

North Yorkshire County Council

North Yorkshire Local Access Forum

Minutes of the remote meeting held on Wednesday, 1st June, 2022 commencing at 10.00 am.

County Councillor Paul Sherwood in the Chair. plus County Councillors Dick Brew, Rachel Connolly, Roma Haigh, David Lepper, Kath Topping, Robert Heseltine and David Jeffels.

Officers present: Ian Kelly, Karl Battersby and Melanie Carr.

Apologies: Will Scarlett.

Copies of all documents considered are in the Minute Book

1 Introductions & Apologies for Absence

Following members of the Local Access Forum introducing themselves, the Chair confirmed apologies had been received from Will Scarlett.

2 Minutes of the Meeting held on 26 January 2022

Resolved - That the Minutes of the meeting held on 26 January 2022 be agreed as a correct record and signed by the Chair.

3 Public Questions & Statements

Mr Brian Forbes attended the meeting to present his question to the Forum, as follows:

“North Yorkshire Council have a mechanism for prioritising public rights of way maintenance which is heavily biased towards urban areas to the detriment of rural areas.

Last year a collapsing bridleway bridge in the village where I live resulted in the closure of the bridleway to the public. The bridleway is part of a popular circular route south of the village which can no longer be used. The prows in and around the village are rated very low using the rating equation used by NYC and recently the closure of the bridleway has been extended again, a further six months to October.

The collapse of the bridge gives rise to a high level of risk to public safety and such issues are supposed to be given overriding priority. I was informed originally that “when the new budget is set” in April 2022 I would be informed of the status of the bridge replacement, however upon pursuing this in May I was informed that the bridge would be considered “as part of a package” and that it would be given consideration along with a number of other outstanding issues which involved public safety.

This gives rise to a number of questions, primarily

- 1. How do NYC reconcile budgeted finance for prows with their outstanding list of priorities left over from previous year/s.*
- 2. Is the bridge in question currently seen as a safety priority when the bridleway is continually closed to the public. In which case is it no longer a safety issue and*

destined to languish at the bottom of the pile.

3. Is length of time out of use part of the equation which establishes priority.

I could pursue this on a monthly basis with NYC and have yet to decide in my own mind whether the officer I am communicating with actually does know where the bridge in question fits into the plan and doesn't want to say "it's not going to happen", is being ambiguous because he genuinely doesn't know or is making it up as he goes along? The view of the access forum to my questions would be appreciated".

Ian Kelly - Countryside Access Manager apologised that the closure of public bridleway no. 10.155/12/1 at Thornton le Moor was causing Mr Forbes an inconvenience.

He confirmed North Yorkshire County Council had the largest network of public rights of way (PROW) in the country with over 6100km of footpaths, bridleways, restricted byways and byways open to all traffic, and also confirmed that the Countryside Access Services (CAS), which managed the PROW network, received approximately 1930 reports of issues on the network per year.

Consequently, as in the case with the vast majority of Local Authorities, the County Council had prioritised its workload and targeted its limited resources to resolving issues that pose the most significant risk and impact on network users. He referenced the prioritisation framework, which the County council had adopted in 2017 following extensive consultation with the public, Parish Councils, PROW user groups and stakeholders, Local Access Forum, Council Scrutiny and Area Committees.

He went on to confirm that issues were scored based on a combination of route category, the effect on the user and the risk, and were categorised as High (25 and above); Medium (15 – 24) and Low (14 and below) Priority. This drove work programming and as a key principle, the Service looked to address higher scoring issues before lower scoring issues. He agreed that following the meeting, he would provide Mr Forbes with an excerpt from a 2017 BES Executive report, which included details of route categorisation and the issue prioritisation model, together with practical examples of issue prioritisation scoring for information.

In regard to the unsafe bridge in question, Ian Kelly confirmed that as a result of an overall Issue Priority score of 27, the bridge was a high priority issue. Public safety was paramount and for that reason, a formal temporary closure of the right of way at the bridge had been implemented when an inspection raised concerns about its condition in October 2021.

He noted that while superficially the damage to the 4 metre span bridge may appear minor and easy to rectify, the inspection had revealed that both the main beams and abutments were defective and consequently the bridge required complete replacement and had therefore been added to a bridge replacement programme.

Ian Kelly confirmed that approximately 40% of CAS's maintenance budget a year was spent on bridge repairs and replacements. In general terms, installation of short span and simple (pedestrian) bridges was managed by officers in CAS and larger, more complex structures (as in the bridge in question) were managed by Highways Bridge Engineers working closely with CAS officers.

He confirmed officers have explored options to divert the right of way to negate the need for a replacement, however, negotiations with the landowner had not been successful. Therefore, replacement of the bridge was scheduled for the current financial year but this was subject to the engineers having capacity to do the work and being able to secure the necessary consents. Nevertheless, the Council would do whatever it could to ensure the bridge was replaced and the bridleway re-opened as soon as possible.

In respect to the three questions raised by Mr Forbes, Ian Kelly confirmed:

1. The bridge replacement list remained the same and CAS' revenue budget for maintenance (which in addition to bridges also included seasonal vegetation; surfacing; signpost; and gates & stile programmes) was allocated out of the respective financial year's budget.
2. The Issue Priority score was high and would remain as such until resolved. Consequently, in the interest of public safety, the closure would remain in place until the bridge was replaced.
3. In the context of the bridge replacement programme, where issues had the same priority score, the age of the issue was taken into consideration when determining which bridge would be replaced first.

Finally, Ian Kelly confirmed Mr Forbes would be advised in due course when the works were scheduled to be completed.

Paul Sherwood thanked Mr Forbes for his contribution to the meeting.

4 Attendance of a Network Rail Representative

The meeting was attended by David Shorrocks and Rachel Tyrer from Network Rail, who provided a detailed update on the work of Network Rail in relation to the relationship between railways, and Bridleways and Rights of Way.

David Shorrocks confirmed:

- There was no wholesale message regarding the removal of all crossings, footpaths and bridleways;
- There was always pressure on to improve safety at crossings;
- Accidental deaths had reduced over the last 10 years with only two recorded last year;
- There were approximately 300 suicides a year and Samaritan signs were situated at key spots. All staff were also trained in suicide prevention;
- There were two pending closures of crossings in the County. The first, a crossing at Huby on the York to Harrogate line where the horns on trains were inaudible. The plan was to move the crossing to an underpass approximately 100yds away. The second on the Normanton to Church Fenton line where sighting was almost nil and train noise was confused with sounds from other nearby rail lines;
- Network Rail would seek to close a level crossing wherever possible. For example, in the village of Wormesley where the plan was to provide a new public road to fields for farmers, with the existing road crossing to be reduced to a bridleway. Another in Northallerton, and Willowbeck footpath south of Thirsk, which was rarely used;
- Where the Coast to Coast recreation route crossed a rail line, it would not change the treatment of that crossing. A stepped bridge would be an obvious solution for such a crossing if funding were available;
- The least expensive type of bridge was a flow bridge – a new design to be rolled out, suitable for pedestrians only (not horses or cycles);
- There was a rail safety issue requiring a level crossing closure in the Leeds City Council area. The plan being to divert the public footpath to an underpass that lied within North Yorkshire;

Rachel Connolly highlighted a particular crossing south of Northallerton where there was a button to press to connect to a Network Rail office, to seek permission to cross. It was noted that in other locations, red and green traffic lights were used. She also drew attention to the need for horse riders to dismount where there were high powered lines above.

Finally she suggested that where the use of a phone was required, it would be helpful if mounting blocks and tethering posts were supplied.

In regard to out of use redundant railway lines, it was confirmed that all such land was still deemed to be usable rail lines and therefore public access was not allowed.

Forum Members thanked David Shorrocks and Rachel Tyrer for attending and it was

Resolved – That:

- i. The update be noted.
- ii. A further update be provided in a year's time.

5 Update on the Coast to Coast National Trail from Natural England

Christine Pope, Natural England representative provided an update on the Coast to Coast trail project, confirming the aspiration to have it as a national trail.

She went on to confirm:

- The campaign had been spearheaded by Rishi Sunak following a request from DEFRA for a commitment from Natural England, that they create an accessible trail linking communities;
- A proposals report to the Secretary of State was being produced by a small team at Natural England;
- A Project Board met monthly, made up of representatives from DEFRA and all Local Authorities.
- The whole route by foot was being surveyed, following existing rights of way where possible. At the same time, the opportunity was being taken to look at proposals for alternative routes, and circular routes for all users;
- All identified issues were being considered e.g. bridge improvements, and way markers, signage and finger posts;
- Permissive rights would be required for parts of the route but ideally agreement would be sought for full long term legally secured access (85% already legally secure);
- Some new rights of way may be required;
- There had been some stakeholder contact e.g. land owners, Parish Councils etc.
- Some variations were expected as the establishment works were undertaken, and all necessary consents would be sought;

Christine Pope also confirmed that National Highways were undertaking a feasibility study at their own cost on for a required A19 crossing, even though they did not have the necessary funding to carry out the works;

Forum members went on the discuss how the project could maximise the benefits e.g. developing new circular routes off the Coast to Coast, linking communities, improving accessibility etc. They also queried what the expected economic value of it would be.

Finally, Christine Pope confirmed that a draft report which included costings had been completed for sign off by the Natural England Board, prior to its submission to the Secretary of State. It was hoped that approval would be granted prior to the end of summer, and it was expected that it would take 3 years from approval to full establishment.

Ian Kelly, Countryside Access Manager confirmed that once established, his Service would

be responsible for the maintenance of 26 miles of the trail (14%). It was noted that an official trail guide was also under discussion.

Forum Members thanked Christine Pope for attending the meeting and it was

Resolved: That her update be noted.

6 Update from National Highways representative on their proposed A19 Safety Improvements;

Ben Dobson, a representative from National Highways, attended the meeting to provide an update on the ongoing A19 safety improvement works, and an overview of the planned next stage between the Lontine and Black Swan junctions.

It was noted there were thirteen gaps in the central reservations between those two junctions, and the aim of the works was to reduce the number of incidents and accidents at those gaps, which included the potential closure of six gaps, which were currently there to give access to either private properties or fields.

Ben Dobson confirmed the remaining seven would be improved, and provided an overview of the minor maintenance works planned to start in autumn 2022, subject to the required funding being received. He also confirmed the A19 improvement works were unrelated to the Coast-to-Coast works.

Forum members noted there was only one right of way that ended along that specific section of the A19, which had continuation at the other side of the road.

The Chairman thanked Ben Dobson for attending the meeting and providing his update, and it was

Resolved – That the update be noted.

7 Definitive Map Team Update

Ron Allan, Principal Definitive Map officer provided an update on the work of the Definitive Map team.

The update included an overview of performance and service improvements, and Ron Allan provided an overview of the process, as outlined in the report. He also confirmed:

- All Definitive Map officers were now working on progressing audits, each taking approximately 2 years to complete;
- There was a 9 month backlog in PINs work, with 9 currently being worked on;
- There had been an increase in the number of objections received in the last two years;
- 8% Of DMMOs attracted objections from land owners;
- The user evidence forms in use nationally were varied and there would be some benefit to using one nationally accepted form;
- Work was ongoing to streamline the processes and the hope was to implement a better system for analysing the forms
- Re-regulation would change the work required e.g., an initial assessment would be required within 3 months of an application being received. – it would take 4-5 years to address the current backlog;
- Anything new has to align with current equality legislation;

- There were currently 4 field officers (3 of which were new posts) surveying for maintenance purposes;

Forum members thanks the officer for the update and agreed the register would benefit from having some in built filters e.g. to pull out ongoing order status;

8 Secretary's Update Report

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

Karl Battersby, Corporate Director for Business & Environmental Services provided a verbal update on the ongoing work on Local Development Reorganisation (LGR). He noted that within 5 years of vesting day, one new Local Plan would need to be in place for the whole of the new Authority area, which would replace the 8 currently in place.

He also highlighted a number of areas where the move to the new Authority would bring some much-needed consistency across the County e.g. affordable Housing Policy.

Finally, he drew attention to the ongoing work to review Highway Design Guides and agreed to provide an update on that work at the next meeting.

Resolved – That the report and the verbal update on LGR be noted.

9 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.

In addition to the information provided for the report, Councillor Robert Hardcastle confirmed the cycle track from Malton to Pickering was now open, using some sections of bridleway, and with some sections designated for cycle use only.

It was confirmed there was a dearth of warning signs across North Yorkshire on routes heavily cycled, and it was suggested that many were not official DfT signs.

Rachel Connolly drew attention to a previous commitment by National Highways to address some outstanding safety issues associated with their A1 upgrade project. In response, Ian Kelly Countryside Access Manager confirmed National Highways had agreed in principal to provide some funding for some maintenance works which had been scheduled in to the programme of works for this year.

Finally, Councillor David Jeffels highlighted the proposed designation of the Yorkshire Wolds as an Area of Outstanding Beauty by Natural England.

Resolved - That the additional information provided at the meeting be noted, alongside the written updates provided in the report.

10 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.

Resolved - That The Work Programme document be noted and updated to include:

- A further update on LGR for the next meeting
- An overview of the ongoing work on Highways Design Guide for the next meeting
- The attendance of the relevant Executive Member at a future meeting

The meeting concluded at 12.55 pm.