

## LEEDS LOCAL ACCESS FORUM

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**Meeting to be held in The Civic Hall, Leeds on  
Tuesday, 9th October, 2007 at 6.00 pm**

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### MEMBERSHIP

Mike Willison	-	User of Local Rights of Way
Philip Maude	-	User of Local Rights of Way
Didy Metcalf	-	User of Local Rights of Way
Steven Wood	-	User of Local Rights of Way
Vacancy	-	User of Local Rights of Way
Didy Metcalf	-	Owners and Occupiers
Vacancy	-	Owners and Occupiers
Vacancy	-	Owners and Occupiers
J Dunn	-	LCC
Councillor C Fox	-	LCC

# **A G E N D A**

- 1      **Apologies for Absence**  
To receive apologies for absence (if any).
- 2      **Chairs Opening Remarks**  
To receive any opening remarks from the Chair of the Forum.
- 3      **Minutes of the Previous Meeting** 1 - 6  
To receive the minutes of the last meeting of the Leeds Local Access Forum held on 17<sup>th</sup> July 2007.
- 4      **Matters Arising From the Minutes of the Last Meeting**  
To consider any matters arising from the minutes.
- 5      **Leeds Local Development Framework**  
To receive a presentation on the Leeds Local Development Framework from the Head Of Planning And Economic Policy.
- 6      **West Leeds Country Park and Green Gateways Management Plan**  
To receive an update relating to the Management Plan from the West Leeds Country Park and Green Gateways Officer.
- 7      **Open Access and Rights of Way Improvements Plan Update**  
To receive and update in relation to Open Access and the Rights of Way Improvement Plan.
- 8      **E-Bulletin Number 5 - Discovering Lost Ways** 7 - 10  
To consider E-Bulletin Number 5 – Discovering Lost Ways produced by Natural England.
- 9      **Open Access Natural England** 11 - 12  
To consider the response from Natural England to a letter dated 15<sup>th</sup> November 2006 from Leeds Local Access Forum regarding the Access Management Grant Scheme.
- 10     **Items for the Next Meeting**  
To receive requests for items to be discussed at the next meeting.

## 11 **Date and Time of Future Meetings**

The next meeting of the Leeds Local Access Forum will be 2<sup>nd</sup> February 2007 at 6:00 p.m.. It is proposed that future meetings take place on the 13<sup>th</sup> May 2008 and 15<sup>th</sup> July 2008.

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## Leeds Local Access Forum

Tuesday, 17th July, 2007

**PRESENT:** Mike Willison in the Chair

Councillors C Fox

**IN ATTENDANCE:** Paul Bowers – Principal Legal Officer  
Brent Brady – Alleygating Officer  
Roger Brookes – PROW Development Officer  
Laura Pilgrim – Governance Services Officer  
Joanne Smyth – Countryside Access Manager

### 42 APOLOGIES OF ABSENCE

Apologies were received from Doreen Lawson, Phillip Maude, Didy Metcalfe and Steven Wood.

### 43 CHAIRS OPENING REMARKS

The Chair noted that the meeting was quorate but was missing a number of Members. Those present agreed to continue with the meeting and that any matter which Members who were absent wished to discuss could be done so at a future meeting.

The Chair also welcomed officers from the Leeds Community Safety Team who were attending in response to some recent correspondence regarding Gating Orders.

### 44 MINUTES OF THE PREVIOUS MEETING

The minutes of the last meeting of the Leeds Local Access Forum held on Tuesday 15<sup>th</sup> May 2007 were approved as a correct record subject to the following amendments:

- Minute 34 – Change Joanne Smyth's job title to 'Countryside Access Manager'.
- Minute 32 (i) – replace 'creation orders' to 'creation agreements'.

**RESOLVED** – That the minutes be approved.

## **45 MATTERS ARISING**

- i. Minute 34 – The amended terms of reference had been circulated to all members of the Forum prior to the meeting for their information.
- ii. Minute 36 – the Countryside Access Manager advised the Forum that the Annual Report was in the process of being revised and that copies would be distributed to Members once finalised. The document would also be available online on the Leeds Local Access Forum website.

## **46 CORRESPONDENCE**

The Forum received all correspondence which had been received by the Secretary since the last meeting. The first letter related to a number of questions the Forum had raised when they had considered Gating Orders at the last meeting. A copy of the letter outlining the concerns of the Forum which had been sent to the Alleygating Officer was enclosed in the paperwork for Members information.

The Chair thanked the Officer for his response and the Forum noted the comments in his letter. The Alleygating Officer advised the Forum that there were financial and time constraints which restricted the number of Gating Orders that were issued. Officers not only had to take into consideration the cost of installing the alleygates but also the cost of repairing the gates in the event that they were damaged (this had happened in a number of sites where alleygates had been installed). The Forum noted that the Officers were also restricted in the amount of resources they could commit to dealing with Gating Orders and were looking at creative ways to increase the funding to provide more staff and finances. One area Officers were looking at as a source of additional funding was to receive funding through money obtained through section 106 Agreements. However this was in the early stages and Members would be updated in the future of any developments

The Forum was reminded that the Gating Orders were a temporary measure to decrease crime in a particular area. Gating Orders would be reviewed annually and would be removed if crime had reduced in the area. There were some Local Authorities who had seemed to have made their Gating Order permanent however, this was not allowed under the legislation and these authorities may see the Orders challenged.

The Forum also received copies of letters sent between Duncan Graham, Chair of Cumbria Local Access Forum, and Dr. Helen Phillips, Chief Executive of Natural England regarding the future of the National Countryside Access Forum for their information. The letters provided an update on the on going correspondence with LAF Chairs and Natural England.

**RESOLVED:** That the correspondence be noted.

#### **47 WEST LEEDS COUNTRY PARK AND GREEN GATEWAYS MANAGEMENT PLAN**

An update was provided to the Forum on the progress of the West Leeds Park and Green Gateways Management Plan. Didy Metcalf provided an update on the last meeting of the Working Group. A copy of the minutes of the meeting was included in the agenda.

The Forum then went on to consider a consultation document on the draft Management Plan. The Forum noted the development of the plan and the on going issues of funding the propose improvements. Members of the Forum noted that the area appeared to be slightly disjointed with a large number of residential and commercial sites throughout the area. The Plan did aim to raise awareness of local amenities to residents and would hopefully improve the access to these areas. The Plan was still in its draft stage and there were still a number of items which were yet to be included including information from the Rights Of Way Improvements Plan. The Forum was advised that Elaine Hill would attend the next meeting of the Forum and could provide further information to the Panel on any queries which they had.

Members requested that they be provided with the pamphlets which had been developed in relation to West Leeds Country Park.

#### **RESOLVED:**

- a) That the Update provided by Didy Metcalf be noted.
- b) That Members receive copies of the pamphlets relating to the West Leeds Country Park and Green Gateways Management Plan.

#### **48 RIGHTS OF WAY IMPROVEMENT PLAN**

The Countryside Access Manager presented to the Forum the draft version of the 'Rights of Way Improvements Plan' for comment and considerations. The Forum noted that the document would shortly be circulated to the general public through libraries and the internet etc. for consultation. Members were advised that there were still a small number of areas which required further attention but mostly the document was complete. The Countryside Access Manager noted comments regarding the misspelling of place names and that perhaps all Councillors should be consulted about the document prior to its distribution as they could provide some valuable feedback. The Officer agreed to look into this but reminded Members that there was a limited time frame to approve the document.

It was agreed that The Secretary to the Forum would write to all Members of the Forum with a copy of the tabled Draft Consultation document and request that Members forward their comments to the Countryside Access Manager as soon as possible.

**RESOLVED:** That the Consultation Document be approved subject to the consideration of feedback from Members.

#### **49 CONSULTATION ON THE IMPLEMENTATION OF THE RIGHT TO APPLY FOR ORDERS TO EXTINGUISH AND DIVERT PUBLIC RIGHTS OF WAY AND ASSOCIATED RIGHTS OF APPEAL**

The Forum considered a consultation document from Defra regarding Public Right of Way and the implementation of the right to apply for orders to extinguish and divert public rights of way.

Members of the Forum discussed the items relevant to Local Access Forums and proposed to respond to the following question which related to the Forum's proposed ability to respond to the above orders and associated appeals.

**Q. 35 Do you consider that (a) authorities should be required to notify their local access forum of each application received, and/or (b) that the Secretary of State should be required to notify the relevant forum of each appeal made.**

The Forum felt that they had an excellent working relationship with Officers who were able to keep them up to date with any significant applications or issues which arose. The Forum also felt that as most LAFs only met four times a year option (a) would dramatically increase the workload of the Forums which was already significant. Option (a) could also possibly divert a forum's attention away from its strategic and advisory role and involve the forum in political decisions.

Officers supported the decision of the Forum and agreed that any significant developments would be reported to the Forum as they arise.

**RESOLVED –** That the Secretary advise the Defra of the Leeds Local Access Forum's decision.

#### **50 FORWARD WORK PROGRAMME**

The Secretary advised the Forum that there would be a presentation on the Local Development Framework (LDF) at the next meeting of the Forum. The Forum would also be involved in a consultation on the LDF. The Secretary intended to work with Joanne Smyth and other officers to recruit new members over the Summer period and an update would be provided at the next meeting.

The following items were suggested as issues for future meetings of the Forum:

- Extend an Invitation the Defra to provided a presentation on Public Rights of Way
- Local Development Framework presentation
- Open Access



- West Leeds Country Park and Green Gateways Management Plan
- Gating Orders.
- Membership Update

**RESOLVED:** That the information be noted.

**51 DATE AND TIME OF NEXT MEETING**

The next meeting of the Leeds Local Access Forum would be held on Tuesday 9<sup>th</sup> October 2007 at 6:00 p.m.

(Note: The meeting opened at 18:45 And closed at 20:20)

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# Ebulletin

## Discovering Lost Ways

number 5

September 2007

## Local Access Forums and Discovering Lost Ways

Natural England wants to ensure that the Discovering Lost Way (DLW) project delivers value for money public benefits and is in tune with what our stakeholders want. To help us achieve this we are seeking the views of local access forums (LAFs) on the future scope and direction of the project. If you are a LAF member, please have a look at the questions on page 2 and provide us with your views. We value the advice that LAFs can provide, as we want our decisions to be properly informed.

Legislation in the Countryside and Rights of Way Act 2000 means that any historic rights of way not recorded<sup>1</sup> on the definitive map by 2026 will be extinguished. The Department for the Environment Food and Rural Affairs (Defra) asked the Countryside Agency to facilitate the researching of historic documents and claiming of unrecorded rights to prepare the way for this change. Responsibility for the project was passed to Natural England in October 2006.

During 2007 Natural England is conducting a review, through a series of "Pathfinder" projects and a programme of structured stakeholder engagement. The purpose of the review is: -

- To evaluate the existing DLW delivery framework
- To better define Natural England's role in this work
- To define the optimal and most cost effective approach to enable the delivery of identified public benefits

We are looking for solutions that are: -

- Achievable & realistic- simple, pragmatic
- Integrated – locally relevant, adding value, works with partners

<sup>1</sup> Defra intend to introduce regulations during 2007 that will safeguard all claimed routes from extinguishment.

- Effective & efficient – Avoid waste, focus on where we can obtain optimum benefit

## Pathfinders

As part of developing the way forward for the project, we are testing several approaches to translating research into routes on the ground. These 'Pathfinder projects' are using research already completed in certain areas as well as trying out new approaches in other areas.

The first two Pathfinder projects, in Cheshire and Shropshire, are using the results of completed research in the form of case files to examine how best to get discovered routes onto the map. In Cheshire, we are making a small number of applications for definitive map modification orders whereas in Shropshire we are examining how a local authority might use evidence without anyone making a formal application.

Work in Nottinghamshire, under Pathfinder 3, is examining how we might focus research so that we concentrate on getting evidence of routes that will provide the greatest public benefit. We are also looking at how best to involve local people in this process.

Pathfinder Project 4, in Herefordshire, involves a sub-group of the local access forum helping to develop the base map before the Archive Research Unit enters the county. This group will meet with local people (such as footpath users and parish councils) to establish local priorities and needs and will coordinate local research activity.

Finally, as part of Pathfinder 5, we are looking at ways that local people can be involved by

- Talking to established local volunteer groups already engaged in lost ways research. We want to see if their work could be built into the future development and delivery of the project.

- Seeking the views of local access forums on the scope and future direction of DLW and their role in the process.

This will link in to other work underway in developing a database of surveying authorities to provide a resource of information reflecting local circumstances.

The outputs from these projects will all contribute to the review at the end of this year to determine the way forward for the DLW programme.

## Is there a role for LAFs in DLW?

Pathfinder 4 will give us an insight into the role that a LAF could effectively have in the project but we are keen, through Pathfinder 5, to gauge a wider body of opinion on how LAFs could contribute to the delivery DLW so that it reflects local needs and circumstances.

It will only be possible to talk directly to a small number of LAFs before the outcome of the review is reported to Ministers in December but we wish to extend the opportunity to all LAFs to comment on what they consider to be the scope and future direction of DLW. We are particularly interested in how you see your LAF engaging with the project.

We have posed a series of questions that we would like you to consider and comment upon. We are keen to capture your views not only on what the LAF could/ should be doing in response to the 2026 cut-off date but also on the contribution that lost ways could make to the overall access experience in your area.

The purpose of these questions is to trigger discussion on the wide range of issues that surround the recording of historic rights of way and the management and maintenance of a network that meets today's needs. We hope that you will think "outside the box" and help us to identify and clarify the potential benefits (and disbenefits) of DLW and what needs to change to achieve these.

## The Questions

**It is 2020 and you have just come back from a day out with friends using the rights of way in your favourite bit of countryside. You are delighted with what you experienced. Why – what did you experience? How did the maps you used contribute to that experience?**

**Given the current situation and procedures for recording routes on the definitive map what needs to change to enable you to enjoy your great day out in 2020?**

**Local access forums have been set up to give advice on public access.**

**What role do you see the LAF having in DLW?**

**If this required the LAF becoming more involved in route specific discussions how could this be handled?**

**What relationship do you see between DLW and the ROWIP?**

## Deadline for comments

As already mentioned we are required to report to Ministers in December on the operational delivery of the project post 2007/08. If you would like the views of your LAF to inform this report then your comments must be submitted to Natural England **no later than 30 October**. We realise that, given the tight timetable, it might not be possible to consider this matter at your next meeting and it might be necessary to provide a response via correspondence.

The report to Ministers is likely to be the start of a process so any comments received after the 30 October deadline will still be of value in determining how this work is taken forward by Natural England.

Your comment should be sent to Lorna Stafford on the email below.

## Stakeholder Workshops

In order to inform the review of DLW, we are undertaking a programme of stakeholder engagement. Through a series of three independently facilitated workshops we are gathering views from a wide range of interests looking at the options for delivering DLW and the roles that Natural England and partners could play. In addition, a Technical Working Group is also meeting to consider more detailed issues focussing on the researching process, and feeding this into the review as well. The knowledge, interest and ideas from stakeholders will all help to inform and influence the future of DLW.

## DLW staff changes

Welcome to Amanda Earnshaw who is now acting as Major Project Manager for DLW and is based in Newcastle. Lorna Stafford is temporarily supporting the Stakeholder Engagement team in place of Victoria Nicholls who has left the team to continue her studies. We also wish Eleanor Brown all the best in her new role in Geology.

## Contact details:

**Sue.Shipston@naturalengland.org.uk**  
(tel 01242 533302) (Mon-Weds)

**Lorna.Stafford@naturalengland.org.uk**  
(tel 01242 533343)

Or write to:  
Discovering Lost Ways  
Natural England  
John Dower House  
Crescent Place  
Cheltenham  
GLOS GL50 3RA

Website address: <http://www.naturalengland.org.uk/leisure/access/default.htm>

We also have an information line for Discovering Lost Ways available for members of the public and volunteers. Please encourage any volunteers that you know of who are interested in the project to register their interest with the information line using the contact details below.

Email: **dlw@countryside.gov.uk**

Or write to:  
Discovering Lost Ways  
PO Box 725  
Belfast BT1 3YL

Tel: 0845 60 50 148

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Date: 1 August 2007  
 Our ref:  
 Your ref:



Helen Phillips  
 Chief Executive  
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Dr M Willison  
 Chairman  
 Leeds Local Access Forum  
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 Leeds  
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T 0114 241 8920  
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Dear Dr Willison

Thank you for your letter dated 15 November 2006 and your recent telephone call. I apologise for the delay in replying, caused by changes in staff responsibilities.

Due to the DEFRA moratorium last summer no grants were issued by the Yorkshire and Humber region under the access management grant scheme (AMGS) for 2006/2007. We understand this was a huge disappointment to those access authorities, such as Leeds, in Region 8, the last area of the country for the CROW rights to commence.

However, I am pleased to say that Natural England has made limited funds available in and I that we can again accept applications for grant for this one final year with a reduced budget and new priorities.

The new priorities for the AMGS in 2007/2008 are:

- Monitoring, especially in relation to nature conservation and public safety restriction reassessments where a better understanding of access use and patterns will enable us to implement the 'least restrictive option'
- Fire planning, to ensure access authorities are taking appropriate action in response to the FSI and to enable us to implement the 'least restrictive option' for fire restrictions
- Essential works in relation to nature conservation, public safety and fire cases where management will enable us to implement the 'least restrictive option'
- Staff to support these activities

In Yorkshire and Humberside there are four nature conservation restrictions all of which are located in the South Pennines. The area is predominantly moorland and prone to wildfire as the fires on Ilkley and Rishworth Moors last year shows. Given this it was decided to concentrate the limited regional budget on fire planning in the South Pennines.

The above priorities have now been addressed and there is still some money in the budget nationally. As a result the Region 8 authorities in Yorkshire and the Humber have now been approached to see if they would like to bid into the scheme. Initial correspondence with Leeds City Council suggests this may be the case.

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