

Minutes of the meeting held at Grassington Town Hall on Thursday, 17 January 2008.

Present:

WH Brown, SHK Butcher, G Dalton, TRN Harrison-Topham, KJ Lancaster (in the Chair), Mrs D Millward and Dr KM Petyt.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

1/08 MINUTES

RESOLVED –

That the minutes of the meeting held on 25 October 2007, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

2/08 PUBLIC QUESTION TIME

Two statements were read out to the meeting from:

- Pam Harris on behalf of the Yorkshire Dales Green Lanes Alliance; and
- Alan Aspden on behalf of Keith Wadd, Chairman of the Ramblers Association West Riding Area.

3/08 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs S Marshall.

4/08 DECLARATIONS OF LOBBYING

Members made the following declarations of lobbying:

<i>Member</i>	<i>Agenda item on which lobbied</i>
KJ Lancaster	Item No 8
Dr KM Petyt	Item No 8.
SHK Butcher	Item No 8 (Stockdale Lane)
Mrs D Millward	Item No 8

5/08 REPORT OF THE HEAD OF PARK MANAGEMENT

CONSIDERED – the report of the Head of Park Management.

In responding to a member's question, the Head of Park Management stated that the meeting with Craven District Council on 'partnership working' had involved discussions on the possibility of some amalgamation of the distribution of car parking permits for both authorities. He added that similar discussions were being held with officers from Richmondshire District Council.

RESOLVED –

That:

- (a) the report and further comments be noted; and
- (b) the Chairman of the Access Committee be the Authority's named substitute for the Cumbria Countryside Access Partnership Board.

6/08 DEFINITIVE MAP TEAM - QUARTERLY REPORT

CONSIDERED – the report of the Senior Definitive Map Officer.

In response to a number of comments raised on items in the report, members were advised that:

- work was in hand towards being able to provide a breakdown of the different types of anomalies identified as a result of the digitisation of the Definitive Map; and
- progress was being made towards replacing Bev Parker.

[Note: TRN Harrison-Topham declared a personal non-prejudicial interest in the case in respect of 'Diversion of Footpath Nos 7 & 8, Coverham-with-Agglethorpe at Thorngill as he was acquainted with the applicant.]

RESOLVED –

That the report and further comments be noted.

7/08 YORKSHIRE DALES ACCESS FORUM

CONSIDERED – the minutes and draft minutes respectively of the meetings of the Yorkshire Dales Access Forum held on 23 October and 7 December 2007.

RESOLVED –

That the minutes and draft minutes respectively of the meetings of the Yorkshire Dales Access Forum held on 23 October and 7 December 2007 be noted.

8/08 PROPOSED MANAGEMENT OF 15 'GREEN LANES' (UNSEALED ROUTES) IN THE NATIONAL PARK

CONSIDERED – the report of the Head of Park Management.

[Note: The following declarations of interest were made by members:

TRN Harrison-Topham declared a personal non-prejudicial interest as the owner of 150 metres of green lane and being related to an owner of another green lane. However, he did not own, nor was he related to an owner, of any of the 15 routes being considered at the meeting.

Dr KM Petyt declared a personal non-prejudicial interest as Chairman of the Yorkshire Dales Green Lanes Advisory Group. However, being familiar with each case he intended to take part in the debates on each case but abstain on voting.

WH Brown declared a personal non-prejudicial interest as a member of Yorkshire Dales Access Forum.

Mrs D Millward declared a personal non-prejudicial interest as a member of Yorkshire Dales Access Forum.

Dr KM Petyt declared a personal non-prejudicial interest as a member of Yorkshire Dales Access Forum.

A member stated that, because he had been unable to read fully the background papers, he intended to abstain on individual votes but take part in debates.

The Chairman of the Green Lanes Advisory Group, which had been consulted on 20 routes and had offered advice to the Head of Park Management on possible management solutions, stated that he had chaired those meetings impartially. As someone clearly with detailed knowledge of the routes, he intended to take part in the Committee's debates, but would not vote on any proposals that would seek to consult further on the possible introduction of traffic regulation orders (TROs).

A member questioned the appropriateness of the Chairman of the Green Lanes Advisory Group's involvement in the debate and referred to comments from the Byways and Bridleways Trust (page 18) that some members "may be prejudiced in their consideration of any proposals relating to the management of recreational MPV activity in the Park". The Committee's Solicitor advised that the Chairman of the Advisory Group had not declared any prejudicial interest and, as long as members considered the cases with an open mind, their involvement was quite appropriate.

The Chairman commented that it was a long and complex report and requested any further interests to be announced per item.

The Head of Park Management drew members' attention to the purpose of the report and said that decisions would result in some cases moving on to the next stage of consultation. He referred to the importance of the report, the training that members had undergone, and the advice that was offered that would enable members to make informed decisions.

Members were taken through the report paragraph by paragraph and the Head of Park Management amended the report by deleting the second sentence of paragraph 23.

Some disappointment was expressed that not all consultees had responded. The Committee was reminded that this was just the initial consultation stage, and that, should consultation proceed to the next stage, consultees and any members of the public could submit comments. The Head of Park Management reminded members that in coming to their decisions they needed to consider the comments listed in Appendix 5 as well as the recommendations in Appendix 7 (Appendix 6 being a summarised version that, following initial consultation, included both the Green Lanes Advisory Group's advice and suggested 'Management').

Members were also reminded of the policy, adopted as part of the Authority's green lanes framework (paragraphs 24 and 25), regarding - *"continued monitoring of the effectiveness of management measures such as voluntary restraint agreements and traffic regulation orders, and periodic reviews of such measures to determine whether they are effective and/or are having undesirable effects or are no longer justified."* The Authority was committed to reviewing any permanent TRO within five years of it having been made.

Officers were commended for their hard work in preparing the report.

The Access and Recreation Manager drew members' attention to the use of 10 digit Grid references in the report and asked for members' approval to determine the exact grid reference appropriate to each route. It was explained that these would be eight digit references because it was impossible to ensure the one metre accuracy required for a 10 figure grid reference. It was also noted that the papers credited the North Yorkshire Trail Management Advisory Group (NYTMAG) response as being supported by a number of organisations, including the British Horse Society (BHS). This was on the basis of the letter received from NYTMAG, and Members were informed that there had no letter from the BHS themselves, saying they supported the NYTMAG response.

Members considered each case individually. A member suggested that in the cases where the recommendation was to consult on the intention to make 'weekend only' restrictions, it could cause confusion for users and the general public and he stated a preference for all (TRO) restrictions to be on a full 24/7 basis.

In all cases where a TRO was proposed the reason was to preserve both the "amenity" and conserve the "natural beauty" of the National Park under S1(1)(f) and S22(2) of the Road Traffic Regulation Act 1984. It was noted that where a TRO was proposed the following motor vehicular usage would still be permitted in all cases:

- Use by emergency services or by local authorities or water authorities in pursuance of their statutory powers and duties;
- Use to enable work to be carried out in or adjacent to the highway;
- For the purposes of conveying goods, persons, merchandise to or from the premises or land adjacent to the highway;
- For the purpose of agriculture, land management or shooting on any land or premises adjacent to the highway.

In considering the Harber Scar Lane 'case', a member referred to the 'Further Considerations' section of the report and questioned whether a weekend TRO would be appropriate, especially when the status of the route was unclear.

The Access and Recreation Manager drew members' attention to the Government guidance in Appendix 3, and the fact that an Order could be used 'pre-emptively' where the status of a route was unclear. She stated that, having re-considered the matter, in the light of this guidance, the evidence in the report, and the unconfirmed status of the route, the recommendation to members should be amended to –

- the replacement of the words "weekend (from midnight Friday to midnight Sunday)" with "24/7"; and
- the deletion of the words "but this be re-visited if the application for BOAT status is not confirmed".

The Committee's Solicitor confirmed that the recommendation was for the commencement of consultation, and that subject to further advice and/or any comments that may be received through this consultation the matter could be revisited.

RESOLVED –

(a) That officers be given approval to determine the exact grid reference appropriate to each route in any notice of Orders to be made.

(b) That in respect of each of the 15 cases listed in the report of the Head of Park Management, the following course of action be agreed:

Case		Action agreed (subject to Grid Reference changes to eight digit)
1	The High Way	Agreed to consult on the intention to make a full (24/7) permanent TRO from, Cotter End: SD 84200 92100 to Hell Gill SD 78659 96841 to prohibit recreational mechanically propelled vehicles. <i>[Note: TRN Harrison-Topham and Dr KM Petyt both abstained from the above decision.]</i>
2	Arncliffe Cote – Malhamdale	Agreed to consult on the intention to make a full (24/7) permanent TRO from Arncliffe Cote SD 94739 70508 to Arncliffe Cote SD 90513 65647 to prohibit recreational mechanically propelled vehicles. <i>[Note: TRN Harrison-Topham and Dr KM Petyt both abstained from the above decision.]</i>
3	Harber Scar Lane – Ribblesdale	Agreed to consult on the intention to make a full (24/7) permanent TRO from Horton in Ribblesdale (end of lane rather than car park) SD 80811 72699 to High Greenfield Farm SD 83105 79269, to prohibit recreational mechanically propelled vehicles. <i>[Note: G Dalton, TRN Harrison-Topham and Dr KM Petyt abstained from the above decision.]</i>
4	Stockdale Lane	Agreed to consult on the intention to make a full (24/7) permanent TRO from Stockdale Farm: SD85293 63896 to Malham Road: SD89190 64012 and junction along Stockdale Lane SD 87458 63979 to junction with Gorbeck Road SD 88091 64914 to prohibit recreational mechanically propelled vehicles. <i>[Note: SHK Butcher, TRN Harrison-Topham and Dr KM Petyt abstained from the above decision.]</i>
5	West Cam Road	Agreed: (a) to continue to monitor the route; and (b) that discussions should take place with North Yorkshire County Council to see whether repair works can be carried out, and fencing and signage put near the plantation. <i>[Note: TRN Harrison-Topham abstained from the above decision.]</i>
6	Dean Moor	Agreed to continue to monitor the route. <i>[Note: TRN Harrison-Topham abstained from the above decision.]</i>
7	Gorbeck	Agreed to consult on the intention to make a full (24/7) permanent TRO from Langscar Gate: SD 88803 64885 to Clay Pitts: SD 83040 65232 to prohibit recreational mechanically propelled vehicles. <i>[Note: TRN Harrison-Topham and Dr KM Petyt both abstained from the above decision.]</i>
8	Foxup and Hesleden Bergh	Agreed to consult on the intention to make a full (24/7) permanent TRO from Horton-in Ribblesdale (near Post Office) SD 80893 72434 to Foxup SD 87161 76719 and Junction with Horton Scar Lane SD 81082 72496 to end of lane at Town Head Farm SD 81115 72261 and Junction with Foxup Road SD 87113 76457 to Hesleden Bergh SD 87789 74973 to prohibit recreational mechanically propelled vehicles. <i>[Note: TRN Harrison-Topham abstained from the above decision.]</i>

Case		Action agreed (subject to Grid Reference changes to eight digit)
9	Cam High Road	Agreed to consult on the intention to make a full (24/7) permanent TRO from Far Gearstones: SD 78642 80339 to Junction with track to Cam Houses: SD 82154 82754 to prohibit recreational mechanically propelled vehicles. <i>[Note: TRN Harrison-Topham and Dr KM Petyt both abstained from the above decision.]</i>
10	Ling Gill	Agreed to consult on the intention to make a full (24/7) permanent TRO from High Birkwith: SD 80031 76858 to Cam End: SD 80166 80447 to prohibit recreational mechanically propelled vehicles. <i>[Note: TRN Harrison-Topham and Dr KM Petyt both abstained from the above decision.]</i>
11	Windy Pike Lane - Hanlith	Agreed to: (a) continue to monitor the route (b) remove from list of sensitive routes. <i>[Note: TRN Harrison-Topham abstained from the above decision.]</i>
12	Dead Man's Hill	Agreed to: (a) continue to monitor the route (b) consider signage saying that leaving the route may result in restriction. <i>[Note: TRN Harrison-Topham abstained from the above decision.]</i>
13	Turbary Road	1. Agreed to continue to monitor the route and review in six months. <i>[Note: TRN Harrison-Topham abstained from the above decision.]</i> 2. Agreed that further investigations should be carried into the precise line of the definitive route.
14	Stake Road	Agreed to: (a) continue to monitor the route; (b) carry out minor repairs at the Kidstones end; (c) continue to carry out regular maintenance along its length; and (d) in addition suggest signage to inform users about possible presence of motor vehicles, and to tell motor vehicle users that leaving the track could result in restrictions. <i>[Note: TRN Harrison-Topham abstained from the above decision.]</i>
15	Long Lane (Helwith Bridge)	Agreed to continue to monitor the route. <i>[Note: TRN Harrison-Topham abstained from the above decision.]</i>