

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 an included 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.