



Agenda

- Meeting:** North Yorkshire Local Access Forum
- To:** Councillors Paul Sherwood (Chair), Dick Brew, Janet Cochrane, Rachel Connolly, Roma Haigh, David Lepper, Will Scarlett, Kath Topping, Robert Heseltine, David Jeffels and Vacancies.
- Date:** Wednesday, 26th January 2022
- Time:** 10.00 am
- Venue:** Remote meetings held via Microsoft Teams

Under his delegated decision making powers in the Officers' Delegation Scheme in the Council's Constitution, the Chief Executive Officer has power, in cases of emergency, to take any decision which could be taken by the Council, the Executive or a committee. Following on from the expiry of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which allowed for committee meetings to be held remotely, the County Council resolved at its meeting on 5 May 2021 that, for the present time, in light of the continuing Covid-19 pandemic circumstances, remote live-broadcast committee meetings should continue, with any formal decisions required being taken by the Chief Executive Officer under his emergency decision making powers and after consultation with other Officers and Members as appropriate and after taking into account any views of the relevant Committee Members. This approach will be reviewed by full Council at its February 2022 meeting.

The meeting will be available to view once the meeting commences, via the following link - www.northyorks.gov.uk/livemeetings. Recording of previous live broadcast meetings are also available there.

Business

1. **Introductions & Apologies for Absence**
2. **Minutes of the Meeting held on 29 September 2021** (Pages 3 - 10)
3. **Public Questions & Statements**

Members of the public may ask questions or make statements at this meeting if they have given notice to Melanie Carr of Democratic Services (*see contact details at bottom of page*) by midday on Friday 21 January 2022, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes on any item. Members of the public, who have given notice, will be invited to speak:

 - At this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);

- When the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting;
- If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will ask anyone who may be taking a recording to cease while you speak.

- 4. Update on Active Travel in North Yorkshire** (Pages 11 - 14)
Purpose: To update Forum members on active travel issues.
- 5. Secretary's Update Report** (Pages 15 - 20)
Purpose: To update LAF members on developments since the last meeting.
- 6. District Council & LAF Project Updates** (Pages 21 - 22)
Purpose: An opportunity for LAF members to update the Forum on District Council liaison and other LAF representative project activity since the last meeting.
- 7. Work Programme** (Pages 23 - 26)
Purpose – To consider, develop and adopt a work programme for future LAF meetings.
- 8. Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances.**

Contact Details

Enquiries relating to this agenda please contact Melanie Carr Tel: 01609 533849 or e-mail:

Melanie.carr1@northyorks.gov.uk

Website: www.northyorks.gov.uk

Barry Khan
Assistance Chief Executive
(Legal and Democratic Services)

County Hall
Northallerton

18 January 2022

North Yorkshire County Council

North Yorkshire Local Access Forum

Minutes of the remote meeting held on Wednesday, 29th September, 2021 commencing at 10.00 am.

County Councillor Paul Sherwood in the Chair. Plus Dick Brew, Janet Cochrane, Rachel Connolly, David Lepper, Carol Murray, Will Scarlett, Kath Topping and County Councillor David Jeffels.

Officers present: Ian Kelly, Louise Neale, Arrietty Heath and Melanie Carr

Other Attendees: Mrs Caroline Bradley .

Apologies: Roma Haigh, Helen Soutar and County Councillor Robert Heseltine. .

Copies of all documents considered are in the Minute Book

320 Introductions & Apologies for Absence

The Chair welcomed the two new NYLAF members to their first meeting – Kath Topping & Dick Brew, and it was confirmed apologies had been received from Roma Haigh and County Councillor Robert Heseltine.

321 Election of Vice-Chair

Resolved – All members voted in favour of Will Scarlett being elected as Vice-Chair of the North Yorkshire Local Access Forum.

322 Minutes of the Meeting held on 26 May 2021

Resolved - That the Minutes of the meeting held on 26 May 2021 be agreed as a correct record and signed by the Chair.

323 Public Questions & Statements

It was noted that Mrs Caroline Bradley, a representative of the British Horse Society had submitted a statement in regard to NYCC's Active Transport and LCWIP Initiatives. The statement had been circulated to Forum members ahead of the meeting due to its length so that they would have ample time to digest the information provided.

At the meeting. Mrs Bradley read out her statement as follows:

Creation of new paths to achieve Active Travel objectives is to be welcomed provided that equestrians are included, as a minimum, on those outside of large town centres. We urge a strategic approach giving consideration to potential links to achieve a continuous network and maximum benefit for ALL non-motorised users.

Many of the proposed routes under consideration will be in urban areas. However, many horses are kept on the urban fringe, so it is important that equestrians are not excluded from routes that exit the urban areas into the surrounding environs. Bridleways are

legally defined as routes for walkers and horse riders which cyclists have been given license to use on the basis that they give way to walkers and horse riders and take the surface as found, i.e. it should not be improved for the benefit of cyclist over walkers and horse riders (Countryside Act 1968).

Active Travel and LCWIP initiatives should not, in any way compromise the use of public rights of way by making them less amenable to existing lawful users. The roadification of rural bridleways and higher right NMU routes leads to head down speed cycling which is dangerous for other users. Fast road bicycles are just that, road bikes with specialist thin wheels and tyres. Well constructed compacted stone surface is suitable for all users including cyclists with normal wheeled bikes and should be used for improvements to existing routes and is preferred for newly constructed routes.

Where existing routes are considered as part of the plan, it is important that all user groups are consulted so that the impact on other lawful users can be assessed and, if necessary, alternative measures discussed. For each specific proposal that uses a public right of way or minor road, the width, the proposed surface and the impact of increased estimated numbers of cyclists must be considered in order to design a route suitable for all legal users in each specific location.

Any newly constructed paths should be integrated or physically linked with the existing public rights of way network where possible and needed, clearly waymarked and recorded on either the definitive map or another publicly accessible map.

The Highways Act 1980 requires the road verges to be kept available for horses and livestock, stretches of which are used by horse riders as links along busy roads to reach quieter lanes and rights of way. The road verges should not be made into cycle ways which exclude horse riders. Where proposed new, or improved routes have crossing points we suggest appropriate signal-controlled (or even grade-separated) crossings should be provided suitable for all groups.

Consideration should be given to the use of 'Quiet Lanes' where the speed of traffic is reduced.

Where motorised traffic is to be prohibited on either a right of way or minor road to facilitate cycling and walking this should allow equestrians. Signage and structures must not impede equestrians and new bridges/underpasses should be suitable for equestrian use. If equestrians are not included as a user on active travel routes, the consequence is that equestrians are left on the carriageway with lorries and cars passing them on the outside and cyclists passing them on the inside, which is another accident waiting to happen.

Commuting cycling is likely to take place at times other than when recreational use takes place. Thus, a path used for commuting may well be used for recreational travel especially if it provides a circular route by connecting to other paths.

Public rights of way and minor public roads are already shared by cyclists and other user groups. So as a general principle, we believe that, for maximum public benefit and fairness, the reciprocal approach should be implemented and new cycle paths should be shared with other user groups unless there is a specific, unresolvable reason not to do so. Equestrian use must be considered when Active Travel or LCWIP routes are proposed in new developments

In summary, the BHS has put forward some important principles of law, equality and best value for money. Any active travel or LCWIP initiatives should be fully inclusive and make provision for horse riders. Horse riders and walkers right to safety and amenity on the public bridleways and higher rights paths should be respected. The natural surfaces of many of the public bridleways are an important amenity value of the routes, these should not be hard surfaced to suit the needs of one type of user. Adequate

maintenance of the existing bridleway surfaces is all that is required to make them useable by cyclists and more pleasant for all. There are some BHS DMMO applications for bridleways awaiting processing by NYCC which may give missing links in the network and merit consideration for bringing forward for the benefit of all those not in a motor vehicle.

In response, Louise Neale, NYCC, Transport Planning Team Leader confirmed Local Cycling and Walking Infrastructure Plans (LCWIPs) were a strategic approach to identifying cycling and walking improvements required at the local level, enabling a long-term approach to developing local cycling and walking networks, typically over a 10-year period, and a vital part of the Government's strategy to increase the number of trips made by active modes. She noted the objectives were to:

- Increase cycling activity
- Increase walking activity
- Reduce the rate of cyclists killed or seriously injured on England's roads
- Increase the percentage of children aged 5 to 10 that usually walk to school

She noted that LCWIPs considered the needs of equestrians where they had access to or were near routes where there was a proposal to deliver a scheme. Whilst accepting that a great many equestrian rides were taken as a leisure activity and had the same health and well-being benefits as cycling and walking, she confirmed the studies were predominantly designed to meet the Government's objectives, outlined above, to receive funding for cycling and walking.

She also confirmed:

- In order to achieve such funding, designs for schemes had to comply with the Government guidance for Cycling Infrastructure Design (LTN 1/20) which was prescriptive about what could be delivered and where.
- Officers responsible for delivering active travel infrastructure were well acquainted with the guidance; however, within it there was limited note of the requirement to include provision for equestrians except for the following:
 - In delivery of all walking/cycling infrastructure that is on publicly maintained highway the needs of equestrians are considered where they have access to or are near to routes we are proposing to deliver.
 - All "non-motorised users" are considered to ensure schemes encompass the needs of pedestrians, cyclists, equestrians and disabled people.
- Prominently, utility trips were undertaken in urban areas, which were most likely unsuitable for equestrian use. Where routes were identified that were likely to have a higher equestrian interest, NYCC were committed to engaging with stakeholders such as the British Horse Society. Such engagement would continue in current and future plans.
- Whilst the design of all new infrastructure predominantly targeted pedestrians and cyclists, she confirmed consideration would still be given to all non-motorised users.

The Chair thanked Caroline Bradley for her contribution to the meeting

324 Update on Active Travel in North Yorkshire

Considered:

A report of the Corporate Director – Business & Environmental Services, providing a highways update on the delivery of active travel projects across North Yorkshire.

Louise Neale, Transport Planning Team Leader introduced the update, and provided an overview of the DfT funding bids made by NYCC, as detailed in section 3 of the report, and

went on to outline:

- The Authority's strategic approach to walking and cycling improvements, and its commitment to developing a LCWIP for the main urban centre within each District.
- The key outputs of an LCWIP i.e. a cycling and walking network; a priorities programme of infrastructure; and a report that set out the narrative behind the prioritisation of the routes.
- A number of LCWIPS in place / being drawn up for various districts across the County;

She drew attention to the Authority's Capability Fund allocation, which would be used to review and update some of the early LCWIPS produced, as detailed in section 5 of the report. It was noted this had replaced the Government's previous Access Fund, and that the funding would be used to carry out an LCWIP review and to provide Bikeability training in schools.

In regard to the development of travel plans, she confirmed two new sustainable travel officers were to be recruited to work with developers and schools to develop travel plans and to carry out a marketing and promotion campaign across North Yorkshire to promote active travel.

She also drew attention to the Government's latest Local Transport Note providing updated guidance on delivering high quality cycle infrastructure, and the new Highway Design Guidance being produced by the Highway Authority's Development Management Team, taking account of all National Planning Policy Framework revisions in recent years, which the LAF would be consulted on in due course.

Finally, she confirmed that Network Strategy Teams would continue to engage with the LAF at the appropriate time on future relevant projects, such as the forthcoming Catterick LCWIP.

In response to Forum questions, Louise Neale confirmed:

- A LCWIP was being developed for Northallerton;
- Modelling work on Hambleton's Local Plan was ongoing;
- Work was underway on a Levelling Up Fund bid for Thirsk, with the aim of improving access to the train station;
- Routes were designed by the Authority's engineers in consultation with WSP (Framework Consultants) and safety audits were carried out on all new routes, taking account of the safety of users etc – it was noted this was all tied down by the design guidance and the safety standards therein, which NYCC had to regularly challenge due to the many restrictions and constrained spaces on its network;
- When a new route was planned that was likely to be considered a public rights of way, it would be discussed with the Countryside Access Service to consider whether it would be appropriate to add it to the definitive map;

Forum members noted that equestrians often had no other option but to use busy roads to traverse urban areas to reach local bridleways and quieter lanes, and suggested there should be no assumption that equestrians would not use such routes. They also recognised the difficulties of meeting national guidelines but suggested that as North Yorkshire was a predominantly rural county, with a high number of horses owned and used not just for leisure purposes, there had to be a way of better incorporating them into both the ROW and highways network. They also requested a more pro-active stance on engaging and consulting with stables and riding schools based in the vicinity of any new routes proposed.

Finally, as the DfT was a Section 94 body, Rachel Connolly suggested the Forum write to them to stress the importance of them taking a more inclusive approach to LCWIPs.

The Chair thanked Louise Neale for the report, and her attendance at the meeting, and it was

Resolved: That:

- i. The report be noted;
- ii. Rachel Connolly draft a letter to the DfT on the lack of inclusivity on Government's strategy on LCWIPs to be sent on behalf of the Forum;

325 Report on the Use of Volunteers in the Countryside Access Service

Considered: A report of the Countryside Access Manager, Transport Waste and Countryside Services advising NYLAF members on the current use of volunteers and potential ideas for future development.

Arrietty Heath, the Countryside Access Volunteer Coordinator introduced the report, and provided an overview of the variety of activities that Volunteers were currently being used, which included:

- Practical maintenance such as clearance of vegetation around stiles, gates, signposts or bridges;
- Inspecting reported issues
- Waymarking, erecting notices and carrying out surveys

In regard to the Path Keeper Scheme, Arrietty Heath gave a couple of examples showing the positive impact of the use of volunteers e.g. in support of the TRF's UUR work. She confirmed 20 groups were currently in place across the County.

Forum members noted the voluntary work of the Probation Service in the Scarborough area and it was confirmed that it might be possible in the future to extend their use to other parts of the County. It was also suggested there was lots of informal voluntary work going under the radar.

Arietty Heath confirmed her targeted approach for volunteer recruitment, was currently being aimed at specific geographical areas. It was noted that 15 new volunteers had just been recruited and that all volunteers were directly tasked rather than working in groups. She also confirmed that Nidderdale AONB had its own volunteer coordinator, whereas the Howardian Hills AONB volunteers were managed by her.

Forum members noted the planned future developments detailed in the report, and were particularly keen to see them being used for reducing the DMMO backlog and to carry out more survey work on UURs. Arietty Heath noted the Definitive Map team may in the future start to use volunteers to support their administrative work.

Ian Kelly confirmed the use of volunteers was very much embedded into the work of the countryside Access Service and paid tribute to their fantastic work. He also confirmed the Service would continue to look at other ways they could be used in the future.

The Chairman thanked Arietty Heath for her report and it was

Resolved – That the update be noted.

County Councillor David Jeffels left the meeting at 10:50am.

326 Secretary's Update Report

Considered –

The report of the Secretary, which updated on developments since the last meeting. Specific attention was drawn to the two draft Position statements shown in Appendices A & B of the report.

In regard to the Regional Forum's position statement on shared use, following discussion Forum Members agreed it was not relevant to NYLAF as there were no shared use issues in North Yorkshire, and therefore agreed not to adopt it.

In regard to the position statement on 'Preliminary Involvement in Major Projects' Forum members agreed that it would be appropriate to adopt the Statement.

As there were no issues arising from the rest of the report, it was

Resolved – That

- i. The update be noted;
- ii. The Yorkshire & Humber Regional Access Forum's position statement on shared use, as shown in Appendix A of the report, not be adopted;
- iii. The draft Position Statement on 'Preliminary Involvement in Major Projects', as shown in Appendix A of the report, be adopted;

327 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/sub-group activity since the last meeting.

In addition to the information provided for the report,

In regard to the A66, the Chair confirmed that consultation feedback was being taken into account and that a further roadshow was scheduled for 1st October 2021. Rachel Connolly queried whether a letter detailing NYLAF's views previously drafted and signed off had been submitted. The Chair confirmed NYLAF's formal response had been sent some time ago, and agreed to confirm the actual date it was sent via email, following the meeting.

It was confirmed the Countryside Access User Group had continued to meet remotely throughout the pandemic, and it was questioned why the appropriate members of the Forum had not received invitations to participate in those meetings.

Resolved - That

- i. The additional information provided at the meeting be noted, alongside the written updates provided in the report;
- ii. Dick Brew & Kath Topping join the UUR Sub-group, alongside Janet Cochrane and Will Scarlett;
- iii. Dick Brew replace Paul Sherwood on the CAS Forum User Group;

328 Forward Plan

Considered –

Members considered the Forward Plan provided at Appendix 1 to the report, and invited members to identify any additional items of business to be added.

David Lepper suggested the Forum should consider the Government's forthcoming scheme on ELMs and suggested an appropriate speaker be invited to a future meeting to provide an overview of the new scheme and what it would mean for public access.

Janet Cochrane requested an update on the reporting mechanism for rights of way issues. In particular, what the classification for issues 'dealt with' actually meant - did that mean it had been looked at, or did it mean the issue had been resolved?

In response Ian Kelly confirmed the Service received significant numbers of reported issues and that the team did its best to work through and respond to them all, even with the limited capacity within the team. He drew attention to the planned introduction of a customer portal, which had been delayed due to Covid, and confirmed it would provide a more efficient way for members of the public to report PROW issues and receive feedback. He confirmed the timetable for its introduction would be by the start of the next financial year. He also asked the Forum to consider undertaking some benchmarking of other Authorities to identify good practice and perhaps provide some strategic advice to his team, and agreed to circulate a previous report from 2017 on the CAS work prioritisation to all Forum members.

Forum members agreed they would be willing to test the new portal in the lead up to its introduction, and Will Scarlett agreed to lead on gathering information from other local Authorities on their approach to the public reporting PROW issues and providing customer feedback.

In regard to the previously reported planned DMMO prioritisation changes, Ian Kelly confirmed that by the next Forum meeting he should be in a position to confirm the timeframe for completing that work. He also confirmed he would be recruiting some additional Definitive Map team officers.

Louise Neale agreed to circulate via email a written update on the ongoing A59 works.

Finally, members discussed future meetings and it was confirmed that Forum meetings would be held remotely for the time being, in line with how other NYCC meetings were being managed.

Kath Topping left the meeting at 11:59am.

Resolved – That:

- i. The Work Programme document be updated in line with the discussions at the meeting;
- ii. An appropriate speaker be identified and invited to a future meeting regarding ELMs;
- iii. Will Scarlett to lead on gathering information from other local Authorities on their approach to the public reporting PROW issues and providing customer feedback;

The meeting concluded at 12.30 pm.

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North Yorkshire County Council

Local Access Forum

26 January 2022

Active Travel in North Yorkshire

Report of the Corporate Director – Business & Environmental Services

1.0 Purpose of Report

1.1 To update Members of the Local Access Forum on active travel issues.

2.0 Background

2.1 As cycling increases in North Yorkshire, it is essential to create spaces that are attractive, appropriate for the landscape and townscape, and predictable for users across the county. The benefits of more people choosing to cycle for short journeys cannot be understated, and extend to cyclists and non -cyclists alike: better health, less air pollution, more social interaction as towns focus on people rather than cars, and ultimately room for public transport and for people and goods that have to travel by car, van, lorry or other motorised mode. The publication of Local Transport Note 1/20 (LTN1/20) offers clear expectations for roads and public spaces designed for use by all. LTN 1/20 provides guidance to local authorities on delivering high quality, cycle infrastructure including:

- planning for cycling
- space for cycling within highways
- transitions between carriageways, cycle lanes and cycle tracks
- junctions and crossings
- cycle parking and other equipment
- planning and designing for commercial cycling
- traffic signs and road markings
- construction and maintenance

3.0 Cycling Infrastructure and LTN1/20

3.1 Concerns about safety related to motor vehicle traffic is the main reason why many people do not cycle with 62% of adults feeling that roads are unsafe for them to cycle on . The need to address actual and perceived safety concerns is particularly important when seeking to create environments where most people of all ages will feel safe to cycle. As such, providing the appropriate level of separation from motor vehicle traffic is important when planning cycle infrastructure.

3.2 Knowing when and how to separate cycle traffic from general traffic depends on the speed and volume of motor vehicle traffic on the street. For example, on busier and faster streets, such as connector and distributor roads, many people will not feel safe to cycle without separate and protected infrastructure. However, on quieter and slower streets, such as in residential areas, many people will feel comfortable mixing with motor vehicle traffic on the carriageway.

- 3.3 A key point to note is that protected space for cycling will enable most people to cycle, regardless of the volume and speed of motor vehicle traffic. Additionally, LTN1/20 states that streets that carry less than 2,500 PCU per day with a speed limit of 20 mph can be appropriate for mixing bicycle traffic with motor vehicle traffic so that most people will feel safe to cycle. NYCC's 20mph policy is compatible with this statement from LTN1/20 and subject to further site assessment the policy can support the introduction of new 20mph limits or zones where required.
- 3.4 Once traffic speeds exceed 20 mph then a level of separation from motor traffic is required to make the street feel safe for most people to cycle on regardless of the traffic flows. For streets with speeds of over 30mph then the highest level of separation in the form of a protected cycle track is required regardless of the traffic flows. Where a high number of HGVs are present, greater levels of segregation and careful design of junctions is required.
- 3.5 The cycling infrastructure recommended by LTN 1/20 that can be implemented on or next to the carriageway and does not usually form part of the Rights of Way network can be split into these main categories:
- Segregated Cycle Path - A cycle facility physically separated from the areas used by motorists and pedestrians. It may be next to, or completely away from the carriageway
 - Light Segregation - Vertical infrastructure that can be placed within existing traffic lanes (including cycle lanes) to convert them to protected space. They are easy to install and comparatively cheap, and can be used to trial a new cycle path. Cyclists can leave the path easily but vehicles are prevented from entering.
 - Cycle lanes - These are defined by either a solid or intermittent white line and are not protected from motor vehicle traffic by physical separation
 - Traffic calming/reduction and 20mph - Traffic calming includes features that physically or psychologically slow traffic. 20mph zones should be self-enforcing, and will often require physical measures in addition to signage.
 - Modal filter / Low Traffic Neighbourhood - A modal filter typically consists of a bollard, planter, or other barrier that allows pedestrians, cyclists, and occasionally public transport to pass, but not other motor traffic. Low Traffic Neighbourhoods often deploy modal filters to reduce the volume of motor traffic through an area.
 - Shared use path - A footway converted to legally permit cycling. Can also refer to other places where cyclists and pedestrians are unsegregated, such as a bridleway or Vehicle Restricted Area.

3.6 The table below, taken from LTN1/20, Ch4, p33 provides a framework for the minimum level of provision required for most people to cycle based on motor traffic volume and speed. If there is an opportunity to provide a type of infrastructure that gives a higher level of service for cycle users, then this would be considered.

Speed Limit ¹	Motor Traffic Flow (pcu/24 hour) ²	Protected Space for Cycling			Cycle Lane (mandatory/ advisory)	Mixed Traffic
		Fully Kerbed Cycle Track	Stepped Cycle Track	Light Segregation		
20 mph ³	0	Green	Green	Green	Green	Green
	2000	Green	Green	Green	Green	Green
	4000	Green	Green	Green	Green	Green
	6000+	Green	Green	Green	Green	Green
30 mph	0	Green	Green	Green	Yellow	Yellow
	2000	Green	Green	Green	Yellow	Yellow
	4000	Green	Green	Green	Yellow	Yellow
	6000+	Green	Green	Green	Yellow	Yellow
40 mph	Any	Green	Yellow	Yellow	Pink	Pink
50+ mph	Any	Green	Pink	Pink	Pink	Pink

- Provision suitable for most people
- Provision not suitable for all people and will exclude some potential users and/or have safety concerns
- Provision suitable for few people and will exclude most potential users and/or have safety concerns

- Notes:
1. If the 85th percentile speed is more than 10% above the speed limit the next highest speed limit should be applied
 2. The recommended provision assumes that the peak hour motor traffic flow is no more than 10% of the 24 hour flow
 3. In rural areas achieving speeds of 20mph may be difficult, and so shared routes with speeds of up to 30mph will be generally acceptable with motor vehicle flows of up to 1,000 pcu per day

3.7 It will take time to start to implement the new design standards and therefore most of the county’s current cycling infrastructure will not meet the standards set out in LTN1/20. All new cycling infrastructure should be designed with LTN1/20 in mind and if existing infrastructure is upgraded the new guidance will be taken into account.

4.0 Cycling and the Definitive Map

4.1 The only types of routes which can be shown on Definitive Maps are:

- Public footpaths – for use by pedestrians only
- Public bridleways – for use by pedestrians and horse riders, and may also be used by cyclists, who are required to give way to pedestrians and horse riders.
- Restricted byways - for use by pedestrians, horse riders, and drivers of non-motorised vehicles, including horse drawn vehicles and cyclists.
- Byways open to all traffic - for use by pedestrians, horse riders, cyclists and motor vehicles.

4.2 There is no facility to record cycle tracks or cycle ways on the Definitive Map. Ways recorded as footpaths recorded on the Definitive Map can be ‘converted’ into Cycle Tracks by Cycle Tracks Act Order, but are then required to be removed from the Definitive Map. Cycle Track conversions are very rare although many routes exist as cycle ways or cycle tracks but which are quite separate to those public rights of way recorded on the Definitive Map.

4.3 There may be routes recorded as footpaths on the Definitive Map over which the landowner has permitted use by cycles. This may have been arranged by permissive agreements made between the landowners and the local authority, or may be even

more informal where a landowner chooses to permit access by cycles. There is no facility to record this information formally and may only be apparent by the signage on the routes explaining the permissive nature. The more formal permissive arrangements such as the development of the National Cycle Network, have resulted in some of the more substantial cycling routes being recorded on Ordnance Survey maps.

5.0 Using the planning process to increase active travel infrastructure

5.1 The National Planning Policy Framework (NPPF) requires development to mitigate its own impacts. There is no obligation to offer a betterment, although sometimes fortunately this can be achieved. Developers demonstrate the impact through a robust Transport Assessment. Where infrastructure such as cycle routes become expensive, for example because bridges or land take is required, it can make sites unviable and if there is no demonstration in the Transport Assessment of its necessity, for example because an increase in vehicular trips can be accommodated on the highway network, this becomes something unattainable.

5.2 Fortunately there is a renewed and extended emphasis on sustainable travel nationally. There have been recent changes to guidance, such as the introduction of LTN1/20, which focusses on the design of high quality safe cycle infrastructure and a revision to TRICS (trip rate information computer system) guidance, with it moving towards a “decide and provide” approach– which encourages local authorities and developers to decide an aspirational (albeit realistic) vehicular trip rate and deliver infrastructure to support this, moves away from the traditional predict and provide, which sees trip rates forecast based on background growth and historical data, with the provision of highway infrastructure which then accommodates the uplift. These changes offer opportunities for sustainable travel options to have a greater hand in infrastructure provision and the council is presently revising its guidance to better reflect the national picture.

6.0 Conclusion

6.1 Providing for cyclists to LTN 1/20 standards presents the Council with a challenge and an opportunity. Relevant funding pots will be bid into and where appropriate the planning system will be used to gain additional improvements for cyclists.

<h2>7.0 Recommendation</h2>

7.1 That Members of the Local Access Forum note the content of the report.
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KARL BATTERSBY
Corporate Director – Business and Environmental Services

Author of Report: Louise Neale

Background Documents: None

North Yorkshire Local Access Forum

26 January 2022

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 There have been four consultation requests received from Craven District Council since the last meeting:

- Flood Risk & Water Management Supplementary Planning Document (SPD) First Draft
- Green Infrastructure & Biodiversity Supplementary Planning Document (SPD) First Draft
- Rural Workers' Dwellings Supplementary Planning Document (SPD) Second Draft
- Good Design Supplementary Planning Document (SPD) Second Draft

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	<p>In Craven, the Plan was adopted in November 2019 and a provisional date of October 2023 was set for the publication of results of a formal review of the Craven Local Plan, in order to meet the Government's requirement for a review to be completed 5 years after its adoption i.e. by Nov 2024.</p> <p>Most recently a number of consultations have been commenced – see list above.</p>
Hambleton	<p>The Hambleton Local Plan was submitted to the Secretary of State (Planning Inspectorate) for examination on 31 March 2020.</p> <p>The estimated timetable for progressing to the adoption of the Plan was as follows:</p> <ul style="list-style-type: none">• Estimated examination period March 2020 to February 2021• Receipt of inspector's report March 2021• Estimated date of adoption April 2021 <p>The Council's website has no further updates.</p>
Harrogate	<p>The council formally adopted its Local Plan with new settlement policies on 9 December 2020.</p>

Richmondshire	<p>The Local Plan 2018-2035 will be a single document and comprise of a review of the adopted Local Plan Core Strategy 2012-2028 and will provide site allocations, area strategy for Catterick Garrison, land use designations, revised Development Limits for settlements identified in the settlement hierarchy and detailed development policies. It will include an updated and revised Proposals Map.</p> <p>Examination Hearings took place in Spring 2021, followed by a 'Preferred Options' consultation which ran for 8 weeks from 28 May 2021 until 23 July 2021. The Council is now preparing the Pre-Submission Draft (Regulation 19). This is the final stage of the process before submission of the Local Plan to the Secretary of State.</p> <p>The Pre-Submission consultation was held in winter 2021.</p>
Ryedale	<p>Ryedale District Council are in the process of reviewing their Local Plan which covers the period 2012- 2027. A two-month 'Call for Sites' consultation concluded on 5 July 2021.</p> <p>Community consultation and consultation with stakeholders began in August 2021. Once they have a group of potential allocations, an options consultation will be undertaken in the spring of 2022 to explore the choices, informed extensively by the initial consultation, evidence base collection and analysis and interactive development of the distribution strategy.</p> <p>Proposed site allocations were published in September 2022.</p>
Scarborough	<p>Scarborough Borough Council formally adopted their Local Plan 2011/32 on 3 July 2017. A consultation on the first stage of the review (the Issues and Options stage) concluded in late 2020 and work continues on the review – see: Review of the Scarborough Borough Local Plan (2011/32) SCARBOROUGH.GOV.UK</p>
Selby	<p>A new Local Development Scheme for the period 2019 to 2023 came into effect on 17 September 2019. The scheme identified which Local Plan documents the Council would progress over the next four years, together with the programme for their preparation, and key consultation milestones.</p> <p>In line with the Scheme, a six-week consultation on the Local Plan Issues and Options ended 6 March 2020, and a six week consultation for the Preferred Options Local Plan 2021 concluded on 12 March 2021.</p> <p>A Local Plan Evidence Base Consultation took place between 3 September 2021 and 15 October 2021.</p>

<p>Minerals and Waste Joint Plan</p>	<p>The Minerals and Waste Joint Plan, prepared by North Yorkshire County Council, City of York Council and North York Moors National Park Authority, was submitted to the Secretary of State for independent examination. Elizabeth Ord LLB (Hons) LLM MA DipTUS was appointed as the Planning Inspector to undertake the Examination and public hearings were held between 27th February and 13th April 2018, and 24th and 25th January 2019.</p> <p>Through the Examination several policies and supporting text in the Minerals and Waste Joint Plan were identified where a Main Modification was required to address concerns identified by the Inspector or other representations to the Joint Plan, or to reflect changes in evidence or national planning policy and a schedule was prepared for consultation.</p> <p>The Main Modification consultation started on Wednesday 21st July 2021 and closed on Wednesday 15th September 2021.</p> <p>All previous documents and evidence reports that underpin the Minerals and Waste Joint Plan, can be viewed online at: www.northyorks.gov.uk/examination.</p> <p>The Examination is a continuous process running from the date of submission through to the receipt of the appointed Planning Inspector's Report. The representations provided relating to the Schedule of Main Modifications consultation will be considered by the Inspector while she is writing her report.</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. Since the last meeting, there has been no discretionary dog restrictions, received from the Open Access Contact Centre at Natural England confirming restrictions under Section 23(1) of the Countryside and Rights of Way Act 2000.

3.3 There has been one discretionary '28 Day' restriction under Section 22 of the Countryside and Rights of Way Act 2000 - 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 draft Minutes from the last meeting of the Yorkshire Humber and North Lincolnshire Regional Access Forum held on 8 September 2021 were circulated to Forum members via email by the Chair on 8 October 2021.

3.5 The next meeting of the Regional Forum will be held on the 9 March 2022 at Leeds Civic Hall (Covid restrictions permitting).

3.6 2026 / Definitive Map

There are no changes or updates to report.

4.0 Draft Position Statements

4.1 The Forum's draft position statement on UURs is attached at Appendix A for Forum members' consideration and sign off.

5.0 Report Recommendations

5.1 The Local Access Forum is recommended to:

- i) Note the update report;
- ii) Agree a way forward in regard to the draft Position Statement at Appendix A.

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

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

Appendices:

Appendix A – Draft Position Statement on UURs

Draft UUR 'position statement' (draft 9)

There is some ambiguity in official guidance as to a Local Access Forum becoming involved in issues concerning Unsurfaced Unclassified Roads (UUR). These are Category 6 local roads included on the List of Streets as publicly maintainable highways, and colloquially, but incorrectly, known as 'green lanes'.

UURs are valuable rural routes used by walkers, cyclists, horse-riders, carriage-drivers, recreational motorcyclists and 4x4 drivers in the countryside.

In line with DEFRA guidance, North Yorkshire Council has issued a position statement regarding UURs:- *the County Council acknowledges that the extent of public rights over those routes must, as a minimum, extend to pedestrian use though higher public rights may well exist, this is a matter for assessment on a route-by-route basis. Use of UUR's by the public beyond pedestrian user will not generally be prevented by the County Council except where circumstances dictate that control or prevention of such use is appropriate.*

The North Yorkshire Local Access Forum acknowledges the stance taken by the highway authority; however, the Forum is of the opinion that it is a reactive response rather than a proactive response to the problems of UUR management.

Unsurfaced Unclassified Roads are maintained at public expense. There is another class of generally unsurfaced public highway known as Ratione Tenurae (RT) routes. These are public highways maintainable by the landowner, and in some cases have been 'surfaced'. Issues with RT routes can invariably lead to complex legal dialogue as to ownership and definitive public rights as outlined above.

Although included on the List of Streets, UURs are not included on the Definitive Map of public rights of way and do not form part of the public rights of way network. However, they are part of a network of recreational routes, without which there would be much fragmentation and loss of holistic amenity. Based on the available evidence, the Forum supports the view that these roads have vehicular access. This presumption does not rule out a route having lower rights if this is subsequently proved.

The Forum also recommends that, in light of the possible reclassification of public rights of way imposed by the Deregulation Act 2015, the authority should consider taking a proactive stance in classifying UURs, so that they can be added to the Definitive Map.

In line with other access fora in the region, the North Yorkshire Local Access Forum regard UURs (and RT routes) as part of the public rights of way network.

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North Yorkshire Local Access Forum

26 January 2022

District Council and Updates from Sub-Groups

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. 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. Both are represented in the table below:

Name	Representation
Will Scarlett	Craven District
Rachel Connelly	Hambleton District Richmondshire District A1, A19 & A66
Roma Haigh	Ryedale District HS2
Paul Sherwood	Regional Access Forum A66
County Councillor David Jeffels	Scarborough District Regional Access Forum
Dick Brew	NYCC Countryside Access Service User Group
David Lepper	Selby District
Vacant	2026 Harrogate District

- 2.2 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 The following updates have been provided by Rachel Connolly:

Catterick Garrison – Talks ongoing about expansion with Richmond – our input is not required at the moment.

A1 - Continues to frustrate with communication at an all time low. Some of the issues depend on collaboration with North Yorkshire County Council and there has been no responses to enquiries. Covid has much to answer.

3.2 The following updates have been provided by Will Scarlett:

Craven - Reported on the Craven District Council Draft Revised Statement of Community Involvement for Planning, and currently checking 4 Craven District Council consultation policies (as listed in Secretary's update report).

Sub-Group work– Produced a report on regional reporting mechanisms for rights of way issues, which was submitted on 29 December 21 for onward transmission to Countryside Access Manager

4.0 Other Updates

4.1 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

North Yorkshire Local Access Forum

26 January 2022

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 The Forward Plan is attached at Appendix A, which lists the agreed meeting dates for the coming municipal year.
- 3.2 The Forum meets three times a calendar year but may choose to agree further meeting dates (based on need), and may set up sub-groups to progress specific pieces of work outside of the formal meetings.
- 3.3 Meeting dates for the coming municipal year are:
25 May 2022
28 September 2021
25 January 2023

4.0 Recommendation

- 4.1 Forum members are asked to note the dates of future meeting in 2022/23 and agree the work programme for those meetings, taking into account the discussions and suggestions made at this meeting.

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

Forward Plan 2021/22

Date of Meeting	
Standing items	<ul style="list-style-type: none"> • Minutes • Matters Arising • Public Questions and Statements • Consultations • Secretary's Update Report • District Council Liaison Updates • Forward Plan
26 May 2021	<ul style="list-style-type: none"> • CAS UUR Management Review • Feedback on Sub-group review of CAS related webpages on Council website • Feedback on Sub-group review of NYCC's UUR Statement
29 September 2021	<ul style="list-style-type: none"> • CAS Update on Use of Volunteers • Highways Update on: <ul style="list-style-type: none"> - Active Travel Fund; - Capability Fund and Travel Plans; - Latest Government guidance (inc cycling) - Developer Design Guide; - Any further funding opportunities.
26 January 2022	<ul style="list-style-type: none"> • Active Travel Update
25 May 2022	<ul style="list-style-type: none"> •
28 September 2022	<ul style="list-style-type: none"> •
25 January 2023	<ul style="list-style-type: none"> •
Suggested Future Items	<ul style="list-style-type: none"> • Rights of Way Improvement Plan • In-depth discussion on Reinstatement • Draft NYCC Active Travel Strategy • ELMS Scheme Update

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