

North Yorkshire Local Access Forum

Minutes of the meeting held at County Hall, Northallerton on 5 March 2019, commencing at 1:30pm

Present

Geoff Fell (Chair), Doug Cartwright, Rachel Connolly, Roma Haigh, County Councillor Robert Heseltine, Carol Murray, Paul Sheard, Paul Sherwood, Richard Smith, Helen Soutar and Judith Turner.

Apologies: County Councillor David Jeffels & Michael Bartholomew

Officers: Ian Kelly, Countryside Access Manager (Business and Environmental Services, North Yorkshire County Council) and Melanie Carr (Legal & Democratic Services - Secretary to the Local Access Forum)

262 Election of a Chair

Resolved - That Geoff Fell be elected Chair of the North Yorkshire Local Access Forum for one year.

Geoff Fell took the Chair

263 Apologies for Absence

Apologies for absence were received from County Councillor David Jeffels and Michael Bartholomew.

264 Election of a Vice-Chair & District Council Liaison Representatives

Resolved - That Paul Sherwood be elected as Vice-Chair of the North Yorkshire Local Access Forum for one year.

A number of the returning members present, who had previously held a role of District Council Liaison Representative or Project Lead agreed to continue in their role, as follows:

- Richard Smith – Harrogate District Council, & 2026
- Rachel Connelly – Hambleton District Council, A1 & A19
- Paul Sherwood – A66

Other members indicated they would be willing to take on new roles:

- Doug Cartwright – Richmondshire District Council
- Geoff Fell – Scarborough District Council
- Paul Sherwood – LAF Representative on NYCC Countryside Access Service User Group

It was agreed that representation on the following would be agreed at a later date:

- Selby District Council
- Craven District Council
- Ryedale District Council
- Regional Access Forum

265 Minutes of the meeting held on 17 October 2018

In considering the draft Minutes, members identified a number of errors:

In regard to Minute 258 – resolution (ii) it was clarified that it was Roma Haigh who had agreed to support the work on Yorkshire Wold Way and Cleveland Way.

In regard to Minute No. 259, resolution (iii) and Minute No. 261– both should have referenced the next LAF meeting in ‘January 2019’ It was noted that the planned January meeting had subsequently been deferred to March 2019.

Resolved -

That subject to the above changes, the Minutes of the meeting held on 25 July 2018 be agreed as a correct record and signed by the Chair.

266 Public Questions or Statements

There were no public questions or statements.

267 Attendance of Highways England Representative

Ben Dobson, A19 Contract Manager from Highways England attended the meeting to give a presentation that updated the Forum on confirmed works for 2019/20 and Highways England plans for 2020 onwards. He briefed the Forum on:

- The work that had been undertaken along the North Yorkshire section of the A19
- The planned closure of Stony Lane access – a decision taken as a result of a number of incidences. He confirmed there would still be a physical break in the road to enable pedestrians to cross.
- Planned work at Elwick & Dalton Piercy, Mount Grace Priory and Norton to Wynyard
- Other pieces of maintenance work planned throughout the year

He went on to highlight the planned areas of work from 2020 onwards which included improving lining, signage and junctions and undertaking gap closures. He confirmed that Improvement works would be initiated following consideration of the most cost effective options. Also that Highways England already had funding in place to carry out some preliminary design work but further national funding would be required for any major junction improvement works.

Following a query from Members, Ben Dobson outlined the approximate costs involved in introducing a NMU bridge, and confirmed that bridges were cheaper than tunnels. He also defined the type of evidence required to justify the expense.

In regard to Stony Lane, Ben Dobson confirmed the only objection received had come from North Yorkshire Local Access Forum, and that whilst the objection had been received after the close of the consultation period, it had led to the decision to introduce a gap.

Members raised the issue of assessing suppressed demand and questioned how it was evaluated. Ben Dobson confirmed that Highways England used a number of formulas to assess suppressed demand, and that data was added to assess potential demand at the strategic planning stage.

In regard to assessing use of routes, Ben Dobson confirmed NMU surveys, user groups and physically sitting and watching users, were all methods undertaken.

Finally, a question was raised whether a Public Space Protection Order could be used instead of a Traffic Regulation Order. Ian Kelly agreed to investigate and provide feedback.

The Forum thanked Ben Dobson for his update and requested a further update in 12 months' time.

Resolved -

That:

- i. The update be noted
- ii. A further update be provided in 12 months' time.

268 District Council & LAF Project Updates

Considered -

The report of the Secretary giving LAF members the opportunity to update the Forum on District Council liaison and other LAF representative project activity since the last meeting.

It was confirmed that County Councillor David Jeffels was continuing his work on the GOAT Scheme (Going Out & About), and would be providing a written report to a later meeting.

Rachel Connolly gave a verbal overview of two draft responses on two Hambleton District Council planning applications she had produced for the LAF's consideration.

Roma Haigh confirmed that her work on the NYLAF webpage had been paused since the previous meeting of the Forum in October 2018, and that now the LAF was up and running again, the work would be progressed.

Members also noted:

- The comments provided by Michael Bartholomew to the public consultation on the proposed main modifications to Craven District Council's Local Plan.
- The update from Rachel Connolly on the final meeting of the A1 NMU Stakeholders held on 30 October 2018.

Finally, Roma Haigh agreed to forward her consultation feedback on the Howardian Hills Area of Outstanding Beauty (AONB) Management Plan Review to the Secretary for circulation to all members.

Resolved -

That:

- i. The updates on the various projects be noted.
- ii. That an update on GOAT be provided at the next meeting of the LAF in April 2019
- iii. The draft responses on the two Hambleton District Council planning applications be submitted by the Secretary, on behalf of the LAF.
- iv. Roma Haigh to provide feedback on the Howardian Hills AONB Review for circulation to Forum members.

269 Secretary's Update Report

Considered -

The report of the Secretary which updated on developments since the last meeting.

Forum members noted the update on the consultation submissions and notifications received since the last meeting.

The Chair queried why some of the issues identified within the report had been brought to the Forum's attention as he was of the view that they were outside of the forum's remit. In particular he referenced the open access land issue in Nidderdale, shown at Annex D to the report. The Secretary confirmed that the Forum had previously been consulted on a similar planning scheme by the Forestry Commission but not on the site in question. She questioned whether this was indicative of a lack of appropriate consultation by the Forestry Commission. Members discussed the submission and Richard Smith agreed to contact the Forestry Commission to seek further clarity on any obstruction of PROW in that area.

In regard to the request from Natural England for feedback on both the continued delay implementation of the Deregulation Act measures, and the fast approaching 2026 cut-off and the establishment of TROs, Forum members considered the draft responses provided by a number of forum members shown at Annex C to the report, and agreed its formal response for submission.

In regard to the Bedale & Leeming By-pass, Ian Kelly confirmed it was unlikely that NYCC would proceed with a Creation Order if a Creation Agreement was not successful in securing an NMU route. He also confirmed he was in the process of replying to the BHS contact who was pursuing the matter on behalf of NMUs.

In regard to the LAF's remit, the Secretary provided an update on the work of the sub-group set up at the last meeting to consider Terms of Reference (ToR) in place elsewhere, with the intention of revising if appropriate the LAF principles for this Forum. The Secretary confirmed that no consensus had been reached by the sub-group and in light of the training provided earlier, suggested that she draft a ToR that incorporated the principles and advice currently in place, for consideration by all Forum members at the forthcoming meeting in April 2019.

Resolved -

That:

- i. The update report be noted.
- ii. Richard Smith investigate further the issues in Upper Nidderdale and feedback to the LAF in due course.
- iii. The Secretary to submit NYLAFs responses on Natural England Policies to the Regional Access Forum.
- iv. The Secretary draft Terms of Reference for the LAF that incorporate the current LAF Principles and Advice documents, for consideration at the next LAF meeting in April 2019.

270 Forward Plan

Considered -

The Secretary drew members' attention to the draft Forward Plan provided at Appendix 1 to the report, and invited members to identify any additional items of business to be added.

Members suggested the future attendance of representatives from Section 94 Bodies, and Ian Kelly confirmed that an update on UUR Management would be provided at the next meeting.

Resolved -

That:

- i. The Chair, Vice-Chair and Secretary meet to consider and update the Forward Plan for 2019, for presentation at the forthcoming meeting in April 2019

The meeting concluded at 3:40pm
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North Yorkshire Local Access Forum

10 April 2019

Draft Terms of Reference for North Yorkshire Local Access Forum

Report of the Secretary

1.0 Purpose of the Report

- 1.1 To present some draft Terms of Reference for Forum members' consideration

2.0 Background

- 2.1 At a meeting held in July 2018 Forum members decided to carry out a review of the published LAF Principles and LAF Advice documents at their following meeting, under the heading of LAF Duties, and it was agreed both documents would be circulated to all members to consider in advance of that meeting.
- 2.2 Following the meeting, a number of examples of Local Access Forums Terms of Reference (ToR), in place elsewhere, were also circulated to all members as examples of best practice.
- 2.3 At a meeting in October 2018, following some discussion about the appropriateness of the existing documents, members agreed to the formation of a working group made up of Michael Bartholomew, Rachel Connolly & Paul Sherwood, to work together to revise the documents for consideration by the LAF at a future meeting.
- 2.4 It was reported at the last meeting of the Forum held in March 2019, that the Working Group had met to discuss a way forward but were unable to reach a consensus. In light of that, and taking account of the information provided at the training session held before the meeting, it was agreed the Secretary would draft some ToR for the North Yorkshire Local Access Forum, for the Forum's consideration at this meeting.

3.0 Draft Terms of Reference

- 3.1 The draft ToR are attached at Appendix 1 for members' consideration.
- 3.2 In anticipating the need for advice between NYLAF meetings, it is suggested that the Principles and Advice documents previously in place, now be used by the North Yorkshire Local Access Forum as a generic 'position statement' setting out advice on broad principles or key issues for use where appropriate – these are shown at Annex A to the ToR.

4.0 Recommendations

That the Local Access Forum consider the draft terms of Reference at Appendix 1 and agree any necessary amendments, before signing them off for implementation.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Melanie Carr, Secretary to North Yorkshire Local Access Forum

Appendix 1 – Draft Terms of Reference

Draft Terms of Reference for the North Yorkshire Local Access Forum

The Local Access Forum for the county of North Yorkshire shall be known as the North Yorkshire Local Access Forum (herein referred to as 'NYLAF').

Local Access Forums (LAFs) are advisory bodies established under sections 94 and 95 of the Countryside and Rights of Way Act 2000 (CROW). LAFs are established by local highway authorities. North Yorkshire County Council is the Appointing Authority for the NYLAF (herein referred to as 'the Appointing Authority').

In 2007 Defra published the Local Access Forums (England) Regulations 2007 (herein referred to as 'the Regulations'). These came into force on 19th March 2007 with additional Guidance from the Secretary of State and form the basis of the Terms of Reference of the Local Access Forum for North Yorkshire.

1. Geographical Coverage

- 1.1 NYLAF covers the administrative county of North Yorkshire, including the Howardian Hills Area of Outstanding Natural Beauty, the Upper Nidderdale Area of Outstanding Natural Beauty and a small section of the Forest of Bowland Area of Outstanding Natural Beauty.
- 1.2 It excludes the area of the administrative unitary authority of the City of York, the North York Moors National Park & the Yorkshire Dales National Park.

2. Role

- 2.1 The primary purpose of the Forum is to provide advice to a range of organisations specified in the CROW Act 2000 and in supplementary regulations and guidance. Specifically to:

'advise its appointing authority and other specified bodies¹ as to the improvement of public access to land² in the area, for the purposes of open-air recreation and the enjoyment of the area, and as to such other matters as may be prescribed.

- 2.2 Where there is no demonstrable connection to land access, NYLAF should not proceed on a matter.
- 2.3 In carrying out its functions, a local access forum shall have regard to-
 - (a) the needs of land management,
 - (b) the desirability of conserving the natural beauty of the area for which it is established, including the flora, fauna and geological and physiographical features of the area, and
 - (c) guidance given from time to time by the Secretary of State. (94 (6)).

¹ Collectively known as 'Section 94(4) bodies: the Secretary of State, Highways England, Planning Inspectorate, Natural England, Forestry Commission, English Heritage, Sport England, Areas of Outstanding Natural Beauty, Parish Councils

² 'Land' includes land covered by water

2.4 NYLAF shall:

- i. Set its own priorities depending on local issues, as well as providing a local input to consultation and draft policy documents.
- ii. Provide advice to the Appointing Authority and other authorities on the improvement of public access to land within the County for the purpose of travel, open-air recreation and enjoyment of the area or any other lawful purpose.
- iii. Respond to consultations by Government Departments and Agencies on Access land registered common land and other open country.
- iv. Advise the Appointing Authority on the management of the Rights of Way network through the Improvement Plan for the County.
- v. Comment on the Appointing Authority's and other relevant local authorities' access strategies with a view to developing additional opportunities for people to enjoy access to the environment.
- vi. Seek representation on and offer advice to other bodies working to similar aims.
- vii. Advise Natural England on the operation of open access restrictions, management and mapping.
- viii. Advise on the promotion of opportunities for the appropriate use and enjoyment of the countryside.
- ix. Advise on the opportunities afforded to NYLAF through engagement with Local Nature Partnerships (LNPs) and Local Enterprise Partnerships (LEPs); and other matters relating to the provision of access and opportunities for the enjoyment of the natural environment.
- x. Seek opportunities to engage with managers of land to advise them of the opportunities available to promote and manage the provision of access including green spaces.

3. Responsibilities

- 3.1 In carrying out its function, NYLAF will have regard to biodiversity, wildlife management, the flora, fauna and geological and physiological features of the area and the needs and interests of landowners, land managers, user groups and the public at large.
- 3.2 NYLAF will respect local circumstances as well as environmental, social, economic and educational interests.
- 3.3 NYLAF will take into account statutory guidance issued by the Secretary of State whilst operating within the Countryside and Rights of Way Act and regulations made thereafter.

4. Funding

- 4.1 The Appointing Authority is responsible for the costs of running NYLAF. This includes paying for:
 - The provision of a secretary for NYLAF
 - Members expenses – travel, subsistence and child care

- The publication of NYLAF's annual report

5. Membership of NYLAF

- 5.1 NYLAF shall consist of a maximum of 13 members.
- 5.2 Based on a membership of 13, the maximum number of members of NYLAF who may also be members of a district or borough council or the Appointing Authority is two.
- 5.3 The process for the appointment of members should be fair and transparent, following the Appointing Authority's policies on social inclusion and diversity.
- 5.4 Members will be appointed for a period of three years - there is no limit to the number of times a member can be appointed.
- 5.5 In order to maintain some continuity of experience, recruitment will take place by thirds, on an annual basis.
- 5.6 Individual members will, through consultation, represent a field of interest rather than a particular organisation of which they might also be a member. A reasonable balance of members representing different interests should be maintained. These will be representative of:
- Users of rights of way and open access land
 - Owners and occupiers of land which has a public right of access
 - Any other interests especially relevant to the authority's area, such as tourism, nature and heritage conservation, coastal issues, health, public transport or community safety
- 5.7 A member may resign by notice in writing.
- 5.8 The Appointing Authority may terminate the appointment of a member if:
- a) Without consent they fail to attend meetings for a year; or
 - b) Fail to declare an interest they have in a matter to be considered by NYLAF; or
 - c) If the Appointing Authority is satisfied that they have become a member of a local authority in the area covered by NYLAF and as a result paragraph 5.2 has not been complied with.

6. Chair & Vice Chair

- 6.1 The Chair and Vice Chair will be drawn for NYLAF members. They will be elected by two ballots. Whenever possible the Chair and Vice Chair should represent different categories of interest. Members of the Appointing Authority will not be eligible for either position.
- 6.2 The appointment to these posts will be renewed on an annual basis. In the event that either post become vacant during the period of appointment. NYLAF may decide that both posts should be filled afresh. The total period during which a member may be Chair or Vice Chair will not exceed the period of their appointment as a member.

- 6.3 For the purposes of the election of officers NYLAFs year is deemed to be the calendar year and elections will be held at the first meeting each year.
- 6.4 Where neither the Chair nor Vice Chair are able to attend a meeting, NYLAF may choose to elect a Chair for the duration of that meeting only.

7. Meeting of the Forum

- 7.1 Meetings are to be held at least three times a year.
- 7.2 The meetings shall be deemed to be quorate when half the then membership or nine members are present, whichever is the smaller number.
- 7.3 Members who have a personal interest, whether direct or indirect, in a matter to be discussed by NYLAF should disclose that interest at the meeting. A personal interest is defined as one which might affect a member's wellbeing, financial position or business, or that of a relative or friend, to a greater extent than that of other inhabitants of the area. Personal interests will be recorded in the Minutes but will not necessarily prohibit that member from taking part in the discussion of that item.
- 7.4 Copies of the agenda for each meeting and any reports will be made available for inspection by the public at County Hall and on the Appointing Authority's website at least five clear working days before the meeting or as soon as possible if a meeting is convened at short notice.
- 7.5 The papers and minutes of each meeting will be made available for inspection by the public at County Hall and on the Appointing Authority's website for a period of two years after the meeting.
- 7.6 The Chair may, with the permission of NYLAF, vary the order of business to that set out on the agenda.
- 7.7 With the exception of voting for Chair or Vice Chair, voting shall be by show of hands and all decisions shall be decided by a majority of the Members present. In the event of an equality of votes the Chair may exercise a second or casting vote.

8. Public Access to Meetings

- 8.1 The meetings will be open to the public but people may be excluded if necessary to prevent disorderly conduct or misbehaviour.
- 8.2 Members of the public wishing to speak at the meeting must inform the Appointing Authority at least one working day before the meeting is held.
- 8.3 Observers may at the discretion of the Chair, attend and take part in the discussion but cannot vote or take part in decision-making.

9. Secretary

- 9.1 The Appointing Authority will nominate an officer to act as the interface with NYLAF and advise NYLAF, and fulfil the responsibilities of a secretary.
- 9.2 The Secretary will, in conjunction with the Chair, be responsible for the overall administration of NYLAF, including organising the meetings, drafting the minutes, producing the draft annual report and liaising with neighbouring Forums and the Appointing Authority.

10. Annual Report

- 10.1 NYLAF shall produce an annual report on its work which the Appointing Authority will publish and make available online.

11. Sub-groups and Working Groups

- 11.1 NYLAF may approve the creation of sub-groups and working groups (herein referred to as sub-groups) to assist with the work of NYLAF. Sub-groups will be created and/or disbanded at the first meeting of each calendar year depending on the potential work programme for the year.
- 11.2 The work of any sub-group will be to act in an advisory capacity to NYLAF. Its scope and work programme will be set by NYLAF.
- 11.3 Members of the sub-groups will be appointed at the start of each year or where appropriate at the start of a specific piece of work, as agreed by NYLAF. A sub-group may appoint a Chair only for the purposes of representing the sub-group at NYLAF meetings and administration.
- 11.4 NYLAF as an official body supersedes all work of the sub-groups.
- 11.5 Sub-groups meetings will be held informally without the need for a published agenda or minutes. A sub-group may produce a report of their meetings to NYLAF and all work undertaken by a sub-group must be approved at the NYLAF.
- 11.6 The administration and logistics of sub-groups will be arranged by the sub-group itself.

12. Communication

- 12.1 All communication received and sent by NYLAF must be noted and/or approved at a meeting of NYLAF. Correspondence having then been agreed, should be sent by the Chair or Secretary on behalf of NYLAF.
- 12.2 Individual members must not to present themselves as a NYLAF member when communicating their personal views, and may only present their personal views on issues where there is a public consultation.
- 12.3 The timing of requests for advice or consultations may not always correspond with NYLAF's meeting cycle. Liaison with the Appointing Authority in preparing the forward work programme and setting meeting dates should minimise this. NYLAF

may also anticipate the need for advice and plan ahead by developing (and keeping under review) a generic 'position statement' setting out advice on broad principles or key issues which can be used, when appropriate, for responding when advice is required between NYLAF meetings – see advice and principles at Annex A.

12.4 The Chair may discuss the handling of issues with other NYLAF members by telephone, email, social media etc. Depending on the importance of the issues raised the Chair may decide that:

- The issue should be added to the agenda of the next NYLAF meeting;
- Previous advice or a pre-agreed position statement provides adequate or interim advice.

12.5 In the event that communication as described on paragraph 12.3 is required, the Chair must seek general approval from other NYLAF members before sending any communication, and must take into account all interests of NYLAF as outlined in paragraph 4.5. Any communication sent in this manner must still be noted at a meeting of NYLAF.

12.6 Chairs of sub-groups may write to third parties on routine matters e.g. seeking information, booking venues, inviting guests, but must not offer the views of NYLAF.

NORTH YORKSHIRE LOCAL ACCESS FORUM

Local Access Forums perform a statutory function and all section 94(4) bodies are required under section 94(5) of the CROW Act 2000 to 'have regard in carrying out their functions to any relevant advice given to them' by a Forum. Reflecting the directives given to forums, the North Yorkshire LAF has drawn up a set of principles which now underpin their work and advice.

- Any new access should be at the highest rights practicable
- All rights of way should be maintained to the standard required and, where needed, upgraded physically and legally to a higher standard
- The Forum will work to see rights of way developed to redress the fragmentation of the network, connect communities and improve links to places of demand
- The Forum will work to develop more access opportunities to include the widest possible range of users, especially families, children, minority groups and the less able
- The Forum seeks the establishment of an annual budget to fund the fulfilling of the Rights of Way Improvement Plan (RoWIP)
- Whilst the creation of all access is welcome, the Forum stresses that permissive (temporary) access does not equate with the public benefit of definitive (permanent) access
- The Forum wishes to raise awareness of how different users can enjoy responsible sharing of routes where appropriate, whilst supporting challenges to illegal use
- The Forum recognises the establishment and challenges of new initiatives such as coastal access, access to water, access to woodland and the dedication of land for public access

The above may be summarised simply as:

The Forum seeks to maximise every opportunity for improved access, providing safer non-motorised journeys for the widest range of users practicable.

The Forum welcomes consultation from all section 94(4) bodies or others who feel they might benefit from discussion with them. For further information please contact the chair through the Secretary to the Forum - Melanie Carr, at North Yorkshire County Council either by telephone on 01609 533849 or by email at: melanie.carr1@northyorks.gov.uk

NORTH YORKSHIRE LOCAL ACCESS FORUM

Advice to District Councils as Sec.94 (4) bodies

Whilst each District will have different priorities within its Local Plan, the North Yorkshire Local Access Forum, in accordance with its statutory remit under sec. 94(5) of the CROW Act 2000, recommends the following points, which it hopes will be reflected by every District Council:

- The Forum advises that Good Practice in planning matters will incorporate connections for non-motorised users to local services and the rights of way network whenever possible. Such routes should be multi-user, if practicable, to encourage sustainable travel.
- That new sites provide informal as well as formal green space.
- That Local Plans reflect the objectives of NYCC's Rights of Way Improvement Plan and the Local Transport Plan.
- That Councils identify popular rights of way so they can put measures in places to enhance them and ensure their sustainability.
- That Councils seek opportunities to remedy missing links in a fragmented network to encourage healthy and sustainable travel.
- Councils should take advantage of Community Infrastructure Levy, Sec.106 arrangements, minerals tax and wind farm contribution to invest in initiatives and improvements for access.
- That Councils recognise the value of strong partnership with NYCC's rights of way department to promote the benefits accruing from a useful network of public paths.

These can be loosely summarised in the advice 'that all planning applications, should be considered from the Access point of view, to ensure opportunities for access are included'. Once missed, it is unlikely they can be added at a future date.

In addition, as Local Access Forums are directed to be inclusive in approach, which avoids discrimination and provides Best Value in access provision, we strongly advise that all new paths should be for the widest range of users, as in this way it encourages sustainable travel and supports safer and healthier journeys for as many as practicable.

The Forum welcomes engagement. Contact can either be made through your named LAF member or through the LAF Secretary - Melanie Carr, at North Yorkshire County Council either by telephone on 01609 533849 or by email at:

melanie.carr1@northyorks.gov.uk

North Yorkshire County Council

North Yorkshire Local Access Forum

10 April 2019

Management of Unsurfaced Unclassified Roads (UURs) in North Yorkshire Update

1.0 Purpose Of Report

- 1.1 To purpose of this report is to provide a progress update following the transfer of management responsibility for UURs from Highways & Transportation (H&T) to the Countryside Access Service (CAS).

2.0 Background

- 2.1 Following the successful completion of a pilot project between 2016 and 2017 the transfer of management responsibility for UURs within North Yorkshire took place on 1 July 2019. With this came a budget of £150,000 that included the costs associated with a dedicated member of staff.
- 2.2 Under this arrangement CAS took on the responsibility for the maintenance of the entire UUR network within North Yorkshire County Council, including the two National Parks.
- 2.3 H&T retain responsibility for Permanent Traffic Regulation Orders, Route Status and Route Alignment on the UUR network.
- 2.4 The reciprocal transfer of responsibility for urban metalled public rights of way from CAS to H&T will proceed once a definitive list of routes has been finalised and agreed

3.0 Partnership Working

- 3.1 Picking up on the approach that was taken under the pilot project, CAS has worked closely with both the Yorkshire Dales and North York Moors National Park. Both National Parks have taken on the role of delivery partners and helped to focus resources on priority UUR routes within their areas.
- 3.2 Each National Park Authority (NPA) were allocated a fixed budget and, with the agreement of the NYCC UUR Officer, have delivered a work program that met their priorities for access and recreation. Any UUR issues within the National Park that fall outside of the priorities of the NPA are picked up by NYCC.

- 3.3 Over the year there have been regular update meeting between the NYCC UUR Officer and the National Park Ranger Teams, as well as site visits to look at various maintenance proposals. This partnership approach has resulted in the delivery of an extensive program of work to the UUR network across the county. See section 5.
- 3.4 CAS have continued to work closely with the colleagues in H&T as part of the UUR transfer, and have benefitted from the extensive historic knowledge that is held within the local Area Offices, and the Asset Management Team.
- 3.5 Meetings have also been offered and taken place with the AONBs to assist in identifying any access management issues and priority routes within the UUR network in their area.

4.0 User Group Liaison and community engagement

- 4.1 CAS have made every effort to engage with many of the user groups with an interest in the UUR network. Meetings have taken place with the Trail Riders Fellowship, the Green Lane Alliance, as well as Ramblers and Bridleway groups. These meetings were intended to identify specific priorities for each group and help to foster a close working relationship based on trust and understanding.
- 4.2 Following the UUR transfer; the existing 6 monthly User Liaison Group organized by CAS to discuss issues relating to Public Rights of Way has been expanded to include representatives from the TRF and GLASS.
- 4.3 Representatives of CAS delivered a short presentation at the Western Parishes Forum within the North York Moors National Park. This was to address concerns relating to vehicular access to UURs with the National Park, and to explain the recent changes to the management of the UUR network.

5.0 Volunteering

- 5.1 CAS are well placed to utilise assistance from volunteers in monitoring and maintaining the UUR network. There have been a number of offers of support from various user groups; and discussions are underway between the UUR Officer and Volunteer Coordinator regarding the best way to proceed with this.

6.0 2018-19 Work Programme

6.1 The table below details the work that has been completed on the UUR network since July 2018.

UUR Code	UUR Name	Location	Description	Area
U7057	Coleson Banks	Battersby	Surfacing and drainage	NYCC
U7050	Percy Cross to Lonsdale	Kildale	Surfacing and drainage	NYCC
U7094	Demesne House	Fylingdales	Stone drop for residents.	NYCC
U7010	Jagger Lane	Gilling with Hartworth	Clearance	NYCC
U238	Brown Howe Rd	Stape	Sufacing	NYCC
U7011	Low Wood Lane	Leyburn	Sufacing and drainage	NYCC
U2333	Seggimire Lane	Ugglebarnby	Fallen Tree - Obstruction	NYCC
U7010	Jagger Lane	Melsonby	Clearance - Obstruction	NYCC
U1584	Back Lane	Husthwaite	Drainage and surfacing	NYCC
U2345/1/30	WY150 Stainsacre Lane (Track)	Hawsker cum Stainsacre	Path restoration and surfacing with associated drainage works as necessary. Cutting back of encroaching vegetation prior to ground works.	NYMNP
U7102/9/50	Plum Tree	nr Danby Botton, Scarborough	Surfacing, repair collapsed ditch, crush and relay stone surface.	NYMNP
U32	Rudland Rigg (Turkey Nab)	Ingleby Greenhow	Surfacing and drainage	NYMNP
U8147	Givendale to Cockmoor	Troutsdale	Surfacing	NYMNP
U2293	Coverdale Lane	Runswick Bay	Clearance and drainage	NYMNP

U1899/9/30	Windy Pike Lane	Hanlith	In-house surfacing & filling of pot holes/ deep ruts. Drainage works to include ditching & culverts. Landowner consultation required.	YDNP
U2279/2/80, U2279/2/60, U7028/9/90	Black Hill Road/ Forest Road	Pockstones Moor	In-house surfacing & filling of pot holes/ wet areas. Consultation required	YDNP
U7028/9/90	West Cam road	Ten End	Contractor, track re-org, stone crushing, drainage and surfacing	YDNP
U2710/1/40	Widdale Foot	Ling Beck	Contractor, track re-profiling and ditch maintenance	YDNP
U429/9/40	Fremington Edge	nr Quarry	Contractor, water management - installation of cut off drains, side ditches, minor surfacing.	YDNP
U9120/1/30	Richmond Gate	Richmond Gate	PC consultation required - possible in house, removal of encroaching vegetation / hedge, surfacing works	YDNP
U919/1/30	Nipe Lane	Nipe Lane	PC consultation required - possible in house, removal of encroaching vegetation / hedge, surfacing works	YDNP
U814/9/70	Dale Head	Dale Head	in-house, surfacing and filling of pot holes/wet areas	YDNP
U814/9/30	Goat Scar Lane	Goat Scar Lane	in-house, surfacing and filling of pot holes/wet areas	YDNP

6.2 Additional works have included:

- Preliminary surveying of the UURs around Blubberhouses Moor in the Nidderdale AONB. This was in response to the request put forward by the LAF for Permanent TROs removing vehicular rights to be considered on these routes.
- Surveys have taken place to a number of the UURs in the Troutsdale area of the North York Moors National Park. These were undertaken with the assistance of the CAS Volunteer Coordinator with a view that these surveys may be picked up by volunteers in the future.

7.0 Example UUR Projects

7.1 U7057 - Coleson Banks, Battersby, North York Moor National Park

Coleson Banks is a steep UUR that leads from the village of Battersby up onto Battersby Moor and links to a bridleway section of the Cleveland Way National Trail. The route had been closed for many years as a result of serious water damage that had left it in a dangerous condition. As well as reinstating the surface of the path, it was vital to address the drainage issues on the route to ensure that any work carried out would be sustainable.

This route was highlighted as a priority within the network by the Ryedale Bridleway Group as well as the TRF. The completion of the work brings an important recreational link back into use.

Before





After



7.2 U7050 – Percy Cross to Lonsdale, Kildale, North York Moor National Park

Percy Cross to Lonsdale is another steep UUR within the North York Moors National Park. Like Coleson Banks, this route had been closed for many years as a result of serious damage that had left it in a dangerous condition for all users. This was another major project that required extensive drainage work in order to protect the sandstone surface that has been reinstated.

This route was also highlighted as a priority within the network by the Ryedale Bridleway Group and the TRF. The essential maintenance to this route, coupled with the repairs to nearby Coleson Banks, reopens an important link in the recreational network within this area of the National Park that had been missing for many years.

Before



After



7.3 U1584 – Back Lane, Husthwaite, Howardian Hills AONB

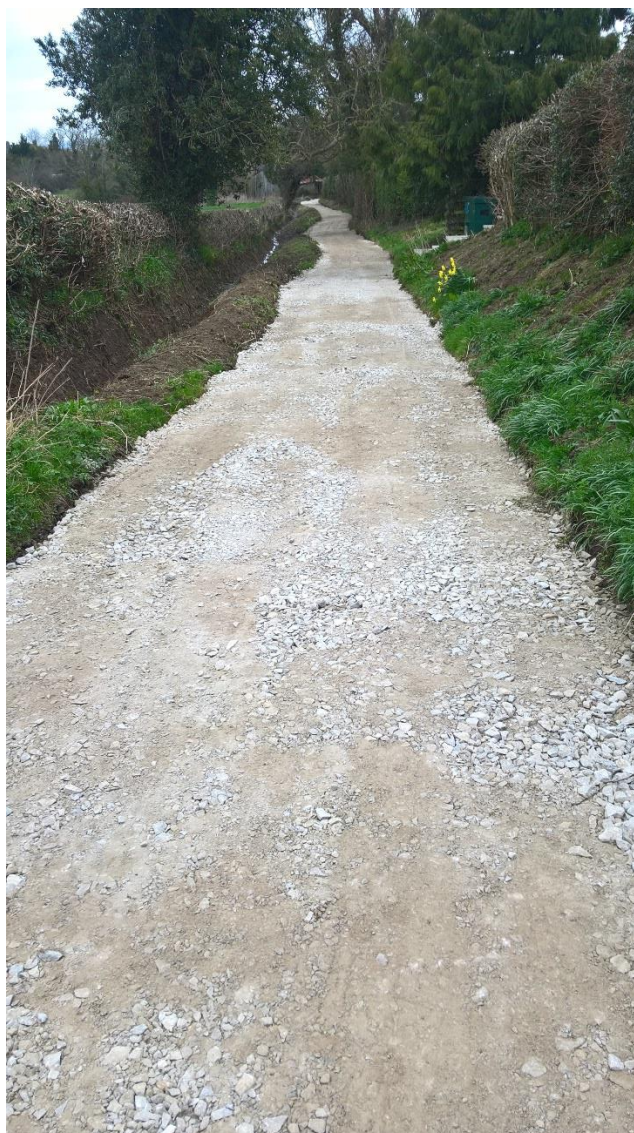
This short UUR within the village of Husthwaite forms a popular walking route for local villagers but had become out of repair due to failed and damaged drainage. The route has historically been a stoned track, and this was reinstated along with the creation of new drainage alongside.

This issue was reported by the Parish Council and the work has brought a popular local route back into use.

Before



After



8.0 Recommendation(s)

8.1 It is recommended that North Yorkshire Local Access Forum members take note of the content of the report.

Ian Kelly
Countryside Access Manager, Transport, Waste and Countryside Service

Author of Report – Ben Jackson, PROW Officer (UUR)

Background Documents:
None

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North Yorkshire Local Access Forum

10 april 2019

District Council and LAF Project Updates

Report of the Secretary

1.0 Purpose of the Report

- 1.1 An opportunity for LAF members to update the Forum on District Council liaison and other LAF representative project activity since the last meeting.

2.0 Background

- 2.1 The LAF operates an agreed list of nominated representatives willing to act as the first point of liaison with the constituent District Councils in relation to planning and other relevant matters.
- 2.2 Individual LAF members are also nominated from time to time to take a lead on specific projects that the LAF has an interest in or in representing the LAF on other partnership bodies
- 2.3 This agenda item provides an opportunity for the Forum to be updated on activity since the previous meeting.

3.0 District Council Liaison

- 3.1 Nominated representatives are invited to report verbally at the meeting on any other activity undertaken.

4.0 LAF projects

- 4.1 Project work has been minimal since the last meeting as a result of the short amount of time between the meetings. However, some work has been undertaken.
- 4.2 A meeting of the Highways England Trans-Pennine A66 Route Non-Motorised User Group was held 13 March 2019. Minutes of the meeting are shown at Annex A.
- 4.3 At the last meeting of NYLAF, members received information on the possible blocking of a public rights of way at Summerstone Estate in Upper Nidderdale as a result of a woodland planting scheme. It was agreed that Richard Smith would investigate the issue further and feedback to the LAF in due course. Copies of the correspondence to date is shown at Annex B.
- 4.4 In 2015 NYLAF working with the Outdoor Learning Service carried out a Schools & Education Project called Getting Out and About (GOAT) which led to the drafting of

a worksheet for primary schools. The proposal was that the worksheet would be circulated to all primary schools together with a copy of the relevant Ordnance Survey map. Work on the GOAT Scheme continued throughout 2016, and In November 2016, County Councillor David Jeffels was tasked with identifying potential community funding sources for its development.

- 4.5 At the same time NYLAF was made aware of a wide range of work already underway within the Authority to encourage young people to get out and about. As a result of that other work, a decision was later taken by the Countryside Access Manager not to proceed with the GOAT scheme. Members should note that it was not within the gift of the LAF to proceed with the scheme, it could only make a recommendation to NYCC.
- 4.6 In July 2018 the GOAT Scheme was raised again by Rachel Connelly in response to an update on the Pathways to Health Programme. At that meeting Ian Kelly confirmed his previous decision not to proceed with the scheme but he did concede that if the scheme were re-submitted, he would consider it once again. It was thus agreed that County Councillor David Jeffels and Rachel Connelly would prepare/ revise the scheme for re-submission.
- 4.7 An update provided by County Councillor David Jeffels in regard to the GOAT Scheme will be tabled at the meeting.
- 4.8 In addition, nominated representatives are invited to report verbally on any other activity undertaken since the last meeting.

5.0 Recommendation

5.1 That members:

- i) Note the updates;
- ii) Agree any further actions required

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report author: Melanie Carr, Secretary to North Yorkshire Local Access Forum

Background Documents: None

Annex A – Minutes of the meeting of the Highways England Trans-Pennine A66 Route Non-Motorised User Group held 13 March 2019.

Annex B – Update on the public rights of way issue at Summerstone Estate in Upper Nidderdale

**Highways England
Trans-Pennine A66 Route
Non-Motorised User Group Meeting - 'Stage 2',
Holiday Inn, Scotch Corner, 1530hrs 13th March 2019**

Pre-amble (of particular use to new LAF members)

I have issued previous reports on this long term project (anticipated completion 2028) these being:-

18th October 2017 Dolphin Centre, Darlington - full 'Stage 1' meeting.

16th February 2018 Mercure Hotel, Darlington - first NMU (sub-group) meeting.

3rd July 2018 Mercure Hotel, Darlington - second NMU (sub-group) meeting.

25th September 2018 Mercure Hotel, Darlington - second full 'Stage 1' meeting.

These reports detailed the 'past history', anticipated time-scale, poor safety record, unreliable journey times, design criteria and resilience for the entire fifty-mile £1B upgrade project.

I produced a spread sheet that was issued, dated October 2017 identifying relevant crossing points which may be contentious on the two short sections (totalling about six-kilometre) of the A66 in North Yorkshire. There are many more in County Durham & Cumbria with the same issues.

The purpose of the A66 Northern Trans-Pennine Project Non-Motorised User Group (NMU) is to help Highways England identify and review the relevant non-motorised user issues with respect to the A66 project. This early engagement hopes to seek to help identify options that may result in a better quality, more sensitive development.

13th March Meeting

This was a two day series of sub-group meetings, others entering into discussion are:- Business, Ports & Freight Groups, Devolved Administrations, Environmental Interests, Emergency Services, Local Authorities, Non-Motorised User Groups, Statutory Environmental Bodies and Project Sponsors & Partners.

Organisations Invited to Attend the NMU sub-group meeting

- Appleby Travellers
- British Horse Society [Caroline Bradley]
- Cycling UK [Terry Ratcliffe]
- Cycling Forum - Richmondshire
- Highways England [Matt Townsend + 5?]
- Cumbria & Lake District National Park Local Access Forum [Charles Ecroyd]
- Durham Local Access Forum [David Maughan]
- North Yorkshire Local Access Forum [Paul Sherwood]
- North Yorkshire County Council [Andrew Brown]
- Ramblers Association [George Bateman]
- Sustrans

Report (this is not chronological or in 'minutes' format)

This was a fairly informal meeting lasting about two hours, with general discussion as to what Highways England had achieved since the last series of sub-group meetings and what the delegates of the various organisations hoped for, based on suggestions already given. At this early stage Highways England continues to want discussions to be very broad based, and not case specific, as it will be several years before an actual defined route proposal is in place. They are currently still looking at the options for either an "on-line" improvement (basically widen the existing) or an "off-line" improvement (new road) or indeed a mixture. Last autumn we were advised by Highways England that the non-statutory public consultation would commence in spring 2019. These dates have now been finalised and a copy of the leaflet is attached. Please try to attend any local venue, and participate.

However, at this stage I can not tell you about detailed provisional plans, as a lot of the actual route discussions are commercially sensitive and are embargoed until the non-statutory public consultation process begins in spring this year. No matter what options and routes are selected there are very many footpaths/bridleways etc that ideally need to be able to cross, and not terminate on the A66 corridor. See the spread sheet referred to above for details of routes in North Yorkshire. We were advised that a 'spade' will not touch the ground before 2024.

Obviously financial constraints are of critical consideration as are the recommendations from "Transport for the North" & "Northern Powerhouse" in their aims to improve road communications and economic development in the North of England. It gives NMU groups a bit of hope when one of the 'presentation' slides quoted; "Seek to improve NMU provision across the route."

There appears to be plenty of out of date information on how much use the NMU routes have had in the past, but history changes the future use, if a path has gone, or is difficult to use people will eventually adapt to other more convenient & safer routes, we need to look at anticipated future use. Personal opinion is that once this project gets into the non-statutory public consultation arena, more accurate usage data, based on actual 'sightings' may come from local residents and land owners than from anyone else with dated historic facts.

Current evidence based statistical data is needed to support requests for bridges, underpasses, re-alignment etc. With clear evidence-based data outlining the 'benefits' obtained by doing the work.

Highways England raised the point of the financial implications as there are literally dozens of contentious crossing points for walkers, horses, cyclists over the fifty-mile route of the A66. If two crossings are fairly close it is unrealistic to cater for both NMU routes.

A further user group meeting is scheduled for later in the year.

Paul A. Sherwood...
27th March 2019



We want your views on the future of the A66

At Highways England we believe in a connected country and our network makes these connections happen. We strive to improve our major roads and motorways - engineering the future to keep people moving today and moving better tomorrow. We want to make sure all our major roads are more dependable, durable and, most importantly, safe.

We have been commissioned by the Department for Transport (DfT) to investigate the potential to improve the A66 between the M6 junction 40 at Penrith and the A1(M) at Scotch Corner to address the east/west connectivity across the Pennines in the north of England.

We are proposing to invest more than a billion pounds to dual the remaining six single carriageway sections of the A66. This will significantly improve journeys and connectivity, which is great news for the local, regional and national economy.

We are holding a series of consultation events to explain our proposals and seek your views.

For further information please visit www.highwaysengland.co.uk/A66TransPennine

Event venues, dates and times

- **Penrith Parish Centre**
14 May 2019, 11am – 7pm
15 May 2019, 10am – 2pm
- **Penrith Rugby Club, Winters Park**
17 May 2019, 11am – 7pm
18 May 2019, 10am – 2pm
- **Gilling West Hall, Richmond**
22 May 2019, 11am – 7pm
23 May 2019, 11am – 7pm
- **The Appleby Hub**
29 May 2019, 11am – 7pm
30 May 2019, 10am – 3pm
31 May 2019, 11am – 7pm
1 June 2019, 10am – 2pm
- **Penrith Parish Centre**
4 June 2019, 11am – 7pm
5 June 2019, 10am – 2pm
6 June 2019, 10am – 2pm
- **The Witham, Barnard Castle**
12 June 2019, 11am – 7pm
13 June 2019, 11am – 7pm
14 June 2019, 11am – 7pm
15 June 2019, 10am – 2pm
- **The Station, Richmond**
21 June 2019, 11am – 7pm
22 June 2019, noon – 4pm



We want your views on the future of the A66

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- **The Station, Richmond**
21 June 2019, 11am – 7pm
22 June 2019, noon – 4pm

From: Thomas Richard Smith [<mailto:tomrichsmith@gmail.com>]
Sent: 16 March 2019 06:49
To: Cooper, Sam
Cc: Melanie Carr1
Subject: Obstruction of Footpaths

For the Attention of
Sam Cooper
Field Manager
Forestry Commission England,
Foss House,
Kings Pool
1-2 Peaseholme Green
York
YO17PX

Ref
Woodland Creation Scheme, Summerstone Estate, Upper Nidderdale

Date
March 16th 2019.

Dear Mr Cooper,

I have been asked by the members of the North Yorkshire Local Access Forum to contact you in respect of the tree planting as part of the Woodland Creation Scheme, Summerstone Estate, Upper Nidderdale.

The North Yorkshire Local Access Forum has been contacted by a member of the public who claims that the planting of trees as part of this scheme has blocked two rights of way. The rights of way on question are:-

- Footpath 15.126/10/1 is claimed to be obstructed by the new tree planting between SE0931377000 and SE0926377053 (where a stile has been provided in the new fence).
- Footpath 15.44/7/1 is claimed to be obstructed by new tree planting at SE1037075957.

I would be obliged if you let me know if, when undertaking the tree planting, due regard was taken to ensuring that these footpaths (rights of way) were not obstructed and that clear, well signed rights of way were maintained and ensured following that planting.

I look forward to receiving your response and I will relay that response to the next meeting of the North Yorkshire Access Forum,

Yours faithfully,

Richard Smith
(On behalf of the North Yorkshire Access Forum)

Response received on 19 March 2019

Dear Richard Smith

Thank you for your enquiry relating to possible obstruction of PROW at Summerstone Estate.

I can confirm there is a Countryside Stewardship agreement for creating new woodland on land at the locations referenced in your enquiry. I have requested clarification from the estate's Forestry Agent (Tilhill) to confirm that there are no obstructions affecting public rights of way at these locations.

At this stage I'm not proposing to undertake a site visit, subject to an appropriate response from either the estate / their managing agent. I have copied in Joost van Schijndel the Woodland Officer covering Harrogate (not available this week). I would not anticipate any intentional obstructions affecting a PROW as I understood these to have been taken into account in the planning and delivery of the tree planting scheme. I note reference, in your enquiry, to use of a stile which should overcome the obstruction created by a stock fence at the first of the referenced locations.

I will provide you with a more comprehensive response in due course. In the meantime if you have any further queries, please feel free to contact me.

Kind regards
Sam

Sam Cooper

Field Manager
Forestry Commission England
Foss House, Kings Pool
1-2 Peaseholme Green
York
YO17PX

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www.gov.uk/forestrycommission

North Yorkshire Local Access Forum

10 April 2019

Secretary's Update Report

1.0 Purpose of the Report

- 1.1 To update members of the Local Access Forum on developments since the last meeting of NYLAF.

2.0 Update

2.1 Consultation Submissions & Responses

Since the last meeting, the LAF has received no notifications of formal consultations.

2.2 Local Development Plans

One of the key areas of involvement for the Forum is to ensure appropriate engagement in the preparation of Local Development Plans. The current position in relation to each District Council area, and in relation to the Minerals and Waste Joint Plan has not changed since the last Secretary's Update Report dated 5 March 2019.

2.3 Regional Forum

The Yorkshire Humber and North Lincolnshire Regional Access Forum met on 7 March 2019, at The Civic Hall in Leeds. A copy of the meeting Minutes were circulated via email on 1 April 2019 to all members of NYLAF.

2.4 NYLAF Webpage

At the last meeting of the LAF, Roma Haigh agreed to progress her work on the NYLAF website now that the Forum has been re-formed. At the meeting members will receive a verbal update on progress.

2.5 Open Access Restrictions

The Forum is consulted on a range of restrictions under the Countryside and Rights of Way Act 2000. Since the last meeting, there have been no new notifications received from the Open Access Contact Centre at Natural England confirming restrictions, but there has been two notifications of discretionary restriction under Section 22 of the Countryside and Rights of Way Act 2000, for areas where North Yorkshire County Council is the Access Authority. The first the restriction applies to land at Colsterdale, Masham, Ilton, Ellingstring and Galloper Moors. The second to land at Middlesmoor and Lofthouse Moor. Both are for a range of dates during May and June 2019.

2.9 2026 / Definitive Map

There are no changes or updates to report.

3.0 Recommendation

- 3.1 The Local Access Forum is asked to note this update report.

BARRY KHAN

Assistant Chief Executive (Legal and Democratic Services)

County Hall, NORTHALLERTON

Report Author: Melanie Carr, Secretary to North Yorkshire Local Access Forum

North Yorkshire Local Access Forum

10 April 2019

Forward Plan Report

1.0 Purpose of the Report

- 1.1 To consider, develop and adopt a Forward Plan of items of business for future meetings.

2.0 Background

2.1 The 'Guidance on Local Access Forums in England' published by the Department for Environment, Food and Rural Affairs (Defra) strongly recommends that forums prepare a forward work programme which sets out the forum's priorities and special areas of interest.

2.2 This can play an important role in helping the forum to:

- Ensure a focus on issues which are the most relevant for the area
- Clarify the issues on which the County Council or other section 94(4) bodies would benefit from receiving advice
- Timetable when specific matters are likely to be considered
- Inform the public about the forum's work
- Identify training needs
- Review effectiveness and prepare an annual report.

3.0 Forward Plan

3.1 NYLAF is scheduled to meet three times in 2019. Following this meeting it will meet again on 17 July and 20 November 2019.

3.2 A further meeting has been scheduled for 25 March 2020.

3.3 Subject to the Terms of Reference shown elsewhere on this agenda being agreed, NYLAF will be able to agree further meeting dates (based on need). It will also be able to set up sub-groups to progress specific pieces of work outside of the formal meetings.

3.1 The draft work programme attached at Appendix 1 remains as previously presented at the last meeting of the Forum. Forum members are encouraged to suggest possible items of business for future meetings. The Chair & Vice-Chair may also choose to meet informally to consider items of business for future meetings and update the work programme accordingly.

4.0 Recommendation

- 4.1 That the Local Access Forum agrees items of business for future meetings.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

Report Author: Melanie Carr, Secretary to North Yorkshire Local Access Forum

Background Documents: None

Appendices: Appendix 1 – Forward Plan 2019/20

NORTH YORKSHIRE LOCAL ACCESS FORUM

Draft Forward Plan 2018/19

Date of Meeting	
Standing items	<ul style="list-style-type: none"> • Minutes • Matters Arising • Public Questions and Statements • Consultations • Secretary's Update Report • 2026 Update • District Council & Project Updates • Forward Plan
5 March 2019	<ul style="list-style-type: none"> • Attendance of Highways England Representative (Ben Dobson) <ul style="list-style-type: none"> • Update on HE Improvement Programme • Other issues to raise: <ul style="list-style-type: none"> ➤ Highways England Draft Improvement Programme ➤ A19 Trunk Road Order 2018 – prohibition of U-turn and use of gap in the central reservation at Tontine, Northallerton
10 April 2019	<ul style="list-style-type: none"> • UUR Management Update
17 July 2019	
20 November 2019	
25 March 2020	
Items to be scheduled	<ul style="list-style-type: none"> • Selby Publication Draft Site Allocations Plan consultation (provisional) • Hambleton Publication Local Plan (provisional) • North Yorkshire Joint Health & Wellbeing Strategy 2015-2020 • Rights of Way Improvement Plan • In-depth discussion on Reinstatement • Proposed joint working with Yorkshire Dales and North York Moors Local Access Forums • Cycling Strategy • Attendance of North Yorkshire Police