

Leeds Local Access Forum

Tuesday, 11th November, 2008

PRESENT: Dr. M. Willison in the Chair

Councillor J. Dunn, Councilor C. Fox Mr P
Maude and Mr. S. Wood,

IN

ATTENDANCE:

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

31 Apologies for Absence

Apologies were received from Mrs. D. Lawson.

32 Declarations of Interest

None were declared.

33 Chair's Opening remarks

The Chair welcomed all parties to the meeting and noted that the agenda was slightly shorter than usual as there were no Gating Orders to be discussed.

34 Minutes of the Last Meeting

The minutes of the last meeting held on Tuesday 16th September 2008 were approved as a correct record.

RESOLVED: That the minutes be approved.

35 Matters Arising

In relation to minute 26 Rights of Way Forum (ROWF) the Secretary had written to all former members of the Leeds ROWF but had only received two responses one of which was tabled for members information. The Forum felt that it was necessary to allow more time for responses and that a further update be provided for the next meeting of the Forum.

RESOLVED: That the update be noted and that an update on the responses to the ROWF letter be provided at the next meeting.

36 Draft Rights of Way Improvement Plan Update

Draft minutes to be approved at the meeting
to be held on Tuesday, 17th February, 2009

The Principal Development Officer tabled information which provided a brief overview of the responses which had been received in relation to the recent questionnaire on the Draft Rights of Way Improvement Plan (ROWIP). The consultation had received a total of 40 responses which included 22 completed questionnaires. The remaining responses were in various forms, letters and emails etc, which had made it difficult to analyse the data in such a short period.

The following comments were made in relation to the responses to the questionnaire:

Question 1

Members noted that paths contained within parks were not considered as public rights of way and were therefore not considered under the Plan. It was suggested that the Plan should make some reference to the Council's commitment to manage the paths within parks. Officers advised Members that the maintenance of parks was carried out by Parks and Countryside and that it was not a highway function. Members of the Forum recommended that the ROWIP should make reference to the commitment to maintain paths within parks but acknowledged that they were outside the remit of the ROWIP.

Question 2

Comments had been received from a Leeds City Council Planner regarding the Local Development Framework (LDF) which would be incorporated in to the final document. The Local Strategic Plan (LSP) 2008-2011 which, at the time of publication of the consultation document had not been published, would also be incorporated into the ROWIP.

Question 3

In relation to PI14 'We will aim to ensure that the definitive path network meets the statutory minimum' a Member of the Forum had recommended that the word 'ensure' should be replaced with 'continue'. The Principal Development Officer informed Members that it was not always possible to ensure that the definitive path network met the statutory minimum requirement as there were exceptions. The Forum suggested that 'as far as possible' should be entered instead. In relation to DM3 officers would clarify the deadline for the Definitive Map and Statement to be made available on line as it could be possible to bring the date forward.

The following issues were discussed:

- In relation to the suggested addition 'Include text on how the general public can find out which review matters and definitive map anomalies are included in the Appendix 6 list', the Officer informed Members that members of the public were able to make an appointment to view the relevant files. This system was advisable due to the complex legislation in respect of public rights of way and the benefit an officers knowledge could bring to a person's understanding of a particular situation.

- Once the Definitive Map was available online a number of issues raised by the Forum and members of the public would be addressed e.g. plans to divert or modify the map.
- Members requested that further explanation was given as to what a 1980 review matter was especially in Appendix 6. The figures in the appendices would also be checked.
- PI13 referred to disabled access and officers were currently unclear as to where the law stood in relation to stiles owned by the local authority and there was also no case law which the Council could use as guidance.
- Members were concerned that the use of the wording 'aiming to do the minimum' was not satisfactory as the ROWIP should aim to do more than the statutory minimum. Members suggested a number of alternatives such as 'continue to ensure that the local authority complies with statutory requirements'.
- Members noted that certain steps which had been made to prevent motor vehicle access had prevented those who require motorised scooters to access rights of way. The officer informed Members that each path was dealt with on its own merits and that alternative measures such as increased patrols of the path could be used.
- The responses which had been highlighted in the handout were not exhaustive and Members would receive a fuller breakdown of responses at a future meeting.

RESOLVED: That the update be noted and that a further update be provided at the next meeting of the Forum.

37 Regional Access Forum

The Chair had attended the first meeting of the Regional Access Forum (RAF) October along with Mr. Wood and the Countryside and Access Manager. The meeting was well attended and the minutes will be circulated in the future. In relation to the England Access Forum (EAF) the membership of the EAF consisted of two representative from each Government Office Region and representatives from Natural England. The EAF had a two year forward work programme developed with Natural England and it was expected that there would be communication between the EAF, RAF and the local LAFs. There would also be a website hosted on the Natural England website and working groups would be established to deal with business in between meetings. Each RAF was funded at a cost of £3,500 and hosted by one local authority in the area. Natural England had also advised that they would endeavour to attend a the Local Access Forum once a year.

The RAF was informed that there were currently four local authorities in the region which had not published their Rights of Way Improvement Plan and had received a letter from Defra. The Chair had not seen the contents of this letter and s were not aware of the letter either.

The next meeting of the RAF would be in spring 2009 and it was anticipated that there would be one meeting a year and a number of items were identified for the next meeting.

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

38 Forum Matters

Members received an update on the current membership of the Forum and were advised that there had been two applications in the recent weeks for Membership of the Forum. Interviews would take place before the next meeting in February 2009. The Secretary noted that the Forum did not have a balance of owners and occupiers to users of rights of way. The Secretary agreed to raise the issues of recruitment with regional co-ordinator and to write to the NFU and manager of Bramham Park in relation to membership of the Forum.

In relation to training Members agreed that all new members of the Forum would receive appropriate training. A number of training sessions would also be provided as required and Members identified the area of Enforcement as one area they wished to receive training.

RESOLVED: That the update be noted and that an update be provided at the next meeting.

39 Forward Work Programme

The Forum noted the work programme of the next year and noted that there would be an update on Forum issues at the next meeting.

RESOLVED: That the Forward Work Programme be noted.

40 Date and Time of the Next Meeting

RESOLVED: The date and time of the next meeting of the Leeds Local Access Forum would be Tuesday 17th February 2009 at 6:30 pm.