

## **Leeds Local Access Forum**

**Tuesday, 13th July, 2010**

**PRESENT:** Dr M Willison, Mr P Maude, Mr S Wood,  
Mrs L Boadle, Councillor C Fox and  
Councillor J Illingworth

### **IN ATTENDANCE:**

Mr R Buckenham – Assistant Countryside Access Manager  
Miss C Tregembo – Senior Definitive Map Officer  
Miss A Hendy – East, North East Homes  
Mrs S Campbell – Health and Environmental Action Services  
Mr K Bell – Legal Services  
Mr J Grieve – Governance Services

### **1 ELECTION OF CHAIR AND VICE CHAIR - LEEDS LOCAL ACCESS FORUM**

The Clerk to the Forum sought nominations for the position of Chair of the Leeds Local Access Forum.

Mr S Wood nominated Dr M Willison, Councillor C Fox seconded the nomination.

**RESOLVED** – That Dr Mike Willison be elected Chair of the Leeds Local Access Forum for a one year period

(Dr Willison assumed the Chair)

The Chair suggested that a number of Members were absent from today's meeting and it may be more appropriate to delay the appointment of a Vice Chair until the next meeting when it was possible that more Members may be in attendance.

**RESOLVED** – That the appointment of Vice Chair be made at the next meeting of the Forum

### **2 CHAIR'S OPENING REMARKS**

The Chair welcomed everyone in attendance and thanked Members for their support in once again electing him as Chair of the Leeds Local Access Forum.

The Chair reported that the Clerk to the Forum, Miss Laura Pilgrim had recently left the employ of the City Council to take up residence in New Zealand.

Forum Members joined the Chair in acknowledging the support provided by Laura and asked that the Forums best wishes be conveyed to her

### 3 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr J Pearlman and Mr R Brookes

### 4 DECLARATIONS OF INTEREST

Councillor Illingworth declared a personal interest in Item No. 15, The West Leeds Gateway Supplementary Planning Document as a Member of Kirkstall Valley Country Park (Minute No. 15 refers)

### 5 MINUTES OF THE LAST MEETING

The minutes of the previous meeting held on 4<sup>th</sup> February 2010 were accepted as a true and correct record

### 6 MATTERS ARISING

- (i) Disability Discrimination Act 1995 and Structures on Rights of Way (Minute No. 47 refers) – The Chair asked officers if they were satisfied that the existing policies in place were adequate?

In responding Mr R Buckenham, the Assistant Countryside Access Manager suggested that the policies were in accordance with the ROWIP and any proposed policy changes would be picked up through Review

**RESOLVED** – That any improvements in this regard would be reported to the LAF as part of the ROWIP update

- (ii) Local Transport Plan and ROWIP Integration: Good Practice Note (Minute No.48 refers) – The Chair requested if the resolution inviting an appropriate level officer to attend a future meeting of the Forum to discuss the integration of the ROWIP and Local Transport Plan could be pursued

The Assistant Countryside Access Manager confirmed that an appropriate officer would be invited along to the next meeting of the Forum

### 7 REPORT ON MODIFICATION ORDERS

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the results of six Definitive Map Modification Order applications determined by the Countryside and Access Manager on 22<sup>nd</sup> January 2010

The applications considered were in respect of the following ways:

- (i) an alleged footpath at Mill Lane to Forest Bank, Gildersome;
- (ii) an alleged footpath adjacent to Ringshaw Beck, Drighlington;
- (iii) an alleged footpath off Greenbank Avenue, Horsforth;
- (iv) an alleged bridleway at Quarry lane, Bracken Park, Scarcroft;
- (v) an alleged footpath from Woollin Crescent to footpath 108 Haigh Wood, East Ardsley; and

- (vi) an alleged byway open to all traffic on part of footpath no. 1 Pudsey at Horsforth New Road slip road to Rodley.

The result of the applications were as follows:

Mill Lane to Forest Bank, Gildersome

The making of the Modification Order had been delayed because the occupier of the land was going to apply for a Diversion Order. After 6 months, and not having received an application for a Diversion Order, officers proceeded with the making of the Modification Order on the 9th of July 2010. Still in objection period until 9<sup>th</sup> August 2010.

Footpath adjacent to Ringshaw Beck, Drighlington

No appeal had been received to that decision.

Greenbanks Avenue to Church Avenue, Horsforth

The Order was made and advertised on 1<sup>st</sup> April 2010 and the statutory period for representations or objections expired on 17<sup>th</sup> May 2010. There had been three objections received.

Quarry Lane, Bracken Park, Scarcroft

The Order was made and advertised on 9<sup>th</sup> April 2010 and the statutory period for representations or objections expired on 24<sup>th</sup> May 2010. There had been no objections received. Order to be confirmed 16<sup>th</sup> July 2010.

Woollin Crescent to Footpath 108 Haigh Wood, East Ardsley

The Order was made and advertised on 9<sup>th</sup> April 2010 and the statutory period for representations or objections expired on 24<sup>th</sup> May 2010. There had been no objections received. Orders to be confirmed 23<sup>rd</sup> July 2010.

Part of footpath no. 1 Pudsey at Horsforth New Road slip road to Rodley

The Order was made and advertised on 16<sup>th</sup> April 2010 and the statutory period for representations or objections expired on 31<sup>st</sup> May 2010. No objections had been received.

**RESOLVED** – That the contents of the report by noted

## **8 DOG CONTROL ORDERS**

The Director of Environment and Neighbourhoods submitted a report seeking Members views on the proposed introduction of Dog Control Orders in the City. Prior to introducing any Dog Control Orders, the legislation stipulates that Local Authorities must undertake a minimum 6 week consultation process.

In providing background information Mrs S Campbell, Service Manager, Health and Environmental Action Services said that in 2008/2009, the Scrutiny Board (Environment and Neighbourhoods) conducted a review on the Enforcement of Dog Fouling and issued a Statement in February 2009 setting out its conclusions and recommendations. One of the recommendations stipulated exploring the use of Dog Control Orders in the City.

Mrs Campbell suggested that the proposed introduction of Dog Control Orders would take place in two phases: Phase One of the project would be winter 2010. Phase Two would be considered in summer 2011.

The proposals for the Orders were part of a Responsible Dog Ownership scheme being promoted by the Council. The problems created by irresponsible dog ownership, such as dog fouling and stray dogs, could be tackled using Dog Control Orders.

**RESOLVED –**

- (i) To note the contents of the report
- (ii) To support the proposals in relation to their operation on Access Land

**9 REVIEW GATING ORDERS**

The Director of Environment and Neighbourhoods submitted a report setting out details of an annual review of Gating Order No. 19 for footpaths in the Aysgarth Estate located within the Burmantofts and Richmond Hill wards

Addressing the report Miss A Hendy, Partnership Development Officer, East, North East Homes said that North East Homes and Leeds Community Safety were recommending a continuation of Gating Order No. 19 for a minimum period of 12 months followed by a further Review in August 2011

In the discussion that followed it was the opinion of Members that although supportive of the proposal it was noted that the crime rates was still rising. Members also pointed out that the purpose of gating orders was to reduce crime or anti-social behaviour.

**RESOLVED –**

- (i) That the contents of the report be noted
- (ii) To support the continuation of Gating Order No.19 for a minimum 12 month period followed by a further review in August 2011

## **10 REGIONAL ACCESS FORUM - 17TH MAY 2010**

The minutes of the Regional Access Forum held on 17<sup>th</sup> May 2010 at Wakefield Town Hall, were submitted for information and comment

Referring to Minute No. 3 it was noted that York City Council had confirmed that their LAF had been disbanded.

Commenting on Minute No.4 "England Access Forum" the Chair said that this was a useful Forum to exchange ideas.

The Chair said that it was his intention to attend the meeting (September) and that if any Members wish to raise any issues they could get a message to him via the Clerk to the Leeds Local Access Forum

### **RESOLVED –**

- (i) To note the Minutes of the Regional Access Forum held on 17<sup>th</sup> May 2010
- (ii) To note that the next meeting will take place on Monday 13<sup>th</sup> September 2010 at 10.00am at the Town Hall, Wakefield

## **11 REGIONAL LAF EVENT - 25TH MARCH 2009**

The Forum received for information and comment the notes of the Regional Local Access Event held on 25<sup>th</sup> March 2009 at the Portland Hotel, Hull

**RESOLVED –** That the documentation be noted

## **12 REVIEW OF THE ENGLAND ACCESS FORUM**

The Forum received correspondence from Natural England requesting the Leeds LAF's views on the Review of the England Access Forums.

In the discussion that ensued Members put forward the following comments:

- Needs to be established on a Statutory basis
- Useful to amend legislation, good lobby groups
- Greater liaison between LAF's and Natural England
- Best Practice with other LAF's
- Regional meetings good to share experiences and cascade information both up and down
- Leeds has no direct link to Natural England
- What does Natural England do?

The Chair suggested that it may be useful to invite a representative from Natural England along to the next meeting.

It was the opinion of Members that such an invitation would be welcome

## **RESOLVED –**

- (i) That the views of the Forum be made known to Natural England
- (ii) That a representative from Natural England be invited along to the next meeting of the Forum

### **13 PUBLICATION OF DEFINITIVE MAP FOR THE "EXCLUDED AREA", TOGETHER WITH LEGAL EVENT MODIFICATION ORDER**

Forum Members received an update on the publication of the Definitive Map for the Excluded Area, together with Legal Event Modification Orders.

Addressing the report Claire Tregembo, Senior Definitive Map Officer, Parks and Countryside Division said that the Definitive Map and Statement was the legal record of public rights of way. The West Yorkshire Metropolitan County Council Definitive Map and Statement was originally drawn up in the 1950s and 1960s and the relevant revision date is the 1<sup>st</sup> of April 1985. At this time County Boroughs and urban areas did not have to be included in the Definitive Map and Statement. Part of the former Leeds County Borough was mapped in the 1970s and 80s but the rest of the area, shown on map A, (circulated at meeting) was not mapped. The Wildlife and Countryside Act 1981 placed a statutory duty on surveying Authorities to map any areas previously excluded from the Definitive Map.

There are thought to be at least 550 paths within the Excluded Area that could be included on the Definitive Map and Statement, although it's possible that others may exist that the Council are currently unaware of. Each of these paths will require investigation to see if there is sufficient evidence to show that it is a right of way an evidential Modification Order will need to be made to record the path on the Definitive Map and Statement.

Where paths had been legally diverted, created or dedicated they could be added to the Definitive Map and Statement using a Legal Event Modification Order. On the 1<sup>st</sup> of July 2010 Leeds City Council published the Leeds City Definitive Map and Statement for the excluded area and added 53 paths (or parts of paths) to the map where legal events had occurred. The map is now conclusive evidence that the routes recorded in it exist as public rights of way.

The remaining paths will be investigated in due course and recorded on the Leeds City Definitive Map and Statement. Investigation will include council records, archival research, site visits and where required gathering user evidence. This will most likely be done on a ward by ward basis although where sections of paths are currently included on the map the remainder of the paths may be added first as the legal event can be used as evidence. Consultation will occur with local residents, Ward Councillors and user groups.

A review was also ongoing within the West Yorkshire Metropolitan County Council Definitive Maps and Statements area and the digitisation of this map is being checked to ensure accuracy. Once this is complete the two Definitive Map and

Statement for the Leeds City Council area will be consolidated into one Definitive Map and Statement for Leeds City Council. The consolidation will enable the Council to have one Definitive Map and Statement not two and will show the West Yorkshire Metropolitan County Council Definitive Map and Statement on an up to date base map rather than the existing, out of date 1980s base.

The Chair thanked Officers for the update commenting that it was good to see progress was been made

**RESOLVED** – That the progress on the Publication of Definitive Map for the Excluded area, together with Legal Event Modification Orders be noted and welcomed

## **14 RIGHTS OF WAY IMPROVEMENT PLAN UPDATE**

Forum Members received an update on the Rights of Way Improvement Plan.

The Assistant Countryside Access Manager referred to the following areas which were subject to the Rights of Way Improvement Plan:

### **Breary Marsh Bridleway**

Phase 1 - bridleway resurfacing work was carried out in March 2010 from A660 Leeds Road to the stream. On 10 May 2010 phase 2 of the Breary Marsh Bridleway resurfacing and improvement project commenced. The whole of the public bridleway route through Breary Marsh Nature reserve has now been resurfaced. In addition, the opportunity was taken to carry out surface improvements to the bridleway between the western boundary of Breary Marsh, and alongside the farmer's field, to Old Ruses Farm. The phase 2 work was funded by Area Committee monies with all other work being funded out of the Public Rights of Way Maintenance budget.

The improved path surface would make it easier for all users accessing the bridleway from the main Golden Acre Park car park who should find the new smoother and drier surface much more usable. In addition, horse-riders and off road cyclists were continuing to use the path but appear to be taking fewer detours than before to avoid sunken wet sections etc.

### **Leeds City Definitive Map**

As covered in Item 13, this project is in the ROWIP Action Plan.

### **Riverside Paths**

The repair and resurfacing of identified riverside public paths is due to be undertaken in 2010 /11 when funding becomes available. This project is in the ROWIP Action Plan.

## **Meanwood Valley Trail - Footpath Link**

The creation of a link footpath between Leeds Paths 56 and 71 is to be considered in 2010 /11, subject to available funding. This project is in the ROWIP Action Plan.

## **Manston-Wetherby disused Railway**

Public ROW officers had recently been consulted on an outline Planning Application for the redevelopment of the old Vickers tank site. As well as suggestions for path links within the site, officers made representations to the Planning Department regarding the provision of Section 106 funding for the first phase of the Manston to Wetherby disused railway project.

## **Skelton Lake & footbridge**

A site meeting with a representative from Evans Property Group was attended by Public ROW officers on 29 January to look at the path network on the site with a view to path orders being made to formalise the rights of way within the Skelton Lake site, of which Evans own the top half. The Minerals Planning Officer had also instructed LCC Asset Management to negotiate rights of access for construction of the footbridge.

## **St. Aidan's Country Park**

Public ROW officers were in dialogue with UK Coal over the provision of the rights of way within the site which is due to be opened as the Country Park in September 2010. The path order application is awaited shortly from UK Coal.

## **A647 Leeds-Bradford Road Pegasus Crossing (for Pudsey Link bridleway)**

Project on hold awaiting delayed decision on Local Transport Plan funding from LCC Highways.

**RESOLVED** – That the update on the Rights of Way Improvement Plan be noted

## **15 THE WEST LEEDS GATEWAY SUPPLEMENTARY PLANNING DOCUMENT**

Forum Members received a copy of the West Leeds Gateway (Local Development Framework) – Summary (June 2010). The purpose of the document is to promote regeneration and provide guiding principles on land use and design issues affecting housing, employment, transport, greenspace and community facilities.

In passing comment the Chair said that although there were a number of key objectives the main strategies as far as the Leeds Local Access was concerned were:

- To improve the quality of greenspace, making it more attractive for people to use, adding to attractiveness of the area generally and improving people's sense of wellbeing
- To make it easier and safer for people to move around the area on foot and by cycle, including those members of the community who are less physically able



**RESOLVED** – That the Chair would respond to the consultation document expressing the Forum’s support

## **16 NATURAL ENGLAND STEPPING FORWARD REPORT**

Forum Members received a copy of the Executive Summary Report “Stepping Forward” The stakeholder Working Group on unrecorded public rights of way: Report to Natural England (First published March 2010)

Addressing the report the Assistant Countryside Access Manager provided an overview of some of the key features of the report, which aims to streamline the procedures for the processing of Definitive Map Modification Orders based on historic evidence; in the light of the 2026 cut off date in the 2000 Countryside and Rights of Way Act.

In offering comment the Chair that the report put before Members today was the Executive Summary Report, the full report, which ran to 76 pages could be accessed via the Natural England website

<http://naturalengland.estraderstores.com/NaturalEnglandShop/NECR035>

Any comments on the contents of the report should be forwarded to the Clerk to the Forum

**RESOLVED** –

- (i) That the report be received
- (ii) To note that none of the proposals had been implemented.

## **17 SITE VISIT**

A discussion ensued on the possibility of staging a site visit, Otley Chevin was suggested as a possible location.

It was the opinion of Members that the evenings were beginning to get darker earlier and that the opportunity for a site visit had been missed.

**RESOLVED** – That the next meeting of the Forum be arranged for Tuesday 14<sup>th</sup> September 2010 at 6.30pm in the Civic Hall, Leeds