

Leeds Local Access Forum

Minutes of Meeting

Tuesday 22 February 2011 6.30pm at Leeds Civic Hall

Present: Mr. M Willison (Chair), Mr. S Wood, Mr. J Pearlman, Mr. P Maude, Councillor C Fox, Mr. B Jackson

In Attendance:

Mr. R Buckenham, Public Rights of Way Manager
Miss. C L Tregembo, Principal Definitive Map Officer
Mr. R Kirton, Crime Reduction Co-ordinator
Mr. Ken Bell, Legal and Democratic Services

1. Chairs Opening Remarks

The Chair welcomed everyone and introduced Bret Jackson who was considering joining the Local Access Forum.

2. Apologies for absence

The Chair stated that Linda Boadle had resigned from the Local Access Forum and a thank you letter had been sent for her time on the Local Access Forum.

3. Declarations of Interest

None were made.

4. Minutes of Previous Meeting

The minutes of the meeting dated 23rd of November 2010 were accepted as a true record. Mr. Pearlman stated that he recalled requesting that an up to date contact list be circulated.

5. Matters Arising

At point 5 How is the Leeds Local Access Forum to obtain funding from Leeds City Council? There were no know specifics and the Council's budget was being set the following day. Cllr. Fox asked if any Early Leavers were from the public rights of way team and Mr. Buckenham Confirmed that there were none. Mr. Wood had heard that there was no longer a Maintenance Officer. Mr. Buckenham explained that there had not been a Maintenance Officer specifically for public rights of way for a number of years and these responsibilities were being dealt with by other members of the team. Mr. Pearlman asked why details of the budget were not known and had not be published in a public document if the meeting was tomorrow. Cllr. Fox explained that the council budget was allocated to departments and departments and service heads allocated it further. It was felt that it may be three to six months before it would be possible to know how budget cuts and restructuring will affect the public rights of way team. Mr. Willison asked if the Local Access Forum should write to the Council expressing there concerns as to have for public rights of way. Mr.

Wood and Mr Maude felt it would be better to wait until it was know what the budget cuts and extra work would be.

At Point 5 Mr. Willison confirmed that a letter had been sent on the 29th of October 2010 to Natural England on the discussion document 'An Invitation to Shape the Nature Of England'.

6. Gating Orders- Policy for Presenting Reports to Leeds Local Access Forum

Mr. Kirton presented this report. There is pressure on Gating Orders and particularly the reviews because of budget cuts. Leeds City Council had intended to review Gating Orders annually but because of the amount of work involved a backlog had developed and they had slipped to a two year cycle. A three year review was mentioned in the report but this should be two years.

Due to a restructure a dedicated Alleygating Coordinator post would no longer exist. Instead a Crime Reduction Officer post would deal with Gating Orders and other crime reduction matters including housing and landlord related issues. Interviews would be held on Thursday. Training may be required depending on who was appointed.

It was felt that the number of Gating Orders may reduce partly because there would be less officer time available without a dedicated Alleygating Coordinator be less willing to fund and assist with Gating Orders due to budget and staff cuts.

Mr. Kirton explained that any reviews and proposed Gating Orders that affected Ginnels, Definitive and claimed public rights of ways would be presented in full to the Local Access Forum meetings. Those affecting carriageways would be circulated to the Local Access Forum electronically.

Mr. Wood asked if all Gating Orders had to be reviewed with the same timescale. Some could be reviewed annually but others could be reviewed every three years depending on levels of contention. Mr. Pearlman would be happy for those that didn't affect public rights of way and the wider area to be reviewed every three years but those that did annually. Cllr. Fox suggested that the review period could be set when the Gating Orders was first made and the next when the Gating Orders was reviewed. Mr. Kirton felt that this was a feasible suggestion.

Mr. Willison asked what percentage Alleygating scheme in Leeds were the subject of a Gating Order? Mr. Kirton stated that the schemes before 2006 were without a Gating Orders which were primarily those in Harehills and Headingley.

RESOLVED: The Local Access Forum were happy for Gating Orders that only affected carriageways to be circulated electronically and those that affected ginnels and public rights of way to be presented in full to the Local Access Forum.

The Local Access Forum was also happy for some Gating Orders to be reviewed every three years.

Mr. Kirton will ensure that the Local Access Forum is informed of who gets the Crime Reduction Officer Post.

7. West Yorkshire Local Transport Plan (WYLTP)

Mr. Wilison confirmed that the Local Access Forum submitted comments on the West Yorkshire Local Transport Plan covering four points: There was no reference to the Rights of Way Improvement Plan and its integration; It lacked clarity of the difference between footpaths and footways; There was no reference to public rights of way network funding despite reference to possible uses of Local Transport Plan funding; There was no mention to the value for money £ for £ of a public rights of way compared to a major highway.

Mr. Buckenham confirmed that the public rights of way team had also submitted comments which were similar to those of the Local Access Forum. It was also asked what was meant by 'targeted proactive maintenance' and how this would be achieved.

Mr. Maude raised the subject of 'Big Society and Localism' in an attempt to involve local communities and gain access to local funds for public rights of way work. Mr. Buckenham explained that an Outreach team now existed in Parks & Countryside as part of the restructure to provide and establish links with the wider community. The public rights of way team already engaged with the local community and volunteers with the P3 scheme and Footpath Rangers. Mr. Buckenham said that he could arrange for the Outreach Manager to come in and outline their work with the Local Access Forum.

Mr. Wood outlined the problem that their Parish Council had a strimmer but could not use it for public rights of way work because they had no users with a certificate of use and there were also health and safety and insurance issues.

8. Forestry Commission Briefing Note and Public Consultation

Item withdrawn as proposal has been abandoned.

9. Countryside Code Review

Natural England required comments by the 28th of February and but Local Access Forums had until the 31st of March 2011. Mr. Pearlman stated that he had no objections to the proposals other than that they were more general than the former County Code but that this had been the case since the Countryside Code was introduced. It was noted that the information for Land Managers informed them to keep public rights of way signed and clear and that information regarding ground bird nesting and dog control had been expanded

10. St. Aidan's Country Park Update

Mr. Buckenham reported that Miss. Tregembo had drafted the Creation and Extinguishment Orders and that he had produced the report required to authorise the making of the Orders which would be sent to the Parks & Countryside Management Team meeting for approval in March. These Orders would be made after the Section 116 Magistrates Court Order to extinguish the vehicular rights on the former section of Astley Lane. It was proposed to retain pedestrian rights here as it was not possible to state that pedestrian rights were not needed for public use due to the existence of Swilling Public Footpath No. 29 at the end of Astley Lane. This would then be extinguished and a new bridleway route created as part of the Creation and Extinguishment Orders. A bridleway would also be created along the disused railway line outside of the site to provide access to the east.

Mr. Maude asked if it were possible to get the site opened sooner particularly if there were objections to the Creation and Extinguishment Orders. This could be done by UK Coal paying a commuted sum to Leeds City Council to maintain the routes until the Orders are confirmed. This would also help keep vegetation down and stop the paths deteriorating. Mr. Buckenham reported that there were currently safety concerns and legal issues relating to flooding areas, water inlets and compensation. Furthermore if the site were opened it may lead to problems with the Orders as the paths may come into existence without orders.

11. Rights of Way Improvement Plan Update.

Mr. Buckenham reported on the following matters:-

Skelton Lake: Negotiations are ongoing regarding the creation of a network of paths laid out in the early 1990s through dedication and the extinguishment of some historic paths. It is similar to the St. Aidans site but on a smaller scale. Mr. Brookes would be meeting with the owners to inspect the paths and discuss improvements and Orders required.

Water Safety Projects: Various water safety improvement projects were being planned and implemented using capital funding.

Definitive Map Modification Order Applications: A Definitive Map Modification Order Decision Meeting would be held on the 24th of February 2011 (Thursday) to determine five applications. These were for Scotland Lane Reservoir (10 in Rights of Way Improvement Plan list), Bruntcliffe Drive and Scatchered Grove (2 & 29), Peasehill Allotments (24) and Taylor Lane (15).

Mr. Pearlman asked how the order was decided as he thought they were done in order of receipt and these were not all straight off the top. Miss. Tregembo explained that Scatchered Grove was a very similar path to Bruntcliffe Drive so the two applications were being dealt with as one. Several of the applications in the Rights of Way Improvement Plan have already been determined (Nos. 3, 5, 6, 7, 8, 16, 17, 19). Other applications were being dealt with but due to staff being on maternity leave and different amounts of research required some of the later applications were completed before those ahead of them (1, 4, 6 & 9). Two applications are being dealt with as part of area reviews (28 & 35). Miss. Tregembo also explained that sometimes applications were dealt with out of turn and added to the map because developers or landowners accept routes and divert or dedicate them saving the Council time and money on determining an application and making a Definitive Map Modification Order.

Mr. Wood asked if it were possible for local volunteers to assist with the gathering of evidence and interviewing users. Mr. Buckenham explained that it was beneficial for staff to meet the path users the need to ensure that the required information was gathered. There were also questions of impartiality. In the past archival research had been carried out by volunteers.

Mr. Pearlman asked how many Definitive Map Modification Order applications were on the list and had been added since 2008. Miss. Tregembo stated that there were 50 or 51.

12. Any other Business

There have been two expressions of interest to become members of the Local Access Forum but no interviews as yet. Mr. Jackson confirmed that he had spoken to Mr. Brookes about becoming a member. Neither of the two expressions of interest were from landowners. Mr. Pearlman said that he would be willing to attend some parish council meetings to see if any members wanted to join or if they were able to identify any landowners who may consider becoming a member. Mr. Wood Stated that he had done something similar at his parish meeting, there had been a good response but nothing followed up.

Mr. Willison and Mr. Pearlman had attended the Regional Local Access Forum. Mr. Pearlman said it was very good. There was a talk from the Yorkshire Dales forum member about the problems they had with motorised users and the use of Traffic Regulation Orders to resolve some of the issues. James Lamb had given a presentation on the law relating to public rights of way and countryside access. The chair of the English Access Forum, Duncan Grahame gave a presentation on funding. Mr. Pearlman recommended that other members should attend future Regional Local Access Forums.

Mr. Maude has been invited to address the International Public Rights of Way Association in the USA about public rights of way and compulsory purchase. He would be happy to address the Local Access Forum on how different countries including China, USA, Japan, South Africa deal with public rights of way issues.

Mr. Pearlman stated that he had attended a similar conference in India about commons and common interests.

13. Date and time of Next meeting

RESOLVED: That the next meeting of the Leeds Local Access Forum be arranged for Tuesday 3rd of May 2011, 6.30pm at Leeds Civic Hall. A schedule for the rest of the year would be produced at this meeting.