

Yorkshire Dales Review

SILVER
JUBILEE
YEAR



No. 93 Winter 2006

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Yorkshire Dales
Society



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Our Jubilee Year

Remarkable as it might seem to some of us, 2006 will mark the 25th Anniversary – the Silver Jubilee – of the Yorkshire Dales Society.

Was it so long ago, in the grey of a chilly autumn afternoon, that a dozen of us met at Maurice Metcalfe's farm in Buckden, Upper Wharfedale, to walk across those high pastures and share a little of Maurice's extraordinary enthusiasm for his flock of large, woolly Wensleydale sheep?

We felt then – and still do – that the Society was all about building bridges, bridges between people who live in the Dales, most especially the hill farming community, and that great majority of people who live in towns and cities, to share what fundamentally we all have in common – a love and understanding of the Yorkshire Dales and a desire to see the values it represents protected and enhanced.

An anniversary is all about looking back: celebrating achievements, regretting failures, enjoying again some unforgettable moments, above all rejoicing in comradeship, the sheer fun, we as Society members have had together, sharing good company, and often exciting insights and discoveries in magnificent landscape settings.

But it's also about looking forward. There are some tough challenges ahead. Evolution, perhaps with some fairly significant changes, is the only option. Unless the Society moves forward, it will inevitably decline. Unless we involve younger people with fresh outlooks and ideas, we will simply not engage with that younger generation essential for our survival, and the Society will fade away as its founding fathers slip towards the comforts of old age and retirement.

All National Park Societies are facing a similar reality of ageing, static memberships. Younger people have different priorities. New technologies and travel opportunities change the way we see the world. Well tried formulas such as our popular annual YDS walks and talks programme have to compete against literally thousands of new lifestyle choices.

So whilst part of our Jubilee will indeed be looking

back, with such events as a Silver Jubilee dinner in Settle in May, the hosting of the National Park Societies' Conference in Kettlewell in October and the publication of a history of the Society this summer, much of our effort this year will be looking forward.

It's a process we want all our members to be involved in. Your Council of Management is already working with two of our most energetic Corporate Members, who are giving valuable professional advice to guide the Society into the electronic era and to raise our profile, again with a view to appealing to a younger audience for whom access to the web is the prime mechanism to access information. But we need to do much more, to broaden our appeal to bring in a wider range of people, most especially younger people. These people will need to have a direct say in how the Society develops, rather than being directed by their elders. Yet at the same time, our original vision must be kept alive, not diluted away from our core objectives.

Over the coming year the Council of Management will be taking some far reaching decisions. We'd especially welcome members' suggestions, ideas, comments. Come along to our events, including our AGM in May, and let us know what you think. Write to us or e-mail us at info@yds.org.uk.

2006 is a year to think again about our priorities, the way forward. We look forward to sharing both celebrations and new thinking with you.

Colin Speakman

Special Qualities of the Yorkshire Dales National Park

The Yorkshire Dales National Park Authority is starting work on its new National Park Management Plan (2006-11) and modifications to the Local Plan. As a part of this process, and following a process of landscape character assessment and local consultation, Philip Brown, the National Park's Policy and Liaison Officer, has produced the following consultation paper. As this inspiring document will both inform and be an important part of the forthcoming Management Plan, we believe that it will be of great interest to the Yorkshire Dales Society and to its wider membership.

In the Yorkshire Dales, the interaction of man with nature through history has produced a landscape of remarkable beauty, distinctive character and immense interest that is cherished and enjoyed by the nation. The area's uniqueness is created by the combination of many elements, the most important of which are listed here.

Natural Beauty

The area straddles the Pennines, the backbone of England. Geology and natural processes have been the fundamental force behind the creation of this familiar landscape and of the variety found within it. They are quite literally the bedrock of the Yorkshire Dales and have expression in numerous dramatic and impressive features:

- This is an expansive area of hill country that rises in the Millstone Grit capped Three Peaks to over 2,300ft (700 metres). Rivers have cut deep valleys (dales) of which there are over 20 named examples, each distinctive in character and atmosphere.
- The south of the Park displays one of the best examples in Britain of classic limestone (Karst) scenery, with its crags, pavements, and extensive cave systems.
- The Park's northern landscape is equally striking. Its

View of Ingleborough from the West



valleys with distinctive stepped profiles, the product of differential weathering of the Yoredale Series, are separated by extensive moorland plateaux.

- To the west are The Howgills, a series of grassy rounded hills with deep ravines that result from different geology.
- This is a landscape shaped by ice, with significant glacial and post-glacial landforms and features, notably drumlin fields such as the one at Ribbleshead, erratics including those at Norber, moraines and post-glacial lakes of Semerwater and Malham Tarn.
- Spectacular waterfalls, such as Hardraw Force with its 90ft (27 metre) single drop, the famous series of Aysgarth Falls, Cautley Spout with a broken drop of 600ft (180 metres), and Thornton Force, and cascading streams bring movement and sound.

Wildlife

Geology, natural processes and man's influences have created the particular conditions that now support a rich and diverse wildlife. This is one of the most valuable parts of the United Kingdom and has the largest area of nationally and internationally important habitats of any National Park. Its most significant habitats and wildlife include the following:

- The Yorkshire Dales is renowned for its flower-rich hay meadows and pastures, which are the product of traditional, low intensity management of grazing land over many decades. These are now very scarce nationally, this being one of the few areas where they survive in any number.
- The National Park's range of rare limestone habitats are linked directly to the geology of the southern Dales. The area's limestone country is of international biodiversity importance, including rare wet meadows and pastures, limestone pavement and limestone woodland and scrub.

- There are extensive areas of upland heath, mainly heather moorland, mostly managed as grouse moor, and areas of blanket and raised bog. These habitats cover vast areas and contain a variety of plant species.

- Woodland is a scarce yet important component of the landscape and of its mosaic of habitats. Areas are generally small, representing remnants of former more extensive broadleaved woodland or later plantings. They are crucial to scenic beauty and contribute to the different character of each dale, whilst surviving areas of ancient woodland

are of particularly high biodiversity value.

- In terms of species there are nationally important populations of breeding waders, Black Grouse, Yellow Wagtail and Skylark; rare and scarce lime-loving plants such as Bird's Eye Primrose, Rigid Buckler Fern and Globeflower and Baneberry; and rare and scarce invertebrates such as the Northern Brown Argus butterfly and the Atlantic White-Clawed Crayfish.

Cultural Heritage

Despite its harsh and challenging conditions the Dales has supported communities and industry over several millennia. The slow rate of change means the evidence of generations of occupation and activity still survive in the landscape, providing an intriguing record of the area's social and economic history. The extent and range of this survival is exceptional.

- Livestock farming over several centuries produced a traditional pastoral landscape much of which survives. This historic landscape is of great beauty and acknowledged as of international importance, comprising:

- an intricate network of drystone walls that create a patchwork of enclosures across valleys and valley sides;
- traditional stone-built field barns, the density of which in some parts of the Dales, notably Swaledale, Wharfedale and Wensleydale, is unique;
- traditional herb-rich hay meadows the spectacle of which draws many visitors to the Dales in early summer.

- The area's long history of livestock farming has given rise to distinct sheep breeds and its tradition of cheese making. Livestock farming, sheep in particular, is deeply interwoven into Dales life and culture, with livestock sales and local agricultural shows playing an important part in the lives of its people.
- The range, importance and condition of its archaeology are exceptional, recording continuity of human activity from the Palaeolithic to its C19th and C20th industrial remains.
- The legacy of former rural industries adds to the character and interest of its landscape. Their influences on the area's culture and social fabric are still evident today. The Park is scattered with the remains of former mineral extraction and processing sites, especially lead and lime industry remains, whilst its many mills are imposing reminders of how the area's resources were harnessed.
- Traditional Dales' architecture is distinctive and through the local building materials used, it links directly to the area's geology. This strong identity generates a strong sense of place and history.
- The Dales is characterised by numerous small, attractive and compact villages and hamlets most of

which have been there for over a thousand years. They are still largely unspoilt and retain a very traditional and intimate atmosphere as well as a sense of continuity and stability. Many are still bordered by small, ancient, often unimproved fields accessed by narrow lanes and tracks between meandering stone walls, giving the villages a historic, timeless setting.

- The Settle-Carlisle Railway Line is unique and displays impressive engineering and conserved Midland Railway architecture. It offers a very special way of enjoying the dramatic landscape along its route.
- The Dales has managed to retain its network of meandering valley roads, bordered by drystone walls or hedgerows and flower-rich verges. These have a particular charm and add to the strong sense of place. Higher up unfenced roads cross open moorland and offer dramatic panoramas across the open landscape and the valleys below.
- The way of life and culture of communities was in the past shaped by the area's physical environment and remoteness, nurturing self-dependency and closely knit communities. Whilst the area's traditional dialects and culture are now harder to find, community spirit and self-belief survive. Despite external influences and pressures of the modern world, and the influx of residents from far and wide, strength of 'place', continuity and history still shape and influence Dales' communities today.

Enjoying the Experience of Being There

Most of the many people who come to the Park will experience a range of emotions, triggered by its beauty, grandeur and other, less tangible qualities. These all help create the 'spirit of place' that is unique to the Dales. This impacts differently on different people, as the experience is personal to the individual. High on the list of elements that inspire are those that touch and excite the senses, the sounds, sights and qualities that stir the emotions, that allow people to relate to nature and that enhance true enjoyment. The following add to making the Dales very special:

- There are extensive areas where a true sense of



tranquillity, remoteness and solitude can still be found, which is rare in England today.

- This tranquillity is enhanced by the natural sounds of wind, water and birdsong. These are important to the recreational experience, the 'spiritual exercise and enjoyment' that lies at the heart of National Park designation in this country.
- With its open fells and numerous valleys the Dales offers expansive views that show to advantage the

refreshing the body and the spirit.

- The area is important for the range and quality of natural resources it offers for outdoor recreation and its opportunities for accessing them. In particular its historic and extensive network of footpaths, bridleways and tracks, supplemented by extensive areas of public access, provide many opportunities for quiet enjoyment.

area's beauty and variety.

- Ever-changing light, seasonal change and occasional severe weather create visual drama and contrast that enhance personal experience.
- The Dales is special in retaining the darkness of night across much of its area because it suffers from limited light pollution. The moon, night sky and atmospheric effects can be fully appreciated.
- Fresh air, clear water and clean environment are notable and enhance the area's appeal for healthy exercise.

Yorkshire Dales Society / Campaign to Protect Rural England (Craven Branch)

KEN WILLSON AWARD 2006

The joint Craven CPRE/Yorkshire Dales Society Award in memory of our former President Ken Willson is open for nominations for 2006. Just to remind members – and friends: Anyone may nominate a young person in the Dales who they believe merits consideration for the Award. The nominations for the 2006 Award will close on March 31st, 2006, and the young person concerned must be less than 30 years of age at that date. He or she should live or work either within the National Park or Nidderdale AONB, or in an adjacent community, and have made an important contribution in one of the following five areas of activity:

- The protection and enhancement of the Dales' natural or built environment;
- The understanding and enjoyment of the landscape, natural history or cultural heritage;
- The cultural life of the Dales through the arts or related cultural activity;

- The local economy including upland farming or forestry;
- The care and social well being of Dales' communities.

The award, which in 2006 will be a cash payment of £500, should recognise the added value made by the individual to his or her chosen field of work or voluntary activity, and should also help to support and further the Award winner's future career or chosen field of activity.

Anyone wishing to nominate an individual for the 2006 Award should request an official form of nomination which can be obtained from the Yorkshire Dales Society, Civic Centre, Cross Green, Otley, West Yorkshire, LS21 1HD, or telephone 01943 461938 leaving your name and address. Nominations should reach the Society's office no later than March 31st 2006.

“Think out of the Box” - Pembrokeshire’s Message to National Park Societies

Using the theme of *Planning and Politics*, The Friends of Pembrokeshire National Park hosted a stimulating conference for National Park Societies in Tenby on the 14th –6th October 2005 attended by five members of the Yorkshire Dales Society.

As usual, in spite of the very different character of the various National Parks, there was much to absorb, enlighten and stimulate, both on fieldtrips and in conference. Keynote speeches were followed either by workshops or question and answer sessions, with delegates contributing usefully to each debate.

Geoff Sinclair spoke about *Renewable Energy the Challenge for National Parks*. A proposed 145 metre mast (475 feet) wind farm, one of three planned close to the park boundaries, could have an adverse visual impact of up to 6-8 kilometres away, and he believed that wind farms had largely been used as “window-dressing” for energy policies based on unlimited consumption and growth. Critically, he urged that both on-shore and offshore wind power proposals needed a Strategic Environmental Assessment (SEA), *before* proposals were brought forward. There was too much emphasis on wind power at present, when there were various other solutions available. An obsession with one technology could starve other technologies of resources. It clearly made sense to produce energy as near as possible to the point of use and there needed to be an emphasis on strategic thinking to find positive alternatives in the field of renewable energy. Essentially we need to focus on identifying criteria, influencing decision makers and on keeping an awareness of the distinctiveness of each Park.

Trish Andrews led on the issue of *Low Cost Housing* and gave a most helpful list of key tools in assessing sustainable buildings. 30% of UK energy used is domestic, and 50% of that is utilised in building services. Both energy conservation and energy efficiency were necessary in reducing environmental impact. Key aspects included cost efficiency, the reduction of infrastructure such as roads, pipes and lighting, and the elimination of resource wastage, with the aid of super insulation, thermal energy storage, and the use of natural lighting. One complex of 20 new terraced houses in Sweden was so well constructed, that a zero-energy heating system ensured a low environmental impact, with the extra costs to install equal to the cost of a conventional heating system. Public transport could also benefit from similar schemes. In Germany the airtight, well glazed, super insulated *Passibus* did not need any heating system. In Malmo (Sweden), a district heating system was used in one area, 18 different architects contributing, but with one overall planner. The complex is largely self-sufficient in energy. The UK could perhaps learn from Europe’s much greater “self-build housing culture” which created a

greater concern with *the whole life cost of the building*. Perhaps tax incentives in the UK might help to change attitudes.

Ruth Chambers of CNP gave an inspiring speech on *The Politics of Major Developments*, concentrating on three particular cases: the Otterburn Training Area in Northumberland, Spaunton Quarry in the North York Moors, and the Whinash Development in the Lakes and Dales. The Otterburn Enquiry allowed the military to proceed with its planned extension of new roads and military training, citing national need. The Spaunton Quarry Enquiry was a way that the quarry company tested government policy in National Parks, finding that the policy held firm, while the Whinash Development Enquiry had yet to make a decision on 27 highly intrusive wind turbines in a sensitive landscape which would impact on both the Lakes and Yorkshire Dales National Parks. Ruth cited the most common “driver” in the national parks as economic need. If there are claims that a development will create jobs, however seasonal or ill-paid, as at the infamous Bluestone Development Enquiry in Pembrokeshire, these arguments will tend to sway the outcome. The other factor is that Government tends to act corporately whatever the departments involved, becoming both policy maker and decision taker. But public opinion still counts, and if opposition to damaging schemes is well argued, well funded and well promoted, it stands a good chance of success. It pays to build key relationships with key politicians, and partnerships with other like-minded organisations could help to avoid some potentially damaging decisions for the National Parks. Perhaps if potential developers talked more to National Park Societies, they might avoid some costly Public Inquiries.

Nick Wheeler, Chief Executive of the Pembrokeshire National Park, spoke on *The Politics of Major Developments*. The Treasury held the purse-strings and ultimately had the last word. However, he emphasised that above all, the need to think strategically and extend our influence to other parts of government, and to pursue Park purposes in subtly different ways.

Kathy Moore, Council for National Parks’ Chief Executive, outlined CNP’s proposed major project for strengthening the National Park Societies. Some project funding had been promised, but there would be a financial shortfall. The YDS among others felt that a re-working of the original project and a possible pilot approach by one Society with CNP, could act as a model and help to persuade other potential funders.

Andy Middleton of TYF Group LTD, a Pembrokeshire National Park-based business consisting of two shops selling equipment for activity and adventure sports, a

hotel complex and base for his outdoor training experts, followed with *Green Tourism – Putting Something Back*. He explained that 1% of his revenue went to the West Wales Eco Centre with 5% of staff time given to community projects. He felt climate change was the big issue for the Parks with the need to reduce CO2 emissions by 60%. Small steps such as using the green electricity tariff and marketing techniques to “switch people on to green” were laying some of the foundations. He felt that the success of his business had proved that a passion for the environment could also be good for business and make for a happier life-style.

Finally, **Kirsty Morris**, Pembrokeshire Greenways Officer, spoke about *The Greenways Partnership* demonstrating that a commitment by the Partnership consisting of CCW, Pembrokeshire Access Group, Pembrokeshire Coast NPA, the National Trust, Pembrokeshire CC and PLANED, to promote a fleet of coastal bus services to develop and promote linking walking and cycling routes, including walking routes from local railway stations, was both sustainable and encouraged rural enterprise and business development.

COUNCIL FOR NATIONAL PARKS

The Yorkshire Dales Society is a long standing member of the Council for National Parks (CNP). The Council, an independent charity, (www.cnp.org.uk) works for all National Parks in England, Scotland and Wales. Members include National Park Authorities, national amenity groups such as CPRE, YHA and the Ramblers, as well as individual National Parks Societies such as the Yorkshire Dales Society.

CNP plays a leading role in pressing Government to safeguard and resource National Parks, and on specific issues such as the recent successful insertion of key clauses in the Environment Bill to allow National Park Authorities to manage vehicular rights on Green Lanes, including Traffic Regulation Orders.

Like many behind the scene groups, CNP’s work is not always obvious to YDS members, but through our membership of CNP, the Society has a national voice in terms of some of the big issues affecting the Yorkshire Dales – major planning issues, transport, social inclusion (the Mosaic programme aimed at ethnic minorities has been especially successful in the Yorkshire Dales).

A key theme to emerge in 2006 for CNP will be the impact on National Parks of global warming. This could have a profound impact on many aspects of life in the Dales, issues including bio-diversity, energy production, transport and the need for low-emission development. Given the recently reported massive 36% increase in car ownership in the Dales over the last ten years (2001 Census), there could be some difficult decisions to be faced in the future.

CNP will be working closely with the Society in 2006 to plan the National Park Societies Conference at Scargill, Kettlewell, which the Yorkshire Dales Society is hosting. A key theme will be Partnership, and the Society will be working with several partners, including CNP, to make the event a success.

With a population of only a little over 114,000 and 1.1 million visitors, out of £262 million tourism spend, £14 million income was generated by the Pembrokeshire Coast Path National Trail with nearly 70% visitors naming walking as their main activity in the area. Experiments have already been made using LPG and Bio-diesel fuel for the buses and although allegedly over 98% of the visitors to Pembrokeshire National Park still arrive by car, in 2005 there has been a 20% increase in bus passengers over the previous year. The branding of the Coastal bus services was crucial, with names such as Puffin Shuttle and the Rocket seen as comfortable and user friendly; in fact the buses – used by local people as well as visitors – are seen as an integral part of the holiday experience and *not* just as public transport.

The Conference’s final crucial message was – **we need to think out of the box** – form new alliances, partnerships and relationships with key opinion formers and other like-minded organisations.

Fleur Speakman

SHARING THE DALES SUCCESS IN 2005

Members will recall the heart-warming response from Keighley children who were enabled to have a day in the Dales thanks to finance from the Yorkshire Dales Society through its HBOS-funded Sharing the Dales scheme which helped to pay for transport costs to bring youngsters and some older people to the Dales. One of our members was so moved by what she read, she sent a cheque for £250 to further support the scheme.

With underspend in 2004, this has enabled the Society to offer a further £2,500 for the Project. National Park Outreach officers tell us that the cash helped their social inclusion programme in a number of direct ways – cash to buy rail tickets for teenagers from deprived areas to use the Settle-Carlisle line to access the Dales for their Duke of Edinburgh Award field trips to the Dales, the costs of short breaks and a Play scheme project in Upper Wharfedale Dales for 44 8-12 year olds and their leaders from deprived areas of Keighley, and for 14 teenage girls also from Keighley which also included a farm visit, pony trekking at Kilnsey, a residential stay and outdoor training in Malham Hostel for an Asian group from Bradford and a similar course at Hawes Hostel for Healthy Walking Group leaders from Leeds who are also encouraged to bring their groups – mainly from deprived communities – to the Dales. There is even a small sum over for some work with groups in 2006.

In the words of YDNPA Target Officer Iain Mann: “Please convey our thanks once again to Yorkshire Dales Society members for deciding to allow this grant to be spent on what we hope you will agree are very important and useful outreach projects.”

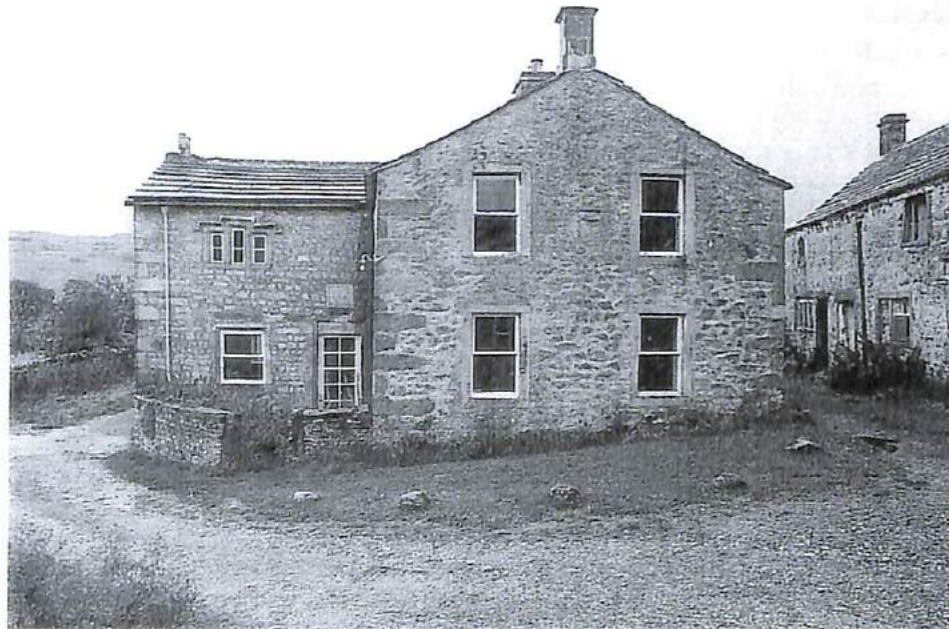
The Moral Obligation Loss of Common Land through Planning Applications

Dr Colin Ginger, a Yorkshire Dales Society member who lives in the village of Conistone, Upper Wharfedale, writes about a local planning issue affecting the village green which could have widespread repercussions throughout the Yorkshire Dales.

As I walk out of my front door I am immediately walking on common land. Like many other villages in the Dales, Conistone is built around a village green, and in many places the common land extends to the frontage of the buildings.

Recently a planning application was submitted to the Yorkshire Dales National Park Planning Department for Renshaw Farm. Conistone, in which a new building to link the main farmhouse to a garage (formerly a "dame-school") would be sited on registered common land. When it was registered in 1974, the Commons Commissioner determined that no owner of the common land forming the Conistone Village Green could be identified, and it would therefore be protected under Section 9 of the Commons Registration Act, 1965. To build upon such land is therefore illegal unless the applicant has received prior consent from the Secretary of State. There was a general feeling in the village that not only was such a development out of keeping within the farm complex situated in the centre of the village, but

Renshaw Farm, Conistone, in the early 1990s. Photo by Philip Butterfield



that no building on registered common land would be allowed. We were therefore surprised to find that in considering any application, the YDNPA, as planning authority, would not take into account, at the planning stage, the fact that development on common land was

involved.

By coincidence, at the Planning Committee Meeting on 11 October, 2005 the solicitor/monitoring officer of the YDNPA, Mr. Richard Daly, presented a report "Common land and village greens" – "to provide members with information in relation to the legal status and protection afforded to common land and village greens, with special reference to the National Park Authority and other local authorities." As a new "Commons Bill" is currently progressing through parliament, Mr. Daly also outlined what changes this might bring to the law on common land and village greens. The conclusions of the solicitor in that report are as follows:

"In my view, the issues of protection of common land and planning control will remain separate even after the Commons Bill is enacted. The National Park Authority would not be able, in my view, to refuse planning permission for a development simply because it was on common land. What the Authority could (and should) do – assuming it was aware that the land was common land – would be to draw to the attention of the applicant the fact that the Secretary of State's consent would be required, in order for the work to be carried out. If that consent was then not obtained, the Authority, along with the County, District and Parish Councils, would all have the power to take action under the Commons Bill (or Act as it would then be)."

Even under current law, where common land has no known owner, local authorities can take action to prevent unlawful erection of any building or fence that would impede access to common land (Law of Property Act, 1925). However, there are two problems: Firstly, it must be proved that the land was subject to "rights of common" on 1st January, 1926 when the Act came into force, and secondly, while the three councils, and the YDNPA, all have the power to take action, none of them has a duty to do so. So, in situations where common land has no known owner, encroachment by adjacent

landowners with no legal right to it becomes possible, as none of the authorities with the power to act does so, mainly due to the legal costs and the work involved. It seems that what is four people's job becomes no-one's job!

My opinion, and that of others, is that if the YDNPA, as planning authority, knowingly approves an application on registered common land, and the successful applicant then goes on to undertake an illegal development without the consent of the Secretary of State, then there is a moral obligation for the Authority to take County Court action to stop such development.

The planning application for Renshaw Farm was considered by the Planning Committee on 8th November, 2005, with a recommendation from the planning officer to approve the application. However, following presentations by the Clerk to Conistone Parish Meeting and a neighbour of Renshaw Farm, both opposing the application, the Committee voted by 15 to 0 to reject the application. This decision was based on over-development of the site and the harm that would be caused to the character and setting of the village centre; development on common land was not an issue in the decision. The applicant may appeal against this decision, and for that reason we have looked at other recent planning decisions in our area of the Dales, where developments on common land or village greens have taken place.

Another development, just nearing completion is Listers Barn in Starbotton. Land in the village, alongside Cam Gill Beck, known as Beckside Land, was registered as common land in 1972, and a hearing of the Commons Commissioners in July, 1975, determined that as there was no known owner of the land it would be protected under Section 9 of the 1965 Act. It was confirmed by the Commons Registration Unit of the North Yorkshire County Council in 2005 that the land has never been deregistered, and that Section 194 of the Law of Property Act, 1925, would make any enclosure or building on that land illegal unless the consent of the Secretary of State had been obtained.

However, in 2002, statutory declarations by two previous owners of Listers Barn claimed that from 1983 the land on which a building has now been erected was used as "the garden area adjacent to the property". They state that "The garden area was not included in our registered title but from the time we purchased the property, we used the same as if it were so included." On the basis of these declarations, the present owners were able to claim adverse possession and to register their ownership of the land in January 2003, and the Commons Registration Office was notified of this change. A planning application "for erection of an extension to existing dwelling" was submitted to the YDNPA later that year. The Kettlewell-with-Starbotton Parish Council raised the question of obstruction of common land and blocking of a Public Right of Way by the proposed extension, and was informed by the senior planning officer that Beckside was not a PROW, and that "this area was purchased by the owner in January of this year" (i.e. 2003). "As such the land would no longer comprise part of the identified common land to the rear of the site." This statement is difficult to understand as no specific purchase seems to have taken place, and

even if it had it would not change the status of the site as common land. The YDNPA therefore proceeded to grant planning permission for the extension in November, 2003. There was no discussion by the Planning Committee as powers of approval had been delegated to the planning officers.

The situation in Malham is more complex, in that extensions and enclosure at Riverside Barn (formerly Greenbriars) which began in 1982, took place on a registered village green, and has still not been resolved to date. Full planning permission was granted to transform a former barn into a dwelling in 1983, but problems arose later when the owner requested retrospective planning permission to enclose and use land to the north and west of the property, which formed part of the village green. This land, approximately 13 metres long and 2 metres wide was being used for vehicular access, and had been enclosed by a wall about 1 metre high. In 1987 planning approval was refused on the grounds that the "position and height of the wall is considered harmful to the appearance and setting, and consequently the character of part of a village green." However, the owner appealed against this decision, and in 1988 the inspector granted permission for the retention of land as enclosed, but "subject to the condition that the boundary wall shall be increased to the height of the existing dry stone wall at the North-West corner of the site."

Surprisingly, in his report the inspector made statements which seemed to ignore the requirement to protect the village green. He wrote:

"I appreciate that there are requirements to meet under the Enclosure Acts 1845 and 1857, and the Commons Act 1876, in connection with land which is registered as a village green, but I can only consider this case on its planning merits." He also stated that "I do not consider that in land use terms the change in use of the small piece of land in question has any significant impact on the character or appearance of the village green. It is the lack of height of the wall which distracts from the feeling of enclosure which the rest of the wall provides."

Although I have been unable to read all the extensive documentation relating to this case, the enclosure of village green with the new boundary wall continued to be a problem to the YDNPA as planning authority, and to Kirkby Malhamdale PC. In 1999, the Chief Executive of the National Park, having refused another planning application, wrote:

"The extension of residential curtilage at Riverside Barn, and the subsequent means of enclosure is considered detrimental to the character and appearance of the village green. It is considered that the extension could act as an unfortunate precedent leading to further incremental loss of the village green. It is also detrimental to the area of Important Open Spaces, identified in Policy BC2 of the Yorkshire Dales Local Plan."

Even though that was the view of the Chief Executive,

the YDNPA was still not prepared to contest the enclosure of village green. When a further planning application was submitted to the Authority in 1999, the recommendation of the planning officer to approve the application contained the following statement:

"There are however clearly requirements under Section 12 of the Inclosures Act 1857 and Section 29 of the Commons Act 1876, as most of the development has encroached upon registered village green (V.G. 170). This is a matter which Kirkby Malhamdale Parish Council, as custodians of the village green, should pursue separately. In this connection, it is understood that the Parish Council is currently taking legal action against the applicant regarding the retention of the land for residential curtilage for Riverside Barn, which was allowed on appeal on 16th September, 1988."

The Parish Council did pursue this case, at considerable expense, but did not succeed in getting any change in the situation. From the year 2000 to the present time, there has been conflict over the wall and a gateway in the wall, which still remains unresolved.

What have we learned from our experience and that of our neighbouring parishes of Kettlewell-with-Starbotton and Kirkby Malhamdale? Know the history of your parish and look carefully at old records and photographs, so that when planning applications come to the Parish Council/Meeting for consideration you will know if any ancient rights are threatened. Look carefully at the sections of the planning application dealing with ownership of land, as information from applicants is not always strictly accurate. If there are any questions or problems, raise these with your parish officials and contact the planning department with your concerns. Ensure that the planning application goes before the Planning Committee for a full public hearing.

If illegal development seems to be proposed, call a village meeting to determine the best course of action, and involve your District and County Councillors. Many authorities have the power to stop development on common land but are often unwilling to do so, and must be lobbied to become involved. It would be useful if the YDNPA could meet with representatives of County and District Councils to discuss who is best placed to protect common land and village greens from illegal development, and how to finance its enforcement. The YDNPA, as well as being the planning authority for the Dales, also has the responsibility to maintain and improve the natural and built landscapes of the area.

Starbotton from Walden Road.



and any loss of common land which is also Access Land is detrimental to these landscapes. In his report the YDNPA solicitor quoted the words of the government in its new Commons Bill:

"Common land is an important part of our national heritage, valued for agriculture, recreation, landscape and nature conservation. However, much of it is at risk, mainly as a result of overgrazing in the uplands, but also from abuse, encroachment and unauthorised development."

Common sense and natural justice suggest that it should be a simple matter for any authority with the necessary powers to prevent illegal encroachment on to common land or a village green, but as indicated above when the higher authorities refuse to act, or even to threaten action, it is left to the least powerful authority, the Parish Council, to take legal action at great expense for a small community. Please, will the YDNPA or the district or county councils take on this responsibility, when the chances of success would be greatly increased?

For further information see: "Common land and village greens: Report of the solicitor" R. Daly. YDNPA Planning Committee. 11th October, 2005.

"Our common land. The law and history of common land and village greens" 5th Edition. 2003. P. Clayden. Published by the Open Spaces Society.

* In writing this article several people have provided help and useful discussions. I would like to thank Ian Cuthbert of Kettlewell-with-Starbotton PC, Juli Boocock & Brian Jackson of Kirkby Malhamdale PC, Richard Harland, and office staff at the YDNPA Planning Office at Bainbridge.

Colin Ginger

A Potential Asset: Bridge-building in Lower Wharfedale

TEN YEARS TOWARDS A SAFE CROSSING

Anyone who follows the public right of way along Leather Bank at Burley-in-Wharfedale down to the River Wharfe will find that if they wish to continue along the opposite side of the river to Askwith, there is a major problem. The stepping-stones which carry the right of way over the river are virtually impassable; they are damaged, usually under water and dangerous to use. An important local right of way is now blocked and the public are unable to access the north side of the river.

In February 2006 the present campaign to build a bridge at the Leather Bank site (GR 166 474) will be ten years old. This campaign is only the latest of several attempts since at least 1898 to provide a safe crossing of the Wharfe at Burley. The archives show that the efforts of local people and councils were all unfortunately in vain.

Originally the stones were placed in the water to break up the flow of the river cascading over the weir, which was built to power the machinery at Greenholme Mills. The great force of the water has left the stones in a bad state, with people are at risk if they attempt to use them.

BBA FORMED

Local people who first met in February 1996 - including a representative of the Yorkshire Dales Society - eventually formed the Burley Bridge Association (BBA). Planning permission was obtained for a bridge across the weir at Leather Bank, a little way up-river of the stepping-stones, albeit with stringent conditions. This permission has been renewed for a further five years.

Good news but problems remain. Though Burley is the only village on the River Wharfe without a bridge, a development of this nature does not suit everyone. Firstly there is opposition to new sections of footpaths which will need to be created. Secondly, Highway Authorities are reluctant to impose the necessary Orders, and finally, in the case of the Burley Bridge, there is more than one local authority involved! The Wharfe at Burley is the boundary between North and West Yorkshire, a complication which can add to the problems.

NEW TWIST

Recently a new twist has been added to the saga. The Ramblers' Association has announced its intention to seek planning permission for a bridge across the actual right of way - the stepping stones - with the intention of obviating the need for footpath creation orders. Building on what the BBA has achieved, a national organisation like the RA can make a significant difference. Though local members will run the campaign, with a

membership of 140,000, the RA can perhaps apply more leverage with politicians and decision makers than a local group.

The RA fought for and obtained open access, the so-called right to roam. It has many members in Yorkshire and nationally several MPs are strong BBA supporters. It is not inconceivable that an Act of Parliament could, at some stage in the future perhaps, be a method of ensuring that a bridge is built. Though planning permission for a bridge on the weir site still remains, the BBA is now fully supporting the RA initiative.

FINANCE

The cost of the RA's proposals is not known yet, but a bridge over the weir is likely to be similar to the cost of an average house in Burley-in-Wharfedale. At present the BBA must raise money both for running the campaign, and for future fund raising for the bridge itself.

Supporters take some heart from the fact that today there are sources of funding available for schemes of this sort which were not available previously. Bridges are being built elsewhere; some are functional while others appear to be purely decorative with a fairly steep price tag. It remains to be seen whether a bridge at Burley will attract money and funding!

Well served by public transport from both Leeds and Bradford, Burley is a good starting point for walks in Lower Wharfedale, with its extensive footpath network, enhanced by a bridge that would link attractive countryside on both sides of the Wharfe and with fine walks towards Ilkley or Otley. The river at Burley is the southern boundary of the Nidderdale Area of Outstanding Natural Beauty, so why not encourage people to walk in the AONB without having to use their cars?

If a right of way exists, then the public ought to be able to access it in safety. A bridge at Burley would be a real amenity, and well worth working towards.

Peter Young, BBA.

Planning and Renewable Energy - Can the Parks take the Lead?

The national context has been well rehearsed. The UK target under the 1997 Kyoto Protocol was to reduce greenhouse gases by 12.5% from 1990 levels in the period 2008-2012. In February 2003, the Government published its Energy White Paper: *Our energy - creating a low carbon economy*, the goal being of meeting our energy needs from renewables by 2020. With some pessimism in government circles about the realism of such targets, it is heartening to report that the climate talks at Montreal in December 2005 seem to have reaffirmed the Kyoto treaty. With a record 40 international agreements, to set up future negotiations on legally binding targets, the US has been finally shamed at least into returning to the negotiating table.

In the face of such a mammoth task, is there a role for UK National Parks to encourage the concept at grass-roots level, to suggest that investing in energy renewables and conservation can make a difference?

In October 2003 the Peak District National Park Authority adopted a document entitled, perhaps a little formidably, *Supplementary Planning Guidance For Energy Renewables and Conservation*. In fact it is a highly readable and informative report. Its mission was to help people submit high quality planning applications, with information which could be of assistance in discussions with Planning Officers, while helping to achieve a positive outcome for applications which involved renewable energy and energy efficiency. It identified acceptable technologies within the National Park, small in scale, serving local needs and sensitive to the special character of the area. Crucially installations were to be sensitively designed paying due heed to the historic, built and natural environment and to the space occupied as regards size, siting, and permanence or otherwise.

Regionally, the East Midlands Regional Strategy has also focused on setting such priorities as reducing the need for energy, using it more efficiently, using more renewable sources and making clean and efficient use of fossil fuels.

Each type of technology in the guidance booklet is clearly explained with pros and cons, diagrams and appropriate photos of successful installations which do not impinge too radically on their setting and on others where a little more care could have made them less conspicuous. Solar photovoltaic panels which convert sunlight directly into electricity and are normally fitted on roofs can either be distinctly visible or more carefully sited, but innovative solutions such as PV tiles simulating roof materials, particularly where large modern buildings are concerned, will obviously be more appropriate in that context than on smaller vernacular buildings.

Although wind power is certainly not seen as a major player in the Park and totally inappropriate on any scale in a National Park, there are now small wind turbines and vertical axis wind turbines available which may be suitable for small built areas in some contexts, particularly where there is already some industrial feature or in certain cases, near an isolated farm where a structure could be hidden among a clump of trees and painted green or black to camouflage the fixture.

But there is also a distinct focus on encouraging a variety of known and newer imaginative technologies which might be less exploitative especially in sensitive areas. Biomass fuels from energy crops such as straw, forestry and coppicing are perhaps a more obvious potential fuel than fuel produced from wet agricultural waste - slurry from cattle and pigs (anaerobic digestion). Farm-based energy production of biogas can be a very significant factor in the potential energy yield for larger farms, calculated as between 44-255 kw/tonne plus heat, thereby reducing both greenhouse gas emissions and the even more lethal methane.

Ground source heat pumps, carefully sited, can deliver up to four times as much energy as they consume, and can be used for heating buildings. Another technique involving greater energy efficiency and natural resources is the Combined Heat and Power system (CHP) which can use steam or gas turbines, or combustion engines. It provides energy and environmental benefits by increased efficiency in fuel use, reduced emission of air pollutants and greenhouse gases, and enhanced reliability of the electrical grid.

Lightpipes can reduce the amount of electrical lighting needed and help to conserve energy and produce increased environmental and health benefits associated with natural daylight. Lightpipes are already used in housing, industry and commerce, but could be more widely used in larger public buildings.

To quote the Peak Park Authority, "Sustainability focuses on the overall quality of life, valuing both the local and global environment and our social well-being as much as economic prosperity." Our National Parks, because of their special role in safe-guarding some of our most outstanding landscapes for today and for the future, are perhaps in the best position to give a lead on how to blend sensitive planning and landscape protection with the key features of energy conservation and renewable energy production.

F.S.

Book Reviews

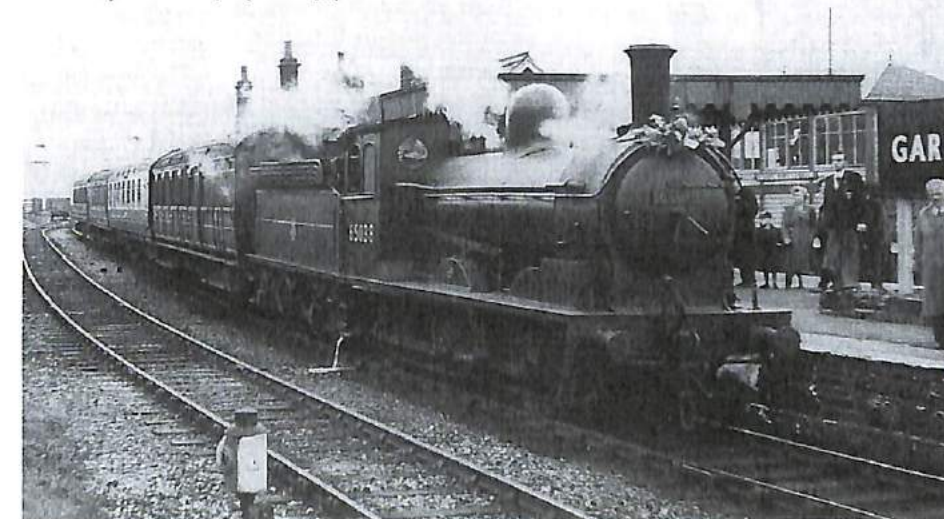
THE YORKSHIRE DALES: A LANDSCAPE THROUGH TIME – ROBERT WHITE, published in a new edition by Great Northern Books at £14.99, ISBN 0 7134 7561 7, and available in local bookshop and National Park Centres.

A warm welcome for Robert White's third edition of *The Yorkshire Dales: A Landscape Through Time*, in an attractive new typeface with additional material. This highly readable and lucid exposition of key elements of the geology and archaeology of the Yorkshire Dales make this a classic work of reference, enhanced by some excellent diagrams and appropriate illustrations: a work which continually repays further study. The Yorkshire Dales Society is proud to be associated with the support of both second and third editions of this superb guide.

THE WENSLEYDALE RAILWAY – DAVID JOY (Great Northern Books £2.99 ISBN:1 905080 02 6) - available at the railway and in local bookshops, or by post (Add £1 postage) from Great Northern Books Ltd. PO Box 213 Ilkley, LS29 9WS.

This 36 page booklet by Dales author and noted rail historian David Joy is the perfect line guide to the recently re-opened Wensleydale Railway – a compressed yet detailed history of the line, its astonishing revival and

Garsdale station on 24 April 1954 – the last day of regular passenger services along the full length of the Wensleydale Railway. From 'Guide to the Wensleydale Railway' by David Joy.



the present journey – what you can now see from the train. Some excellent illustrations, both historic and contemporary, making this little pocket guide excellent value for money.

WALKING WEEKENDS – THE INN WAY

WALKING WEEKENDS IN THE DALES – MARK REID (Inn Way Publications, Harrogate £8.95; ISBN: 1-902001-11-7) web site: www.innway.co.uk

Many YDS members will have seen the little **Inn Way** signs by the doorway of several Pubs in the Dales. The Inn Way is a popular 76 mile walk between Wharfedale, Wensleydale and Swaledale, starting and finishing in Grassington, but divided into six day stages, all ending at Dales pubs where walkers can expect real ale, excellent food and a good night's rest.

Author Mark Reid, whose company Inn Way Publications is now a welcome new Corporate Member of the Yorkshire Dales Society, has applied the same principle to a new publication **Walking Weekends in the Dales**. 15 villages in Wharfedale, Wensleydale, Nidderdale, Ribblesdale, and Dentdale are selected, each with one or more comfortable inns (Mark is an expert on Yorkshire ale as well as walking), each offering two half or full day walks from the village, one for Saturday and one for Sunday, varying in length from 4 to 13 miles – the shorter ones giving adequate time to do the walk and to travel to or from home, the longer ones justifying a second night in the village inn. Maps are admirably clear, route descriptions concise with good background information, illustrated by a combination of line drawings and photographs.

All inns and their walks are fully accessible by public transport, including the Settle-Carlisle line, Morecambe line or Dales Bus network, so you can leave the car behind, though sadly for an author with such impeccable green credentials Mark doesn't make as much of this fact as he should. But he rightly makes the point that staying a night in the Dales supports and helps the local economy, not just the pubs but local suppliers, as increasingly Dales' inns source local produce. Another highly praiseworthy aspect of **Walking Weekends** is the fact that for every copy sold, Inn Way Publications is donating a percentage of profits from the guide to the Yorkshire Millennium Trust's **Donate to the Dales Scheme**, so every purchase will help protect the Dales environment.

TO THE HIGH PLACES

THE ROOF OF WENSLEYDALE – STUART LENNIE (Hayloft Publications, Kirkby Stephen £15 - ISBN 1 904524 30 3).

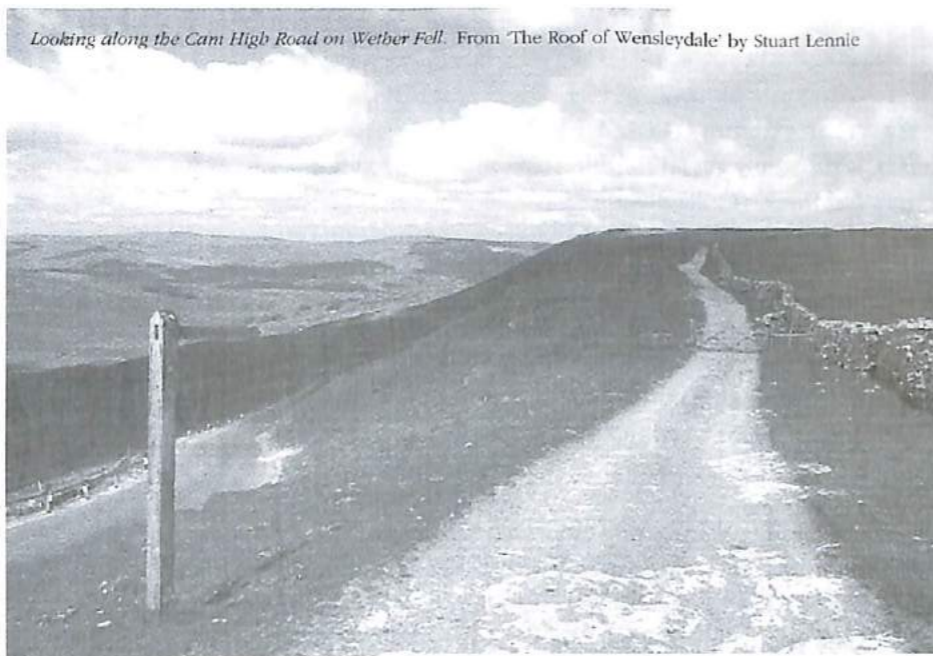
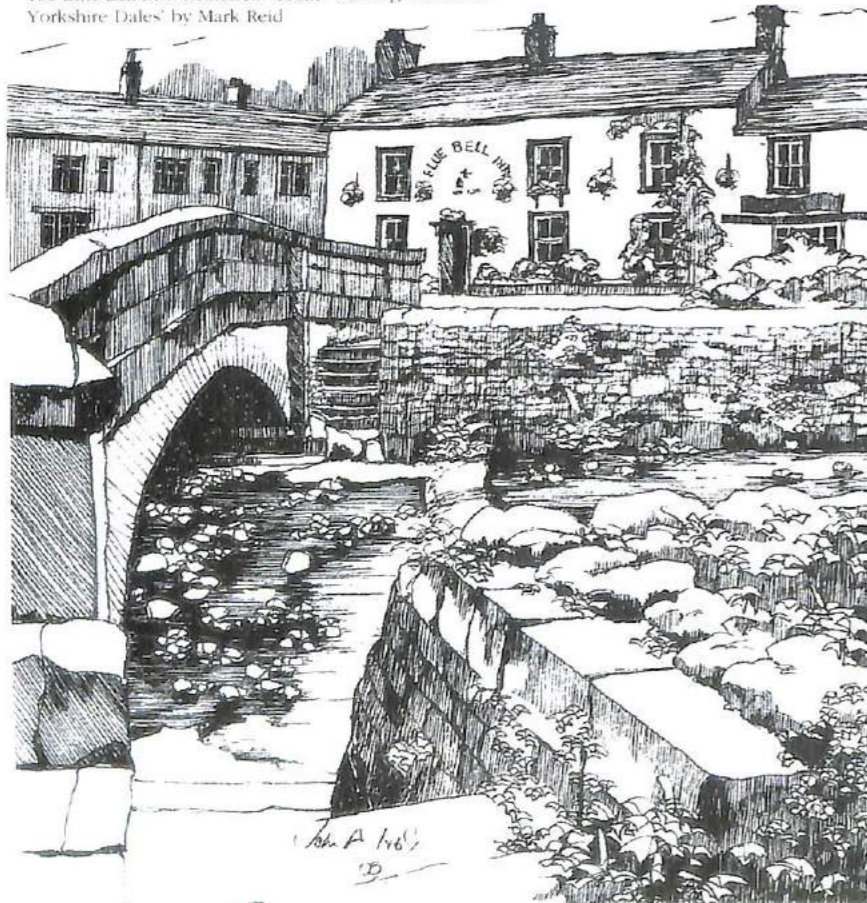
Stuart Lennie is a retired college lecturer who now lives in Upper Wensleydale. This is more than just a walking book. Ostensibly, it is a guide, on foot, to the summits of six spectacular fells in Upper Wensleydale, familiar

outlines to most of us even if we've never walked them – Wether Fell, Dodd Fell, Great Knoutberry, Lunds Fell, Great Shunner Fell and Lovely Seat. These are all fells above 2,000 feet which in another country to the north would be known as Marilyn's – we have no Munros.

But route description is far less important than a discursive description in each chapter of the many different aspects of Dales history and life – Romans, packhorsemen, poets, painters, hill farmers, climate, woodlands, interspersed with delightful, informative essays and anecdotes on such fascinating topics as Dent Marble, the Cam High Road, peat digging, lime kilns, the Settle- Carlisle line and the Pennine Way. It's a rich treasure house of interesting and well researched facts, presented in a narrative which if contained in a slightly old-fashioned format, (for example with its evocative photographs grouped in the central section), is all the better for that, reflecting as it does a long literary guide-book tradition in the Dales.

Stuart's book is a very good read for winter days, an excellent bedside book to dip into. But it will also inspire the reader with a new appetite, as the days lengthen, to get out to explore the magnificent heritage of the Yorkshire Dales that lies all around us.

The Blue Bell Inn, Kettlewell. From 'Walking Weekends - Yorkshire Dales' by Mark Reid



Looking along the Cam High Road on Wether Fell. From 'The Roof of Wensleydale' by Stuart Lennie

WILD WHARFEDALE

2005 was the Diamond Jubilee of the Wharfedale Naturalists' Society, compared with whom the Yorkshire Dales Society is a mere upstart. But we share with Wharfedale Nats, a love and concern for the rich and diverse wildlife that thrives not just within the National Park and Nidderdale AONB, but on the fringes of busy Wharfedale towns such as Ilkley and Otley.

The 60th anniversary was celebrated by the Society by publishing a highly appropriate booklet **Wild Wharfedale**, costing just £1, subtitled "Where to watch wildlife in Wharfedale". The booklet lists no less than 43 nature reserves or sites of special interest in Wharfedale and Washburndale. All are easily accessible on foot, cycle and by public transport, though in some cases it might be a longish walk from the nearest bus or train. In fact some of the smaller reserves are best visited when combined with and forming part of a longer walk or cycle ride. Introduced by Alan Titchmarsh, who grew up in Ilkley, each site is given a brief but concisely informative introduction, and there are excellent illustrations throughout. Even if you think you know Wharfedale well, you'll find much here that you were not aware of. The publication was sponsored by several organisations including (in a modest way) the Yorkshire Dales Society.

Available in local bookshops and information centres, it is likely to be quickly sold out, so you might have to contact Wharfedale Naturalists to see if a copy is available (www.wharfedale-nats.org.uk). Or better still, why not become a member?

Winter Events 2006

Chase away winter blues by joining our pre-lecture walks and enjoying a variety of lectures either with an archaeological, ecological or literary connection. WALKS FREE OF CHARGE - ADMISSION FOR YDS MEMBERS TO LECTURES £2 PER HEAD, NON-MEMBERS £3 PER HEAD (to cover expenses). Friends of YDS members warmly welcome. Dogs also welcome but please keep under control at all times.

SATURDAY JANUARY 14TH UPPER RIBBLESDALE, leader Ron Stone tel: 01729 840030. Meet at 10.30am at Settle Market Place for a moderate 4 mile walk to finish about 12.30pm. Train Leeds d 0849, Skipton 0926. Packed, pub or café lunch.
LECTURE: RE-THINKING INGLEBOROUGH – The Case for The Iron Age Fort That Isn't, by **YVONNE LUKE**, at Settle Victoria Hall at 2.15pm.

SATURDAY FEBRUARY 4TH ADDINGHAM CIRCULAR Leader Maurice Denton, tel: 0113 2673053. Meet at Addingham Memorial Hall at 10.30am for a moderate 4-5 mile walk to finish about 12.30pm. Bus X84 Leeds 0855, Otley 0935; 762 Keighley d. 0940. Ilkley 0957. Packed, pub or café lunch.
LECTURE: THE LIMESTONE COUNTRY PROJECT by **LOUISE WILLIAMS, PROJECT OFFICER YDNPA**, joint winner of Ken Willson Award, at Addingham Memorial Hall at 2.15pm.

SATURDAY MARCH 4TH IN THE FOOTSTEPS OF THE BRONTËS - AROUND COWAN BRIDGE - leader **Malcolm Petyt** tel: 015396 21574. Meet at Cowan Bridge Village Hall car park just off the A65 at 10.30am, in the centre of Cowan Bridge. A walk with easy gradients and good views, following a route used by the Brontë children from school. The walk will finish about 12-12.30pm Bus 567 from Kendal d 1000 to Cowan Bridge or train Leeds 0819, Skipton 0842 for Wennington. Ring YDS office well ahead or 01943 607868 to arrange lift from station. Bring packed lunch.
LECTURE: DIALECT IN EMILY BRONTE by



DR MALCOLM PETYT, Chairman of the Yorkshire Dales Society. Malcolm is an authority on dialect and the Brontës. Venue: Cowan Bridge Village Hall at 2.15pm.

SUNDAY APRIL 23RD A VISIT TO YORE MILL, AYSGARTH FALLS Yore Mill at Aysgarth Falls, dating back to 1784, is perhaps the best preserved early industrial complex in the Yorkshire Dales. **Anne and David Kiely**, owners of the mill, invite YDS members join them on a special visit to the mill to learn about future plans including the reactivated water turbines to deliver green energy. Meet at Yore Mills (by entrance steps) at 11.30am. Park Aysgarth Falls Car Park (10 minutes walk from Mill), packed lunch or buy lunch at Falls Café then short afternoon walk through Freeholders and St Joseph Wood towards Carperby – back for 4pm. Dalesbus 805 d Leeds 0815, Ilkley 0910, Grassington 1000 to Aysgarth Falls Corner a. 1100 (times to be confirmed - please check with Traveline 01870 608 2 608 or www.dalesbus.org.uk).

ADVANCE NOTICE

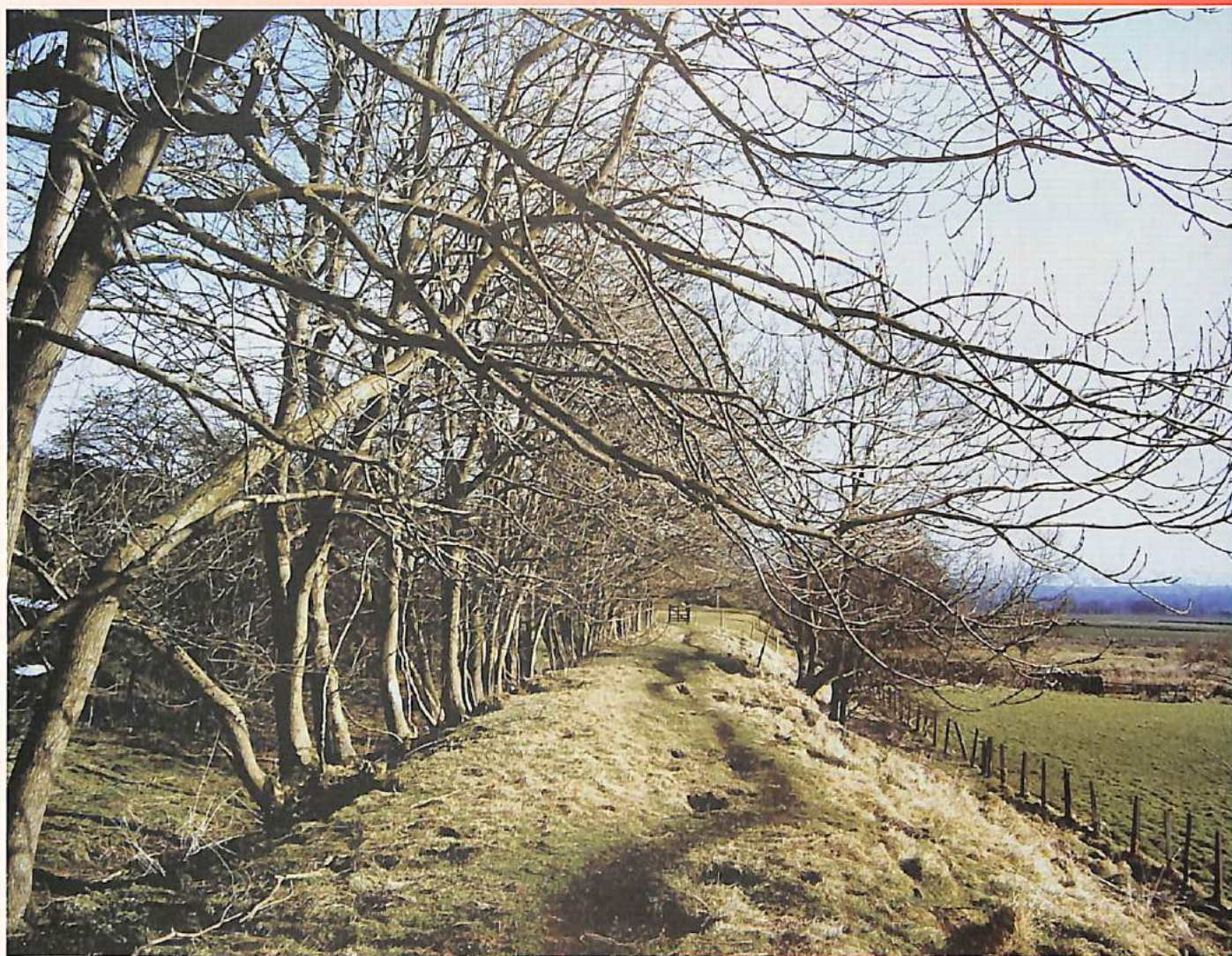
KEEP THE DATE FREE

The Yorkshire Dales Society AGM will be on May 13th at the Victoria Hall, Settle at 2pm. This will be followed by a Silver Jubilee Dinner at the Falcon Manor Hotel, Settle at 7pm for 7.30pm. The Hotel is a charming, comfortable Country House Hotel and Grade II listed building, with splendid views of the Dales and prides itself on its food. Make a weekend of the event by staying either at the Falcon Manor Hotel at a special rate of £100 per room per night including bed and breakfast or more modestly at a variety of accommodation in or near Settle.

Log on to your New Website

The Yorkshire Dales Society has developed a new inter-active web. Developed and hosted by Dales-based QDK, hosts of the award-winning Daelnet web site. Our new site offers many new features, including a brief History of the Society, and pages about What We Do and How We Make a Difference, as well details of coming events and membership information and links to other key Dales organisations. A gallery of images is in preparation, and members are encouraged to let us have both historic and recent images of the Society at work, including our events. Pictures from our early years especially welcome!

We can also carry regular news stories, and the web site is likely to be an increasingly important way for the Society to communicate with its many members. Make a note of the address today – www.yds.org.uk. Log on today and keep it as one of your "Favourites" to ensure quick and easy access at all times. And please use our address info@yds.org.uk to let us know what you think or to let us have your ideas about the Society both for today and for the future.



Front Cover picture: Butterhaw in the snow.

Back Cover picture: Track to the Future? Evocative view of a path winding its way along a tree-grown railway embankment west of Aysgarth – symbolic of hopes and aspirations of the Wensleydale Railway. See *Guide to the Wensleydale Railway* by David Joy, book review on page 13.

Published by the Yorkshire Dales Society.

Views expressed in the YDS Review are not necessarily those of the Yorkshire Dales Society.

Any contributions should be sent to the Editors, The Yorkshire Dales Society, The Civic Centre, Cross Green, Otley, West Yorkshire LS21 1HD. Telephone/Answerphone 01943 461938.

www.yds.org.uk

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