

# North York Moors National Park

c/o Local Access Forum Secretary,  
North York Moors National Park  
The Old Vicarage, Bondgate, Helmsley, YORK  
YO62 5BP

## Annual Report 2004

### Introduction

This is the second Annual Report of the North York Moors Local Access Forum, as required by the Local Access Forums (England) Regulations 2002.

### Background

The Forum was established by the National Park Authority in September 2002. The purpose of the Forum is to advise the National Park Authority (as the appointing body) as to the improvement of public access to land in that area for the purposes of open-air recreation and the enjoyment of the area.

The National Park Authority must have regard to the advice of the Forum when carrying out its functions.

In carrying out its functions the Local Access Forum must have regard to the needs of land management, the desirability of conserving the natural beauty of the area for which it was established, including the flora, fauna and geological features of the area as well as any guidance given by the Secretary of State. The Local Access Forum is a statutory consultee on various matters including; draft maps of open country and registered common land and on rights of way improvement plans in its area.

### Membership

There are 17 Members on the Forum, six of those Members represent "users of local rights of way", six represent "owners and occupiers of access land or land over which local rights of way subsist" and five represent "any other interests especially relevant to the authority's area". Of the seventeen Members, one is nominated by Redcar and Cleveland Borough Council, one by North Yorkshire County Council and one by the North York Moors National Park Authority.

The terms of office of the following Local Access Forum Members ended on 1 November 2003: Ivan Brett, Pam Caton, Catriona Cook, Catherine Cussons, Derek Hanson and Peter Hay. The Selection Panel agreed to reappoint all these Members for a further three years. The Panel comprised of Richard Gunton (Head of Park Services), Karl Gerhardsen (Recreation and Access Officer), Helen Schroeder (Chairman of the National Park Authority) and Hawson Simpson (Chairman of the Park Services Committee).

The Members of the Forum for the period 7 October 2003 to 5 October 2004 are listed below:

**Members representing users of rights of way and access land**

Jon Ackroyd, Catriona Cook\*, Graham Jeffery\*, Peter Hay, Elizabeth Kirk and David Leyshon

**Members representing owners and occupiers of land and land crossed by rights of way**

Ivan Brett, Catherine Cussons, Brian James, Bill Miller\*, George Winn Darley and William Woods

**Members representing other interests**

Barry Atkinson, Pam Caton, Derek Hanson, Trevor Johnson and Richard Pearce

\* indicates Members nominated by a local authority.

Biographical information about each Member is available on the following website:

[www.moors.uk.net](http://www.moors.uk.net)

Members of the Forum are unpaid, although they are able to claim travel and subsistence allowances and expenses for arranging for the care of children or dependents.

George Winn-Darley was elected Chairman of the Forum and Derek Hanson Vice Chairman. Their terms of office end in October at the Annual General Meeting.

**Geographical Coverage**

The Forum covers the whole area of the North York Moors National Park.

**Dates of Meetings**

The Forum has met on the following dates:

7 October 2003

2 December 2003

3 February 2004

6 April 2004

1 June 2004

3 August 2004

**Business of the Forum**

The Agendas for all meetings are available on the website [www.moors.uk.net](http://www.moors.uk.net) approximately five days before the meeting. All meetings of the Forum are public meetings.

The main items of business are listed below, further details can be obtained by referring to the public minutes of the meeting which are available from The Secretary on 01439 770657, or by writing to her c/o The North York Moors National Park, The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP. Particular reference is made to items where the Forum agreed that advice be made to a particular body:

### **Meeting held on 7 October 2003**

Role of English Nature in the Implementation of New Open Access – David Slater of English Nature updated the Forum on the role of English Nature in the implementation of Open Access. The Forum requested English Nature to contact landowners when conducting their surveys to identify vulnerable features.

Open Access Update – Members considered a report of the Open Access Officer. The Forum supported the Authority in its efforts to ensure that excepted land of all descriptions be shown on Ordnance Survey maps if possible.

Discovering Lost Ways – The Forum considered a report of the Recreation and Access Officer which informed them about the Discovering Lost Ways Project and developments within the National Park in relation to this. The Forum expressed a desire to comment on the regulations in relation to this issue when they were published.

Green Lanes – Members considered a report of the Recreation and Access Officer which informed the Forum of the current position regarding management of Green Lanes within the North York Moors National Park. The Forum recommended that officers of the National Park should aim to secure responsibility for Green Lanes from NYCC and Redcar and Cleveland Borough Council as soon as possible.

### **Meeting held on 2 December 2003**

The Role of the Local Access Forum – Members considered a report of the Head of Park Services which set out the purpose of the Forum as defined by the Countryside and Rights of Way (CroW) Act. The range of issues that the Forum might debate and advise upon were set out in the report, these included policy and practice relating to the following:

- Rights of Way Management and Maintenance: Improvement Plans, Performance Targets, Additions to and modification of the definitive map.
- Implementation of the CroW Act; Development and implementation of Access Management Plans, Response to draft and provisional maps of open country, Response to other Government/Countryside Agency consultations, Preparations for closure of the definitive map in 2026, Visitor management, Access for all, Car parking and transport.
- This is not an exhaustive list and the Forum is at liberty to discuss and advise upon any matter relating to access for public enjoyment.

The report also set out the mechanisms for reporting the advice of the Local Access Forum to the Authority.

Restrictions and Exclusions of Access under the CRow Act 2000 – Members of the Forum considered a Fact Sheet issued by DEFRA which summarised the Act; a copy of the full Regulations was available for Members. The Forum made a recommendation to the Authority in relation to dogs on moorland and that the Authority, rather than the Countryside Agency should be the first point of contact for applicants for restrictions.

Access Management Planning Update – Members of the Forum considered a report of the Open Access Officer which set out progress to date on the formation of Access Management Plans; maps were displayed at the meeting. It was agreed that the Forum would be consulted on all Access Management Plans as they were drafted.

Traffic, Transport and Car Parking Issues – the Tourism and Transport Officer provided information on the National Park Authority's policy on traffic and transport. A letter was sent on behalf of the Forum to the Strategic Rail Authority supporting the renewal of railway line between Ruswarp and Whitby. A letter was subsequently received from the Strategic Rail Authority confirming that Network Rail had announced that the final two miles of track will be renewed on the Esk Valley Railway Line between Sleights and Whitby in the near future.

The Equality Standard and Comprehensive Equality Policy – Forum Members were consulted on the National Park Authority's Policy on Equality.

#### **Meeting Held on 3 February 2004**

Countryside and Rights of Way Act 2000 – Members were updated on current developments relating to the Act including the Open Access Contact Centre (OACC) and publications due to be published by the Countryside Agency including the new Country Code, a Land Manager

Pack, Relevant Authority Guidance, Guidance on Signage and the development of a Fire Risk Forecasting system.

DEFRA Consultation on Mechanically Propelled Vehicles in the Countryside – The Forum considered the Consultation Document and the Recreation and Access Officer's report on the document. Forum Members submitted a response to the consultation document suggesting a number of amendments, the main ones are summarised below:

- The status of each route should be clarified in order to ensure that both users and the police were aware whether their use was legitimate.
- The National Park Authority's experience in relation to Rosedale Railway Line should be quoted to highlight the potential which this legislation had to simplify the process of recognising the rights of pedal cyclists.
- There was support for allowing users to continue to use historical evidence to prove their case where this was supported by modern evidence of vehicular use up to the deadline of 2026 for definitive map modifications.
- The issue of damage to routes should be balanced against the lack of investment in maintaining the routes by Highway Authorities over many years.

Update on Rights of Way issues at RAF Fylingdales – Forum Members were updated on various access issues associated with the military base.

#### **Meeting Held on 6 April 2004**

Redcar and Cleveland Borough Council Rights of Way Improvement Plans Steering Group – An officer of Redcar and Cleveland Borough Council provided some background information on the production of Rights of Way Improvement Plans for Redcar and Cleveland. It was agreed that a Member of the Forum, Barry Atkinson, should be appointed to the Steering Group.

National Park Management Plan Review and State of the Park Report 2003 – The Forum considered the State of the Park Report.

DEFRA Consultation on Regulations about Public Places – The Forum considered the consultation document and a response was sent to DEFRA. In summary, the Forum appealed for clarity if further regulations were made as proposed, as they did not wish to make an already complex set of rules more complicated for the public. In addition, the Forum considered that it was important that the public accepted responsibility for their own actions when exercising their new rights of access. The Forum supported the removal of mines and quarries from the definition of a “public place”.

Regulations about appeals against notices under Section 38 of the CroW Act 2000 – The Forum did not submit any comments on this DEFRA consultation paper.

Linear Routes – The Forum considered a report of the Recreation and Access Officer, there was some discussion about the issue of legal dedication of linear routes versus permissive routes. This issue will be reconsidered at the meeting in October.

Computerised System for Restrictions and Exclusions Applications – The Recreation and Access Officer updated the Forum on the new Open Access Contact Centre (OACC) and the need for the National Park Authority to have a system in place for dealing with applications for restrictions or exclusions by 24 November 2004.

Public Access Provided through Inheritance Tax Exemption Agreements – The Forum considered a report of the Recreation and Access Officer which advised them on the likely status of existing access land provided through Inheritance Tax Exemption Agreements when the new right of access to open country under the CroW Act commences.

#### **Meeting Held on 1 June 2004**

Determination of Local Access Forum Means of Involvement on Restrictions Applications – the Local Access Forum will be consulted by the Authority on all long term directions which the relevant authority is minded to grant within the National Park, all decisions taken by relevant authorities in the National Park will be reported on a regular basis to the Local Access Forum. A sub-committee of the Forum was formed in order to enable applications for restrictions requiring an urgent response to be considered where the scheduled meeting of the Local Access Forum did not comply with the timescale. The Membership of this sub-group was agreed as: Lady Kirk (Substitute: Peter Hay), Ivan Brett (Substitute: Bill Miller) and Barry Atkinson (Substitute: Derek Hanson).

Cycling Strategy in the National Park – The Head of Park Services updated the Forum on cycle routes proposed within the National Park. The Forum sent a letter to NYCC requesting clarification on the issue of horse riders' rights to use the new metalled cycleways and setting out the Forum's views on the surface of the new cycleways.

#### **Meeting Held on 3 August 2004**

Proposed Traffic Regulation Order Pockley Moor – Members of the Forum considered a report of the Head of Park Services. Forum Members supported the making of a permanent Traffic Regulation Order at Pockley Moor.

DEFRA Consultation on Environmental Stewardship Targeting – The Forum was appraised of the National Park's responses to the consultation in relation to access issues. The Forum sent a response to the consultation suggesting the inclusion of the following targets for Higher Level Stewardship in relation to access:

Priority 1: Provision of permissive access to create new circular routes where demand/need is identified.

Priority 2: Create or upgrade access for cyclists, horse riders and people with limited mobility in particular to bridge gaps in the PROW network.

Priority 3: Enhancement of access routes in the south west of the Park.

Priority 4: Open and linear access associated with the Cleveland Way to provide picnic areas/view points.

Priority 5: Enhancement of access links to and between CROW land.

DEFRA Consultation on Draft Circular – Members considered the draft circular. No response was made to the consultation document, however, the Forum sent a letter to the Countryside Agency regarding their new leaflet "Countryside Access and the New Rights" as there was concern about the section on "Safety and Liability" which did not mention cliffs; it was felt that this could lead to a proliferation of fences around cliffs on open access land.

North York Moors National Park Management Plan Review – Members of the Forum were consulted on the proposed revisions to the Plan, particularly in relation to Access and Recreation issues. The Forum made comments in relation to the following issues: there was a need to include reference to the use of the Park by local residents as well as visitors, specific reference should be made in the Plan to the Disability Discrimination Act, Recreation Management Objective 7 should include reference to land managers, reference should be made in the Recreation Management Section to car parking issues, monitoring of the achievement of objectives should be undertaken and published including failures as well as successes and reference should be made in the document to the formation of a Local Access Forum.

The Moorland Visitors' Code and Countryside Code – Forum Members considered the final draft of the Moorland Code and the Countryside Code.

Rights of Way Improvement Plans for NYCC – A leaflet published by NYCC was considered by the Forum. A Member of the Forum, Lady Kirk, was appointed as the Forum's representative on the NYCC Rights of Way Improvement Plan Steering Group. The NYCC Rights of Way Improvement Plan Officer was invited to attend the next meeting to give a presentation on her work and hold consultation workshops with Members of the Forum.

### **Public Information about the Forum**

Information about the Forum, its membership and meetings is available either by contacting the Secretary at the National Park Office, The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP or on the website [www.moors.uk.net](http://www.moors.uk.net)