

NORTH YORKSHIRE
LOCAL ACCESS FORUM

THURSDAY 17th FEBRUARY 2011

RECORD OF ACTIONS

1.0 PURPOSE OF THE REPORT

1.1 This report contains a record of those actions completed following the November meeting of the Forum.

2.0 ACTIONS COMPLETED

2.1 Response sent by the Chair to Doug Huzzard of NYCC Highways in response to the draft Unsurfaced Unclassified Roads policy (Appendix 1).

2.2 Response sent by the Chair to the Office of the Rail Regulator in response to the Consultation on railway level crossings (Appendix 2).

3.0 RECOMMENDATION

3.1 It is recommended that members receive this report for information

Contact:
John Taylor
Chairman

NORTH YORKSHIRE LOCAL ACCESS FORUM
RESPONSE TO NORTH YORKSHIRE COUNTY COUNCIL PROPOSED STRATEGY ON
UNSURFACED UNCLASSIFIED COUNTY ROADS

The North Yorkshire Local Access Forum welcomes the County Council's Report¹ on the basis that it forms a way forward for addressing the problem of Unsurfaced Unclassified Roads both to establish the rights of use on them and to ensure that they are added to the definitive Rights of Way network before the cut off date in 2026. As the law stands the moment any rights of way on these roads not recorded on the definitive map will be completely lost to the public.

We understand and accept that the Council may have difficulty in the present financial situation of solving these problems in the near future but consider that as much work as possible should be done now so that when things improve this can move forward as a priority.

We welcome the statement in paragraph 4a of part 3a that any unrecorded footpath, bridleway and restricted byway rights are recorded on the definitive map and statement by the cut off date regardless of whether they are also shown on the 'list of streets'.

GENERAL POINTS ON THE POLICY DOCUMENT

The council quote a figure for the kilometres of , but take no account of legal instruments currently in place preventing vehicular access, these include Traffic Regulation Orders (TRO) in place for urgent maintenance, a number of TRO to avoid maintenance, TRO imposed by National Parks in pursuit of "quietitude" and dual status closures imposed under the Natural Environment and Rural Countryside Act (NERC), the last instrument reducing some to the status of footpath thereby rendering the route closed to equestrian, carriage and cycle use as well as motor vehicles.

A major research document commissioned by DEFRA on the causes of wear and tear on the unsurfaced byways throughout the countryside shows a clear pattern of agricultural and forestry traffic causing the bulk of wear. While recognising the economic necessity of such traffic its impact should be recognised and not assigned solely to recreational use.

No mention is made of the Faber Mansell report as an impartial assessment of vehicular usage and the suggested management options are made in the report. In particular the DEFRA research showed the overall recreational vehicular use of the Rights of Way within the study amounted to 38% of traffic from which it is clear that TROs rarely provide a solution.

The doubt and uncertainty concerning who has legal access to routes has been quite a recent development. Legislation and various directives have over the years reduced the mileage from the total submitted by County Councils for which they receive funds for the upkeep of the road network; prior to this the funds they received were funnelled into larger projects, leaving the network to fall into decline. Policy was then to only recognise footpath status as funds were not always available to repair the roads as they wore out.

Recent legislation (NERC) has created a new class of Dual Status. This occurs where a footpath or bridleway runs along a road. The act strips vehicular rights leaving behind only the right of access that follows the road, quite often this is a footpath which once again renders the road closed to equestrian, carriage and cycle. This is removing a network of "quiet roads" from a substantial group of users. While pursuing these closures the council and bodies acting on their behalf have no

¹ [Is it a County Council report before it has been adopted by the CC? Report to the CC](#)

procedures in place to evaluate submissions for exemption which the act recognises as a means of reinstating vehicular rights.

The council's proposed strategy also fails to mention a report by the Institute of Public Rights Of Way and Management which deals with the issue. Such an important study by such an august body should surely merit some mention even if it's just the conclusions (copies of the report were sent to all county councils).

SPECIFIC POINTS IN THE REPORT

Part 1 POLICY FRAMEWORK

UNCERTAINTY OVER STATUS

Although as a minimum there is a right of passage on foot it must be accepted that many of these routes will have a higher status.

CONFLICTS BETWEEN USERS

Once the status of the route has been ascertained there should be less conflict between users as motor vehicles will no longer be able to use routes that become RoW, that are not BOATs. However it may be that some routes could become 'maintainable highways' rather than RoW. There will be lesser conflicts between users and in the last resort it may be necessary to consider controls to avoid this.

PHYSICAL DETERIORATION

We accept that this can be caused by all users particularly by tractors and other agricultural vehicles. It should be considered whether funding and/or voluntary restraint can be addressed with the owners and both non recreational and recreational users when the status of the route is established. The use of routes reduced from 'roads' to rights of way will probably not alter perceptively.

ENVIRONMENTAL DAMAGE AND DISTURBANCE

We fully endorse the observations in this paragraph.

MANAGEMENT STRATEGIES

We accept that the Council will never have the money to maintain these routes to the standard we would all like to see but hope that they can be improved and maintained as appropriate.

DRIVING ON FOOTPATHS AND BRIDLEWAYS

Agreed. This also applies to MPV on restricted byways.

MAINTENANCE

Accepted

HIGHWAY INSPECTIONS

This in its entirety may apply to the lengths of the unsealed network which become BOATs. A large percentage of routes will probably be dealt with under the present Rights of Way regime.

VOLUNTEERS

North Yorkshire has a team of volunteers active in rights of way work many of whom would like to be more involved in this work. Additionally we understand that members of motor vehicle groups will also do voluntary work on these routes.

RESTRAINT AND REGULATION

It is accepted that this may have to occur in the future but each case should be considered on its merits at the appropriate time.

SUSTAINABLE USE

We fully support this.

Part 2 POLICY STATEMENT

We fully accept and welcome this statement.

Part 3a STRATEGY FOR CLARIFYING/CONFIRMING ROUTE STATUS

We are unclear as to how vehicle rights are to be preserved legally after 2026. The report does not mention BOATS, which are the only ways in which they could be assimilated into the rights of way network but this may be prevented by NERC. The alternative is that these routes become 'formal' highways and removed from the list of streets to preserve their status.

This Part does not appear to take the 'cut off' section of CROW fully into account with the provisions of NERC:

- a For any route to be put on the definitive map requires a legal order or event of some sort.
- b Any route that is put on the definitive map is saved from the 'cut off'.
- c Any sealed UUR remains a highway. We presume some are or were sealed but this has deteriorated due to lack of maintenance – does this affect its status? If sealed does the route come off the list of streets and become a highway or is there no difference?)
- d Any UUR on the List of Streets, which is not placed on the definitive map before 2026, loses its public status
- e Any UUR on the list of streets, for which MPV use is established can become a BOAT on the definitive map and is thus saved from the cut off subject to the provisions of NERC
- f What is the status of the list of streets after the cut off date in relation to UURs?

How can this total length of UUR be added to the definitive map?

Type of order

- a Dedication by highway authority if they own the surface or by landowner if they do. This is the simplest and cheapest way. This may also get round the provisions of NERC.
- b Creation Order has to be advertised and can be objected to either on grounds of incorrect classification of route or less likely incorrect line of route.
- C Highways Act application to Magistrates Court to extinguish unproved rights whilst preserving proved rights. Again open to objection.

Creation orders: leaving aside the question of identifying correct status how is the order to be made: Routes whose 'status' can be identified to reflect that of the adjoining PROW network' One event order or one per area or one per route.

Other orders depending on route status

- One order and can any length that is objected to be taken out and a separate order made?
- One order for each type of use ie FP, bridleway, or restricted byway or BOAT?

Highway Act: this will require 1 order per route although as Magistrates Court areas have got larger they may be able to take all the orders for one area in the same sitting depending on objections.

Para 3 Additionally the assessment survey should also ascertain/consider the appropriate use of the route so that an appropriate order can be made to define its status.

Para 4 This should include orders adding the route to the definitive map as a PROW as set out in para 4a.

Para 4a This is welcome news.

Para 5 The UUR network will cease to exist by 2026 as routes will either be on the definitive map, cut off and extinguished or become a 'highway'. Non BOATs will require less inspection and maintenance /improvement than vehicular routes.

CONCLUSION

1 In conclusion the network currently benefits all users, providing important links within the country side but suffers from users being unaware of the rights they have to use the route. Often routes classified OPRA as carry no definitive legal status, as the length of the road does not appear on the definitive map, which means that all legal rights will be extinguished in 2026. We strongly encourage the County Council to adopt a policy which will allow all these routes, unless clearly of no use, to be given a secure legal status setting out the correct route and the user rights appropriate to its use. Currently they represent less than 5% of all Rights of Way.

2 Routes should be sustainable for their legal use and have a legal use which is sustainable and suitable for their actual use. Although TROs can be used to control use it is better that the legal use suits the actual use from the start.

3 The use of Countryside Volunteers is welcomed and we suggest that recreational motoring organisations should also be involved in surveying and maintenance work on the network.

4 With the current and future financial restrictions the Council's inability to maintain, establish the correct level of legal use and reluctance to use volunteers will leave the routes unusable to everyone.

5 We urge the County Council to accept the report and prepare to survey the routes and research the legal rights with volunteers now and put the full report into practice as soon as financially possible.

LEVEL CROSSINGS

Paragraph numbers refer to Summary Document. We make no comments on matters relating to Wales or Scotland.

SUMMARY

We accept that it may be necessary to improve the system for closing and creating level crossings. This should consist of a single code or set of rules to cover all actions. We consider that any new rules or code should include a system for public consultation on the proposals and in the event of irreconcilable objections the opportunity for an independent hearing. Most emphasis will be placed on level crossings on public roads. We want to stress the problems that can be caused when a public right of way is involved. For a variety of reasons it may be necessary to divert a right of way from its original line but that the proposed new line of the path should be as safe, commodious and convenient as the original and as far as possible avoid the use of vehicular roads.

Whenever it is proposed to stop up or divert a highway that crosses a level crossing it is imperative that a risk assessment of the proposed alternative route/s that vulnerable road users, ie pedestrians, disabled and equestrians would have to use as a result of the proposals is carried out and balanced against a risk assessment for continuing with the original route. We are strongly against proposals that would provide new routes that would be less safe or less convenient and commodious than the existing original route. This is a standard and well known test in rights of way law. We accept that most diversions will be longer than the original route but this must be factor that is taken into account when considering the order.

We would deplore attempts to divert public rights of way along vehicular routes since in addition to being hazardous it is tantamount to the extinguishment of a right of way. We stress that in para 83 point 4 of the factors to be taken into account when closure and diversion orders are being considered “the effect on the integrity of the network to non vehicular public rights of way” includes the necessity to minimise losses to the public rights of way network and its connectivity.

Local Access Forums should be consulted on all applications for closure or diversion.

We agree there should be a single safety regime policed by the Rail Authority.

COMMENTS

INTRODUCTION (CONSULTATION PAPER PART 1)

1 9 We consider that “railway” should be defined as a transport system where the tracks are segregated from other traffic this would include urban tram systems for example.

DISABILITY AND ACCESSIBILITY (CONSULTATION PAPER PART 3)

2 21

2.1 All new crossings should be provided at the appropriate level of ease of use for disabled access depending on who has the right to use the crossing. All existing crossings should be brought up to this standard as soon as possible. Where there are bridleway rights over a crossing appropriate arrangements should be made for riders and this may need to include Pegasus crossings. Other users should be treated accordingly.

2.2 Reference should also be made to the new defra guidance on disabled access on all rights of way, and the appropriate structures which can be erected should this be necessary. Also on high speed lines (East and West Coast lines are prime examples) at non gated or owner operated gates telephone communication should be provided so that the times of the trains can be ascertained with a safe crossing time. This can be done by the railway or by one of the organisations that deal with

emergency calls. Additionally all crossings should have details of their situation and reference prominently displayed so that in case of any accident or incident the appropriate persons can be informed of the exact location.

CREATION OF LEVEL CROSSINGS (CONSULTATION PAPER PART 4)

3 29 We are of the general view new level crossings should not be created but if they are then an order under the Transport and Works Act 1992 seems appropriate. It should be born in mind that if a new crossing is created it will have to comply with the Disability Discrimination Act 1995.

CURRENT REGULATION OF LEVEL CROSSINGS (CONSULTATION PAPER PART 5)

4 39 It is essential that the relationship between the 3 different regimes is clarified and clear guidelines set out as to which takes priority.

THE CASE FOR REFORM (CONSULTATION PAPER PART 7)

5 45/46 Consultation about proposed diversion and closure of rights-of-way level crossings

5.1 We make no comment on the closure or diversion of private rights of way as we consider that that is a matter between the Railway Authority and the owner of the rights however the Human Rights legislation may require a similar process to be carried out.

5.2 Whether the legislation as it appears in sections 118A and 119A Highways Act 1980 is left as it is or reformed, we consider that all proposals to close or divert rights of way over level crossings should be the subject of a clearly defined statutory consultation process between the railway operator seeking the change and rights of way interest groups and parish and district councils and the Local Access Forum. Those consultations should take place before the operator approaches the local highway authority (or the Secretary of State or relevant Ministers under the Law Commission's proposals). In particular, efforts need to be made to look at the change in the context of the wider network (as provided for in section 118A (2) (b)). It is vitally important that any closures do not result in cul-de-sac paths terminating at either side of the railway since that is an invitation to trespass and would result in increased dangers because train drivers would not be expecting people to be crossing at those locations.

5.3 Generally we are of the opinion that the factors to be considered in the regulatory regime are appropriate.

6 51 We consider that the present procedure for the closure and diversion of public rights of way which cross railway lines is unsatisfactory for the reasons described above so we welcome a new approach. We comment on the detail below.

SAFETY REGULATION, CLOSURE AND OTHER REFORM PROPOSALS (CONSULTATION PAPER PART 8)

7 55/58/60 We agree that the regulation of safety at level crossings should be governed under the general scheme of HSWA 1974 provided that the interests of the users both rail and the public are taken fully into account. We consider that there should be a single regime for the regulation of level crossings as set out in paragraph 55 and that ORR should remain the body with overall responsibility for safety regulations at level crossings.

7.1 However whatever system is adopted it should take account of the convenience of vulnerable road users, especially pedestrians equestrians and the disabled.

8 63/64 We agree with these proposals.

9 67 & 69 There should only be one enforcement authority and this should be the body with the most knowledge and experience of the subject.

10 71 It is not within our competence to answer this.

11 74 Undoubtedly. The codes of practice should deal with this and be open for public consultation before promulgation.

12 75 As set below in another context (para 119) if it is not possible immediately to repeal the special acts the new code should, in general terms, override the old acts not be made subject them.

13 76

13.1 Sub para 1 Yes we think this essential and it should be made clear that 'highway user' gives equal rights to the user of rights of way.

13.2 Sub para 2 This will obviously be considered and will be a major concern but see the comment in para 14

13.3 We are surprised by the use of 'safety neutral' as we would have thought that any alteration would include increasing safety.

14 77 Any provision relating to convenience must apply equally to all users and their consideration should be given equal consideration. We think it better that there should be one scheme which covers all situations but can also specify specific areas of safety eg Pegasus crossings on bridleways or telephone communications on main and high speed links

15 80

15.1 We would welcome a standard scheme for level crossing closure orders provided that as stated above in sub paragraph 5.2 the procedure is fully open to public scrutiny, fair to all users and not slanted towards the benefits for the railway owner.

15.2 We are very clear that we do not see this as a scheme for wholesale abolition of rights of ways public crossings and would be strongly opposed to any such suggestion.

16 82

16.1 We agree that there should be list of factors to be considered, they should not be set out in order of importance. They should be ordered in a neutral manner (e.g. alphabetically) and this should be made clear in the introductory wording. This would go some way towards meeting our concerns about sections 118A and 119A Highway Act 1980, outlined above, which as presently drawn up do not address the effect of the proposed change on users of the highway in question.

17 83

17.1 (1) safety of users of the crossing (including information as to the incidence of accidents at the level crossing);

This is very relevant

17.2 (2) costs involved in maintenance of the crossing compared with costs involved in closing or closing and replacing the crossing;

Although this should be taken into account we do not consider it should be a major factor otherwise all crossings could be closed on grounds of cost without replacement.

17.3 (3) the effect of closure as opposed to retention (in the case of public level crossings) on the efficiency of the rail and road networks;

This should also include effectiveness of the rights of way network eg if closure results in the rights of way network having 2 dead end paths or an excessively long diversion it cannot be said to be either efficient or effective.

- 17.4** (4) the effect (in the case of public level crossings) on the integrity of the network of non-vehicular public rights of way;
We welcome the inclusion of this point although we question whether the words ‘non-vehicular’ are needed. The public rights of way network also encompasses restricted byways - open to horse carriages and byways open to all traffic (BOATS) - which are open to vehicles but which are used largely by people on foot, horseback and cycles. All these routes are also open to persons using vehicles for the disabled subject to weight restrictions. These users also make use of the vehicular highway network and any level crossings which it encompasses and what is a minor diversion for users of motor vehicles can be a very serious imposition on travel for non-motorised users.
- 17.4.1** The additional length of the diversion should also be a material matter to be taken into account and expressly set out in the factors. This has not been done in many major road schemes resulting in dead end rights of way and inconvenience to users. Consideration of the effect of a level crossing closure or diversion must take into account the time needed to use any alternative routes. Also the loss of the original route diminishes the length of the total network and often its connectivity.
- 17.5** (5) the effect of closure compared to retention of the crossing on the local community;
Very relevant and as in our comments on planning matters should take into account the frequency of trains and the periods of closure.
- 17.6** (6) the effect on those holding private rights over the crossing;
Equally relevant.
- 17.7** (7) the usability of the level crossing or its potential alternatives for all level crossing users;
Very relevant and should include consideration of whether the level crossing can be updated and improved to a modern standard.
- 17.8** (8) the convenience of level crossing users; and
We would suggest ‘include the convenience of all level crossing users’.
- 17.9** (9) the effect on the environment and local amenity.
Very relevant and this should also include the environment and amenity of any diversion.
- 17.10** In addition to considering the integrity of the network, the list should also include reference to the safety of the alternative route: non-motorised users may be no better off if they are forced away from a level crossing and onto a narrow country road with no footway. Also what safety improvements can be made to an existing crossing to avoid its closure ie telephone communication on major lines and Pegasus crossings on bridleways.
- 17.11** If sections 118A and 119A Highways Act 1980 are retained the point of termination of the alternative path does not have to be substantially as convenient to the public and there are no tests requiring the new route to be not substantially less convenient to the public, or requiring consideration to be given to public enjoyment or to the effect that the new route will have on the interests of those who own or occupy the land it crosses.
- 17.11.1** As they stand, sections 118A and 119A are weaker in their protection of public rights than the standard provisions for closure and diversion of public rights of way as set out in sections 118 and 119 of the Highways Act 1980. In respect of section 118A the weakness arises because there is no consideration of the use which the public are making of the route in question, either now or in the future. In respect of section 119A, the tests of the suitability of the alternative route are weaker than under section 119—the point of termination of the alternative path does not have to be substantially as convenient to the public and there are no tests requiring the new route to be not substantially less

convenient to the public, or requiring consideration to be given to public enjoyment or to the effect that the new route will have on the interests of those who own or occupy the land it crosses.

17.11.2 Although these provisions are not ideal nothing should be done to weaken the representation of the interests of highway users in this process, and we would like to see it strengthened.

18 86 This is appropriate and legal.

19 88/89

19.1 We would oppose any radical change in process which eliminated the right of an individual to have their objections to the closure or diversion of a highway heard by an independent arbitrator. With few exceptions, the procedures for diverting or extinguishing public rights of way require public notice of the proposed change to be placed on the path, published in the local press and either given directly to the prescribed organisations or published in the *London Gazette*. They also allow objectors to the proposal to have their objections heard and determined by a person or body other than the body putting forward the proposal.

19.2 Although we appreciate that the Law Commission is seeking to introduce a closure and diversion regime which would apply to all classes of highway, not just public rights of way, we suggest that options 1 and 2 serve to complicate the process with the initial application being made to the Secretary of State/relevant Ministers who then, in all three of the suggested options, must engage in some way with the local highway/roads authority. In our view, this just serves to make the process more time consuming and bureaucratic and, inevitably, more expensive. The railway operator should make a direct approach to the relevant local highway.

19.3 Under the present regime for rights of way, if the local authority has not made an order within six months then the Secretary of State has a discretion to exercise his own order-making powers. By way of such a mechanism, the initial role of the Secretary of State could be minimised. Only if the local highway authority was not amenable to the proposal or was too slow in its implementation would the Secretary of State need to become involved before decision is come to but should retain the right to order a public enquiry in the face of strong objections.

19.4 Therefore we favour option 3 with application to the Highway Authority, followed by public consultation and advertisement and for statutory consultees to be notified and in the final instance be able to sustain objections before an independent body or person such as a Planning Inspector.

19.5 The appropriate Local Access Forum should be a formal consultee in all cases.

20 91/105

20.1 91 We would have thought there was already a standard code for this and it should be adopted

20.2 93 Probably.

20.3 95 No comment. It is not for the user to pay.

20.4 96 No comment.

20.5 98 -100 We do not disagree with the proposals but note that although some applications for closure may be permanent others will be temporary to provide for works to be completed and different schemes may be considered for them.

20.6 103 We accept a TAW/S may be appropriate??? Not sure about this – delete?

- 20.7 105** We agree with this.
- 21 112** Although not competent to comment on this we would consider that as much prior agreement as possible should be achieved by negotiation.
- 22 114** We would not disagree with this.
- 23 117/118** We could envisage circumstances where this will be necessary ie to avoid the construction of a bridge by a small landowner. The decision maker should be able to override opposition so long as they are independent ie a Planning Inspector.
- 24 120/122**
- 24.1 120** We agree subject to an exception that should any provision in a private act be raised as relevant to the safety issue the original provision must be considered although it should not automatically override the new scheme.
- 24.2 121** Yes with some doubt having regard to paragraph 24.1
- 24.3 122** Agreed
- 25 123-125** We agree with these proposals but consider that the proposals should be adapted for heritage and private railways to reduce the costs but are not competent to comment on how this could be achieved.

PLANNING: ENGLAND AND WALES (CONSULTATION PAPER PART 9)

- 26 128** Although we cannot speak in relation to developments which affect level crossings it is our experience that consultation in respect of rights of way in general which are affected by development can be poor. We fear that instances where, say, a new housing development will increase use of a right of way level crossing may not be given proper consideration in the planning process simply because rights of way are not given full and proper consideration within the planning process in general. Recent DCLG advice in England has compounded this problem.
- 27 129** We have no experience of this.
- 27 130** There should be statutory consultation where development is likely to increase or alter the use of a level crossing and the amount of time the crossing is closed for the passage of trains per hour should be taken into account.
- 28 133** We strongly support this idea, as a means of improving the condition of existing crossings. There are many crossings, particularly on minor lines, where approaches to the line (stiles, gates, signs, etc.) are in need of improvement. It may be there should be procedure for advising the Railway Authority of likely planning applications so they can apply for s 106 contributions.
- 29 135/6** We have no knowledge of the workings of the Community Infrastructure Levy but would consider it a useful tool in these circumstances.

RIGHTS OF WAY AND ACCESS ISSUES: ENGLAND AND WALES (CONSULTATION PAPER PART 11)

- 30 148** Yes in respect of private rights. Public rights still exist that were or deemed to be acquired by prescription which are not yet on the definitive map.
- 31 150 – 156** We are not competent to comment on this subject except as in paragraph 30
- 32 157** We think that there should be a statutory prohibition on future implied dedications although in practice there are likely to be very few such claims. We consider that there may be

implied dedication where a right of way continues over the railway even if at the present time the right of way has not been added to the definitive map and that this should be protected.

We do however agree with the Law Commission that it is far from clear whether rights of way can be acquired through inferred or deemed dedication over land if it is a criminal trespass to be on that land but do not wish to pursue the point.

CRIMINAL OFFENCES (CONSULTATION PAPER PART 13)

(not for LAF?)

33 183-188 I would like to see as few offences as possible. However I am not sure that the RTA offences are appropriate for pedestrians. I would suggest that the existing law is appropriate for dealing with drivers and cyclists (failing to comply with a traffic sign, careless driving, dangerous driving and causing death by the last two). Manslaughter is also appropriate in certain circumstances if a train crash is caused – death by dangerous driving was only introduced because juries wouldn't convict of manslaughter but I hope that is no longer true. For pedestrians and members of the public generally the list of offences set out is appropriate. Passengers in motor vehicles would be liable for aiding and abetting the driver's offence where appropriate.

SIGNS AND THE HIGHWAY CODE (CONSULTATION PAPER PART 14)

(not for LAF?)

34 190-191 All signs should be included in the Highways Code rather than having signs for drivers in the code and pedestrian signs in a level crossing code. Probably some of the signs need redesigning but few should be needed for pedestrians. Trespass, leaving crossing on railway property, obey flashing signals, do not cross when gates are shut are the basic ones. Plus advisory at footpath etc crossings 'stop, look listen', phone to check if safe to cross, possibly Pegasus crossings on bridleways.

If signs are to be published in the Highway Code how are they to be brought to the attention of non motorised users?