

# APPENDIX 1

## INITIAL CONSULTATION RESPONSES (TABLE 1)

Site - Redhall		
Representation	Response	Notes
<p>Objection to the disposal of the site, concern about loss of protection for wildlife. Request that byelaws are not removed whilst site is subject to greenbelt SAP challenge. Query regarding length of consultation period (14 days and not 28 days). Reinstatement of byelaws over new green space once designated is optional only.</p>	<p>Confirmed that an area of equivalent size will be retained as public green space. Byelaws can be reinstated over this POS</p> <p>Consultee has been advised there will be a second 28 day consultation period.</p>	<p>The site was allocated in the 2006 UDP for employment uses. Proposals have been taken forward to change this allocation to housing but is subject to the ongoing challenge to the SAP allocation The current SAP challenge does not return the site to a greenbelt allocation.</p>
<p>1. The notice put up to the southern edge of the playing fields is and was wholly inadequate, in the following respects:</p> <ul style="list-style-type: none"> <li>i) It is in a tiny font, and attached above head height.</li> <li>ii) It has a 14-day notice period, rather than 28 days.</li> <li>iii) There is no mention of revocation, only amendment which is misleading.</li> <li>iv) Notices attached to lamp posts to the east of the playing fields have been removed during the consultation period along with the lampposts themselves due to ELOR works.</li> </ul> <p>2. The revocation of the byelaws opens the land up to (for example) quad biking, golfing, horse riding and camping, and removes protection for damage to vegetation for an indeterminate period of time until the location and size of the new proportion of public-</p>	<p>1. There is no statutory length specified for the first consultation. There will be a second statutory consultation period of 28 days.</p> <p>i) to iv) Information about the proposals were supplied to the consultee as requested. This clearly stated that the intention was to remove some sites from the Byelaws altogether, and to amend the extent of other sites.</p> <p>2. The land is always at risk of being used in unacceptable ways. The byelaws are unlikely to stop these types of use, but provide one method by which the Council can take action to stop the use. Other legal remedies are available to the Council to stop unacceptable use. The Council in its capacity as landowner would deal with</p>	<p>The objection has been acknowledged and a full response has been issued.</p>

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<p>accessible private land is identified.</p> <p>3. The site has recently been returned to the green belt after judicial review. This provides an administrative barrier to determining the location and size of the new public-accessible private land. Without knowing which land is to be protected from misuse (and that return of protection to private land being itself discretionary), it is premature to revoke the byelaws until these issues have been resolved, as the period of time that any publicly-accessible land will be subject to potential misuse will be lengthened.</p> <p>4. We cannot afford uncertainty around public access and legality of activities as we edge towards a second national lockdown which may – as in other countries – have a radius for exercise attached. As residents we have already had access to Red Hall Woods removed from us during the first lockdown. We would ask that any such decision over revocation is deferred until such time as we have more certainty over the return of byelaws to the leased publicly-accessible portion, preferably after any winter lockdown has passed.</p>	<p>unlawful traveller encampments in compliance with its policy, applying for an injunction through the courts if necessary. Anti-social behaviour would be dealt with as it is now under the relevant anti-social behaviour legislation, by for example Public Space Protection Order</p> <p>3. A small part of the site was in the greenbelt. The SAP allocation will no longer be adopted but will revert to the status in the 2006 adopted UDP in which the site was allocated for employment and residential use until it has been re-examined. A planning application for residential use of the site would be processed even if the site did not have a residential allocation as it is not in the greenbelt.</p> <p>4. The proposed amendment to the byelaws does not in itself prevent public use of the site.</p>	
<p><b>Site - Scott Hall Drive</b></p>		
<p>Concern raised over footpath crossing site.</p>	<p>PROW not affected by byelaws or amendment of byelaws.</p>	<p>Query forwarded to Council House New Build Team to address more fully.</p>

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<b>All Sites</b>		
Request for information about proposed changes and sites affected.	Site plans forwarded with explanation of changes.	No objections raised.
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- 1.1 Ten persons responded to the initial consultation, together raising fifteen identifiable issues. Of the fifteen responses, six were enquiries for more details, two related to questions about the process and consultation period and six were responses relating to issues which did not relate to the byelaws. These issues, such as land use and designation, are themselves subject to regulation and consultation requirements separate to this assessment.
- 1.2 One response related to enforcement powers available to combat Anti-Social Behaviour should the byelaws be removed from certain sites. The byelaws function is to regulate the use of its identified sites by visitors to them. More serious Anti-Social Behaviour has its own enforcement legislation in the Environmental Protection Act 1990 and the Antisocial Behaviour Crime and Policing Act 2014. The combating of Anti-Social Behaviour is therefore not a function of these byelaws.
- 1.3 Of the fifteen responses, none related specifically to the proposed amendment of these byelaws.

### SECOND CONSULTATION RESPONSES (TABLE 2)

<b>Site</b>	<b>Individual Representations</b>	<b>Response</b>
Scott Hall Drive	<p>1. Objection to any potential loss of path through the proposed development for the site</p> <p>2. The path has existed for over 20 years this means that it is protected in law. It links inner city Leeds to the Meanwood Valley Trail and provides access to countryside.</p> <p>3. The footpath is very popular and well used by local people, dog walkers and ramblers supporting i mental health and well- being.</p> <p>4. An objection will be raised by the consultee with the Ramblers Association to any re-routing of the path.</p>	<p>1. Consultee advised that footpaths are not governed by the byelaws.</p> <p>2. Email acknowledged, and consultee advised that the concern has been forwarded to the case officer for the Scott Hall Drive development proposal and PROW team for a response on the matters raised.</p>

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<p>Beckhill Approach</p>	<p>Whilst not objecting to the byelaw removal concerns and queries were raised regarding</p> <ol style="list-style-type: none"> <li>1. future control over activities which might take place on the land including anti-social activities, and litter removal for the benefit of local users and those using the cycle path within the affected area.</li> <li>2. Who will be responsible for the maintenance of the land.</li> </ol>	<ol style="list-style-type: none"> <li>1 The existing public open space corridor currently covered by the byelaws will remain substantially as is. The re-configured area will continue in Council ownership, maintained and managed as is and continue to provide the pedestrian and cycle links currently subsisting</li> <li>2. The Councils Anti-Social Behaviour Team works in partnership with West Yorkshire Police Neighbourhood Policing Teams and reports of antisocial behaviour can be reported here. The Council uses Public Spaces Protection Orders (PSPO) across the city. Similar to a byelaw, these three year orders cover a variety of issues including antisocial drinking, littering and dog fouling. The current PSPO's are detailed on the Council website. These enforcement alternatives can be considered if there was a problem.</li> </ol>
<p>Beckhill Approach</p>	<ol style="list-style-type: none"> <li>1. Complaint of inadequate site signage in the Beckhill estate that borders this land;</li> <li>2. Loss of connection along the footpath connection to the nearest shopping area.</li> <li>3. Loss of children's recreational area on flat ground.</li> <li>4. Complaint that trees approved for removal under a planning consent are already marked for destruction pre-empting the byelaws consultation.</li> <li>5. Objections to loss of open space, some trees and bird life, loss of the paths, both the Sustrans path (NCN 668) between Potternewton Lane and Stainbeck Lane, and the paths that link to the Beckhills estate, limiting the number of stairs compared to any other route.</li> <li>6. Concern that NCN path no/cycleway no.668 will continue in force, and any replacement path will meet the definitions of equivalence as well as meeting recent standards for cycle paths.</li> </ol>	<p>Confirmation was provided that three sites notices were posted on lamp posts at distances along the area substantially affected by the byelaws.</p> <p>Confirmation was provided that the existing greenspace corridor would be substantially retained under the proposal and continue to be available for public use and access along the footpath and cycle path between Potternewton Lane and Stainbeck Lane as is.</p> <p>Objections to the loss of open space, some trees and other paths relate to development proposals already granted planning consent on adjacent land after receiving consideration under normal and separate planning application process.</p>