North Yorkshire Local Access Forum

4 February 2016

Countryside Access Service Review

Report of the Assistant Director – Waste and Countryside Services

1.0	**Purpose of Report**
1.1	To ask the NYLAF to comment and advise on a draft proposed policy statement. To ask the NYLAF to comment and advise on proposals relating to route prioritisation. To ask the NYLAF to comment and advise on our proposed approach to issue prioritisation.

2.0   Background

2.1   The Countryside Access Service is undertaking a full service review to ensure that it is able to deliver an appropriate and sustainable service that meets the county's statutory duties in respect of the Public Rights of Way network.

2.2   At the NY Local Access Forum meeting on 4th December 2015, Forum members heard that the service is undertaking a comprehensive review of its policies and activities. The meeting asked the service to reflect on the outcome of previous discussions around prioritisation for DMMO and maintenance work. Following the December meeting officers have looked again at the report produced by the NYLAF sub-group in February 2015. The sub group report is certainly helpful in guiding at a principle level, but contains little detail. In general, the proposals that have been worked up in draft are very much in line with the principle set out by the NYLAF sub-group report.

2.3   In taking the review forward, we need to move past principle and get into more detail. As part of that effort, this paper provides more information about three interrelated pieces of work. The service would welcome the views of the NYLAF on these three issues, as part of a process leading to finalising proposals to County Council Executive Members, and then onto implementation.

3.0   Future Approach to the Countryside Access Service.

3.1   The intention is that the service will put in place a three-tier framework setting out its policy, processes and procedures to govern its work and to communicate to customers and stakeholders.

Table 1: Three tiered approach to policy and procedures:

Tier 1	Policy statement	• Short statement agreed formally by County Council. • Published.

Tier 2	Public guidance notes	• A set of publicly available guidance notes that set out how NYCC will approach issues. Available via the NYCC website. • They put more detail to relevant parts of the policy framework. • The aim is to provide a short readable document that makes it clear to all stakeholders about how NYCC will deal with a range of issues – either proactively, or when network defects are reported to us.
Tier 3	Procedure manual	• Detailed procedure notes. • Available internally to service staff. • Aim is to ensure that staff working in different areas and different contexts deal consistently with similar issues.

3.2   One of the largest pieces of work within the service review is to develop tiers 2 and 3 of this hierarchy through reviewing all of our procedures. This work is expected to take place over the next year. In order to provide a basis for this work, the initial focus has been on developing a policy statement (tier 1 in the table above) and new network prioritisation models. These are presented in sections 4-6 below.

4.0   Policy Framework.

4.1   The following statement is the initial proposed draft policy statement.

Asserting and protecting public rights of way on behalf of the public

The County Council has a duty to protect and enhance the Public Rights Of Way network. This duty includes an obligation to ensure the network is safe to use and free from obstruction. In order to fulfil this duty the County Council will ensure:

i.   Surfaces and items of infrastructure (e.g. stiles, gates and bridges) on the PROW network are appropriate and safe to use.

ii.   Maintenance works on the PROW network are carried out so as to ensure provision at least equivalent to historic levels, with improvements made where resources allow, having regard to expected use, community value and significance of individual routes.

iii.   Maintenance and improvement works are carried out within available resources and according to a published method of prioritisation.

iv.   Access to the network from metalled roads is clearly signed.

v.   Provision of other signs including waymarks along the length of public

rights of way is adequate and fit for purpose in order to inform and protect users and safeguard adjacent property and land.

vi. Landowners understand their responsibilities in relation to the PROW network, including those relating to maintenance of infrastructure and furniture, control of vegetation, control of cattle, reinstatement of surfaces and removal of obstructions.

vii. Appropriate enforcement action is taken where it is in the public interest to do so, to remove unlawful obstructions and reinstate lost or blocked routes.

viii. It is always open, honest and fair in its dealings with users, land owners and other stakeholders in relation to Public Rights of Way.

ix. It collaborates and works closely with stakeholders, Parish Councils, user groups, volunteers and other interested bodies and individuals to share skills and resources and maximise the potential to maintain and improve the Public Rights of Way network.

x. It supports an effective Local Access Forum and appropriate Liaison Groups in order to facilitate strategic advice and good working relationships between users and the Council.

xi. It processes applications to record, divert or modify rights of way (through DMMOs or PPOs) in a timely way and will regularly communicate with applicants to keep them informed of progress.

The above policies will be carried out in in accordance with legislative requirements; the Council's published guidance and resources available.

4.2 This framework is in line with the comments made by the NYLAF working group in February 2015. For example, it signals a method of prioritisation. It confirms our approach to waymarking and signing. It confirms our approach to working with landowners and stakeholders including Parish Councils and the NYLAF and other liaison groups.

4.3 NYLAF members are invited to comment on the draft policy statement. We expect that the statement will be formally signed off in Spring 2016.

5.0 Route prioritisation

5.1 In response to the reduced funding level available, the service needs to revise its prioritisation models to ensure that it focuses resource and effort onto priority routes and issues.

5.2 The first prioritisation model being revised is the route prioritisation model. The main points of the proposed approach are to:
a. Prioritise every section of path on the network, and then make that prioritisation available via the public network GIS layer.

b.   Explicitly link network prioritisation to the value placed in the path by the community.

c.   Thereby provide more clarity for staff, customers and stakeholders, allowing a transparent approach to providing service to customers and stakeholders.

d.   Allow clearer tasking within the service team.

e.   Provide a basis for directing volunteer and community effort on the network.

f.   Ensure that the prioritisation level of each path is factored into the detailed work procedures for both proactive and reactive maintenance activity. Therefore on an issue by issue basis we would provide a different level of service depending on the priority of the path.

5.3   After considering a range of potential approaches, the proposed model that we are considering has the following key elements:

a.   We will continue to manage the network based on 'Links' – sections of paths.

b.   Each link will have a priority assigned.

c.   A priority banding will be assigned based on a total priority score which will be the sum of the ratings of two elements.

d.   Each link will be assigned a characteristic score – a points score between 2 and 10 based on the key characteristic of the link.

e.   Each link will be assigned a community value score – a points rating between 1 and 5 based on an assessment of the comparative value placed on the link by the local community.

f.   Each link will therefore attract a score between 3 and 15 points.

g.   We will assign a high/medium/low priority banding to each link. This will be mapped and published on the website.

h.   The priority banding would be assigned based on the distribution of scores once all links have been scored, and on the capacity level within the service.

i.   The priority score or banding will then form part of the issue prioritisation model.

5.4   Figure 1 illustrates how the scoring would work for each section of path.

Figure 1: Route prioritisation illustration:

Route characteristic score 4 points	Route community value score 4 points
Total route priority score 8 points	
Route priority level Low	

High priority	13 - 15 points
Medium priority	9 - 12 points
Low priority	3 - 8 points

This approach is proposed because we think:

    (a)   that it is a transparent approach to prioritising the entire network;

    (b)   that including community value explicitly within the model is an improvement in principle;

    (c)   that the inclusion of community value in the prioritisation will focus attention and resource onto parts of the network that will provide greatest benefit and value per pound spent.

<u>Route Characteristic Element</u>

5.5   The proposed model will assign a route priority score and level based on two criteria: the key characteristic of the route and the community value of the route. Table 3 shows the initially proposed path characteristics for each section and path. It shows the type of characteristic that we consider important, how that characteristic is to be defined, and the score to be linked to each defining characteristic.

5.6   Many paths and sections of route are multi-faceted in nature and could fall into more than one of the defining characteristics. It would be possible to give a multi-faceted section or path points for each of its characteristics. However this would result in a very large points differential between paths, and would make the model much more complex. Therefore we think it better to use a 'key characteristic' model that will assign one score to each path based on its highest scoring characteristic.

Table 3: Path characteristic scores

Path characteristic	Defined by / as	Score
National Trail/National Cycle Network	Natural England/Sustrans	10
Safe routes to schools	Usually surfaced routes providing alternative direct pedestrian/cycle route from population centres to schools avoiding busy roads or roads without a footway.	
Routes within urban areas	Routes mostly within development limit of service centres/large villages	
NYCC promoted routes	PRoW / Development & Outreach teams.	8
Routes within 1km of urban fringe	Routes mostly within 1km of the development limit of service centres/large villages.	
Routes to and within 1km of places of interest in the countryside	Places of interest defined as: viewpoints, prominent peaks, historic buildings and grounds, ruins and archaeological sites, waterfalls, nature reserves, fishing ponds, pubs, cafes, country parks.	
Multi-user trails	Largely barrier free, surfaced strategic routes for walkers, cyclists and horse riders either linking communities or over 5km in length.	6
Routes within 1km of village centres.	Development limit.	
Routes within 1km of tourism centres.	Tourism centres defined as: campsites, holiday parks, hotels and other holiday accommodation centres.	
Routes within National parks and AONBs	Natural England	
Routes along main rivers and canals	Environment Agency	
Routes avoiding A and B class roads	NYCC	
Routes onto access land	Natural England	
Other routes	All routes that don't have another characteristic	4
Obsolete routes	Cul-de-sac routes with no terminal point of interest. Routes that do not connect with other highways or PRoW. Routes that only connect to A and B class roads without a suitable verge or footway.	2

5.7   The characteristics have been chosen to be factually objective in order to be mappable on currently available datasets, although some of those datasets will need a degree of work to finalise definitions.

5.8   The implication of only including factually objective characteristics is that this element of the model could be implemented relatively quickly. We could initially implement the model based solely on the path characteristics above, giving time to develop and then add in scores over time for the more difficult to measure community value element. An initial partial implementation based on the characteristics of paths alone would still bring an improved level of rigour compared to the current position.

5.9   Issues and questions that the NYLAF may want to consider are:
➢   Do you agree with the characteristics set out above?
➢   Are there other characteristics that should be considered?
➢   Are there characteristics that should be removed?
➢   Do you agree with the scores assigned to the characteristics in table 3?

Community Value Element

5.10   We consider that it is beneficial to include an assessment of how the community values their right of way network as part of the route prioritisation model. We believe that in principle it is a positive move to prioritise effort and resource onto routes that add the most value to the local community.

5.11   However there are four difficulties with this element of the proposed route prioritisation model:
a)   It is difficult to define community
b)   It is difficult to define community value.
c)   We have no data of any kind relating to how the community (however defined) value the different elements of their right of way network.
d)   We have no method of measuring community value.

5.12   The proposal is therefore to recognise a primary and secondary idea of community. We want to define the primary community as those people living within the parish. We expect to deal with the Parish Council as the representative of the primary community.

5.13   Other users benefit from and have an interest in the PRoW network, and will take a view on how NYCC prioritise and maintains the network. We currently define other user groups and communities of interest as:
Auto Cycle Union Ltd, The British Horse Society, Ramblers, Byways and Bridleways Trust, Open Spaces Society, The British Driving Society, Cyclists Touring Club, All Wheel Drive Club, Trail Riders Fellowship, Range Rover Register, LARA, Green Lane Association, North East Laners.

5.14   Table 4 sets out our proposed definition of community value. In each case we propose to define the level of value by reference to a subjective assessment by the primary community (Parish Council), and by whether there is any evidence of interest in the route from one or more of the user groups making up the list of secondary communities of interest.

Table 4: Proposed definition of Community Value

Community Value	Defined as	Score
Very High	Route provides significant amenity and economic benefit to local community users (defined as people living within the parish). & Evidence that the route is strongly valued by other user groups and communities of interest.	5
High	Route provides significant amenity and economic benefit to local community users (defined as people living within the parish). & No evidence that the route is strongly valued by other user groups and communities of interest.	4
Medium	Route provides some amenity and economic benefit to local community users (defined as people living within the parish) & Evidence that the route is strongly valued by other user groups and communities of interest.	3
Low	EITHER: Route provides some amenity and economic benefit to local community users (defined as people living within the parish) & No evidence that the route is strongly valued by other user groups and communities of interest. OR: Route provides at best limited amenity or economic benefit to local community users (defined as people living within the parish). & Evidence that the route is strongly valued by other user groups and communities of interest.	2
Very Low	Route provides at best limited amenity or economic benefit to local community users (defined as people living within the parish). & No evidence that the route is strongly valued by other user groups and communities of interest.	1

5.15 In order to implement this element of the approach the service would need to gather and then update and improve the quality of this data over time. If we decided to take this approach, then starting in 2016/17 we would:

➢ Undertake a simple survey of parishes in North Yorkshire to ascertain how each parish values the paths within its boundaries.

➢ Discuss and plan the most appropriate way for each of the user groups to contribute to their element of the model. This might be by asking each of them to rate their level of interest in the entire network for us.

5.16 As we don't have any data, initial implementation would have to be based on the objective characteristic data only. As we develop community value data that could then be phased into the model.

5.17 A significant concern is that user groups or parishes may rate all of the relevant sections of the network as providing high value, in an attempt to move their paths up the priority list. Hopefully by explaining the model then this would not happen, but if it did then we would have to take a view on whether it was legitimate to use the survey data or whether to fall back onto the characteristic score alone. Clearly there are some issues around implementing the community value rating within the proposed approach.

5.18 Issues and questions that the NYLAF may want to consider are:

➢ Do you agree that an assessment of community value levels should be included in the model?

➢ Do you agree with the proposed definitions of community value?

➢ What do you think of the suggested approaches to measuring community value?

➢ Are there other practical ways to collect community value data?

6.0 Issue prioritisation

6.1 The second prioritisation model being reviewed is the issue prioritisation model. The service prioritises each network defect reported to it. The issue prioritisation model governs how reported defects are prioritised in a consistent manner. This drives work programming in the team. It also helps ensure that resource is focused onto the most important issues.

6.2 In principle we don't see the need to change this approach. It remains important to prioritise network defects reported to the team. We don't consider it appropriate to ask NYLAF to consider detailed options of scoring models that prioritise between different reported issues.

6.3 However we would welcome advice from the NYLAF over the relative importance to be placed on the three elements used in the model. We consider that these three elements remain appropriate and we don't propose to change them. They are:

a. Route priority

This is measured as 1 point for a defect on a low priority route, 3 points for a medium route and 5 points for a high priority route.

    b.   <u>Risk to the safety of network users</u> of the defect on the route.
This is measured on a 1-25 points risk matrix (likelihood and severity).

    c.   <u>Effect of the defect on the ability of users to continue using the route.</u>
This is measured as 2 points for no impact, 4 points for inconvenient, 6 points for route unusable.

6.4   Currently we add the three scores together to give an issue score of between 4 and 36 points for each defect. Risk therefore has a high weighting within the model. Defects scoring over 16 points for risk (high likelihood and high potential severity) are treated as high priority even for a defect on a low priority route that doesn't have a high effect score. Apart from that, defects with a higher issue score are seen as higher priority for action.

6.5   Issues and questions that the NYLAF may want to consider are:
- ➢ Do you agree with the intention to continue using the current elements?
- ➢ Are there other elements that you think could be used?
- ➢ Do you agree with the current approach to combining the three elements?

7.0   Legal Implications

7.1   Consideration has been given to the potential for any legal implications arising from the recommendations included in this report. It is the view of officers that there are no legal implications.

8.0   Financial Implications

8.1   Consideration has been given to the potential for any financial implications arising from the recommendations included in this report. It is the view of officers that there are no financial implications upon the County Council.

9.0   Equalities Implications

9.1   There are no equality implications as this is an advisory report only. A robust equality impact assessment is being undertaken as part of the service review.

10.0   Recommendation(s)

10.1   It is recommended that:
    i)   LAF members comment on the content of the report.

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<u>Background Documents</u>: None