agreed as a correct record and be signed by the Chair.

### **240 Matters Arising from the minutes**

With regard to Minute 230 Roma Haigh confirmed that a follow up response had been written and agreed, and was ready to be sent.

The Secretary confirmed a number of outstanding items:

- Minute 230 – a follow up response on cycling had been drafted and circulated for comment but had not yet been sent
- Minute 234 - Making contact with Network Rail regarding the possibility of them attending a future meeting of the LAF;
- Minute 236 - Investigating a way of linking applications to vary planning conditions with the original conditions

### **241 Public Questions or Statements**

There were no public questions or statements.

### **242 Pathways to Health**

Considered -

The case study which updated the Forum on the progress of Pathways to Health programme.

The Forum received an update from Ian Kelly, Countryside Access Manager on the intervention to target the general public in Scarborough & Selby with the aim of encouraging more people to engage with walking in their local area. He confirmed that joint working between Public Health, Countryside Access and Stronger Communities had successfully delivered the project.

Members noted the change to the name of the campaign to 'Discoveries on your Doorstep' and were pleased to note that the project had received recognition for its innovative response to a significant concern. It was confirmed that funding for the future rollout of the project to other areas across the region, starting in the Harrogate area, would come from Stronger Communities and Public Health.

Members went on to discuss the barriers to accessing the walking trails network for disabled residents and questioned whether any work had been carried out as part of the project to improve access. In response, Ian Kelly confirmed careful consideration had been given to the suggested routes to limit the barriers to access, and in some places stiles had been replaced by kissing gates.

Cllr Jeffels confirmed his view that it was a first class scheme and suggested that County Councillors may be willing to utilise their locality budgets to support the rollout in other areas. Richard Smith endorsed Cllr Jeffels views and provided anecdotal evidence that more people were out walking, not necessarily as part of a formal group.

Rachel Connolly agreed the project had been successful but questioned whether its benefits could be increased if the previously proposed GOAT Scheme was rolled out in tandem. Ian Kelly confirmed the previous decision not to proceed with the scheme but agreed that if it were re-submitted he would consider it once again.

**Resolved -**

That the Chair, County Councillor Jeffels and Rachel Connolly work together to re-submit the GOAT Scheme for Ian Kelly's consideration.

**243 2026**

Considered -

The Forum's standing item enabling members 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 there had been some progression in that DEFRA had reported their intention to implement rights of way reform as from Summer 2019 with the option of either keeping to the 2026 deadline or extending it to 2031.

**Resolved -**

The Forum noted the progress and thanked Ian Kelly for the update.

**244 Restoring the Record**

Considered -

The report of Richard Smith, which shared information produced to help in work associated with claims to the Rights of Way network.

In regards to useful resources, Richard Smith provided a list of online mapping services and useful websites. In particular he drew attention to the national library of Scotland that holds detailed information on the whole of the UK - - <https://maps.nls.uk>

Before commencing work on a new claim, he stressed the benefit of asking a Local Authority what they need as evidence in order to process a claim. He provided a list of historical records in order of importance to a claim, drew attention to the costs involved with getting copies of the necessary supporting documentation and the benefits of local libraries and old postcards, photographs and newspapers etc.

Richard went on to outline two case studies which evidenced the alternative methods for making a claim (i.e. using right of way – where the right of way is not included on a map, and using historical records – to claim a route currently unused that was previously in use), and the possible barriers and potential solutions.

County Councillor Robert Heseltine queried the number of lost routes that might still be claimable and Richard Smith confirmed there were still plenty in rural areas and even more in urban areas.

Ian Kelly confirmed that there was also advice on the County Council's website on this topic.

#### **Resolved -**

That Richard Smith be thanked for his very detailed and interesting report.

#### **245 Consultation on the Proposed Scope and Application of Natural England's SSSI byelaw-making powers**

Considered -

A report on the Natural England consultation provided by the Secretary and a discussion paper on LAFs and Sites of Special Scientific Interest (SSSI,) provided by Mike Bartholomew.

In regard to the Natural England consultation, Roma Haigh drew attention to the deadline for responses, and the Secretary confirmed that the draft model SSSI Byelaws document attached to the consultation document was a generic example listing all of the potential underlying problems/threats to a site. When in use, it would only include those that were applicable to the SSSI in question.

Members accepted that most of the issues in the consultation paper were beyond the remit of the LAF, and therefore agreed to focus their response on access. They noted that Natural England had no intention of interfering with public rights of way. However they recognised that where there were cases where rights of way were indistinct, non-existent on the ground, or where the actual rights of the public were uncertain, there may be a conflict between the public's right of access, and the preservation of the SSSI.

Using Blubberhouses Moor as an example, Mike Bartholomew explained how promoting access and conserving natural beauty can come into conflict. Specifically in regard to the Moor, he explained the issues around many of the UURs criss-crossing the Moor and highlighted the difficulties with identifying routes on the ground. He also reminded members of the history of using a zonal TRO to protect the Moor against recreational use of motor vehicles and the potential problems that may arise once the current temporary TRO has run out.

Barrie Mouny questioned what could be done to highlight a TRO to potential users of the Moor, and Members agreed that Blubberhouses Moor was unsuitable for such use.

## **Resolved -**

That in regard to the Natural England consultation:

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| i) Michael Bartholomew lead on the response and that the draft response be circulated by email for comment by Forum members before submission |
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That specifically in regard to Blubberhouses Moor:

- ii) It was unsuitable for recreational motor vehicle use, therefore the original zonal TRO imposed by North Yorkshire County Council in 2005 should be renewed in order to protect the Moor.

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| iii) Michael Bartholomew drafts a formal recommendation from the LAF regarding a permanent TRO on Blubberhouses Moor and circulates it for comment prior to submission to the County Council. |
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## **246 District Council and LAF Project Updates**

Considered -

The report of the Secretary giving LAF members the opportunity to update the Forum on District Council liaison and other LAF representative project activity since the last meeting.

Forum members considered a written update from Paul Sherwood on the A66 Project, together with a map detailing the section of the A66 that passes through North Yorkshire. The map highlighted the various public rights of way interfacing with the road, the possible crossing points and the distances between them. Having discussed the potential costs involved in providing safe crossing opportunities for horses, cyclists and walkers, Forum members recognised those costs would be considered prohibitive by Highways England, particularly without good evidence of recent usage, and that it was likely that Highways England would seek to reduce the number of crossings. It was agreed that Paul Sherwood would continue to monitor the situation and would advise the LAF if he felt that formal representations should be made at some future point.

Paul Sherwood also provided a written update on the Teesdale Way Project. Forum members noted the change in project focus with it now centring on the River Tees from Piercebridge to Teesmouth. As the project would no longer encompass the Teesdale Way long distance footpath, Paul proposed that the Forum take no further action and this was agreed. Paul Sherwood was thanked for his input on this project.

In regard to the A1 & Local Access Roads Project, Rachel Connelly provided a verbal update on the meeting held between Forum members, Barrie Mason Assistant Director for Highways & Transportation and other Highways officers. Forum members noted the agreement reached that a map would be drawn up to show which sections of the road margin were considered vital by equine users as requiring linkages between bridleways or lanes, for further consideration by officers. The Chair indicated that she had drafted a follow-up email to Barrie Mason summarising the outcomes of the meeting, which would be submitted following agreement with all LAF members who attended the meeting.

Forum members noted the update report on the recent meetings of the North & East Local Liaison Group meetings provided by George Bateman. The secretary agreed to circulate by email an update from the South & West group meetings.

## **Resolved –**

That:

- i. The updates on the various projects be noted.
- ii. The Forum take no further action in regard to the Teesdale Way Project

- iii. Paul Sherwood keep the Forum updated on the A66 project.
- iv. On behalf of the Forum, Rachel Connolly to send the map identifying the relevant sections of the A1 to Barrie Mason.
- v. The Secretary circulate information from recent meetings of the South & West Local Liaison Groups.

## **247 Secretary's Update Report**

Considered -

The report of the Secretary which updated on developments since the last meeting.

Forum members noted the written response from Highways England to their formal objection to the closure of the gap in the central reservation in the A19 trunk road at Tontine, Northallerton. Members expressed concern about the reasonableness of the alternative proposal from Highways England. Roma Haigh suggested the LAF needed to consider how best to handle that type of issue in the future, and it was suggested that organisations representing those affected by the loss of crossing points e.g. Sustrans and the British Horse Society etc. should be encouraged to get involved.

However, members welcomed the offer from Highways England to engage with the LAF on the wider issue of further gap closures along the length of the A19. It was agreed that the Chair would draft a response to Highways England on this basis.

The Secretary drew attention to the consultation dates for the planned review of the Howardian Hills Area of Outstanding Beauty Management Plan and it was agreed the Chair and Rachel Connolly would consider the consultation on behalf of the Forum, and that it be included on the agenda for the October meeting.

In regard to the next meeting of the Yorkshire Humber & North Lincolnshire Regional LAF in September 2018, it was agreed that the Chair and County Councillor Jeffels would attend.

In addition, the Roma Haigh provided a progress update on the preparation of the NYLAF webpage and confirmed it was likely to go live in November 2018. Forum members also noted the plans in place to recruit new LAF members ahead of the end of the current LAF members' term of office. The LAF also decided to review the published LAF Principles and LAF Advice documents at the October meeting, under the heading of LAF Duties. It was agreed that the Secretary would circulate both documents to all members for consideration in advance of the meeting,

**Resolved -**

That:

- i) The update report be noted

- ii) Roma Haigh draft and circulate a response to Highways England on the A19 gap closure, for consideration by LAF members prior to submission.
- iii) Roma Haigh and Rachel Connolly lead on the consultation arising from the forthcoming review of the Howardian Hills Area of Outstanding Beauty Management Plan
- iv) The Secretary circulates a copy of the LAF Principles and LAF Advice documents for review ahead of the next LAF meeting in October 2018.

## **248 Forward Plan**

Considered -

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

The Secretary confirmed the intention to hold 3 LAF meetings during 2019/20 (July, November and March).

**Resolved -**

That the following items be added to the agenda for the forthcoming October 2018 meeting:

- Formal sign off of the LAF Principles and LAF advice
- Issues arising from the Ryedale Local Plan (if required)

## **250 Dates of Next Meetings**

The next meetings of the Local Access Forum will be held at 10am on:

- Wednesday 17 October 2018
- Wednesday 16 January 2019
- Wednesday 10 April 2019

The meeting concluded at 12:25pm

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