

Leeds Local Access Forum

Tuesday, 14th November, 2006

PRESENT: Mike Willison in the Chair

Councillor C Fox, R Harington, Hirst,
Lawson and Maude

IN ATTENDANCE: Hannah Bailey, Paul Bowers, Roger
Brookes, Joanne Smyth and Jenny Watts.

There was one member of the public in attendance.

1 ELECTION OF CHAIR AND VICE CHAIR

RESOLVED – That Dr Mike Willison be re-elected as Chair of the Leeds Local Access Forum (LLAF) for a one year period. The position of Vice Chair to remain vacant at the present time, enquiries to be made about filling this vacancy.

2 CHAIR'S OPENING REMARKS

The Chair welcomed those present to the meeting of the Local Access Forum. It was reported that Stephanie Goodall, former Chair of the Forum, had resigned as a member due to her recent move to Australia. The Chair asked that thanks to Ms Goodall, and also to John Grieve, former Clerk to the Forum, be recorded in the minutes.

3 APOLOGIES FOR ABSENCE

Apologies for absence were received from Didy Metcalf.

4 MINUTES OF THE PREVIOUS MEETING

RESOLVED – That the minutes of the two previous meetings held on 17th January 2006 and 6th June 2006 be approved as a correct record.

5 TERMS OF REFERENCE (LOCAL ACCESS FORUM REVIEW)

Joanne Smyth addressed the Forum on the issue of the Terms of Reference, particularly in relation to the recruitment of Members. It was reported that the three vacancies on the Forum had been advertised in the Yorkshire Evening Post and the Leeds City Council Website, however no prospective members had come forward. A letter had also been sent to the National Farmers Union (NFU) in a bid to attract interest in the role. Members were reminded that there were vacancies for two users of rights of way and one for an owner and occupier.

The current process for recruiting new Members was very bureaucratic, Joanne Smyth explained, which could discourage individuals from applying for the voluntary role. It was suggested, in light of the evident recruitment problem, to amend paragraph 11 of the Terms of Reference.

The amendment would dispense with the need for a selection panel to interview potential Members, which was considered to be a barrier to recruitment at present. On this basis, it was reported that interest had been shown from a rights of way user, a landowner (via the NFU) and also from the British Horse Society.

The Chair made reference to the latest edition of the *Access Newsletter* which reported that Defra planned to issue revised regulations on local access forums on 1 January 2007. In light of this, it was agreed to defer full consideration of the Terms of Reference until the revised regulations had been issued. However, it was agreed to progress the interest shown by potential Members in the intervening period.

RESOLVED – That consideration of the Terms of Reference be deferred until the next meeting.

6 ANNUAL REPORT 2005/06

Joanne Smyth circulated colour copies of the Leeds Local Access Forum Annual Report 2005/06 to members at the meeting. She explained that this years report, which was a statutory requirement and detailed the activities of the Forum and attendance for the year, was more eye-catching than in past years and that Officers were pleased with the result.

It was reported that the Clerk had contacted members at the request of the Chair to ask them to provide a short biographical note to be included in the annual report. It was agreed at the meeting that this information would be forwarded to the Clerk by Members in the next ten days. Members went on to briefly discuss the report and identify several typographical errors which needed to be amended.

The Chair expressed his satisfaction with the outcome of the report and thanked Jenny Watts for her work in producing it.

RESOLVED – That the Leeds Local Access Forum Annual Report 2005/06 be agreed, subject to minor modifications.

7 RIGHTS OF WAY IMPROVEMENT PLAN

Members received an update of the progress of the Leeds Rights of Way Improvement Plan user survey which had taken place during the summer months. Jenny Watts, Parks and Countryside, presented the results to the Forum, highlighting the following key points from the 775 returned questionnaires which had been input:

- The majority of respondents were walkers who used public rights of way for fitness and leisure;
- Over 80% of walkers preferred using circular routes;
- 69% of people accessed the countryside by private motor vehicle;
- 91% of users surveyed were White British;
- The mostly commonly cited problems for rights of way users were overgrown vegetation, poor signage and dogs;

- Horse riders made regular use of public rights of way, with over half of these indicating that they would be willing to use additional routes on a toll riding basis;
- 76% of cyclists utilised public rights of way, generally over long distances;
- 40% of respondents expressed a preference for route maps;
- 52% of individuals would like to obtain information on public rights of way from the Council's website.

Jenny Watts explained that the data still needed further analysis and cross-checking at this stage, but comments were invited. Members briefly discussed issues arising from the survey surrounding signage and improvements to existing routes. It was agreed that Members would take the information away to study and feed any comments back at or before the next meeting.

The Chair thanked Jenny Watts for her work in compiling the survey and data.

RESOLVED – That the contents of the user survey be noted and any comments be submitted at the next meeting.

8 **OPEN ACCESS**

The Chair reported that there were two separate issues to be discussed under this item.

Members' attention was drawn to correspondence received from the Rivers Access Campaign which was included in the agenda papers. These letters put the case for legislation for rivers access to be implemented in a similar vein to the Scottish Land Reform Act 2003, which had successfully codified responsible access to land and water in order to protect the environment and activities of canoeists, anglers and other users, as well as landowners. It was reported that a representative of the Rivers Access Campaign had offered to attend a future meeting of the Forum to present to Members on the issue.

Members discussed the issue in broad terms and the implications of the offer of a presentation. It was felt that a briefing on the issue would clarify the key points, although the LLAF was unwilling to commit to supporting the campaign at this early stage.

The Chair then moved to the second item of business, an update on open access in Leeds. Members received a draft copy of the newly devised *Open Access* leaflet, which detailed the rules and regulations of walking on open land, along with a map showing the six main areas of land in the city. Common land had not been included on this map however, as it was considered to be too plentiful and covered only small areas.

Officers invited Members' comments on the appearance and content of the leaflet. It was felt that the map could be more detailed at the expense of some of the illustrative photos, in order to prevent walkers from mistakenly walking on private land.

In relation to the issue of Open Access, the Chair informed members that this year's block grant for the Access Management Scheme had been withheld by DEFRA due to funding issues. Leeds was felt to be at a further disadvantage as it had been in the last area to be mapped for Open Access (Area 8 East of England). Although the Phase 1(Planning) stage of the Access Management Grant Scheme had now been completed and a draft leaflet produced, there were now no funds to implement its production, nor carry out any improvement works on the ground.

The Chair informed the meeting that he had drafted a letter to be forwarded to the Chief Executive of Natural England expressing the concern and dissatisfaction of the Forum with the present situation. Members agreed to the correspondence being sent by the Chair, with the proviso that an additional paragraph being inserted to secure a commitment from Natural England that Leeds will be given priority for any funding subsequently released, given the city was one of the last areas to be mapped in the initial stages.

RESOLVED –

- i) That a representative of the Rivers Access Campaign be invited to a future meeting of the Forum to present to Members;
- ii) That the contents of the Open Access leaflet, along with suggested amendments, be noted;
- iii) That a letter be sent to the Chief Executive of Natural England expressing the concern and dissatisfaction of the Forum with the present situation regarding the freezing of the block grant for the Access Management Scheme.

9 DOG CONTROL AND GATING ORDERS - RESPONSE TO CONSULTATIONS

The Chair introduced this item, explaining that under the Clean Neighbourhoods and Environment Act 2005, the local authority had the power to make Dog Control and also Gating Orders and the LLAFF was identified as a statutory consultee on these matters. The Chair reported that he had been contacted in July 2006 by Ken Bell, Legal Services, informing him of a forthcoming Dog Control Order. The Order had subsequently been advertised on 21st September 2006, giving twenty eight days notice for representations to be received. However, due to the cancellation of the planned LLAFF meeting on 19th September, the Forum were not able to make any comment on this occasion as the notice period had now expired.

Members went on to discuss the following key points:

- How the issue of consultation with the LLAFF on these matters would operate, particularly in cases where the specified notice period did fall between meetings;
- The practicality of enforcing the legislation;
- The affect of Gating Orders upon public rights of way;
- The advantages and disadvantages of establishing a LLAFF sub group to deal with responses to Orders as they arise;
- Whether a set of criteria could be drawn up to identify those Orders which would need to be reported to the LLAFF.

Following these comments, it was decided that potential Orders be reported to the Chair by Officers for initial consideration. If the Chair felt it necessary, then the Orders could be reported to the LLAF for further consultation. It was agreed that this method be piloted and then reviewed at a later date.

The Chair reported that DEFRA had produced new guidance on the issue of such Orders and it was agreed that this be circulated to Members prior to the next meeting. It was also felt that the Forum would benefit from receiving a verbal briefing from Ken Bell, Legal Services, at the next meeting.

RESOLVED –

- i.) That future potential Orders be reported to the Chair for initial consideration before being taken to the LLAF for consultation if necessary;
- ii.) That the DEFRA guidance on Dog Control and Gating Orders be circulated to members prior to the next meeting;
- iii.) That Ken Bell, Legal Services, be invited to the next meeting of the Forum to brief Members on the issue.

10 UPDATES

- i.) Parlington
Following discussions it was decided that steps be taken to set up a meeting between the Ramblers Association and representatives of rights of way users and owner and occupiers from the LLAF to see if any agreement could be reached. Following on from the site visit undertaken at the previous meeting, Roger Brookes reported that the department were still awaiting a response from the Ramblers Association as to whether they were in agreement with the proposed measures. It was Officers understanding that individual objectors were waiting for this response before deciding how to proceed.

Joanne Smyth informed Members that the current situation was unsatisfactory and the department had reached the stage where the Order would either be made or the idea would have to be abandoned, which was not ideal due to the amount of time and effort that had been invested in the scheme. However, if the Order were to be made with representations still outstanding, the matter would be referred to the Secretary of State.

Members discussed the situation. It was suggested that the LLAF approach the Ramblers Association in order to prompt their awaited response. The Chair expressed his concern that as a member of the Ramblers Association, it could be difficult for him to approach them on this issue and avoid any perception of bias.

- ii.) West Leeds Country Parks and Green Gateways.
It was reported that Didy Metcalf was the appointed LLAF representative on the West Leeds Country Parks and Green Gateways. In her absence Joanne Smyth was able to confirm that the department was in the process of producing six information leaflets in relation to the scheme, the first of which was about to go into print. Funding had also recently been secured

for a temporary Project Officer to take the project forward at this next exciting stage.

- iii.) Kirkstall Forge.
Joanne Smyth reported that she had contacted Martin Sellens from the Development department with a view to giving a further presentation to the LLAF on the progress of this issue, although no arrangements had yet been made. Officers agreed to continue to pursue the matter.

RESOLVED –

- i.) To note the current situation in relation to the Parlington Estate;
ii.) That steps be taken to convene an informal meeting between the LLAF and the Ramblers' Association to discuss and progress their objections to the proposals;
iii.) That the update on West Leeds Country Parks and Green Gateways be noted;
iv.) That a verbal presentation from the Development department on the Kirkstall Forge development be arranged for a future meeting of the Forum.

11 LEEDS COUNTRY WAY

The Forum received copies of the new leaflet pack for the Leeds Country Way. Roger Brookes informed members that the pack had been officially launched on 26th September 2006 at Golden Acre Park By Councillor J Procter, Executive Member for Leisure. As well as the new leaflets and maps, work was ongoing along the route to address key repairs and signage issues.

It had been necessary to re-route parts of the former Leeds Country Way to the south of the city, as these no longer fell under the local authority's boundary. Early indications were that the new packs had been well received, with one request having been received from as far away as Canada. The Chair reported that he had received one comment regarding the omission of public transport timings from the packs. Officers responded that this information was constantly evolving and therefore it was not practical to include it, however, contact details for Metro were included.

RESOLVED – That the Leeds Country Way information packs be received and noted.

12 PUBLIC RIGHTS OF WAY FORUM MEETING - TERMS OF REFERENCE

Joanne Smyth presented this item to Members, regarding the possible revival of the Public Rights of Way Forum. It was reported that prior to the establishment of the LLAF, the Public Rights of Way (PROW) Unit had held Forum meetings for a number of years. Whilst not a statutory body, these meetings did serve to bring together a range of interest groups, however the PROW Forum had ceased to exist since creation of the LLAF.

Recently there had been calls from the various user groups for the PROW Forum to be reconstituted, which had led Joanne Smyth to amend the terms of reference for the meeting to take into account recent changes, the

existence of the LLAFF and to add the LLAFF as a member. It was hoped that the two bodies would work in tandem. The terms of reference were circulated at the meeting for Member's information and comment and also to alert them to the possibility of the re-creation of the PROW Forum.

The Chair commented that the LLAFF and the PROW Forum needed to work together, although it would need to be ensured that there was no overlap between the two bodies. Officers reported that meetings had historically been held in May and November, although there could be some merit in altering this cycle to coincide with the LLAFF meeting cycle. It was suggested that the meeting could operate as a sub-group of the LAF, although given the current recruitment problems Members questioned whether it would be difficult to secure individuals to attend meetings.

RESOLVED – That the amended terms of reference for the Public Rights of Way Forum be noted.

13 CIRCULARS AND CONSULTATION PAPERS

Joanne Smyth reported that there were no papers for consideration under this item, save for the October 2006 edition of the *Access* newsletter, which had previously been circulated to Members.

14 PLANNING POLICY AND CONSULTATION WITH THE LOCAL ACCESS FORUM

The Chair reported that a new planning policy was emerging to replace the Unitary Development Plan (UDP.) Members heard that the Local Development Framework (LDF) was due to replace the UDP in 2009, with consultation currently in progress. The Statement of Community Involvement set out who Leeds City Council would consult as part of this process. The Chair informed the meeting that he had contacted the Development department on behalf of the Local Access Forum to ask that they be included on the list of consultees.

Members heard that the Chair had recently attended a workshop organised by the Development department regarding the new policy. It was suggested that the department be contacted to arrange for a briefing to be given to the Forum at a future meeting.

The Chair emphasised the importance of the planning authority being aware of the Forum and its role, and highlighted Kirkstall Forge as a prime example of this.

RESOLVED – That a briefing on the Local Development Framework be arranged for a future meeting of the Forum.

15 ITEMS FOR THE NEXT MEETING

RESOLVED – That the following items be placed on the agenda for next meeting of the Leeds Local Access Forum:

- Rights of Way Improvement Plan – draft version;

- Response on the Open Access issue;
- Information from the Development department regarding the Local Development Framework and Kirkstall Forge;
- Presentation from the Rivers Access Campaign;
- Terms of Reference – amendments;
- Briefing on Dog Control Orders.

16 DATE AND TIME OF NEXT MEETING

RESOLVED – That the next meeting be scheduled for Tuesday 20th February 2007 at 6:30 pm in the Civic Hall, Leeds (an informal gathering for members will commence at 6:00 pm.)