

North Yorkshire Local Access Forum

17 July 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 Consultation Submissions & Responses

- 2.1 A consultation response to the A66 Trans Pennine Public Consultation was sent on 5 July 2019 – see copy attached at Annex A.

2.2 Malton – Pickering Cycleway Design Consultation

Ryedale District Council is currently working in partnership with North Yorkshire County Council and consultants WSP to develop a Local Cycling and Walking Infrastructure Plan (LCWIP) for Malton & Norton. LCWIPs are a new, strategic approach to identifying cycling and walking improvements required at the local level. They enable a long-term approach to developing local cycling and walking networks, ideally over a 10-year period, and form a vital part of the Government's strategy to increase the number of trips made on foot or by cycle.

Key to delivering the LCWIP will be engagement with a cross section of external community and business representatives to understand their experiences of walking and cycling throughout Malton & Norton, and how they might be encouraged to walk and cycle more often. To help with this, Ryedale District Council held a workshop on 5th July 2019 for representatives from community groups, local employers and key local stakeholders, in order that their views might help to shape the emerging cycling and walking network plan for Malton & Norton and identify priorities for cycling and walking investment in the local area.

County Councillor David Jeffels was scheduled to attend the event as a representative of NYLAF. It has also been suggested that it would be good to refresh some advice issued by NYLAF a year ago. A draft of the revised advice is shown at Annex B for members to consider and sign off. It is also suggested that a copy of the re-issued advice be sent to the Chair of the North York Moors LAF, to WSP and to Ryedale District Council.

- 2.3 There have been no other notifications received of formal consultations, since the last meeting.

3.0 Other Updates

3.1 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. Set out in the table below is an updated summary of the current position in relation to each District Council area, and in relation to the Minerals and Waste Joint Plan. This information is taken from the websites of the relevant authorities and correspondence received.

| Authority | Status |
|-------------------------------|--|
| Craven | Following submission of the Publication Draft Craven Local Plan in March 2018 and related Examination hearings held in October 2018, the council proposed a number of Main Modifications (amendments) to the plan, in order to make the plan sound. The council ran a six-week public consultation on the proposed Main Modifications from 19th February to 1st April 2019. All the consultation responses were forwarded to the Inspector for his full consideration and further details will be advised in due course. |
| Hambleton | The new local plan was considered by Cabinet on 2 July 2019 and was recommended for publication (Regulation 19), this was to be confirmed at a Full Council meeting on 16 July 2019. Subject to approval, the period for comments is scheduled to start on 23 July 2019 and close on 10 September 2019. |
| Harrogate | Update - The draft plan was submitted for independent examination on 31 August 2018. In early December 2018 the Council submitted responses to the Inspector's matters, issues and questions. Hearing sessions took place between 15 January - 15 February 2019, and a post hearings letter was subsequently issued by the Inspector – see: https://www.harrogate.gov.uk/info/20101/planning_policy_and_the_local_plan/1159/harrogate_district_local_plan_examination |
| Richmondshire | The Council is now analysing the responses received to the Issues and Options consultation that ended on 31 October 2018. Those responses will be taken into consideration as they prepare the Local Plan review Preferred Options document which they expect to publish for consultation in summer 2019. |
| Ryedale | The Ryedale Plan Local Plan Sites Document was adopted at a meeting of full Council on the 27 June 2019. This Document is the final part of the Local Plan for the District. It identifies commitments and allocations for housing, retail and employment land, and provides site specific policies, including policy for new and amended Visually Important Undeveloped Areas. The Plan covers the period 2012- 2027. |
| Scarborough | Scarborough Borough Council formally adopted their Local Plan on 3 July 2017. It will guide the future development of the borough in the period up to 2032. |
| Selby | The Council is considering the implications of the revised National Planning Policy Framework published in July 2018. A revised Local Development Scheme which will set out the timescales for the next stages of the plan will be published in due course. |
| Minerals and Waste Joint Plan | <p><i>Update as of 19 June 2019:</i></p> <p>On 6 March a High Court Judgment was released relating to a challenge to paragraph 209(a) of the National Planning Policy Framework July 2018, which deals with on-shore gas development. Parties were given time to consider the judgment and what consequential remedies should be before the final order was made on 14 May 2019. The Order of 14 May 2019 declared the Secretary of State's decision of 24 July 2018 to adopt paragraph 209(a) of the revised Framework unlawful, and quashed it.</p> <p>The Inspector invited the Mineral Planning Authorities and any interested parties who wished to comment on the High Court Judgement</p> |

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| <p>and Order and the implications for the joint plan. The documents are available to view in Examination documents at: https://www.northyorks.gov.uk/minerals-and-waste-joint-plan-examination</p> |
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3.2 Open Access Restrictions

The Forum is consulted on a range of restrictions under the Countryside and Rights of Way Act 2000. There have been no new notifications received from the Open Access Contact Centre at Natural England confirming restrictions since the last meeting.

3.3 However, the Forum has received 10 notifications of discretionary ‘28 Day’ restriction under Section 22 of the Countryside and Rights of Way Act 2000 since the last meeting. Landowners may close their access land for up to 28 days in any one year. They are not permitted to close their land on (a) bank holidays, (b) more than 4 days in a year that are Saturdays or Sundays, (c) any Saturday between 1 June and 11 August, (d) any Sunday between 1 June and 30 September. Landowners are not obliged to tell the public about forthcoming closures, or give reasons. Their legal duty is simply to inform the relevant authority of their intentions.

3.4 Regional Forum

The Yorkshire Humber and North Lincolnshire Regional Access Forum next meets on 19 September 2019 at 10am. The meeting is to be held in the West Room at Leeds Civic Hall, Portland Crescent, Leeds, LS1 1UR.

3.5 2026 / Definitive Map

There are no changes or updates to report.

3.6 NYCC Cycling Strategy

At the last meeting Members requested an update on the County Council’s Cycling Strategy for this meeting.

It has since been confirmed there is currently no cycling strategy in place. However, as part of the Local Transport Plan 4, in the Walking and Cycling theme 3j¹, a commitment was made to produce one. This has since been changed to an Active Travel Strategy to encompass both walking and cycling strategy.

In addition to the plans for the Active Travel Strategy, the transport planning team has been working with consultants to develop Local Cycling and Walking Investment Plans, with the purpose of identifying pedestrian/cycle routes which would be suitable for future external funding opportunities such as through the Department for Transport. These would be at a town level (e.g. Harrogate, Scarborough, Skipton, and Selby) rather than at a strategic level.

A senior Strategy and Performance Officer has been tasked with drafting the new Active Travel Strategy for the Highways and Transportation Service, but with conflicting priorities this piece of work has slipped and there is no progress to update at the current time.

¹ See:

[https://www.northyorks.gov.uk/sites/default/files/fileroot/About%20the%20council/Strategies%2C%20plans%20and%20policies/Local_transport_plan_four_\(LTP4\)_part3.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/About%20the%20council/Strategies%2C%20plans%20and%20policies/Local_transport_plan_four_(LTP4)_part3.pdf)

The LAF will be included as a consultee on the Active Travel Strategy once drafted (i.e. before being approved). Therefore the draft Strategy will be added to the LAF work programme at the appropriate time.

4.0 Recommendation

4.1 The Local Access Forum is asked to:

- i. Note this update report;
- ii. Note the A66 Trans Pennine Public Consultation response shown at Annex A;
- iii. Consider and agree any amendments to the draft letter shown at Annex B;

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 – NYLAF response to the A66 Trans Pennine Public Consultation sent
4 July 2019

Appendix 2 – Draft Revised NYLAF Advice Letter

NORTH YORKSHIRE LOCAL ACCESS FORUM

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4 July 2019

Dear Sirs,

A66 Trans Pennine Project Public Consultation

The North Yorkshire Local Access Forum (LAF) welcomes the opportunity to comment on the proposals, and several of the members of the North Yorkshire Local Access Forum have attended the recent public consultation venues concerned with the highways engineering works being proposed on the A66 Trans Pennine route.

We were however, disappointed that the scale of the plans on display, was not suitable to indicate public rights of way. We accept that this will be addressed in stage three of the project, but this lack of information was unsatisfactory for consultation purposes.

North Yorkshire has two relatively short sections of the A66 Trans Pennine route, one section of approximately 1.87km from NZ:101122 to NZ:115111 is currently dual carriageway, and although this section has three public rights of way (bridleway) we have no current concerns as it appears no works are envisaged.

The other slightly longer section within North Yorkshire is about 4km from NZ:129103 to NZ:164082 this section has several public rights of way (4 footpaths, 5 bridleways & 3 unsurfaced county roads) that will cause concern, the severity depending on which of the three proposed options; M, N, & O are finally selected; or indeed found to be suitable after test bores are carried out. Generally, these public rights of way tend to be north south interconnections between villages as well as popular routes for recreational pastimes. Historically, some may be of ancient lineage.

Due to the current ambiguity of the final outcome of route selection, the access forum is not really in a position to comment in detail at this stage of the project, other than to say we have concerns around the Mainsgill area as all three current options will limit non-motorised access on public rights of way during the construction phase and upon completion. Until such time that a selected option is known we can make no worthwhile further comment.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. L. Sherwood', with a stylized flourish at the end.

signed on behalf of:

Paul Sherwood
Chair, North Yorkshire Local Access Forum

NORTH YORKSHIRE LOCAL ACCESS FORUM

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July 2019

Dear Sirs,

Local Cycling and Walking Infrastructure Plan for Malton & Norton

We are delighted and broadly very supportive that the proposed cycle route is now likely to become a reality. We are particularly pleased to see your recognition of the need for sustainable transport journeys to:

- link population centres
- connect tourist attractions & accommodation etc
- provide links to employment sites
- provide links to rail (and bus) transport networks
- increase the National Cycle Network

We are also delighted that you have recognised that the route should be designed to take into account the needs of all users (including pedestrians, cyclists, horse riders, disabled users, farmers and landowners). We feel it is particularly important that the needs of ALL non-motorised users are both recognised and taken into account from the start of the project.

However, like our colleagues at the North York Moors LAF, our main concern relates to the bridleways and the proposals to upgrade surfaces to make them more suitable for easier cycling.

We are aware of press reports of 'crushed stone' being utilised on the bridleways to make them cycle-friendly, and we would like to take this opportunity to repeat our advice given last year that the surfaces must be suitable and safe for horses on the sections which are bridleways, and would welcome reassurance that this necessity will be respected.

To summarise our comments:

- Any upgrading of bridleways should be done in such a way as to allow horses to ride safely. Where possible, current grassy middle sections should be preserved. Smooth or negative SMA types of tarmac should not be used as these are slippery for horses, nor surfaces with a limestone content in order to allow horses to grip;

- Where space allows, there might be different surfaces of track to suit different users;
- Regarding the proposed diversion round Lendales farm - the diversion seems a good idea to protect the farmers' property, help with disease control, and would be safer for both bridle path users and the farm employees/animals - if a 3m path is agreed, then it should be open one side or it should be 4m if fenced both sides to meet safety needs ;
- We thoroughly agree with the sentiments expressed that capital costs should be sufficient to cover good quality components as we suspect that neither North Yorkshire County Council nor Ryedale District Council will want to pick up maintenance bills, and paths/routes can quickly deteriorate without regular maintenance, particularly if cheap /low quality materials are used;
- We recommend that suitable and ample cycle parking provision is made along the route including at Malton, Pickering, Kirby Misperton and Flamingoland;
- We hope that the route is made user friendly for disabled people where possible, particularly in the tourist areas and town centres;
- We hope that all signage on bridleways and small country roads is clear so that all users recognise they are "route sharing" and should give way to those less vulnerable. Some of the Sustrans routes have not adequately made clear that cyclists are sharing a bridleway with horses and walkers – e.g. in the Richmond area;
- We hope that all heavy traffic (including traffic associated with the fracking site at Kirby Misperton) is diverted off the route.

We would very much like WSP/Ryedale District Council to acknowledge receipt of our comments and confirm that we will continue to be consulted on the route. We would also be very happy to contribute to any future discussions and representations to ensure the route meets the needs of all users.

Yours faithfully

Paul Sherwood
Chair, North Yorkshire Local Access Forum