Item No. 6

Yorkshire Dales Access Forum – 17 January 2006

Yorkshire Dales Access Forum Action Plan

Background to the Report

The research on Local Access Forums undertaken by Gloucester University recognised that successful Local Access Forums are those that have a work programme.

Purpose of the Report

On February 4 2005, members of the Yorkshire Dales Access Forum attended a training event run by the Access Company to look at their role. The result of this was an action plan for 2005/06. This action plan is attached with an extra column detailing the progress so far.

The YDAF now needs to consider its work programme for 2006/07. This should reflect the specific issues members have an interest in.

This item is to be facilitated by the Chair of the YDAF.

Rachel Mozley
6 January 2006

Action Plan 2005/06

WHAT IS THE ISSUE?	WHY IS IT AN ISSUE?	HOW CAN THE ISSUE BE TACKLED?	WHEN AND BY WHOM WILL THE ISSUE BE TACKLED?	WHAT HAS HAPPENED?
Format of meetings.	• To make meetings less formal • To allow the public to become more involved • To cut down time spent on considering lengthy reports.	Revise format of: • Procedure for public questions • reporting back • information update • gathering of info for future meetings.	Members to decide how to take forward	Revised Standard Procedures for public involvement.
Direction of Forum business	• Business should come from the bottom up • Question of how YDNPA gives the Forum information or seeks advice on specific issues?	Forum Members to suggest agenda items and write papers but only if issues are actual and not imagined.	Members to make changes ASAP	
Public Questions	Response currently follows NPA procedure and is not friendly enough	Chair to write response to questions. NPA to comment after response given only if further information is required to answer questions asked.	Chair	Revised Standard Procedures for public questions.
Forum policies on access issues	Forum currently has no policies of their own.	Forum to come up with policies on chosen access issues.	Members to decide how to take forward	

WHAT IS THE ISSUE?	WHY IS IT AN ISSUE?	HOW CAN THE ISSUE BE TACKLED?	WHEN AND BY WHOM WILL THE ISSUE BE TACKLED?	WHAT HAS HAPPENED?
Identity and recognition of the Forum	Forum currently has no recognisable identity	Forum to have own: • Mission statement. • Logo. • Strap-line. • Branded materials.	Sub-group to get together and implement July 2005	Logo been considered by YDAF. Produced to use with branded material.
Practical Communication	Forum would like to spread their message more widely.	• Updated website • Press releases • Show boards with info on LAF • Section on LAF in Visitor	Forum to think of ideas and how these can be implemented e.g. how will show boards be used. Will Members attend local shows? Chair in discussion with YDNPA Officers to implement Autumn 2005	National Park Authority website now completely re-vamped (need to consider if keep ydaf.org.uk). Article in Visitor 2006/07. Press release for new members.
Publicity of meetings	Meetings not publicised widely enough	Press releases pre and post meetings	Chair to suggest press releases and Media Officer of YDNPA to publish.	
Access Conference	Need to publicise the work of the Forum more widely.	A bi/annual conference to discuss access issues with the public	Members to discuss and prepare for 1st conference, possibly, in Autumn 2006	

WHAT IS THE ISSUE?	WHY IS IT AN ISSUE?	HOW CAN THE ISSUE BE TACKLED?	WHEN AND BY WHOM WILL THE ISSUE BE TACKLED?	WHAT HAS HAPPENED?
Advice of the Forum	Not sure how the advice of the Forum is networked throughout the YDNPA. Who should take the lead?	Members of the Authority should take the lead and feed advice from the YDAF to the Access Committee	ASAP, after advice given, in format that can be reported to committee (bearing in mind minutes of YDAF are always taken to Access Committee)	YDAF meetings up to 4 weeks ahead of Access Committee. Links to Access Committee strengthened by: • Access Committee forward items being raised with YDAF in advance of consideration by Access Committee. • YDAF advice to be presented to Access Committee by LAF Chair. • Unapproved YDAF minutes presented to Access Committee.

Item No. 8

Yorkshire Dales Access Forum – 17 January 2006

Yorkshire Dales Access Forum Terms of Reference and Standard Procedures

Purpose of the Report

To seek the Forum's agreement to the:

- Collation of all of the Statutory Regulations and Secretary of State's guidance for Local Access Forum's into one document to be refered to as the Yorkshire Dales Access Forums' 'Terms of Reference' and
- To up-date the Forum's Standard Procedures for the day to day Regulation of the Forum's business, based on the experience of involving the public and the running of the Forum over the past three years.

Background

The Local Access Forums (England) Regulations 2002 required forums to be established by 8 August 2003 and contained provisions relating to their establishment, membership and proceedings, as well as public access to meetings and documents, the appointment of secretaries, financial provisions, preparation of annual reports, and joint forum arrangements. The Regulations, for example, state that a forum must meet at least twice annually. The Regulations were accompanied by a circular letter. Further guidance has been issued by the Secretary of State under section 94(6)(c) of the Act; and forums must have regard to this guidance in carrying out their functions.

Reason for the Changes

Local access forums have a statutory duty to be independent and advise local authorities and countryside bodies on the improvement of public access to land in their area for the purpose of open-air recreation and enjoyment of the area. The terms of reference for the Yorkshire Dales Access Forum (YDAF) are currently contained within a number of documents issued by Defra and the Secretary of State. Those relevant to the YDAF, together with related matters have been collated into the YDAF Terms of Reference (see annex).

The YDAF agreed Standard Procedures, which it uses to govern the Forum's business, when it was first established, three years ago. Some members of the YDAF have had concerns regarding the inflexibility of the current standard procedures, and the use of YDNPA procedures where the YDAF procedures are silent on a matter. As YDAF Members have sought to make Forum meetings informal and make opportunity to involve the public as much as possible.

Suggested amendments to the Standard Procedures, mainly in the form of additions to the existing standard procedures are shown in the Annex (changes shown in blue) should

allow the flexibility the Forum desires, whilst giving clear guidelines to the public, regarding their involvement, in accordance with the standards expected from a public body.

The Terms of Reference and revision of the Standard Procedures have been produced in discussion with the Chair and Vice Chair of the Forum. It should be noted that under the Standard Procedures any changes to the Standard Procedures will require a majority of two thirds of those members present and voting. The Terms of Reference do not have to be agreed, rather endorsed, as they simply reflect an amalgam of the existing situation.

Conclusion

The YDAF is keen to achieve its vision of becoming an independent, attractive, useful, and dynamic body. It is hoped that the clear Terms of Reference and revised Standard Procedures and, will help achieve this.

KATHRYND BEARDMORE
ACCESS AND RECERATION MANAGER

Background papers

Statutory Instrument 1836 The Local Access Forums (England) Regulations 2002.
Letter from Defra dated 26 July 2002 to Local Highway, and National Park Authorities.
Defra 2005 - Consultation relating to the amendment of the Local Access Forums (England) Regulations 2002

YORKSHIRE DALES ACCESS FORUM

TERMS OF REFERENCE

AND

STANDARD PROCEDURES

FOR THE REGULATION OF

THE MEMBERSHIP AND BUSINESS OF THE

YORKSHIRE DALES ACCESS FORUM

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TERMS OF REFERENCE

The Purpose of the Forum

1. In accordance with the Countryside and Rights of Way Act 2000, Local Access Forums (LAFs) are statutory advisers to local highway, National Park authorities and to other bodies having duties under Part I of the Countryside and Rights of Way Act about the improvement of public access to land for the purpose of open-air recreation and the enjoyment of the area.

Terms of Reference

2. The Yorkshire Dales Access Forum therefore has the following terms of reference:

   "To be a statutory advisory body to provide guidance and advice to public bodies on the improvement of public access within the Yorkshire Dales National Park and to contribute to opportunities for open-air recreation and the enjoyment of the area."

3. This involves:

   - Being consulted on and advising on issues relating to open access land, exclusions, restrictions and the appointment of access wardens on land where a new right of access exists.

   - Contributing (as a statutory consultee) to the development of Rights of Way Improvement Plans which cover any part of the Yorkshire Dales National Park, together with any other strategies or plans relating to rights of way, open air recreation and access (in an advisory capacity).

   - Advising on all other aspects of public access to land in the Yorkshire Dales for the purposes of open air-recreation.

   - Advising on issues relating to public access to water.

   - Advising on the promotion and appropriate use of opportunities for all types of user to enjoy the countryside.

   - Promoting closer liaison and understanding between the various interest bodies and organisations which have an interest in access and recreation in the Yorkshire Dales.

4. In providing advice, the forum will have regard to:

   1. The needs of land management.
   2. The conservation of the natural beauty of the area including its flora, fauna, and geological and physical features.
   3. The management and maintenance of recreational access whilst balancing this against the needs of nature conservation, agriculture, the interests of

landowners and managers and countryside management projects within the Yorkshire Dales.

5. The Forum should also have regard to:

(i) the Authority's statutory purposes and the requirement to conserve the landscape, wildlife and cultural heritage of the Yorkshire Dales and promote the understanding and enjoyment of the special qualities of the area by the public (which affords opportunities for open-air recreation).

(ii) The desirability of protecting the natural resources of the Yorkshire Dales from damage.

(iii) The needs of agriculture and forestry and the economic and social interest of those who live or work in the Yorkshire Dales.

Roles and Responsibilities of Local Access Forum Members

6. LAF membership should be widely representative and balanced between the following groups:

a. Recreational users of the countryside. (RoW and access land).
b. Landowners, occupiers and land managers.
c. Other interest groups relevant to the area and with access to it.

7. The Local Access Forum may occasionally need to discuss difficult and controversial issues, and the advice given will help guide policies and actions of the National Park Authority and other relevant authorities. To this end it is vital that a wide cross section of interests are represented on the LAF, and that a balance is struck between access and recreation, and the need to protect the landscape, ecology, cultural heritage, and the wider social and economic use of this area.

8. It is also essential that each member of the Forum recognises the validity of the views of others and is willing to seek consensus and be independent of the views of a particular organisation.

9. Members of the Yorkshire Dales Access Forum should:

a. Be representative of landowners/managers, recreational users or other interests relevant to the Yorkshire Dales.

b. Provide an independent view rather than reflect the views of any particular organisation.

c. Support and pursue opportunities to publicise the work of the LAF, obtain feedback from their own organisations and the general public.

d. Be expected to attend up to four meetings a year

e. Be willing to serve for up to three years.

Appointment and Termination of Membership

10. The Yorkshire Dales National Park Authority is the appointing body, and Members are appointed to the LAF through a YDNPA Members panel. The selection of members to the Forum is based on the following criteria:

- Committed to improving public access in the Yorkshire Dales.
- A good knowledge of the geography of the Yorkshire Dales and ideally, but not necessarily, some knowledge of rights of way legislation.
- Knowledge or experience of an area of interest identified for representation on the LAF and be able to represent and advise on its needs and aspirations. A wider knowledge or experience would be desirable, particularly of the interaction between interest groups.
- Be able to clearly express ideas and opinions, and listen to those of others.
- Be able to work towards reaching agreement on controversial issues.
- Be willing to commit to attending most of the LAF meetings per year, and be willing to attend occasional training if necessary.
- Understand the broad principles of the Disability Discrimination Act and Equal Opportunities.

11. The appointment of a member of the Forum shall be determined by the Yorkshire Dales National Park Authority and notified to him/her in writing.

12. Members of the Forum shall be appointed for not less than one year and not more than three years.

13. A member of the Forum may resign by notice in writing to the National Park Authority.

14. The Yorkshire Dales National Park Authority shall terminate the appointment of a member of a Local Access Forum if they are satisfied that he or she has become a member of a District or County Council or National Park Authority and, as a result, regulation 4(2) of the Local Access Forms (England) Regulations 2002 is not complied with, and may terminate the appointment of a member of a Forum if:

(i) Without the consent of the Authority, he or she has been absent from all meetings of the forum during a period of one year.

(ii) He or she has a direct or indirect interest in any matter brought up for consideration at the Local Access Forum and fails to disclose it.

15. The Yorkshire Dales National Park Authority may re-appoint a person who ceases to be a member of the Local Access Forum.

The Role of the Yorkshire Dales National Park Authority in Supporting the Forum

16. The Yorkshire Dales National Park Authority supports the Local Access Forum by providing secretariat support.

17. The secretariat has the following functions:

a. Arranging a venue for LAF meetings.
b. Organising and advertising meetings.
c. Preparing the agenda and commissioning and distributing papers amongst Members of the Forum.
d. Assisting the chair in conducting meetings.
e. Producing draft minutes of meetings.
f. Reimbursing members expenses for travel, subsistence and care of dependents where appropriate.
g. Organising and providing training for members if deemed appropriate.
h. Liaising between the LAF and the appointing authority and neighbouring LAFs.

18. The Yorkshire Dales National Park Authority will also support the LAF by:

a. Communicating the LAFs advice to the relevant committees, authorities and bodies.
b. Providing on-going support and advice to the LAF and its members.
c. Promoting the LAFs work through press releases and on it's website.

Agenda Items and Annual Report

19. Where practicable a draft agenda will be circulated, by the Secretary, in advance of a Forum meeting.

20. Any Member of the Forum can place items on the Forum's agenda following agreement with the Chair and Secretary.

21. The LAF will produce an annual report at the end of each financial year, which will be published by the National Park Authority. The annual report will:

(i) Set out the occasions and issues on which the Forum has provided guidance in the preceding year, and indicate to whom advice was given.

(ii) Include such information as the Forum thinks fit.

STANDARD PROCEDURES

SECTION 1: OFFICE HOLDERS

1.1 Chair and Vice Chair of the Forum

(a) The first and second items of business on the agenda for the first meeting in each calendar year shall be the election of a Chair and Vice Chair respectively for the ensuing year.

(b) No Chair or Vice Chair of the Forum shall hold the same office for more than four consecutive years (effective from 1st January 2003).

(c) The Chair will be an independent person appointed by the Forum and as such shall not also be a member of the 'appointing authority'.

(d) In the interests of balance, it is normally expected the Chair and the Vice-Chair to be drawn from members representing different categories of interest, and the Regulations require the Forum to take such steps, so far as practicable, to ensure this balance is achieved in the election of the chair and vice-chair.

1.2 Voting for Chair and Vice Chair

(a) Any candidate for the position of Chair or Vice Chair of the Forum shall be entitled to present an election address prior to the election process, the address to be either in writing (no more than one side of A4 paper) and/or verbal (to last no more than five minutes), followed by not more than five minutes of questions from the forum members. If verbal, the address will be given immediately after nominations are received and preceding the vote; if in writing, following nominations, preceding the vote and with Members allowed sufficient time to read the address.

(b) Candidates for the positions of Chair and Vice Chair of the Forum shall be openly nominated, and recorded by the Secretary. In the event of there being more than one nomination for any existing chair and vice chair will announce their intentions to stand again, if they so wish, at least 30 days before the date of the annual general meeting.

The election procedure will be as follows:

(i) all Members present and eligible to vote will be provided with a voting slip on which they will indicate the candidate of their choice;
(ii) the Secretary will collect the completed voting papers, count the votes cast for each candidate and announce the result;
(iii) in the event of no candidate having an absolute majority, the candidate with the least number of votes will be removed from the list and a further vote taken until such time as one candidate receives a majority of the votes cast.

(c) On completion of the voting process, all ballot papers will be retained by Secretary, (who is appointed by the National Park Authority), but will not be available for inspection by Members of the Forum or by the general public.

SECTION 2: MEETINGS

2.1 Meetings of the Forum

The Forum shall:

(a) In every year, the Forum shall hold at least one meeting in addition to the annual general meeting which will be held by the end of April each year.

(b) Hold additional meetings as the Forum shall decide and as may be required by legislation or other provisions of these Standard Procedures.

(c) The Chair of the Forum, in consultation with the Vice Chair and Secretary, may cause an additional meeting of the Forum to be called at any time to comply with statutory provisions, in response to requests from the Access Authority, or for any other purpose that is deemed necessary.

(d) A special meeting of the Forum may be called on the request of at least one quarter of the whole number of the Members of the Forum by notice in writing signed by them and given to the Secretary, specifying the business for which the meeting is to be called.

(e) Set up a 'task and finish' working group, or workshop, where it is considered necessary by the Forum, to look at a specific issue in more detail than is possible in the time allowed during a normal Forum meeting. Working group or workshop meetings will not normally be open to the public. A workshop will normally be available for all members of the Forum to attend. In the interests of balance, a working group is normally expected to be drawn from Forum members representing different categories of interest, so far as practicable. The working group's findings must be ratified, at a Forum meeting, before they can be seen as the 'advice' of the Forum.

2.2 Members of the Public and Public Questions at Meetings and Site Visits

(a) Meetings of the Forum are open to the public subject to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting (see paragraph 2.11).

(b) Members of the public may ask a question of the Forum in relation to any matter, within the Terms of Reference of the Forum, by the following procedure:

(i) The member of the public makes their intentions to speak known to the Secretary and Chair before the start of the meeting.
(ii) The member of the public speaks for no more than 3 minutes.

(iii) The Chair, where possible, will answer the question(s) on behalf of the Forum, and/or may invite members of the Forum to debate or comment on the question(s) asked.

(iv) Where an answer is given at the meeting the member of the public will be given the right to reply, again for not more than three minutes.

(v) Where it is not possible for the question to be answered during the meeting, the Chair will respond, in writing, to the member of the public within two weeks.

(c) Members of the public may make a statement in relation to discussion of an agenda item by prior agreement with the Chair, before the start of the meeting. This is entirely at the Chair's discretion. Where a number of individuals, or a group, wish to speak in relation to an agenda item they should agree a spokesperson who can speak on their behalf. Where the views of individuals are incompatible, the Chair may allow more than one individual to speak for or against an agenda item again this is entirely at the Chair's discretion.

(d) The procedures for determining whether a site visit is appropriate, and attendance and participation of members of the public at YDAF site visits in relation to an application for an exclusions and restriction made under the Countryside and Rights of Way Act 2000 will be considered as follows:

(i) When a site visit is proposed by the Local Access Forum, the reasons will be recorded.

(ii) The site visit will be advertised and the Authority will invite the following to the site visit:

- all Members of the Access Forum (Members who have a financial or personal interest in the application should not attend the site visit unless they are the applicant/agent or have an interest in the land, in which case if they attend they do so in a private capacity and not as a Forum member).
- the applicant/agent
- other interested parties with an interest in the land (where known)

(iii) The letter of invitation will state the reason(s) for the site visit and advise those attending that they should limit comments to those relevant to the application. The letter will advise those who wish to speak that they will have three minutes to address the Local Access Forum. Further opportunity to contribute at the site visit and subsequent meeting will be at the Chair's discretion.

(iv) The site visit will start with the Chair reading a prepared statement on the purposes and procedures of the site visit. The Chair will remind those present of the reasons for the site visit, and the need to concentrate on relevant issues.

(v) The Case Officer will explain the essence of the application and identify the key issues for Members to assess on site. The case officer will not pass comment on the merits or otherwise of the application, and will thereafter only speak when questions are directed to them.

(vi) During the site visit the applicant or agent will be given the opportunity to comment, followed by those with an interest in the land. Members of the general public will also be invited to speak (see paragraph 2.2(b)). Where a number of individuals, or a group, wish to speak for or against an application they should agree a spokesperson who can speak on their behalf. Where the views of individuals are incompatible, the Chair may allow more than one individual to speak for or against an application. Further discussion with the applicant, those with an interest in the land, and members of the public is entirely at the Chair's discretion.

(vii) Members of the Local Access Forum will have the opportunity to ask questions of any speaker during the site visit.

(vii) The Chair will seek a consensus view from Members on relevant matters of fact. Views will not be sought on the merits of the case whilst on site.

(viii) The Chair will formally close the site visit and announce the venue where the case will be considered by Members of the Local Access Forum. Further discussion with the applicant, those with an interest in the land and members of the public, at this meeting, is entirely at the Chair's discretion. However this is subject to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting (see paragraph 2.11).

(ix) An Authority officer will take notes of the key issues discussed at the site visit, and the outcome of the meeting.

2.3 Public Access to Meetings and Documents

(a) Copies of the agenda for meetings and any reports for meetings must be open to inspection by members of the public at the Authority's Head Office at least three days before the Forum meeting except:

(i) Where the meeting is convened at shorter notice, the copies of the agenda and reports must be open to inspection from the time the meeting is convened.

(ii) Where an item is added to an agenda, copies of the document adding the item and the copies of any report for the meeting relating to the item, must be open to inspection from the time the item is added to the agenda.

(b) An item of business may not be considered at a meeting unless these requirements are complied with, or by reason of special circumstances to be specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered as a matter of urgency.

(c) After the meeting of the Forum, the minutes, agenda and reports must be open to public inspection at the Authority's Head Office for at least two years after the meeting. There must also be available for inspection copies of a list of any

background papers for reports, together with a copy of any documents included on that list.

(d) The above provisions do not apply in any case where the Secretary of State or the National Park Authority has decided not to publish a consultation notice on the grounds that it is not in the public or defence interest that the information in question should be disclosed.

2.4 Minutes of the Forum

Following consultation with the chair, minutes of Forum meetings will be published, as unapproved minutes, normally within 3 weeks of the date of the meeting.

At a meeting of the Forum at which minutes of a previous meeting are submitted for approval as a correct record, the Chair shall move that those minutes be so approved. Except as may otherwise be provided for on the agenda for the meeting, no discussion shall take place upon the minutes except upon their accuracy. If no such question is raised, or as soon as all questions raised have been disposed of, the Chair shall sign the minutes.

2.5 Quorum

(a) The Quorum of the Forum shall be one third or, if that is not a whole number, the next whole number of members above that fraction. The Quorum must users" and "land management".

(b) Members of the Forum cannot appoint substitutes to represent them in their absence from meetings.

(c) If, during any meeting of the Forum the Chair, after counting the number of Members present, or reviewing the interests represented, declares that there is not a Quorum, the meeting shall stand adjourned to a date and time to be determined by the Chair.

2.6 Rules of Debate

(a) All Members shall address the Chair. If two or more Members indicate, the Chair shall call on one of them to speak first.

(b) Whenever the Chair rises during a debate, all Members shall be silent.

(c) The ruling of the Chair on points of procedure or order, and his/her interpretation of the Standard Procedures, shall be conclusive and no debate upon his/her ruling shall be allowed.

2.7 Presentation of Papers

(a) Papers may be presented to the Forum by:

(i) a Forum Member
(ii) a working group of the Forum
(iii) the Access Authority
(iv) the Highway Authority
(v) any other group/organisation at the request of the Forum or the Access Authority.

It will not be a requirement for papers to propose recommendations as the business of the forum will generally be in terms of advice to third parties (e.g. the Access Authority, the Highway Authority). This advice from the Forum will recognise majority and dissenting views when appropriate and generally strive to reach consensus.

2.8 Points of Order or Explanation

(a) A point of order shall relate only to an alleged breach of a Standard Procedure or statutory provision, and the Member shall specify the Standard Procedure or statutory provision and the way in which a Member considers it has been breached; a personal explanation shall be confined to some material part of a former speech by him/her which may appear to have been misunderstood in the present debate.

(b) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall be final and shall not be open to discussion.

2.9 Questions by Members

(a) Subject to Standard Procedure 2.11 at a meeting of the Forum, a Member may ask the Chair of the Forum any question relating to the business of the Forum.

(b) The text of any question shall be submitted in writing to Secretary not less than one working day before the meeting at which the Member proposes to ask the question, unless the Chair considers that it relates to urgent business.

2.10 Voting

(a) The Forum will strive to reach agreement and consensus at all times. Where it is not possible to reach consensus, then a vote will be cast. Except as otherwise provided by these Standard Procedures, or as shall be required by legislation, the vote shall be by show of hands.

(b) Immediately after a vote is taken at a meeting, any Member may require that there shall be recorded in the minutes of the proceedings whether that Member cast his/her vote for the question or against the question or whether he/she abstained from voting.

2.11 General Disturbance

(a) If a Member of the public interrupts the proceedings at any meeting, the Chair shall warn him/her. If he/she continues the interruption, the Chair shall order his/her removal from the room. In case of general disturbance in any part of the room open to the public, the Chair shall order that part to be cleared.

(b) If, in the opinion of the Chair, misconduct or obstruction renders the due and orderly dispatch of business impossible, the Chair, in addition to any other power vested in him/her, may, without the question being put, suspend the meeting for a period not exceeding 60 minutes.

SECTION 3: CONDUCT OF MEMBERS

3.1 Conduct of Members

(a) A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order and shall not impute motives or use offensive expressions to or about any other Member.

(b) If any Member in the opinion of the Chair misconducts himself/herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Forum, or by tedious repetition or unbecoming language, the Chair or any other Member may move "that the Member named be not further heard".

(c) If the Member named continues such misconduct after a motion under the last previous paragraph has been carried, the Chair shall either: -

(i) move "That the Member named do leave the meeting" (in which case the motion shall be put and determined without discussion); or
(ii) adjourn the meeting for a period not exceeding 60 minutes, as he/she in his/her discretion shall consider expedient.

3.2 Attendance at Meetings

(a) Every Member attending a formal or informal meeting of the Forum shall sign his/her name in the attendance book or on the sheet provided for that purpose.

(b) Notwithstanding the statutory requirements regarding attendance, if a Member is absent from meetings of the Forum for three consecutive meetings, the Secretary shall bring the failure to attend those meetings to the attention of the Member and to the Authority which appointed that Member, unless the Forum is satisfied that circumstances do not warrant that course of action.

3.3 Member Interests

(a) If any Member of the Forum has any financial or personal interest, direct or indirect in any matter brought up for consideration at a meeting of the Forum, that Member shall declare his/her interest and it shall be minuted.

(b) Failure to do so may mean that the Authority will terminate the Member's appointment.

SECTION 4: STANDARD PROCEDURE ISSUES

4.1 Interpretation of Standard Procedures

The ruling of the Chair as to the interpretation or application of any of these Standard Procedures, or as to any proceedings of the Forum, shall be final and shall not be challenged at any meeting of the Forum.

4.2 Suspension of Standard Procedures

(a) Subject to paragraph (b) of this Standard Procedure, any of the preceding Standard Procedures may be suspended (by a majority vote) so far as regards any business at the meeting where its suspension is moved.

(b) The preceding Standard Procedures cannot be suspended unless at least one-half of the whole number of the Members of the Forum are present.

(c) Any changes to the Standard Procedures shall require a majority of two thirds of those members present and voting.

Item No. 9

Yorkshire Dales Access Forum – 17 January 2006

A Recreation Charter For The Yorkshire Dales

Purpose of the Report

To inform members of the progress made on conducting an audit of recreational opportunities in the National Park, and to request input from members on the draft recreational charter for the National Park.

The Best Value Performance Plan 2005/06 states "Through consultation with the YDAF and user groups produce a 'recreational charter' for the Yorkshire Dales".

Background

The action identified in the Best Value Performance Plan 2005/06 was recommended by the Best Value review of the Authority's second purpose.

Members will recall that the 'recreation charter' was brought to members' attention at the October meeting together with a request for help in compiling an audit of recreational activity in the National Park. I would like to thank members for their help with this work.

The audit of recreational opportunities

A number of GIS layers have now been produced from the information received which provide a visual record of the current situation. The layers so far produced show the following information:

- Public rights of way
- Climbing sites
- Main caving sites
- Gorge walks
- Orienteering areas
- Paragliding and hang gliding sites
- Sites used by outdoor education centres
- Routes used by mountain bikers

There is still work to be done with the main outstanding areas being:

- Routes used by horse riders and carriage drivers
- The most commonly used angling locations
- Sites for water-based recreation including canoeing, kayaking and sailing

The charter for recreational activity

I have attached a draft of a 'recreational charter' which should be regarded as a starting point only, offering a framework and a few ideas to stimulate discussion.

I have taken ideas from the Countryside Code and the Scottish Outdoor Access Code and where possible tried to make them appropriate to our local situation.

Conclusion

That members note the progress made on producing an audit of recreational activity.

To request members help to develop the charter into a document that fits the needs of outdoor recreation users, farmers and landowners as well as taking account of National Park purposes.

MARK ALLUM
ACCESS OFFICER PROJECTS

6th January 2006

A RECEATION CHARTER FOR THE YORKSHIRE DALES

The Yorkshire Dales National Park offers great opportunities for outdoor recreation which can improve peoples' quality of life, their health and lead to increased awareness and enjoyment of the Park.

Opportunities for enjoyment

The National Park offers many opportunities for recreation through:

Public rights of way. The Yorkshire Dales National Park has an extensive network of public rights of way ranging from valley bottom paths through to high moorland crossings. Currently there are 1428km of footpath, 625km of bridleway and 31km of byway open to all traffic.

Other paths and tracks. Many other paths and tracks exist, including unsurfaced county roads and moorland access tracks. Some of these have been regularly used by the public for many years although the exact type of access rights are uncertain, and others are on new access land and so can be used by those on foot and wheelchair, whilst others are private paths and have no permitted access.

Open access land. 62% of the Yorkshire Dales are now accessible for recreation on foot as a result of the Countryside and Rights of Way Act 2000, access agreements and dedication of land for public use. The Act gives people the right to walk freely on designated access land without having to stay on rights of way.

Lakes and rivers. The Dales has a number of lakes, reservoirs and rivers which offer opportunities for sailing and canoeing. There is no recognised right of access to a number of these sites although agreements are in place on some, and others have a history of tolerated use rather than formal agreement.

Air space. A number of sites in the Dales are recognised as of national significance for paragliding and hang gliding. Again some of the sites have formal agreement whilst others have a history of tolerated use.

A special place

The opportunities for recreation are one of the things that make the National Park a special place, but with those opportunities come responsibilities both for the public and land owners. As a user, you need to exercise common sense and take responsibility for your own actions, respecting the interests of others and caring for the environment.

Taking responsibility for your actions

The outdoors is a great place to enjoy but it's also a working environment and has many natural hazards. Make sure you are aware of these and act safely, follow any reasonable advice and respect the needs of other people enjoying or working in the outdoors.

Respect private land

On foot or by wheelchair you can access mapped open country and common land. Access to lower lying farmland, buildings, parks and gardens, active quarries, golf courses,

railways, or land within 20 metres of a house or building containing livestock within mapped areas is not included.

Riding a horse, cycling or driving a motor vehicle can only take place on the appropriate rights of way, and you should ensure you are familiar with the signs and symbols used.

Help farmers, landowners and others to work safely and effectively.
You can help farmers and landowners by:

- Leaving gates as you find them
- Not blocking or obstructing an entrance or track
- Leaving machinery and livestock alone
- Using local advice to check on restrictions to access that may apply
- Not damaging fences or walls

Care for the environment
The scenic beauty and natural environment of the Yorkshire Dales contributes greatly to people's quality of life and health. It is important that you:

- Follow any reasonable advice and information
- Take your litter home
- Treat places with care leaving them as you find them
- Do not recklessly disturb or intentionally damage wildlife or historic places or features
- Consider leaving your car at home by lift sharing or using public transport or cycling. You can find out more on www.traveldales.org.uk or from any National Park Centre.

Whatever your activity keep your dog under proper control
The Dales is an important habitat for many species of ground nesting birds and it is important to minimise disturbance during the breeding season (1st March to 31st July). You must keep your dog on a short lead during this period when on access land, and try to avoid birds on the ground.

When in a field with other animals your dog needs to be on a lead at all times of the year. However, if cattle react aggressively to your dog then let go of it immediately and take the safest route out of the field.

On public rights of way you need to have your dog under close control which will mean a lead if you can not rely on its obedience.

Dog mess is unpleasant and you should clear up after your dog in any place where it is likely to cause concern to other people.

Take extra care if you are organising a group, a large scale event or are running a business.
Large scale and organised events can cause disturbance to local communities and place extra responsibilities on those organising them to ensure that every effort is taken not to damage the area or cause inconvenience to others. Organisers need to ask themselves if it is the right use, at the right level, in the right place and at the right time of year. Advice is available through the National Park's ranger service.

If you are a farmer, landowner or manager you should think about the needs of people enjoying the outdoors.

Respect access rights
Most people visiting the countryside want to follow a visible route, prefer using proper access points, and generally want to do the right thing. You can help by keeping rights of way clear and not obstructing peoples' entry onto access land. This includes the placement of misleading signs.

Keeping paths, boundaries, waymarks, signs, gates and stiles in good order will help manage access over your land.

Animals likely to attack visitors should not be allowed to roam freely where the public has access, and you may be liable for any resulting harm.

Work with the National Park Authority and other bodies to help integrate access and land management
Showing people that they are welcome will help you successfully manage access over your land and help care for the environment. Contact the local Area Ranger if you want any help or advice from the National Park Authority.

Consider whether improving access will impact on your land management. For instance replacing stiles with gates, or allowing access for horse riders and cyclists as well as walkers.

Further information and advice

For further local information on rights of way issues you can contact the relevant Area Ranger:

James Lamb	Swaledale	01748 884060
Matt Neale	Upper Wensleydale	01969 666220
Nigel Metcalfe	Lower Wensleydale	01969 662913
Cumbria	Paul Wilkinson	015396 22081
Upper Wharfedale	Kate Hilditch	01756 751637
Lower Wharfedale	Phil Richards	01756 751652
Malhamdale	Cat Kilner	01969 652383
Ribblesdale	Steve Hastie	01729 825189

Events organisers initially contact:

Mark Allum	Access Projects Officer	01756 751626

Land Managers can gain additional advice from:
National Farmers Union
CLA
Moorland Association

Information on specific activities can be gained from the governing bodies:
British Mountaineering Council www.thebmc.co.uk

CTC	www.ctc.org.uk
International Mountain Bike Association	www.imba-uk.com
Ramblers Association	www.ramblers.org.uk
British Canoe Union	www.bcu.org.uk
National Caving Association	www.nca.org.uk
LARA	www.laragb.org
Trail Riders Fellowship	www.trf.org.uk
Hang gliding and para gliding	www.bhpa.co.uk
Fell Runners Association	www.fellrunner.org.uk
British Orienteering Federation	www.britishorienteering.org.uk

Useful websites

The National Park Authority site is www.yorkshiredales.org.uk
For information on travelling to and around the area www.traveldales.org.uk
For information on road cycling and touring www.cyclethedales.org.uk
For information on mountain biking www.mtbthedales.org.uk

Item No. 10

Yorkshire Dales Access Forum – 17 January 2006

Regional Local Access Forum Event, 14 November 2005, Stanley House, Mellor

Summary

On 14 November 2005 the Cumbria Local Access Forum hosted the above event, which was arranged by the Cumbria LAF in association with the Countryside Agency.

Background

This event resulted from a specific invitation made by the Cumbria LAF to Alun Michael, Minister for Rural Affairs, Landscape and Biodiversity during 2004.

The Cumbria LAF invitation was reinforced by other Local Access Forum responses to Mr Michael's letter of 1 Sept. 2004 seeking to know the health of LAFs and what further guidance, support and information LAFs required.

In association with the Countryside Agency, it had been agreed that when bringing together representatives of as many North West and North East Region LAFs to hear a presentation from the Minister, it would be a good opportunity for networking between the forums.

By the time that the Minister was free to attend such an event there had been a reshuffle and Mr Jim Knight was the Minister for Rural Affairs, Landscape and Biodiversity.

Jon Beavan, Veronica Boulton and Rachel Mozley attended for the Yorkshire Dales LAF. Geoff Wilson also attended, but on this occasion was listed as representing the Lake District LAF.

REPORT

The day was chaired by Duncan Graham, Chairman of the Cumbria LAF.

Approximately 90 representatives from 14 LAFs, DEFRA, Countryside Agency and Government Office North West were present.

Ken Taylor of Asken Ltd. made a presentation on the 2005 review of local access forums research. The highlights from the research, by my assessment, are that:
+ LAFs are underused by some authorities and overburdened with peripheral matters by others.
+ LAFs should assert their position, be proactive in influencing their

Appointing Authority and others,
+ LAFs must look for ways in becoming involved in developing / promoting access.

John Bevan, Vice Chairman of the Cumbria LAF gave an excellent presentation on the work of the Cumbria LAF, some of the challenges they had met and some of their victories to date.

Tayo Adebowale, a member of the Board of the Countryside Agency presented an update on the emergence of Natural England, the new integrated agency, comprising all of English Nature (EN), the landscape, access and recreation elements of the Countryside Agency (CA), and the environmental land management functions of the Rural Development Service (RDS).

She said “The establishment of a single independent statutory organisation championing integrated resource management, nature conservation, biodiversity, landscape, access and recreation is a significant step forward, building on the world-class strengths and scientific and other expertise of the existing organisations”.

“Pending its formal establishment by January 2007, subject to Parliamentary agreement on the Natural Environment and Rural Communities Bill, the constituent bodies that are to form the new agency will, from 1 April 2005, operate as a confederation of partners. They will work together under a common overarching vision and purpose to deliver real change for the environment and for customers”.

Just before lunch the Minister arrived, gave a speech that emphasised the high cost of implementing Open Access, quashed any ideas that the same process will be applied to coast by indicating that access to coast is likely to be linear or by dedication rather than “open”, and stressed the pressure that he was / is under to regulate recreational motor vehicle use of the countryside as part of the NERC Bill.

Either himself or through his aides present, he answered a few written questions. Other answers to written questions were available in writing after the event.

The early afternoon session was a series of four workshops looking at various aspects of LAF functions. Three of them were judged to be rather poorly convened and presented.

The final session was a quite brief final questions and answer session with a panel consisting mainly of DEFRA and Countryside Agency Officers. This would have been more useful had more time been available.

CONCLUSION

It is clear that there is a wide range of quality of local access forums, even across our own region. I think that the characteristics that emerged from the forums that are successful, in the way that the our own LAF (and Cumbria's and the Lake District's also is), it is that success depends on personalities and not structures, an independent partnership approach by the LAF, and on a willingness by the Appointing Authority to embrace their LAF, regard it as a valuable tool, and respect its independence.

Partly as a result of points made at this networking day Defra and the Countryside Agency have decided to host a workshop on 8 February in Bristol to bring together a number of LAF representatives to assist in the production of revised Guidance to LAFs and appointing authorities, and a generic information pack for LAF members.

The written questions posed to the Minister and the written replies are attached at Appendix 1.

Jon Beavan
4 January 2006

Appendix 1:

**Question & Answer Session with Jim Knight,
Minister for Rural Affairs, Landscape and Biodiversity,
at the Local Access Forums Event in the North West 14
November 2005**

Written answers to the Questions submitted in advance

1. Funding for Access Management (West Yorkshire Pennine LAF):-
Q. There has been no announcement yet of funding provisions for work on CRoW Act Access Land after the initial 3 year 'setting-up' period. There is a conviction in many Access Authorities that these areas will need ongoing management, maintenance and monitoring provisions in the same way that other forms of access do (and even more so in SSSI/ SPA areas). These have cost implications. The issue has been raised before and Defra / Countryside Agency had cost figures produced for them by consultants.

It seems that National Parks may well have had something added to their base budgets to cover this, but there is no indication yet of any Central Government funding for other Access Authorities. May we know if appropriate allocations will be forthcoming?

ANSWER :

• We have given access authorities the legal powers to manage access on CRoW access land, and Defra has provided short-term funding, through the Access Management Grant Scheme, to encourage them to use these powers. The scheme runs for three years in total, with each authority invited to participate during the first two years in which it has access land to manage. The funding is due to end in the North West in March 2006.
• The Grant Scheme has achieved a lot, and the Countryside Agency has been asked to review its success and to advise Defra on whether there would be benefit in extending it for a third - and final - year in each authority. The Agency have been asked to submit advice to Defra by the end of January, so that a
decision can be taken on continuation of the Scheme as soon as possible.
• On-going management costs in the future should be much lower than the initial start-up costs, but as part of their review the Agency will talk to access authorities and local access forums about the likely levels of future access management work, and the possible options for meeting any associated costs.

2. Implementation & funding of Rights of Way Improvement Plans (ROWIPs) (Cumbria Local Access Forum)

Q. Access Authorities are not obliged by law to implement any ROWIP. How will Access Authorities be encouraged to implement such plans and where will the funding come from ?
ANSWER :

• Our main priority in the first instance must be to ensure that every authority actually produces a good ROWIP. This is where Defra and the Countryside Agency have been concentrating their efforts up until recently. But we are beginning to look at ways we can encourage implementation. The Countryside Agency have provided match funding this year to kick start some of the projects coming out of the first ROWIPs, and they will be looking at how they can expand this in future years.
• In addition we are funding a research programme this year aimed at producing a toolkit for authorities which will help them to cost the economic and social benefits of rights of way. This will enable authorities to prepare robust proposals and help rights of way officers to secure internal and external funding.
• Money is always an issue and it was never the Government's intention to fund implementation of all ROWIPs. Local authorities will need to be creative in sourcing funding. There are a number of opportunities out there and the Agency and ourselves have provided guidance on where to start.
• Early indications are that authorities are up to the challenge. The first authorities to complete their ROWIPs are now looking at how they will implement their action plans.
• LAFs will have an important role in keeping authorities to the commitments that they make in their ROWIPs, and I would expect you to start asking difficult questions if you think your authority's plan is gathering dust on a shelf.

3. Funding for Walk to Health Schemes (Blackpool LAF)
Q. Will there be Government Funding available for Walk to Health Schemes, which
Blackpool are keen to initiate around the new cardiac unit ?
• The Countryside Agency has successfully run a programme to develop healthy Walking in England over the last 5 years. They have developed a package of support (training, insurance, accreditation, evaluation, publicity materials and equipment) to enable sustainable led health walks to be developed.
• The Agency does not at present have any new grant funding to offer groups, but can offer advice on setting up schemes and accessing the support package at a regional level.
• In the North West a successful 'Active England' project has enabled the employment of walking coordinators by County, to support the development of local projects and to direct people to suitable funding sources locally. (Contact the Agency's office in Manchester for further information).

4. Various Questions (Greater Manchester Pennine Fringe LAF)
Q(a) Please could Local Authorities and National Parks publish lists of Access Points (i.e. place names with grid references ?). This information could easily be added to the leaflets which they already distribute to show the public where the access land is.
ANSWER :

• OS Explorer Maps do show access information points, but there are practicable difficulties with showing access points (because of their number and changeable nature). However, the Countryside Agency is reviewing access signage and information issues and will be making recommendations on how useful
information can be consistently collected and presented on OS Maps in future.
• Access authorities can recommend the public use access points, and can publicise them in the most appropriate ways.
• The need for, and the location of, access points, and how best to publicise them, are the types of issue where your local knowledge can come in useful. If you think that access authorities need to take action, please advise them accordingly.

Q(b) Who should service LAFs ?:

ANSWER :

• Local highway authorities, or where relevant National Park Authorities, are 'appointing authorities' under the CRoW Act. It is their responsibility to provide administrative support to their local access forum. Authorities and forums will also need to develop and agree good partnership arrangements - but the precise details will always differ according to local circumstances.
• Both Defra and the Countryside Agency are also keen to support the work of forums, such as through provision of guidance and support for events.

Q(c) How is national information brought to the attention of a LAF ?

ANSWER :

• Effective - and better two-way - communication is one of the issues which Defra and the Agency are looking to improve as part of an Action Plan to support and develop the work of forums.
• Defra often e-mails relevant information directly to all LAF Secretaries for onward transmission to members, whilst the Countryside Agency cascades information through its regional offices and the LAF regional co-ordinators (who are usually highway authority officers).

Q(d) Is the minister aware of progress on ROWIPs ?

ANSWER :

• Yes. We asked authorities to provide a ROWIP progress report with their Local Transport Plan in July.
• The majority of local highway authorities (68 out of 82) had started preparing their ROWIP, but the level of progress varies greatly.
• The results of the analysis we undertook of the ROWIP progress reports is to be published on the Defra website shortly.

Q(e) Is he aware that some Highway Auth. have not yet started to prepare plans?

ANSWER :

• Yes. According to the information that came in with LTPs earlier this year there are around 13 authorities who have not yet begun their ROWIP.
• These authorities still have time to complete a ROWIP by the deadline of November 2007, and we have asked the Agency to look at ways that we can target them. Offering help and support to get them on track.

Q(f) Is he aware that LAF's have no authority to obtain info from HAs and that they are being ignored and are not being consulted ?

ANSWER :

• The consultants working for the Countryside Agency found that experience varied greatly across the country, but that 32% of LAF members who responded to the survey felt that LAF advice was not taken into account by the appointing authority.
• As forums continue to develop I hope that the quality of forum's advice will be appreciated by decision-makers and that your influence will grow accordingly. Defra and the Countryside Agency are keen to help that process along, and I would welcome your thoughts on how to best we could do that.
• Although decision-makers are not obliged to accept forum advice, it is important that you receive feedback when advice has not been followed, so that you understand the reasons why.

Q(g) Have HAs been given any finance to assist their production of ROWIPs ?

ANSWER :

• Yes. The Government has fully funded all of the new burdens imposed on local authorities by the CRoW Act. But the money was not ring fenced so I can not tell you how much money each authority received in their annual settlement for these new duties.
• No money was provided as part of the settlement to implement ROWIPs. Local authorities are expected to fund improvements through existing resources, and where this was not possible to look at external sources of funding.
• Putting together funding partnerships and securing outside investment is not something that rights of way officers have traditionally needed to do. To help them gain confidence in doing this, and to show what can be achieved with a bit of imagination the Countryside Agency have awarded grants in this financial year of around £30,000 per region to get one or two projects identified in ROWIPs which have been, or are nearing completion, off the

ground. This is matched funding so authorities have needed to be innovative in putting together partnerships where projects will help to deliver common goals such as healthier and stronger communities.

• The Agency will be looking at whether this funding should continue over the next couple of years to help those authorities who are further behind, and have not yet got to the stage of preparing a statement of action, to kick-start the implementation process.

Q(h) Is he aware that Local Transport Plans have taken priory over ROWIPs and will influence ROWIPs ?

• Provisional LTPs had to be with the Department for Transport by the end of July. ROWIPs do not need to be completed until November 2007, so it is natural that authorities will wish to give them priority.
• I do not see any problem with LTPs influencing ROWIPs and visa versa, where they share common goals.
• But ROWIPs are not a just a vehicle for delivering more sustainable transport and I would not expect authorities to write ROWIPs purely as bidding documents to get LTP funding.
• We have set out in statutory guidance to local authorities how they should go about preparing a ROWIP and I expect them to follow this.

Q(i) Is the Minister aware that some HAs are deciding their financial capabilities and then preparing ROWIPs to match this finance ?

• No. But I can see there would be a temptation to do this.
• ROWIPs are supposed to be aspirational documents, which assess how present and likely future needs of the public can be met. Once you have identified a need you then you set about looking at ways of meeting it and ultimately how you can finance it. Not the other way around !

Q(j) We would like to see all-embracing plans, as they are going to be reviewed in 10 years. If the current long-winded legislation is not fast tracked how will any changes be made to ROWs ?

This question could relate to different issues :

• If the question is: should we be looking at wider "Public Access Plans" rather than "ROWIPs" then I think the answer is yes. Some authorities are already going down this road and we need to do some thinking about where we go from here.
• If the question is: "should plans be reviewed more than every ten years", then the answer is also yes. There is nothing currently stopping authorities from doing this. The legislation simply says they should be reviewed within 10 years.

• ROWIPs should be living documents, and not something you take down off the shelf every ten years and dust off.
• To assist in the integration of LTPs and ROWIPs we will be looking at what guidance we need to give local authorities to bring the two timetables together. (The LTP timetable is 2005 and every five years thereafter). This will probably mean that ROWIPs will be reviewed every 5 years after 2010 to bring them into line with LTPs.

Q(k) Will land -owners be compensated when new ROWs are introduced ?

• There are no special provisions relating to new rights of ways created to deliver objectives identified in the ROWIP. The existing procedures for compensation relating to creation orders would apply.
• So, yes, there might be circumstances where compensation might be appropriate.

5. Liaison with Sport England (Northumberland National Park LAF)
Q. How does the Minister see Local Access Forums working in partnership with Sport England and at what level would this be carried out ?

• Sport England and local access forums are both concerned with open-air recreation, and closer working can produce better-informed decisions.
• In April, Alun Michael and Richard Caborn, wrote to the Regional Sports Boards - which have been set up by Sport England - and to local access forums, suggesting they collaborate on common areas of work.
• I have received little feedback on whether discussions have commenced yet or on whether they are proving worthwhile.
• I would be interested in your views on whether you think better links should be made with Sport England and the Regional Sports Boards, and if so whether you think more specific or detailed guidance from Defra would be helpful ?

6. Access to woodland and waterways (Lake District LAF)
Q(a) How far does the Government wish to go with opening access to woodland and waterways ?

• Both Woodland and waterways can provide additional and attractive access opportunities. However, when the statutory right of access was introduced under the CRoW Act, we decided that this was not a sensible way to extend access to woodland and waterways. I am keen to see access extended to both
types of land in other ways.

• In particular, Section 16 of the CRoW Act enables landowners to voluntarily dedicate land for public access. This land then becomes access land and the same rules apply as for mapped access. A dedication cannot be revoked - the land remains access land in perpetuity or, where applicable, for the duration of a long lease.

• It is still early days but dedication is already making a difference. For example, the Forestry Commission has dedicated 129,000 hectares of woodland and a private landowner has followed suite with three woods in Shropshire (totalling 68 hectares). The Environment Agency is also using dedication as a way to improve access to water: On the River Mersey they have helped 4 golf clubs to dedicate 61/2 km of river for use by canoeists.

Q(b) How will assessments be made and by whom to establish if a woodland or riverside site is capable of having access without detriment to wildlife and the needs of different users ?

• Landowners can allow permissive access to their land at any time. However, where landowners dedicate land under Section 16 of the CROW Act, the right of access does not legally take effect for 6 months. This allows time for the relevant authorities to consult English Nature on whether any access management measures or restrictions are required to protect wildlife. The Above Questions were submitted to the Minister, although there was not time for a discussion on all of them.

Any further comments or queries can be raised with Geoff Audcent at Defra (e-mail geoff.audcent@defra.gsi.gov.uk)

Item No. 11

Yorkshire Dales Access Forum – 17 January 2006

Cumbria Access Strategy and Rights of Way Improvement Plan

Summary

This report updates members on the state of progress of the Cumbria Rights of way Improvement Plan, and reminds members that suggestions for action in the plan must be submitted by 28 February 2006.

Proposal that forum members:	***Receive a report on the progress of development of the Cumbria Rights of Way Improvement Plan as it relates particularly to the YDNP, and to make recommendations concerning input to Phase 2 Suggestions for Actions.***

Background

The Cumbria Countryside Access Strategy (CCAS) has been adopted by all three access authorities in Cumbria. This strategy sets out a framework for Rights of Way Improvement planning in Cumbria. There is to be a single ROWIP for Cumbria, and it is expected that it will contain a separate Statement of Action for each access authority area.

The Cumbria Access Strategy can be reached directly at http://www.cumbria.gov.uk/eLibrary/view.asp?ID=11316

To help make the assessments needed for Part 1 of the Cumbria ROWIP, Cumbria CC and the LDNPA commissioned Faber Maunsell to identify key audiences and research their needs and preferences for countryside recreation (Phase 1). The YDAF was invited to participate in this process and the Chairman and Geoff Wilson represented the forum, along with officers of the authority, at workshops.

Faber Maunsel were then contracted to create a process (Phase 2) by which the project could be prioritised for inclusion in the ROWIP's Part 2, Statement of Action. Again the YDLAF and authority officers were fully involved in the workshops set up to inform this process. This has resulted in a prioritisation mechanism to assist in deciding which projects are most beneficial and in a template for people to submit their ideas for actions in a uniform way.

REPORT

The Cumbria Countryside Access Strategy Phase 1 Needs & Preferences report has now been published and interested parties have been invited to submit "suggestions for actions" for the Cumbria RoWIP by 28 February 2006.

Details about the Cumbria Countryside Access Strategy, ROWIP and Suggestions for Action form can be reached via http://www.cumbria.gov.uk/discovercumbria/cumbriaaccessstrategy.asp.

Abi Mansley, new CCC Countryside Integrated Access Planning Officer, has been supplied with contact details for all members of the YALAF so that members may be sent personal copies of all material (not sure if this has happened).

Arrangements have been put in place for all information on the Cumbria ROWIP and Suggestions for Action forms to be placed on the YDNPA web-site.

Any actions that arise from the YDNP Area Actions programme in the three Cumbria parishes that lie within the YDNP will be fed into the Cumbria RoWIP Actions programme as appropriate.

The present schedule for the production of the Cumbria ROWIP is as follows:

CUMBRIA RIGHTS OF WAY IMPROVEMENT PLANNING - MILESTONES

No	Milestone Name	Planned Baseline Date	Replanned or Completion Date
1	Cumbria Countryside Access Strategy adopted	31 July 2005	31 July 2005
2	Research contract into needs and preferences let	9 June 2005	9 June 2005
3	Phase I Report (needs and preferences) published	31 Aug 2005	7 Sep 2005
4	Phase II Report (prioritisation) published	11 Nov 2005	30 Nov 2005
5	Template available on paper and web for project ideas input	30 Nov 2005	30 Nov 2005
6	Project ideas garnered and collated	28 Feb 2006	
7	Three ROWIP assessments made	28 Feb 2006	
8	ROWIP Part I and II published for consultation	30 Sep 2006	
9	One to one consultation with partners	28 Feb 2007	
10	Adoption of ROWIP	31 Mar 2007	

Author: Geoff Wilson
Date Written: 5 January 2006

Item No.12

Yorkshire Dales Access Forum – 17 January 2006

Secretary's Report

Purpose of the Report

The following report brings together, in one place, a collection of items for Members consideration and information.

Items covered within this report are:

Rights of Way Improvement Plan up date
- Cumbria County Council
- North Yorkshire County Council

CRoW Open Access Update
- Monitoring of Open Access Land
- Dedication of Open Access Land
- CRoW Signage
- CRoW Restrictions

National Park Authority up-date
- National Park Management Plan
- Management of Green Lanes
- Access Committee Dates and Venues
- Website

Rights of Way Improvement Plans (ROWIP) up-date

Both North Yorkshire and Cumbria County Councils are following the Government's statutory guidance on ROWIPs but are approaching the issue differently to-date. The guidance asks that an 'adequacy' assessment is completed and that improvements identified are 'prioritised'.

Cumbria

A number of LAF workshops have been held looking at the adequacy of the rights of way network and agreeing a system for prioritising of improvements. Cumbria are now seeking rights of way 'improvements' and have issued a pro-forma (available through YDNPA, website) for members of the public to complete and return to the Cumbria County Council access officer. Deadline **for comments and suggestions is 28 February 2006**.

For further information please contact Andy Ryland andy.ryland@yorkshirdales.org.uk or Abigail Mansley abigail.mansley@cumbriacc.gov.uk at Cumbria County Council.

North Yorkshire

North Yorkshire has completed a draft adequacy assessment which has taken in to account a wide ranging consultation exercise to identify potential improvements, including the Authority's 'Area Actions' and discussions with National Park Authority Rangers. Comments on the Draft Adequacy Statement will be pulled together and included in the draft ROWIP for North Yorkshire. Members of the Yorkshire Dales Access Forum have had an opportunity to comment on the draft Adequacy Statement at a workshop held on the 19th of December meeting.

A meeting will be held on the 9th of January which will include discussion on the prioritisation of rights of way improvements and other items to be included in the full Rights of Way Improvement Plan including: promoting the network, local management issues, education & training, the needs of different users including horse & carriage users and lawful vehicular users**.**

Proposed Timescale for NYCC ROWIP

- Comments on draft Assessment of the Rights of Way Network
- Consultation on Draft ROWIP July to October 2006
- Production of ROWIP Jan 2007
- Adoption of ROWIP by NYCC YDNPA and NYMNPA Spring 2007

For further information please contact Andy Ryland andy.ryland@yorkshirdales.org.uk or Angela Flowers at North Yorkshire County Council.

CRoW Act Part I

CRoW Restrictions

There have been no applications for long term restrictions since the LAF meeting in November 2005.

A meeting was held in November with the local rep of the Moorland Association, and it is expected that many grouse moor owners will be, once again, using their 28 day discretionary restrictions in May and June this year, during the bird breeding season.

Perception and Monitoring of Use of Open Access Land

The National Park Authority is finalising two reports looking at the use and impact of the new open access rights. The first is a review of data gathered through the access duties carried out over the summer and looks at the number of people and dogs observed on or near open access land, and whether they were using public rights of way, other tracks, or were wandering over open moorland. This review also looks at the possible impact on the sites identified with English Nature as potentially vulnerable to increased numbers of visitors.

The second report gives the findings of a Park wide questionnaire survey. This looks peoples knowledge and use of open access and the new rights and responsibilities.

Demographic information was included so that levels of knowledge are assessed against where people come from and the activities they are involved with.

The results have also been reported to a National CRoW monitoring group meeting held in December 2005. This meeting also gave details of the other surveys and data being gathered on a national basis and what survey work would be carried out in the future.

For further Information please contact Mark Allum mark.allum@yorkshiredales.org.uk.

Dedication of land under CRoW Act section 16

Defra have now given the go ahead to the Countryside Agency for a £1.2 million project to encourage landowners to voluntary dedicate access to areas of land for a wide range of users. The purpose of the project is to investigate, nationally and locally, the steps that can be taken to promote and encourage dedication. The three year project will also investigate landowner motivations and concerns, and will work with local authorities, landowners and other local partners to secure dedications on the ground. A project officer will be employed in each of three 'demonstration' project areas, working with local partners to identify opportunities for dedication in places where they are most needed and for a wide range of users.

Briefing information about the project has been circulated widely by the Agency to relevant external stakeholders. Information is also being sent to NCAF members.

For further Information please look on the Countryside Agency website or contact Rachel Mozley

Review of CRoW Act signage and local information on open access land

In August 2004, the Countryside Agency issued the guidance 'Signs on access land in England' to access authorities and landowners, dealing with signage and information about open access at the local level. This is the guidance the Authority used to develop its own local signing strategy. Now that the right of access is commenced the Agency is reviewing whether signs and messages about open access are meeting the needs of the public. The National Signage Working Group, consisting of the key national stakeholders, including ANPA, has been reconvened and discussions have taken place with a number of access authorities, including the Yorkshire Dales National Park Authority. The Agency is also sending out a questionnaire to access authorities and to local access forums, seeking feedback on the main issues, which will be complemented by user surveys on site. This data will be analysed during February 2006 and it is anticipated that if new guidance is required this will be available from April 2006.

For further Information please look on the Countryside Agency website or contact Rachel Mozley

National Park Authority Up-Date

National Park Management Plan

In March 2005 the National Park Authority decided to set up a small Steering Group to oversee the Management Plan review process and to establish specialist Drafting Groups to draw up initial proposals for each of the Plan's seven themes. All of the Drafting Groups met at least once in late summer/ autumn to consider the aims and principles for their respective themes and to identify the issues needing to be addressed by the Plan.

A meeting of the Steering Group in December considered and commented on the reports each group had produced. The Group also considered a draft paper defining the 'special qualities' of the National Park. These will be included in the final Plan. The definition will be used by the Drafting Group, when they meet during January, for their next task of drafting out objectives for their themes.

A joint meeting of all Steering and Drafting Group members will be held in early March to discuss the objectives produced and consider those topics that cut across themes. Following the meeting a draft Plan will be worked up for approval by the Steering Group before being circulated widely for comment. Further meetings will follow from which the final Plan will be produced. If the timetable runs smoothly we hope this can be published by late summer.

This is a review of the existing Management Plan; we're not starting from scratch. Even so, the arrangements we've adopted aim to involve fully key stakeholders throughout the process. This is essential, as the effectiveness of the Plan, at the end of the day, will depend on shared ownership and the commitment of many partners to the Plan's objectives.

Management of Green Lanes working group

Following the recent amendment to the NERC bill, which will give the National Park Authority new powers and has implications for by way claims, an Authority Member/Officer working group including a representative of the YDAF has been established to look at the management of green lanes in the National Park. The remit of the group is to look at the use of green lanes, management options, and implications of the proposed changes to the legislation. The first meeting, held in December, considered the broad issues surrounding use of green lanes in the National Park, and how stakeholders, including the LAF, would be engaged in the process of deciding their future management. The group is expected to meet approximately three times this year, with the next meeting to be arranged for March/April.

The first meeting was attended by Ben Heyes, as LAF representative, however the LAF needs to formally appoint a representative to this group.

Access Committee Dates and Venues

Date	Venue	Time
2 February	Grassington Town Hall	10.45
11 May	Northern Office, Bainbridge	10.45
10 August	Grassington Town Hall	10.45
9 November	Northern Office, Bainbridge	10.45

The agenda items for the next Access Committee on 2 February are expected to be:

Standard items

- Head of Park Management report
- Definitive Map Team quarterly report
- NB no report on CRoW Restrictions

Other

- Public Rights of Way Delegation Agreements with County Councils
- Annual progress review of the Integrated Access Strategy
- 95 Alive - Road Safety Strategy (NYCC)
- An Advisory Road Hierarchy for the Yorkshire Dales
- The Review of Contracted Bus Services - Consultation from NYCC

LAF Minutes:

- unapproved minutes 17th Jan 06
- Approved minutes Nov 05

Any member of the Yorkshire Dales Access Forum can attend the Access Committee as a member of the public.

Please contact Rachel Mozley for a copy of the agenda and supporting papers.

Website

The YDNPA Communications Team has been working on the new Authority website.

The site went live on the 20th of December 2005 and you can now see the new site at www.yorkshiredales.org.uk.

The site has been developed as part of the National Parks portal project (www.nationalparks.gov.uk) and it should help us to meet a number of our IEG (Implementing Electronic Government) requirements.

This site replaces the old Authority website . One of the big advantages of the new site is that we can now upload new content/amend existing content etc in-house. This means that YDAF agendas and supporting papers will now be on the website in advance of the meetings. If you have any ideas of further information that could be displayed, please let Rachel Mozley know.