

North Yorkshire Local Access Forum

26 May 2021

Secretary's Update Report

1.0 Purpose of the Report

- 1.1 To update members of the Local Access Forum on developments since the last meeting of NYLAF.

2.0 Consultation Submissions & Responses

- 2.1 There have been three consultation requests received since the last meeting:

February 2021 – Preferred Options Consultation on the Selby District Local Plan

March 2021 – NYCC Active Travel Fund Harrogate & Whitby

April 2021 – Selby District Places and Movement Study

3.0 Other Updates

3.1 Local Development Plans

One of the key areas of involvement for the Forum is to ensure appropriate engagement in the preparation of Local Development Plans. Set out in the table below is an updated summary of the current position in relation to each District Council area, and in relation to the Minerals and Waste Joint Plan. This information is taken from the websites of the relevant authorities and correspondence received.

Authority	Status
Craven	In Craven (outside the Yorkshire Dales National Park) the development plan comprises the Craven Local Plan 2012 to 2032, neighbourhood plans and the Minerals and Waste Joint Plan. The Plan was adopted in November 2019. A provisional date of October 2023 has been set for the publication of results of a formal review of the Craven Local Plan in order to meet the Government's requirement for a review to be completed 5 years after its adoption i.e. by Nov 2024.
Hambleton	The Hambleton Local Plan was submitted to the Secretary of State (Planning Inspectorate) for examination on 31 March 2020. The estimated timetable for progressing to the adoption of the Plan is as follows: <ul style="list-style-type: none">• Estimated examination period March 2020 to February 2021• Receipt of inspector's report March 2021• Estimated date of adoption April 2021
Harrogate	Harrogate District's Local Plan 2014-2035 was adopted on 4 March 2020. Following adoption, a legal challenge was raised against the new settlement policies in the High Court and a judgement was issued

	<p>on 26 November 2020. In-line with the court order accompanying the judgement, the whole of the local plan was remitted to the council to consider whether or not to:</p> <ul style="list-style-type: none"> • accept the Inspector's recommendations, in so far as they related to the new settlement policies and; • adopt the local plan with those policies, taking into account the full Sustainability Appraisal (SA) documentation and consultation responses. <p>The council subsequently agreed to adopt the local plan with the new settlement policies on 9 December 2020.</p>
Richmondshire	<p>The Local Plan 2018-2035 will be a single document and comprise of a review of the adopted Local Plan Core Strategy 2012-2028 and will provide site allocations, area strategy for Catterick Garrison, land use designations, revised Development Limits for settlements identified in the settlement hierarchy and detailed development policies. It will include an updated and revised Proposals Map.</p> <p>Examination Hearings were scheduled for Spring 2021 with the intention of the Plan being adopted in Winter 2021.</p>
Ryedale	<p>Ryedale District Council are in the process of reviewing their Local Plan which covers the period 2012- 2027. A two-month 'Call for Sites' consultation has been launched and will close on 5 July 2021.</p> <p>It is anticipated the proposed site allocations will be published in September 2022. Prior to this, two interim consultations on the sites will be undertaken. The first, an initial open-ended site consultation making communities and consultees aware of the sites, is due to start before August 2021.</p> <p>Once they have a group of potential allocations, an options consultation will be undertaken in the spring of 2022 to explore the choices, informed extensively by the initial consultation, evidence base collection and analysis and interactive development of the distribution strategy.</p>
Scarborough	<p>Scarborough Borough Council formally adopted their Local Plan 2011/32 on 3 July 2017. It is currently under review, and the consultation on the first stage of the review (the Issues and Options stage) concluded in late 2020.</p>
Selby	<p>A new Local Development Scheme for the period 2019 to 2023 came into effect on 17 September 2019. The scheme identified which Local Plan documents the Council would progress over the next four years, together with the programme for their preparation, and key consultation milestones.</p> <p>In line with the Scheme, a six-week consultation on the Local Plan Issues and Options ended 6 March 2020.</p> <p>Most recently, a six week consultation was undertaken between 29 January and 12 March 2021 for the Preferred Options Local Plan 2021.</p>

Minerals and Waste Joint Plan	<p>The Order of 14 May 2019 declared the Secretary of State's decision of 24 July 2018 to adopt paragraph 209(a) of the revised Framework unlawful, and quashed it.</p> <p>The Inspector invited the Mineral Planning Authorities and any other interested parties to comment on the High Court Judgement and Order and the implications for the joint plan. The Inspectors response to the Joint Authorities response to the High Court Judgement can be viewed at: INS16 Inspector response Oct 2019.pdf (northyorks.gov.uk)</p> <p>May 2021 - There is no further update available at this time</p>
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3.2 Open Access Restrictions

The Forum is consulted on a range of restrictions under the Countryside and Rights of Way Act 2000. Since the last meeting there have been three discretionary dog restrictions, received from the Open Access Contact Centre at Natural England confirming restrictions under Section 23(1) of the Countryside and Rights of Way Act 2000.

3.3 There has also been seven discretionary '28 Day' restriction under Section 22 of the Countryside and Rights of Way Act 2000 - Landowners may close their access land for up to 28 days in any one year. They are not permitted to close their land on (a) bank holidays, (b) more than 4 days in a year that are Saturdays or Sundays, (c) any Saturday between 1 June and 11 August, (d) any Sunday between 1 June and 30 September. Landowners are not obliged to tell the public about forthcoming closures, or give reasons. Their legal duty is simply to inform the relevant authority of their intentions.

3.4 Regional Forum

The draft Minutes from the last meeting of the Yorkshire Humber and North Lincolnshire Regional Access Forum held on 10 March 2021, were circulated to Forum members via email by the Chair on 8 April 2021.

3.5 The next meeting of the Regional Forum will be held on the 8 September 2021 at Leeds Civic Hall (Covid restrictions permitting).

3.6 2026 / Definitive Map

There are no changes or updates to report.

3.7 Countryside Access Service Team Update

Ian Kelly, Countryside Access Manager has provided an update structure chart for his team for Forum members' information – see Appendix A.

3.8 Terms of Reference

The Chair has proposed some minor revisions to NYLAF's Terms of Reference to take account of the decision taken at the last meeting about the use of sub-groups to progress areas of work between formal meetings. Members are asked to consider those proposed changes shown as tracked changes in Section 11 – 'Sub-groups and Working Groups' - see Terms of Reference document attached at Appendix B.

4.0 Forum Membership & Future Recruitment

- 4.1 The County Council has always followed a formal approach to recruitment for NYLAF along similar lines to that used for NYCC officers. This has included advertising the vacancies on the County Council's website, Parish Council noticeboards, and via a press release to various newspapers. We have also made direct contact with organisations such as the CLA and Farmers Union etc in an attempt to widen the variety of personal interests within our membership.
- 4.2 We have offered informal chats in order to encourage interested members of the public to apply, and we have provided an application pack containing a formal application form together with information about what the Forum does and what being a member involves, and a role description and person specification for prospective members.
- 4.3 For the last full recruitment drive held in November 2018, we received twenty-two applications, six of which were from previous NYLAF members who had recently come to the end of their tenure (all of whom were reappointed). Of the remaining applicants, nine were shortlisted for interview and five were offered a position on the Forum. The interviews were carried out by a panel of NYCC officers made up of the Democratic Services Manager, the CAS Manager and a manager from an unconnected service.
- 4.4 Between March 2019 and March 2020 two of the re-appointed previous members and three of the new members resigned. To fill the first of those vacancies, in spring 2019, we re-appointed a previous member who had indicated they would welcome the opportunity to re-join the Forum, without going through the formal recruitment process detailed above.
- 4.5 In late 2019 we again carried out the full formal process. Ten applications were received, seven applicants were shortlisted and interviewed, resulting in three new members being appointed.
- 4.5 As we now have two vacancies on the Forum (following the recent resignation of Doug Cartwright), we need to recruit to the two vacant positions. To support us in considering the best approach to take, the Chair has sought information from other LAFs on their recruitment process and will provide a verbal update at the meeting. We would also like to gather your views and suggestions for an alternative way forward. For example, the Chair could be included on the interview panel; or a more informal approach could be taken where current members propose possible candidates etc and those individuals are asked to come in for an informal chat with the Democratic Services Manager.

5.0 Draft Position Statements

- 5.1 The Forum has two draft position statements to consider. The first has been adopted by the Yorkshire & Humber Regional Access Forum. It has been offered to Local Access Forums within the Region for them to consider it for adoption, either as it stands or modified to suit local circumstances – see Appendix C.

5.2 The second draft position statement has been provided by the Chair. It focuses on the Forum's preliminary involvement in major projects – See Appendix D. Again, the Forum is asked consider it for adoption, either as it stands or with some agreed amendments.

Recommendations

6.1 The Local Access Forum is recommended to:

- i) Note the update report;
- ii) Note the CAS structure shown at Appendix A;
- iii) Agree the proposed changes to NYLAF's Terms of Reference, as shown in Section 11 of Appendix B;
- iv) Provide feedback on the current recruitment process and any suggestions for an alternative way forward;
- v) Agree whether to amend and/or adopt the draft Position Statement on Shared Use at Appendix C;
- vi) Agree whether to amend and/or adopt the draft Position Statement on Preliminary Involvement in Major Projects at Appendix D;

BARRY KHAN

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Appendices:

Appendix A – CAS Structure Chart

Appendix B – Proposed changes to NYLAF's Terms of Reference

Appendix C – Draft Position Statement on Shared Use

Appendix D – Draft Position Statement for Preliminary Involvement in Major Projects