

# Public Document Pack

## North Yorkshire County Council

### North Yorkshire Local Access Forum

Minutes of the public meeting held on Wednesday, 25 September 2024 commencing at 10.00 am.

Patricia Coulson in the Chair, plus Rachel Connolly, Roma Haigh, Samantha Perks, Robert Heseltine, Stephen Clark, Martin Reynolds, John Toogood and George Jabbour.

Officers present: Ian Kelly - Head of Countryside Access Services, Tris Terry, Local Nature Recovery Strategy Project Manager, Martin Grainger – Head of Development Management, and Dawn Drury - Democratic Services Officer.

Other Attendees: Christopher Dunn – Public Speaker and Bruce Cutts - Senior Officer, People Landscapes Access and Nature (attended remotely).

Apologies: Will Scarlett, Belinda Ryan, Naomi Guthrie, David Jeffels and Mark Cunliffe-Lister

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

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The Chair offered a vote of thanks on behalf of the Forum to David Lepper and Jeremy Dunford who had both recently resigned from the LAF, and stated that their expertise, common sense approach and their contribution to the Forum would be greatly missed.

The Chair then welcomed the three new LAF Members present at the meeting; this was then followed by a brief introduction by each Member.

#### 14 Apologies for Absence

Apologies had been received from Will Scarlett, Belinda Ryan, Naomi Guthrie, Mark Cunliffe-Lister and Councillor David Jeffels. Councillor George Jabbour acted as substitute for Councillor Jeffels.

#### 15 Minutes of the Meeting held on 22 May 2024

**Resolved** - That the Minutes of the meeting held on 22 May 2024 be agreed as a correct record and signed by the Chair.

#### 16 Declarations of Interest

There were no declarations of interest.

#### 17 Public Participation

There was one public question from Mr Christopher Dunn, as follows:

*Please provide a copy for all LAF 'members' on 25th September 2024 of this Killinghall Definitive map, this map was issued to*

*I am thankful for R Allan for providing map and all NYC PROW mapping staff who have been always helpful and obliging.*

*I note the following re this Killinghall map.*

- 1.No legend/key displayed, not possible to determine meaning of symbols thereon.*
- 2.No Drawing number, issue number, change column, creation date.*
- 3.No mention thereon or on any NYC PROW paper or online system of necessary Definitive PROW statements created same time as map !952?*
- 4.'Real'/' Actual'/' Working'/'Legal' NYC PROW Definitive maps apparently exist with perhaps post it notes/pencil/margin 'notes' thereon.*

*Will this LAF express their concern that NYC definitive maps are not up to date; not complete; unnumbered; and generally, do not comply with long established Draughting procedures especially when formal legal extinguishments, diversion; or additions are made?*

In response, the Chair advised Mr Dunn that the Forum dealt with issues at a strategic level, whilst day to day operational issues were overseen by officers of NYC, and therefore asked Ian Kelly, Head of Countryside Access Service to provide a response to Mr Dunn's question.

Ian Kelly thanked Mr Dunn for his public statement and explained that Mr Dunn had previously raised concerns and expressed his views about the accuracy of the Definitive Map and Statement in a formal complaint to the Council, which had also been the subject of a Public Question put to the LAF meeting by Mr Dunn on 22 May 2024.

Mr Kelly stated that he was sorry that Mr Dunn remained dissatisfied, however he was not able to comment on a matter that had been the subject of a complaint which had previously been responded to.

Mr Kelly did, however, acknowledge and thank Mr Dunn for his comments about members of his team, who had done, and would continue to assist with any new queries and concerns that Mr Dunn may have about the Service.

The Chair thanked Mr Dunn for attending the meeting and encouraged him to make use of the Corporate Complaints process to raise any future concerns.

## **18 Secretary's Update Report**

Considered –

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

In terms of the recent NYLAF recruitment campaign, Members heard that 15 applications had been received, all of a very high calibre with candidates from varying backgrounds and with different interests which helped to provide further expertise to the Forum. Eight of the candidates had been shortlisted for interview, with four new Forum Members being appointed; three unsuccessful candidates had all requested to be placed on a reserve list should any vacancies arise in the near future.

During the recruitment process a statement had been received from one of the applicants in relation to the provision of cycle paths and ease of access on footpaths and bridleways. Mr Kelly had provided Members with comments on the points raised in advance of the meeting, these were discussed and a response agreed.

Members were reminded that they had **Page 2** separate item for the Local Transport Plan

on the Forward Plan for this meeting, a short update was included within the secretary's update as the Transport Planning Team had nothing further to report at this time. It was highlighted that should Members wish to; the item could be deferred to the next meeting.

In terms of the correspondence sent out on the Forums behalf by the secretary, as per the amended terms of reference, a log of the correspondence sent from April 2024 to September 2024 had been included at appendix A to the report; Members confirmed that they were satisfied with the information contained therein.

Members queried who had responsibility for the upkeep of stiles and gates on bridleways, Mr Kelly advised that they were the responsibility of the relevant landowner. It was noted that if reports of defective gates or blocked routes were received, officers would contact the landowner in the first instance, and if the issue was not resolved the Council would either take legal action or repair the structure and re-charge the cost to the landowner.

**Resolved – That**

- i. The update be noted.
- ii. The Secretary provide the NYLAF applicant with the agreed response to their statement.

**19 LAF Sub-Group and Individual Updates**

Considered –

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

The Chair highlighted that there were two vacant liaison representative posts shown within the table at paragraph 2.1 of the report: one for National Landscapes and one for the Discovering Lost Ways 2026 Project and the former Harrogate district. Discussion took place around the projects and filling the two posts.

Mr Kelly advised that the deadline for the Discovering Lost Ways 2026 Project had been extended to January 2031, therefore Members took the decision to remove the project, at this time.

In terms of National Landscapes (NL), formerly known as Area's of Outstanding Natural Beauty (AONB), Mr Kelly informed Members that the Howardian Hills NL and Nidderdale NL were hosted by North Yorkshire Council, with Council officers managing the rights of way network on a day-to-day basis, however both NL's were autonomous with their own governing body.

Councillor Jabbour went on to provide a detailed update as he was the Chair of the Howardian Hills National Landscapes Joint Advisory Committee. Members heard that the name change from AONB to NL had taken place a year ago and was a branding exercise to ensure that the status of National Landscapes was comparable with the National Parks. The key change to the remit of NL was to place additional duties on Local Authorities to seek to further the purposes of National Landscapes in North Yorkshire.

Members queried that as the Council managed the rights of way network on behalf of NL was there a need for a LAF liaison representative, Mr Kelly replied that taking into account his past experience he did not feel that there was a need for a representative as the Council and NLs worked in partnership, therefore Members agreed to remove National Landscapes from the table.

Mr Kelly drew Members attention to a **Page 3** proposal for a new Natural England Yorkshire Wolds

AONB which was due to go out to public consultation, Councillor Jabbour stated that he felt the Forum should participate in the consultation as the Members insight would be invaluable. Stephen Clark volunteered to research and draft a response on behalf of the Forum for the consultation, to which Members agreed.

The Chair informed Members that she and Councillor Jeffels had attended the Yorkshire, Humber and North Lincolnshire (YH&NL) Regional Access Forum on the 4 September 2024, the meeting had provided a lively discussion on subjects to include landlocked access areas, right to roam and the associated concerns from the farming community and the National Farmers Union, a presentation from the Green Lanes Environmental Action Group (GLEAM) around the damage caused by 4x4 vehicles, and an update from Sustrans which included the cinder track from Burniston to Cloughton.

**Resolved - That**

- i. The additional information provided at the meeting be noted, alongside the written updates provided in the report.
- ii. The Discovering Lost Ways 2026 Project be removed from the table of nominated representatives.
- iii. National Landscapes be removed from the table of nominated representatives.
- iv. Stephen Clark research and draft a response on behalf of the Forum for the Natural England proposed Yorkshire Wolds AONB.

**20 NY Local Access Forum - Draft Revised Terms of Reference**

Samantha Perks presented the draft revised Terms of Reference (TOR) for the NYLAF.

It was noted that the TOR had been to the last meeting of the Forum when further amendments had been requested, these changes had been made and the amended document now formed part of the agenda pack for discussion, agreement and adoption.

Members considered the updated TOR and requested that the following be amended:

- 8.5, the amount of notice that a member of the public must give to register to speak at a meeting should read three working days, and not one, as per the Council's Constitution.
- At Annex B, page 29, add a heading – "Principles on which we operate", and remove the word appropriate at the first bullet point and replace with "practicable".
- At Annex B, page 30, the heading be amended from District Councils, to read North Yorkshire Council, and on the first line, District will, to be replaced with "areas may".

**Resolved – That:**

- i. Members noted the report.
- ii. The amendments listed above be made to the draft TOR.
- iii. The Terms of Reference item be added to the Forward Plan for the January 2025 meeting.

**21 Local Nature Recovery Strategy (LNRS) for North Yorkshire and York**

The Chair introduced Tris Terry, Local Nature Recovery Strategy Project Manager.

Mr Terry presented a detailed power-point presentation to Members which provided them with an overview of the background, context and objectives of the Local Nature Recovery Strategy (LNRS) for North Yorkshire and York, an update on current progress with the

preparation of the strategy, along with an overview of the work undertaken to date which highlighted the following:

- The LNRS was a new, England-wide system of spatial strategies established by clauses 104 to 108 of the Environment Act 2021.
- NYC was appointed as the responsible authority for the development of the LNRS for North Yorkshire and York (North Yorkshire Council and City of York Council administrative area). There were also four supporting authorities aiding with the development of the strategy: North York Moors National Park Authority, Yorkshire Dales National Park Authority, City of York Council and Natural England.
- Each Strategy would, for the area that it covered: agree priorities for nature's recovery, map the most valuable existing areas for nature, and map specific proposals for creating or improving habitat for nature and wider environmental goals.
- Looked at core areas of existing good habitat with a high biodiversity value with the aim of expanding the areas then creating new stepping stones of habitat between those core areas which would allow species to move more easily between the areas.
- Provide public community access to the nature spaces, if appropriate to do so.
- Agree priorities for nature's recovery working with regional stakeholders and experts on what the most important things that should be done are.
- Map specific proposals for creating or improving habitat.
- Identify co-benefits such as carbon storage, climate change adaptation and mitigation, flood alleviation, access to nature and health and wellbeing.
- A public consultation ran from November 2023 to February 2024, asking for the public's views on nature: 550 responses were received.
- Held 11 workshops with land managers and farmers across the County in February 2024.
- Produced a shortlist of 38 nature recovery priorities for North Yorkshire and York.
- A draft consultation document for the LNRS to be ready for January 2025, a statutory public consultation on the draft strategy has been programmed from April 2025 to the end of May 2025. A copy of the publication draft would then go back out to public consultation in July 2025.
- NYC were aiming to publish the first iteration of the LNRS in September 2025.

Upon the conclusion of the presentation, Mr Terry responded to Member questions on various matters raised to include funding figures and how success would be measured.

Councillor Jabbour thanked the officers for the events, seminars and workshops that had been organised with Councillors and landowners and praised them for their engagement with the local communities.

It was confirmed that the LNRS was non-binding. Its objective was to set out high-level strategic priorities and measures (practical actions) to support nature recovery across North Yorkshire and York, but the LNRS did not obligate anyone (including NYC) to carry these out. The intention was that the LNRS would help to guide and direct where actions to support nature should be taken (and what the most beneficial actions would be) but it did not commit anyone, either NYC or individual landowners, to actually undertake those actions. Decisions to carry out particular actions in particular locations would be entirely voluntary.

The Chair thanked Mr Terry for attending.

**Resolved –**

That the report be noted.

Bruce Cutts, Senior Officer, People Landscapes Access and Nature, Natural England joined the meeting via MS Teams to provide an update on progress on the Coast to Coast Path National Trail.

Members heard that as part of the Wider Benefits workstream officers had produced a Sustainable Engagement report and an Accessibility Audit, and these would be shared with external parties in due course. Work was also ongoing around engaging with communities and businesses; however, this strand of work was subject to budget discussions.

Mr Cutts outlined the work that was currently underway to build baseline data to quantify the number of users on the Coast to Coast Trail. There were a number of people counters out on the route, and with the aid of DEFRA colleagues, officers were looking at mobile phone data mainly through Strava and some passive GPS data, this focused on where people were on the trail and how they were using it. In addition to this, officers were conducting face to face interviews on the route and self-registration surveys were available for users.

Members were informed that another element of the Wider Benefit project was the Nature Recovery project which would enhance the users experience while walking on the Coast to Coast. There were several of these projects to include:

- The B-Line project, a network of flower-rich insect superhighways designed to reconnect landscapes, enabling pollinators and other wildlife to move freely.
- The Eden Rivers Trust, Grisedale Beck follows the line of the Coast to Coast path and since 2021 the Trust has worked to re-meander a lower section of Grisedale Beck, creating a second channel and new wetland habitat whilst slowing the progress of surface water into the village of Patterdale below.
- Forestry England had felled and thinned over 2.1 ha at Gillerthwaite Longhouses, this had opened the Trail corridor and created greater visibility of the twin walled longhouses as well as glimpses of mountains and valley floors.
- West Cumbria Rivers Trust had focussed on the preservation and protection of salmon and other freshwater fish species, with a series of surveys planned to record past and present areas of their complex lifecycle.
- Yorkshire Wildlife Trust Cycle had concentrated their efforts on sustainable visits to some of their reserves by providing bicycle hoops for up to 8 bikes, installed near the entrance to encourage responsible use of the reserve.

Members were shown photographs of some of the works the technical working group had undertaken which included the building of new footbridges and erecting waymarking finger posts.

Finally, Mr Cutts provided the latest update, on behalf of DEFRA colleagues, on the work being done to develop a safe solution to the Coast to Coast, A19 crossing. A business case was being developed for the A19 project, a technical construction report had been produced and the options had been through an initial assessment. Defra were preparing to conduct stakeholder engagement on the options being explored and would look to engage with as many stakeholders as possible to gather views from individuals and groups who may be affected. Members were informed that the LAF's input would be sought on the A19 project.

Rachel Connolly thanked Mr Cutts for an excellent presentation, and queried, one of the photographs within the presentation had shown a detour on the A19, was the alternative route intended to be for multi-user or just for pedestrians. Mr Cutts advised that the temporary route had been made by the adoption of existing network paths, it focused very much on pedestrian access where it was a public footpath. There were no plans to make the path multi-user as it was a short time diversion and there were alternative routes, although mainly by road.

It was highlighted that one of the principles of the LAF was that all new access should be for the highest possible use by everybody. Mr Cutts agreed that this was a principle that

Natural England followed, however this was not a new access, it was the adoption of an existing network path to provide a functional way around to avoid the A19 at this stage.

The matter of a representative from the LAF to attend future Coast to Coast Path National Trail External Stakeholder Group meetings and receive one-to-one updates from an officer from Natural England, following the resignation of David Lepper was raised. Mr Cutts explained that the meeting took place once a quarter and was an opportunity for stakeholders to contribute on how the route was being developed; that Member could then cascade a summary of the information learned down to the Forum as a whole. Members discussed the role and appointed Martin Reynolds as the LAF representative to attend future Coast to Coast National Trail External Stakeholder Group meetings.

The Chair thanked Mr Cutts for attending.

**Resolved – That**

- i. The update be noted.
- ii. Martin Reynolds be appointed to attend future Coast to Coast National Trail External Stakeholder Group meetings on behalf of the LAF.

## **23 Yorkshire Water Woodland Management Plan**

The Chair introduced the item and explained that the LAF had been approached by Fountains Forestry Ltd, the appointed service providers for Woodland and Tree Management for Yorkshire Water Services Limited, regarding a new Woodland Management Plan for the region. The Plan outlined woodland management activities, including felling and restocking proposals, for the next ten years.

Fountains Forestry Ltd had invited statutory bodies to provide feedback on the proposals to establish any likely sensitivities, constraints or opportunities that could influence the future design, development, and management of the woodland, the deadline for which was 30 September 2024.

A link to the felling operations plan and restocking plans had been provided, along with a feedback form. Rachel Connolly had started to formulate a response on behalf of the Forum at appendix 1, along with a list of the sites identified in the North Yorkshire area at appendix 2.

Mrs Connolly drew attention to question 4 and welcomed suggestions on an answer for that particular question. Members considered all the information and agreed the suggested answers at appendix 1, and at question 4 agreed the wording “the long term outcome beneficial to users and the wildlife” be added to the response.

The Chair and Roma Haigh thanked Mrs Connolly for disseminating the information and formulating the suggested answers contained within the agenda pack for Members consideration, which would allow the LAF to respond to the consultation within the required deadline.

**Resolved:** That the agreed response, as above, be submitted to Fountains Forestry UK Ltd.

## **24 Update on the re-structure of the Planning Teams following Local Government Review**

Martin Grainger, Head of Development Management attended the meeting to provide a verbal update on the re-structure of the Planning Service for North Yorkshire following the

local government review (LGR).

He showed slides which introduced the new Planning Services Leadership Team headed by the Assistant Director for Planning, Trevor Watson, and explained which of the five Heads of Service had responsibility for what area of the Planning Service. In terms of his role as Head of Development Management, his remit included the teams for Planning and Planning Enforcement.

Members noted that the planning teams had been divided into three areas, East, West and Central. The East team covered the constituency areas of Scarborough and Whitby and Thirsk and Malton, West covered Richmond and Skipton and Ripon; with Central covering Harrogate and Knaresborough and Selby and Ainsty.

Since vesting day, the Planning Leadership team had concentrated their efforts on the Council being safe and legal in its processes, continuing the ongoing Planning Committee work, and looked at best practice and how the Planning teams worked with other Services within the Council. A staffing re-structure had been undertaken, with recruitment still ongoing, and Members heard that when at full capacity approximately 120 Planning officers would report to Mr Grainger.

Forum members discussed with him issues around the planning notifications that they did or did not receive from some areas of the County and stated that they would like to see a consistent approach across the whole of North Yorkshire.

Mr Grainger thanked the Members for the “blueprint” report based on the East Riding of Yorkshire Council’s method of Local Plan organisation and their treatment of access, and the review report of Rights of Way and the Planning process, which had been sent to the Assistant Director for Planning following LGR. He commented that the research the Members had done and the reports they had produced had been excellent and encouraging for the Planning Service. To take that forward he offered to meet with the authors of the reports to explore some of the points further, and also to gain a better understanding of the work of the Forum and how best to engage with them. Rachel Connolly and Pat Coulson offered to meet with Mr Grainger on behalf of the Forum and provide feedback to the Members.

**Resolved:** That

- i. The update be noted.
- ii. Pat Coulson and Rachel Connolly would contact Martin Grainger to arrange a meeting to discuss the reports sent to the Assistant Director for Planning.

## **25 Any Other Items**

There were no other items.

## **26 Forward Plan**

Considered –

Members considered the Forward Plan provided at Appendix 1 to the report; the Chair invited members to identify any additional items of business to be added.

It was noted that officers from Network Rail and Natural England (ELM’s) had been approached but had been unable to attend this meeting to provide updates, as per the Forward Plan, therefore it was requested that the two items be deferred to January 2025.



As had been discussed at agenda item 5, Members requested that the Local Transport Plan item be deferred to January 2025. Ian explained that Public Transport now sat under the remit of the Mayor for the York and North Yorkshire Combined Authority (Y&NYCA), and Councillor Jabbour further advised that the funding that was received from the government by the CA gave the Mayor the ability to invest in Active Travel to improve cycling and walking.

The Chair highlighted that the attendance of the new bridge engineer had been added to the Forward Plan for the January 2025 meeting, however as the officer had not been long in post, and the subject of bridges were part of the Annual Countryside Access Service (CAS) report, it was felt that this should be removed.

Following a discussion around the Forward Plan, it was agreed that a sub-group be formed to look at the Forward Plan and explore relevant items to be added to the Plan for the year 2025/26. It was further agreed that the sub-group would consist of the following Forum members: Roma Haigh, Stephen Clark and John Toogood.

**Resolved - That**

- i. The Forward Plan be updated in line with the discussions at the meeting as follows:
  - Network Rail Update, Natural England – Environmental Land Management Scheme (ELM's) and the Local Transport Plan be deferred to January 2025.
- ii. NYLAF Terms of Reference be added to January 2025
- iii. The attendance of the bridge engineer at the January 2025 meeting to be removed.
- iv. The Rights of Way Improvement Plan be added to the Forward Plan for the January 2025 meeting.
- v. A sub-group be formed to look at the Forward Plan to consist of Roma Haigh, Stephen Clark and John Toogood.

The meeting concluded at 12.37 pm.

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