

## Leeds Local Access Forum

Tuesday, 16th September, 2008

**PRESENT:** Dr. M. Willison in the Chair

Mrs. D. Metcalf, Councillor C. Fox and Mr.  
S. Wood

**IN**

**ATTENDANCE:**

- Roger Brookes – Public Rights of Way Development Officer
- Paul Bowers – Legal Services
- Bob Buckenham – Assistant Countryside Access Manager
- Brent Brady – Alleygating Coordinator
- Laura Pilgrim – Governance Services

### 16 Apologies for Absence

Apologies for absence were received from Mr. P. Maude, Mrs. D. Lawson and Cllr. J. Dunn.

### 17 Declarations of Interest

No declarations of interest were made by any Members of the Forum. In response to queries that Members had raised at the last meeting the Secretary had produced a guidance note for Members on Declarations of Interest.

**RESOLVED:** That the Guidance Note be noted.

### 18 Chair's Opening Remarks

The Chair welcomed all parties to the meeting and extended a special welcome to the members of the public who had attended. Whilst the Forum did not have any formal procedures for allowing members of the public to speak the Chair advised that should anyone present wish to speak they should indicate that they wished to do so. A formal procedure which would allow members of the public to speak at the Forum would be developed for future meetings.

### 19 Election of Vice-Chair

There were no nominations made for the election of the Vice-Chair. Members discussed whether or not it would be possible for the Forum to proceed without the election of a Vice-Chair. It was agreed that the Forum would proceed without a Vice-Chair and that should the Chair be unavailable for a future meeting the Forum would elect a Chair for the duration of the meeting.

**RESOLVED:** That no Vice-Chair be elected and that a Chair shall be elected for the duration of the meeting should the Chair be unavailable.

## **20 Minutes of the Last Meeting**

The minutes of the last meeting held on 15<sup>th</sup> July 2008 were approved as a correct record subject to the correction of the names present at the meeting.

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

## **21 Matters Arising**

Members of the Forum noted that the consideration of Gating Orders had taken up a considerable amount of time at previous meetings and that the number of Gating Orders had seemed to increase. The Secretary informed Members that the Forum had previously agreed for Gating Orders to be considered by the Chair if the Order was required to be considered before the next meeting of the Forum. It would be possible to forward to all Members of the Forum the Gating Order reports in between meetings and only bring to the Forum those reports which Members objected to. Members agreed that it was important that Gating Order Reports should be submitted to the Forum unless officers required comment before the next available meeting where the Chair would consider the report on the Forum's behalf. The Forum also agreed to manage the time spent on the reports more effectively which would allow Members to devote more time to other matters.

In relation to minute number 9 the England Access Forum (EAF) was circulated as requested by Members. Mrs. Metcalf informed the Forum that the West Yorkshire Pennines Access Forum (WYPAF) had discussed the constitution at length and had highlighted that part of the constitution stating that the role of the EAF was not to hold Natural England to account. Members of the WYPAF raised their concern that if it wasn't the role of the EAF then whose role was it. Members of the Forum echoed the concerns raised by WYPAF and added that sensible criticism was part of a constructive relationship between the EAF and Natural England. The Forum resolved to write to the regional representatives to remind them of this fact.

**RESOLVED:** That a letter be written to the regional representatives of England Access Forum to remind them that criticism was part of a constructive relationship between England Access Forum and Natural England.

## **22 Gating Orders**

**Brooklands Court / Easedale Mount, Seacroft, Somerville Green / The Oval, Killingbeck and Oakham Way, Osmondthorpe, Leeds**

The following issues were addressed in questions to the Alleygating Coordinator:

- Members of the Forum raised their concern that for one of the Gating Orders a large number of people would be given a key to the gates which could potentially undermine the reason the gates were required. The nearest alternative route was also quite a substantial detour. The Officer explained to Members that all those in the vicinity of the gates would be written to and advised that they were entitled to request a key. Officers would also deal with other requests for keys as they arose. This method had been used in Meanwood and had proved successful.

- There was a lot of local support in favour of the Gating Order however there were also objections to the proposed Orders also.
- Alternative options such as increasing the number of patrols by the Neighbourhood Policing Teams (NPT) had been considered but it was not possible to guarantee that a member of the NPT would be available at the time of an incident.
- Members raised the issue of whether officers required a certain level and type of crime to begin the proceedings for a Gating Order. The Officer informed Members that he had been in touch with other local authorities in relation to this matter and some authorities used a level of a minimum of 10 crimes which took place adjacent to, adjoining or in the area of the proposed Gating Order. Officers were looking into a standard level but as Gating Orders were relatively new it was difficult to agree an appropriate level at this stage.
- The Rambler's Association had been invited to comment on this application.

### **Withdrawal of Gating Order Proposal for White Laithe Garth, Whinmoor, Leeds**

Members received a report on the withdrawal of a Gating Order proposal for White Laithe Garth which had been circulated to Members prior to the hearing. A proposed Gating Order was publicly advertised on 4<sup>th</sup> July 2008. There were five objections made in reference to the Order which mostly related to concerns of displacement of nuisance groups of youths in the area and the suggested alternative route. Part of the alternative route would have encroached on private land, the privately owned car parking spaces in the area. The owners of the land objected to the Gating Order and it was felt that the Council could not identify a suitable alternative route which meant that officers could not progress the application for a Gating Order. Officers were in the process of looking at other crime prevention options to assist local residents. Members noted the update and requested that the Forum should be kept up to date with the effectiveness of alternative crime prevention options which could assist them when considering Gating Orders in the future.

#### **RESOLVED:**

- a. That the Gating Orders for Brooklands Court / Easedale Mount, Seacroft, Somerville Green / The Oval, Killingbeck and Oakham Way, Osmondthorpe, Leeds be supported
- b. That the withdrawal of the proposed Gating Order for White Laithe Garth, Whinmoor, Leeds be supported and that any information on the impact of alternative crime reduction options be submitted to the Forum.

### **23 Draft Annual Report 2007/08**

Members of the Forum received the Draft version of the Annual Report for the Leeds Local Access Forum 2007-08. The Secretary requested that Members forward any comments or amendments to her as soon as possible in order for the document to be published.

**RESOLVED:** That any comments or amendments on the Annual report be forwarded to the Secretary.

## **24 Rights of Way and Open Access Update**

The Public Rights of Way Development Officer informed Members that officers were receiving a trickle of responses to the Draft Rights Of Way Improvement Plan consultation. The deadline for responses to the consultation had been extended to the end of October 2008 as the circulation of the Draft Plan had been delayed due to a printing problem. Spare copies of the document were available if Members required a copy and officers had received some positive feedback on the production of the document.

In relation to Open Access there was very little to report to Members. Whilst officers had been advised that the Asset Management Grant Scheme (AMGS) had been reinstated there had been no further information from Natural England on the details of the scheme.

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

## **25 Right to Apply for Public Path Orders - Conclusion Following Consultation on a Proposed Approach to Implementation**

The Forum considered a letter from DEFRA in relation to the conclusions following public consultation on legislation in the Countryside and Rights of Way Act 2000 that provided for a right to apply, and associated rights of appeal to the Secretary of State, for order permanently extinguish or divert certain public rights of way. The Assistant Countryside and Access Manager informed Members that the right to apply for public path order had run into problems which were highlighted in the letter. The letter intimated that some authorities were not considering applications. As far as Officers were aware Leeds City Council had not refused to deal with an application and had entered in to discussions with the relevant parties to identify alternative routes where necessary. Costs varied due to the size of the application and Leeds City Council had relatively standard charges of an average of £3000.

The letter highlighted a number of concerns and Members of the Forum requested to be kept up to date on any future developments in this matter.

**RESOLVED:** That the update be noted and that future updates be provided to the Forum.

## **26 Rights of Way Forum**

At the previous meeting of the Forum Members had requested further information on how the work of the Rights of Way Forum (ROWF) could be incorporated in to the Local Access Forum and possibly the re-establishment of the ROWF. The Secretary provided Members with a copy of the Terms of Reference of the ROWF and advised Members that many of the functions of the ROWF were already included in the Local Access Forum. However the ROWF had been established by Leeds City Council to enable landowners and user groups to discuss specific matters affecting public rights

of way. Local Access Forums had been established to look at public rights of way from a strategic point of view and it was not in line with the relevant guidelines and regulations for the Forum to incorporate the work of the ROWF in this respect. Should a specific matter highlight a problem with a policy or strategy which was in place then it could be considered by the Forum.

The Assistant Countryside and Access Manager raised concerns that the re-establishment of the ROWF would lead to a duplication of the work already conducted by the LAF. The Officer questioned what the re-establishment of the ROWF would achieve as officers carried out the remaining functions of discussions with landowners and users groups as part of their everyday work. Members of the public were able to book appointments to speak to officers should they have any queries. The Officer suggested that Members could receive further training in the work of the Parks and Countryside Team which would address their concerns.

The following issues were discussed:

- It would be a useful exercise to write to those parties who were involved in the ROWF to ask whether or not they wished the ROWF to return and whether they were aware of the role of the Local Access Forum.
- Members felt that it would be beneficial for the Forum to receive information on enforcement action which had been taken by Leeds City Council to understand the work that officers carried out.
- Officers assured Members that whilst there was a need to work with landowners they also took robust enforcement action as a last resort. However, it was desirable to resolve matters without having to take enforcement action.
- Officers in Parks and Countryside and Governance Services did not currently have the resources to service a further meeting.
- Many of the queries which had been raised with officers were from the Rambler's Association.
- The meetings of the ROWF were not always very well attended and were not always constructive meetings.
- In relation to training it was suggested that one of the meetings in early 2009 should take place at the Parks and Countryside Office where training could also take place.

#### **RESOLVED:**

- a. That the former members of the Rights of Way Forum be written to asking for their opinion on the re-establishment of the ROWF and highlighting the role of the Local Access Forum and that the Forum currently has vacancies.
- b. Members requested further information on enforcement action carried out by Leeds City Council.

## **27 Membership Update**

The Secretary informed Members that there had been slow progress on the recruitment of new Members. The Guidance for Local Access Forums required that membership adverts should be placed in the local newspaper. It was proposed that a more targeted approach to recruitment was taken and the Secretary agreed to write to specific user groups and landowners inviting them to apply to become a member.

Members also suggested writing to Parish Councils and placing adverts in the local libraries. An update on membership issues would be provided at the next meeting.

**RESOLVED:**

- a. That letters be written to interested parties advising them of the work of the Local Access Forum and inviting membership applications.
- b. That an update be provided on membership at the next meeting.

**28 Regional LAF**

The Forum had received an invitation to send two Members of the Forum and one officer to Regional Meeting of Local Access Forums to be held in Wakefield on 22<sup>nd</sup> October 2008. Members who were interested in attending the meeting were requested to contact the Secretary so that numbers could be confirmed.

**RESOLVED:** That Members contact the Secretary if they wished to attend.

**29 Forward Work Programme**

The following matters were identified as items for future meetings of the Forum:

- Training
- Scoping Report on Flood Defences
- Membership Issues

**30 Date and Time of the Next Meeting**

The date and time of the next meeting of the Leeds Local Access Forum was agreed as 11<sup>th</sup> November 2008 at 18:30.