

The North Yorkshire Council

Local Access Forum

29 January 2025

North Yorkshire Council - Rights of Way Improvement Plan Briefing

The Countryside and Rights of Way Act 2000 introduced the requirement for Highway Authorities to produce a Rights of Way Improvement Plan (ROWIP) which is to be reviewed on a 10-year basis. North Yorkshire Council's current ROWIP is due for review in 2027. The Council can determine to continue with the existing ROWIP or produce a new one.

North Yorkshire County Council's first ROWIP published in 2007 ran to 147 pages and took two full time members of staff 5 years to compile. It contained a significant amount of research into the existing PROW network and the challenges and opportunities associated with improving it. Extensive public engagement was carried out which identified 1005 potential improvement projects. At the time NYCC made significant funding available to maintain and improve the PROW network following the 2001 foot and mouth outbreak when closing the network brought into sharp focus the economic benefit it brings to rural areas.

In contrast the current North Yorkshire Council Rights of Way Improvement Plan, which covers 2017 to 2027, is contained within the North Yorkshire Local Transport Plan 2016-2045 (Theme 3m Public Rights of Way, <https://www.northyorks.gov.uk/your-council/council-plan-constitution-and-strategies/strategies-plans-and-policies/local-transport-plan>) and runs to five pages which mainly focuses on our core statutory function to maintain the PROW network. This reflects the very different political and financial position in 2017 when Government austerity measures resulted in a 40% cut to NYCC's PROW budget. The restructure of the NYCC PROW teams that followed refocused the service on delivery of its core statutory duty with no capacity to deliver improvements. Clearly in this context it would not have been possible to deliver the aspirations of the 2007 ROWIP or commission a similarly in-depth revised version which is why NYCC determined that the PROW pages of the 2016 LTP would serve as the 2017-27 ROWIP.

While the financial position for NYC's Countryside Access Service (CAS) has improved since 2017, the resource we have available still means we can only look to maintain rather than improve the PROW network. That is not to say significant improvements haven't taken place on the network over the last ten years and will continue to do so for the next, with CAS playing a key role in the delivery of significant improvements to countryside access such as the King Charles III England Coast Path and the Malton to Pickering Cycleway. But projects such as these need to be led and funded by other teams within the Council or external partners.

Over this time other plans and projects, outlined below, have also been developed across North Yorkshire that take forward many of the generic themes and specific projects from the 2007 ROWIP. Most of these plans have been open to public consultation in the same way that a ROWIP would be. As things stand CAS does not feel that diverting significant resource from our core service delivery to produce a separate ROWIP of the scale of the 2007 version would represent good value for the public purse and that the LTP remains the best place for our ROWIP.

With the advent of the York and North Yorkshire Combined Authority a new Local Transport Plan (LTP) will be produced which gives us the opportunity to review and potentially expand on the PROW themes of the current LTP. We welcome input from the North Yorkshire Local Access Forum for the views of all user groups and stakeholders on what should be the Authority's key commitments when it comes to managing, and where possible improving, the PROW network for the next ten years.

North Yorkshire Local Transport Plan 2016-2045. Theme 3m Public Rights of Way

<https://www.northyorks.gov.uk/sites/default/files/2023-03/63761%20LTP4%20Full%20-%20accessible.pdf>

Key Commitments:

- Ensure maintenance of Rights of Way outside the National Parks is taken care of by our countryside access officers, area rangers and a team of countryside volunteers;
- work with the Local Access Forum to improve public access to land for the purposes of open-air recreation, and the enjoyment of the area, whilst considering the needs of both the users of those Rights of Way, and land owners or occupiers over which a right of way exists.
- consider funding works on Rights of Way from LTP money when those works make a significant contribution to the LTP objectives;
- record all identified Rights of Way on the Definitive Map together with the Yorkshire Dales and North York Moors National Park Authorities;

Significant cross over into other LTP themes: Road Safety, Environment and Climate Change, Healthier Travel, Planning and New Developments and Walking and Cycling as well as with other Council plans.

Local Cycling and Walking Infrastructure Plans (LCWIP)s:

<https://www.northyorks.gov.uk/roads-parking-and-travel/major-transport-schemes-and-plans/local-cycling-and-walking-infrastructure-plans-lcwips>

Local Cycling and Walking Infrastructure Plans are a long-term strategic approach to identifying cycling, walking and wheeling improvements at a local level. There is currently no specific Government funding allocated for the implementation of LCWIPs, but the creation of the Combined Authority has potential to allow more regional transport funding to be released to facilitate these plans and the LCWIPS mean that the Council has a series of bid ready projects ready to submit for funding. Additionally, having the plan in place with network plans for each area allows the council to be in a much better position to request S106 funding from developers towards new active travel infrastructure.

The key outputs of a Local Cycling and Walking Infrastructure Plan are:

- a cycle and walking network plan identifying preferred routes
- a prioritised programme of infrastructure improvements of future investment
- a report setting out the narrative behind the prioritisation of routes

Published LCWIPs: Scarborough; Skipton; Selby, Tadcaster and Sherburn in Elmet; Northallerton; and Harrogate and Knaresborough.

Under development / to be published: Malton and Norton; Ripon; Catterick and Catterick Garrison; Thirsk; Whitby. North York Moors and Yorkshire Dales National Park Active Travel Plans.

Local Authority and National Park Local Plans:

Contain objectives, policies and proposals that provide guidance to developers, local communities, members of the planning authorities, stakeholders and planning officers about the type and nature of development that will be permitted in the area. Mostly contain generic and strategic guidance but may also contain aspirations for specific projects, for example the Hawes to Garsdale Head multi-user trail. A new local plan is under development for North Yorkshire Council which will be open to public consultation, the Yorkshire Dales National Park Authority intends to publish the final draft of its 2025-40 local plan early this year for final representation from interested parties with the North York Moors National Park Local Plan due for review in 2035.

National Parks and National Landscapes Management Plans

Set out the vision for the protected landscapes and describe the objectives, policies, and goals that authorities, other public bodies and stakeholders will pursue to achieve it. It also highlights the key priorities for action to address the challenges faced by protected landscapes. Like local plans, management plans tend to focus on broad principles and objectives but can also include specific projects such as the Nidderdale Greenway.

Review dates:

Howardian Hills 2024 (ongoing)

Nidderdale 2024 (ongoing)

North York Moors 2027

Yorkshire Dales 2030

Yorkshire Wolds: to develop if designated.

Questions for consideration:

1. Taken as a whole, do these plans sufficiently capture rights of way improvement aspirations?
2. Are there other key commitments we should consider including in the ROWIP: e.g. accessibility and inclusion, encouraging development that respects and improves the network, community empowerment and engagement, promoting tourism, access to nature?
3. Should we identify specific themes or geographic areas for improvement e.g. development of old railway lines, connections between urban areas, accessible walking for health routes in and around urban areas and working in partnership with National Parks and National Landscapes.
4. How will any future legislation to improve access to rivers impact on the work of CAS and the National Parks?
5. Traditionally transport plans and funding tend to be utility rather than recreation focused and therefore favour urban or urban fringe schemes. Whilst guidance is still awaited from the Department of Transport (DfT), it is likely that the forthcoming LTP will put more emphasis on recreational travel. But are there rural / recreational aspirations that are missing from the current plans?

6. Many long-standing issues on the PROW network are complex and often a combination of anomalies with the original Definitive Map or major obstructions due to development (housing, industry, quarries etc). Should there be more focus and resource to resolve these as well as dealing with new service requests to resolve maintenance and enforcement issues on the network? This has the potential to make more network available for the public to enjoy.
7. There is no capacity within CAS to compile a revised ROWIP and as such would need to be contracted out to consultants. Would this represent good value?
8. Following public consultation, the original 2007 ROWIP identified 1005 improvement requests from the public to improve, upgrade or create new PROW. Many ideas were from individuals with no evidence of significant public benefit. Since 2017 CAS has not had funding to deliver these schemes but some have been delivered by partnership working with other teams or organisations (e.g. KCIII England Coast Path). Is this information still relevant? What should we do with it?
9. The original 2007 ROWIP undertook significantly more analysis of PROW provision across the County and looked at opportunities and challenges in improving the network in much more depth than the current LTP. While utilising the best research and data available at the time we now know much more about how the network is actually used by walkers and cyclists from Strava Data etc than we did in 2007. There is not the resource to produce a similarly in-depth plan, but are there any key themes captured in the original plan that are missing from the current plan or that should be revisited now we know more about how the network is used?
10. How does our approach compare with author authorities ROWIPs? For example, Durham County Council's ROWIP has strategic and delivery elements, but it is evident that they have a rights of way improvement budget to deliver specific schemes whereas NYC does not. It should also be recognised that Durham owns a significantly more extensive network of railway paths and country parks than North Yorkshire. These are managed by a ranger service which also provides the capacity to undertake community engagement work to promote responsible countryside access in a similar way to how the ranger teams operate in our national parks. <https://www.durham.gov.uk/article/3679/Rights-of-Way-Improvement-Plan>
11. Despite the intended abandonment of the 2031 cut off for claims based on historic evidence to add or upgrade public rights of way on the definitive map, the huge increase in applications due to the intended cut off has created a significant increase in workload for NYC's Definitive Map Team. Without a corresponding significant increase in resource, it is unlikely the focus for DMT for the next ten years can be anything other than working through the definitive map modification order caseload and processing path orders which are in the interests of the landowner. But should there still be an aspiration in the ROWIP to undertake public interest diversions or creations to improve the network?

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