

Further to minute 6 of the meeting held on 21st June 2005 – Update on the Leeds Rights of Way Improvement Plan, Joanne Smyth provided information on the questionnaire to be used. The Council's Head of Marketing had considered the document and suggested that the most effective way of obtaining the information required was through a face-to-face interview. As part of the Leeds Fitness Week taking place over the October half-term holiday, guided walks were being organised in Temple Newsam and Roundhay Park, and the intention was to interview people taking part on the walks. There would also be Countryside and Access staff in other Leeds parks inviting users to participate in the survey. In order to obtain a cross-section of views, Joanne Smyth had been advised to survey those people who perhaps did not visit the countryside, so staff would be in Millennium Square seeking views from the public. User groups would also be contacted to contribute. Staff were aiming for 1000 responses and it was hoped that once the data had been input an analysis and report on the findings would be completed by the end of the year

RESOLVED –

- i) That the LLAF approve the course of action outlined to fill the current vacancy
- ii) To note the contribution of the LLAF to the planning process in respect of the major mixed-use development at the former Kirkstall Forge site
- iii) To note the work being undertaken on the Leeds PROW Improvement Plan

15 Annual Report of the Leeds Local Access Forum

Members received a copy of the first Annual Report of the LLAF, which contained details of attendance and a summary of the business considered by the Forum in its first year

The following amendments were suggested:

- that a reference to Local Government be included at paragraph 2
- that the ROW paragraph be amended to state that modifications had been made to the draft
- that the report should be from the LLAF and not Leeds City Council

There followed a discussion on the format of the Annual Report, and comparisons with annual reports issued by other LAFs

RESOLVED – To agree the report, subject to the minor modifications as stated and the comments raised about presentation

16 Confirmation of Byelaws relating to Countryside Recreation: Proposals for Change – A consultation document

Members considered a consultation document prepared by DEFRA seeking the LAF's comments

Members were informed that whilst it was rare for the Authority to make Byelaws, the proposed new procedures would ensure that the current time of 6-9 months to obtain approval would be cut to 10 days

Joanne Smyth echoed these comments and stated that the Parks and Countryside Division had recently updated all of their Byelaws and that unless there was a real need for a Byelaw on the Council's open access land it would be unlikely to be creating further ones

RESOLVED – That a joint submission on behalf of the LAF and Leeds City Council be made to the consultation document

17 Consultation on Diversions of Rights of Way

The LLAF considered a consultation document prepared by DEFRA on Diversions of Rights of Way in respect of the protection of sites of special scientific interest (SSSIs) and temporary diversions for dangerous works and seeking the views of LAFs

Members considered the document and made the following points:

Relating to diversions for SSSI sites

- question 1, there was no description in the form of the highway which was proposed for diversion
- question 2, the Local Access Forum should be included in the list of consultees
- question 3, grid references would be useful on Annex 2 to amplify the description, in addition stiles, gates or other limitations on the diversion could be identified
- question 4 – the importance of consistency was stressed

In respect of the recovery of costs, as set out in paragraph 2.4 of the submitted report officers stated the difficulties in recovering costs and that in deciding whether to pursue recovery it was useful to consider whether it was the landowner/ land manager or the public who was deriving the benefit from the diversion

Relating to question 5, the types or descriptions of works the Government should prescribe in regulations it was felt that existing legislation under Section 14 of the Road Traffic Act was sufficient for any works needed on a PROW. Concern was also expressed that the onus for carrying out of the administrative process, eg consulting and the placing of advertisements would be placed on the occupier. Currently this was carried out by the Authority's City Services Department, with the applicant being recharged, and there was concern that if the process was not closely managed by Local Authorities it could result in back-to-back diversions being carried out which would effectively close off access to areas of land for long periods

Members considered that the proposals in respect of temporary diversions for dangerous sites was unnecessary and could lead to confusion, that they represented a further layer of bureaucracy and that existing legislation adequately covered prescribed works

The LAF discussed the clarity of the form proposed to be used for temporary diversions for dangerous works and considered that improvements could be made

RESOLVED – That a response be sent to DEFRA from the LLAF on this document setting out the points raised and the concerns registered at the meeting

18 **Review of Local Access Forums: Report of research commissioned by the Countryside Agency**

A research report from the Countryside Agency reviewing LAFs was discussed

Questions on the role of the LLAF, its independence from Leeds City Council, and its influence on the Authority, how the LLAF could become more proactive rather than reactive, whether the forum had adequate resources, how its members could work together more effectively as a forum and how the LAFs sit with existing non-statutory forums which dealt with ROW issues were raised

Officers responded and provided the following comments:

- in respect of independence, Parks and Countryside officers stated their role was to advise the LLAF but that the forum was run by its members
- concerning the LLAF's influence over the Council, Joanne Smyth referred to the upcoming work on the PROW Improvement Plan and the influence the LLAF would have on this
 - in terms of resources and funding, a pot of money had been identified to pay out-of-pocket expenses incurred by Members of the LLAF, albeit a minimal budget. Concerning greater internal funding it was stated that all departments would be making cases for funding for the next financial year which the Council would have to consider. In respect of the Parks and Countryside budget for the current year, it had been possible to attract increased funding through the Green Flag Initiative and it was hoped this could be built on for the next year. In addition once the PROW Improvement Plan had been produced there would be the opportunity to tap into some additional funding
 - in relation to the work of the forum, in the future there would be site visits and forum meetings would receive presentations from guest speakers. Joanne Smyth indicated there could be a need for sub-meetings once work progressed on the PROW Improvement Plan which would add to the work of the forum, and in terms of being more proactive it was suggested that contact between meetings could be maintained by the use of e-mail, telephone etc
 - concerning the role of the LAF with non-statutory PROW forums, Joanne Smyth stated that the PROW forum had been set up for matters of policy and practice but had also established a surgery to look at minor issues which had proved to be very successful

The Chair stated that he considered the LAFs had been set up to be strategic and that it was necessary for the role of the PROW forum to be agreed

RESOLVED –

- i) To receive and note the report and the comments now made
- ii) That the issues raised form an item for discussion at the next meeting, with Members being asked to consider ways for the forum to influence, engage and contribute on issues within its remit
- iii) That a 30 minute informal get-together, with refreshments, prior to the main meeting be trialled

19 Consultation relating to the Amendment of the Local Access Forums (England Regulations 2002)

The LLAFF considered a consultation document prepared by DEFRA setting out proposals for amending the regulations in respect of LAFs in England and inviting comments from LAFs on these proposals

In response to the proposals at Annex A on page 11 of the submitted report the following comments were made:

- Proposal 1 was felt to regularise administratively the procedures for ensuring LAFs were in force
- In respect of proposal 2, it was stressed there was a need to formally disband an LAF in its own right which then combined with another LAF
- Regarding proposal 3, it was considered that consultation would be a positive approach in the event of any changes to forums
- Proposal 4 was considered to be acceptable as it would reduce the administrative burden on the local authority.
- In relation to proposals 5 and 6 the LLAFF felt there should be wider notification than just the Countryside Agency of any changes to the form of the LAF and/or the secretary's details. Members considered the Chair and the forum should be accessible to the public, that the annual report should become a public document and be widely circulated including to the Countryside Agency
- On the possible reduction of the minimum number of Members from 10 to 8 which would constitute a forum, it was suggested that whilst it might be acceptable in principle, that amalgamation should be considered first rather than reducing numbers to a level which might not prove workable for the business to be conducted

In addition comments were made on some of points A-E of Annex A to the consultation document.

- Point A – it was felt that a balance needed to be struck between advising bodies and not overworking the forum
 - Point D – 3 main areas of reformulated guidance were suggested:
 - i) influencing the appointing authority
 - ii) maintaining interest and relevance for members
 - iii) working methods, developing work programmes and reporting on achievements
 - Point E – examples of good practice should include access to information via the website which the LLAFF had now achieved. A reference to the PROW Good Practice Guide was also suggested
- RESOLVED** – That the LLAFF's comments on the consultation document be included in the submission made to DEFRA

20 ACCESS BULLETINS

Members received a copy of ACCESS, issue 12, the bulletin issued by DEFRA providing information on the Countryside and Rights of Way Act 2000. A copy of the recently received issue 13 was tabled at the meeting Joanne Smyth informed the meeting that with the Commencement Order of the New Right of Access from 31st October the Parks and Countryside Service would be making a press release to publicise this. There would also be a

leaflet prepared about open access specific to Leeds, and that work to encourage people from minority ethnic groups to visit the countryside was being undertaken, with the possibility of an organised walk across Hawksworth Moor being considered

RESOLVED –

- i) To receive ACCESS bulletins 12 and 13, to note their contents and the comments now made
- ii) That the secretary of the LLAf ensures ACCESS bulletins are distributed to all Members as soon as they are received

21 Bridge at Burley

Joanne Smyth informed the LLAf that Ward Members had been approached by Leeds walkers about the provision of a bridge at Burley across the River Wharfe which would provide a link between Bradford and North Yorkshire. Leeds City Council's view was that the issue should be taken up with the LAFs for Bradford and North Yorkshire but due to amount of interest in this, it was being brought to the LLAf for their views on a way to proceed. Members discussed the request and raised concerns that there was insufficient information on which to make an informed response, that any agreement to the provision of a bridge would enlarge the rights of the public over the landowner and that this balance would need to be carefully maintained, that the issue was not a cross-border one as the land was not within the LLAf's area and that the forum could not spend valuable time in considering the issue

RESOLVED –

- i) To note the information provided by officers and comments made by the LLAf
- ii) That the response of the LLAf to be conveyed by officers is that the matter should be raised in the correct form and with the appropriate LAFs

22 Items for the next meeting

RESOLVED – That the following items be placed on the agenda for next LLAf meeting

The Kirkstall Valley project – an update

The PROW Improvement Plan update

Open Access

A presentation on the West Leeds City Park

Feedback from the LAF event in September

Further discussion on the way ahead for the LLAf

23 Date of next meeting

Joanne Smyth indicated that she was unable to attend on the planned date of 8th December and an alternative meeting date was agreed

RESOLVED –

- i) That the meeting planned for 8th December be rearranged for Tuesday 17th January 2006, with an informal meeting at 6.00pm and the formal meeting to commence at 6.30pm in the Civic Hall, Leeds

- ii) That the LLAF's secretary informs all Members of the revised arrangements