

## WEST YORKSHIRE PENNINE LOCAL ACCESS FORUM

MEETING HELD ON 15<sup>th</sup> APRIL 2010

AT TOWN HALL, HUDDERSFIELD

### PRESENT:

#### Members:

Mr D Nortcliffe  
Mr R Gibbon  
Mr T Norris  
Mr R Hindley  
Ms D Metcalf  
Ms P Sheridan

### In Attendance:

Ms Kath Windett (Bradford)  
Mrs R Finney (Calderdale)  
Mr A Gardner (Kirklees)  
Mr R Malkin (Kirklees)  
Mr Stuart Ballard

### 19 APPOINTMENT OF CHAIR

**IT WAS AGREED** that Mr T Norris be appointed as Chair of the Forum for the ensuing year.

### 20 APOLOGIES:

Mr A Fowler, Mr I Condliffe, Ms S Leffman. Mr S Westwood, Ms P Ashton and Mr D Jackson

### 21 MINUTES OF MEETING HELD ON 21<sup>st</sup> JANUARY 2010

**IT WAS AGREED** that the Minutes of the meeting held on 21<sup>st</sup> January 2010 be approved as a correct record subject to the following amendments:

- i. Apologies for Mr T Norris be recorded
- ii. Minute number 16 – “National and Regional Issues”, Government Response to repeal Discovering Lost Ways “draft report” to read “final report”
- iii. Minute number 17 – “Local Issues”, Update from Calderdale Authority (a) “leader” to read “LEADER”

### 22 MATTERS ARISING

Outstanding modification orders on footpaths in Kirklees where signs have been put up stating “No Horse Riders, No Cyclists” – update from Kirklees  
Mr T Norris updated the Forum with a response received from Mr Justin Roche, Kirklees Council.

#### Wind Farms update

Rachel Finney circulated a copy of a letter sent on behalf of the Forum to Mr Rob Davis, Common Land Casework Team at the Planning Inspectorate and advised that no response had been received to date. The Forum was advised

that a Public Inquiry could be held in July 2010, but this had not yet been confirmed.

**IT WAS AGREED** that Rachel Finney would check with the Planning/Legal Department to ask if a Public Inquiry had been requested and to ensure that a representative of the Forum is invited to attend the Inquiry.

West Yorkshire Pennine Local Access Forum (WYPLAF) annual report available

The Forum suggested that a press release should be organised around the work of the Forum and the annual report.

The following topics for discussion were agreed for the year ahead:

- Review of ROWIP's
- Enforcement Policies – approaches to enforcement
- Working with Volunteers
- Electronic mapping

**IT WAS AGREED** that Rachel Finney would arrange to circulate a press release based on the Annual Report.

Dog mess on paths

Rachel Finney reported that new legislation was available to Councils on dog fouling and Calderdale was in the process of deciding whether and how to implement the new powers with a report to Councillors expected the following week. If the new powers were adopted, there would be a public consultation on the extent of any orders, to which the Forum could contribute. The new Dog Control Orders could for example: exclude dogs from children's play areas, make dog-fouling an offence on agricultural land or woodland, limit the number of dogs one person could take onto land or require dogs to be kept on leads in specified areas.

Kath Windett reported that similar work was being carried out in Bradford with the Dog Wardens Service planning discussions with other service areas to increase the number of Officers able to issue fixed penalties.

Roy Malkin reported that Kirklees had done some publicity, but had no capacity or resources to do anything further.

**IT WAS AGREED** that Rachel Finney be requested to send a letter on behalf of the Forum to Rob Dalby, Kirklees Council highlighting the work being carried out in Calderdale and Bradford.

## **23 NATIONAL & REGIONAL ISSUES**

Stepping Forward – report of the Stakeholder Working Group for discussion

Terry Norris gave a summary of the Stakeholder Working Group's report on Discovering Lost Ways highlighting the recommendations made within the report. Members raised concerns about agreeing the meaning of the basic evidential test, the failure of which would allow a claim to be refused by the Highway Authority. The Forum would like the Government to put a "duty" on

Local Authorities to process claims and provide resources for them to implement the recommendations. The report does not do anything to increase numbers of volunteers putting forward claims for “lost ways”.

**IT WAS AGREED** that the Forum accept the recommendations subject to:

- i. a statutory duty with funding, on Local Authorities to implement the recommendations
- ii. addressing the issue of increasing the numbers of volunteers to research and put forward claims
- iii. clarifying and agreeing the meaning of the basic evidential test.

#### Problems of the England Access Forum

David Nortcliffe referred to a letter circulated from Duncan Graham CBE, Chair of England Access Forum and sought the views from the Forum on the problems experienced by the England Access Forum.

**IT WAS AGREED** that a letter be sent to the Director General, Natural England, Sheffield expressing the Forum’s concerns about the England Access Forum and highlighting the “National Rights of Way Forum” as a good model. A copy of the letter to be sent to any bodies of interest.

#### Regional Access Forum

Members were advised that a Regional, Local Access Forum meeting has been arranged for Monday 17<sup>th</sup> May 2010 at Wakefield Town Hall to provide an opportunity for the LAFs to meet, exchange ideas, to brief England Access Forum representatives and to enable information sharing.

**IT WAS AGREED** that Terry Norris and David Nortcliffe will attend the Regional Access Forum meeting to be held on 17<sup>th</sup> May 2010

## **24 LOCAL ISSUES**

### Use of the negative access symbol – presentation by Stuart Ballard

Stuart Ballard gave a presentation on the use of the Negative Access Symbol showing examples of misleading signs and highlighting the problems they were causing. There was considerable evidence that the Negative Access Symbol is a confusing sign when used on or adjacent to public rights of way. It was suggested that Local Authorities should be requested to have the symbols removed in those circumstances.

**IT WAS AGREED** that Rachel Finney, Kath Windett and Andrew Gardner would contact their Authority’s Countryside Services to relay the opinion of the Forum, expressing the concerns about the inappropriate use of the Negative Access Symbol.

### Kirklees Rights of Way Improvement Plan progress report

Roy Malkin advised that he had no progress to report on the Kirklees Rights of Way Improvement Plan.

**IT WAS AGREED** that a letter be forwarded to Kirklees on behalf of the Forum expressing its extreme concerns about the non production of this Rights of Way Improvement Plan.

Motorcycle nuisance – update re co-ordinated action taken in West Yorkshire  
Steve Westwood forwarded a letter updating the Forum on the actions taken in West Yorkshire on Motorcycle nuisance. The Forum was asked to promote the website “Moorwatch.co.uk” which is due to be launched in April 2010.

**IT WAS AGREED** that the Forum warmly supported the steps being taken and would promote the website wherever possible.

Summary of local authority position re planning legislation and the hard surfacing of bridleways

Rachel Finney had spoken to the Calderdale Planners and now has a clear message on the Rights of Way website on what is required by owners and residents for the hard surfacing of bridleways. The information can be located under Calderdale’s “Public Rights of Way” “Information for landowners” “Private access rights and their maintenance” pages.

Bradford and Kirklees advised that the highways belong to the Local Authority and anything done to it required Highways permission.

**IT WAS AGREED** that

- a) Rachel Finney would look into the Calderdale Planning Website providing a link to the Rights of Way website, and
- b) a copy of the page from the Rights of Way Website to be circulated to Kirklees and Bradford Planning Departments as good practice to seek their response.

Update from the 3 authorities re current projects

Calderdale authority advised the following projects:

- i. Joint bid for LEADER funding has been approved in principle, although no grant offer had yet been received.
- ii. CAMS total network survey – now complete, 66% of the network is easy to find and easy to use

**IT WAS AGREED** that Rachel Finney would report to the Forum about the state of the Network in Calderdale.

Bradford authority advised the following projects:

- i. Pennine Prospects Watershed Landscapes Heritage Lottery Bid was successful securing £1.9 million over 3 years for a variety of projects across the South Pennines. In Bradford this will include funding for improving moorland paths across Ilkley Moor using stone flags, a

community archaeology project to record and interpret the many scheduled monuments on the moor and an arts-based project using the moors as inspiration to create new artwork and encourage school arts projects.

- ii. LEADER bid has been submitted jointly with Calderdale to restore sections of the Haworth – Hebden Bridge promoted route.
- iii. CROW team have been in discussions with the Transport Planning team about LTP3 which will commence in April 2011. The aim is to attract LTP funding for access projects which will encourage “behavioural change” in terms of transports choices.
- iv. New works started at Isle Lane, Oxenhope to bring the rough track up to usable restricted byway status.
- v. This year’s ROWIP actions plan has been drafted and will be presented to the Bradford District Rights of Way Forum next week. This includes proposed projects for works during 2010, which came out of the ROWIP consultation exercise.
- vi. South Pennines Fire Operations Group (chaired by Bradford) have received funding from Yorkshire Water (£25,000) to cover costs of equipment, training and display material related to combating moorland fires.

Kirklees Authority advised the following projects:

- i. Pennine Prospects Watershed Landscapes Heritage Lottery Bid. Part of the same bid as Bradford. Kirklees’ works include stone flagging, drainage and sandstone aggregate surfacing along Huck Hill Lane and Cupworth Reservoir. This will provide access into moorland for all users and improve a section of the Kirklees Way and Colne Valley Circular.
- ii. LEADER funding has been approved in principle in a joint bid with Bradford and Calderdale. The Kirklees part will improve the drainage and surface of a section of the Colne Valley above Marsden.
- iii. Kirklees Way – Thornhill Edge – works have just finished on surfacing of 800 metre section of the Kirklees Way.
- iv. Spen Valley Greenway – about to reopen after 12 months of closure for Yorkshire Water to lay a new pipeline along it. Re-opening events are planned and new leaflets will be produced.
- v. Kirklees completed 44 major schemes on rights of way in the 09/10 financial year. There are 42 schemes planned for 10/11.
- vi. Marsden has been awarded “Walkers are Welcome” status. Funding for improvement works, most on rights of way, of £55,000 has been

secured from Colne Valley Area Committee with the intention of attracting a further £55,000 in match funding.

Any other business

Peak District National Park has arranged a walk with the Rifle Club to meet at 17.30 hours on Friday 23<sup>rd</sup> April 2010 at Deer Hill End Road – Grid Reference SE084116 all Members were encouraged to attend.

There is an evening meeting on Tuesday at Holmfirth, to discuss a number of disused quarries in the area of Holmfirth Edge which the Council are considering selling for development land or for community use. LAF support was requested for the latter option and Officers will report back to the next Forum meeting.

The Kirklees Public Rights of Way Unit will cease to exist and the staff split between Planning and Highways Maintenance. A member of staff responsible for claims for DMMO is retiring and will not be replaced. This will result in delays in processing pending claims.

Roy Malkin advised that he is hoping to leave Kirklees Council in September 2010.

**25** **VOTE OF THANKS**

Members of the Forum thanked Roy for his contributions and wished him well for the future.

**26** **DATE AND TIME OF NEXT MEETING**

It was noted that the next meeting would be held in Huddersfield on Tuesday 13<sup>th</sup> July, 2pm to 4pm (Venue to be confirmed).