

North Yorkshire County Council

North Yorkshire Local Access Forum

26 May 2021

North Yorkshire Unsurfaced Unclassified Roads (UURs) Maintenance Review

1.0 Purpose Of Report

- 1.1 The purpose of this report is to provide a progress update following the transfer of management responsibility for maintenance of UURs from Highways & Transportation (H&T) to the Countryside Access Service (CAS) in July 2018.

2.0 Background

- 2.1 Following the successful completion of a pilot project between 2016 and 2017 the transfer of responsibility for maintenance of UURs within North Yorkshire from H&T to CAS took place on 1 July 2018. With this came a budget of £150,000 that included the costs associated with a dedicated member of staff. Following successful completion of the first year's UUR work programme, this budget increased to £200,000 in financial years 2019-20 and 2020-21.
- 2.2 Under this arrangement, CAS took on the responsibility for the maintenance of the entire UUR network within North Yorkshire County Council, including the two National Parks.
- 2.3 H&T retain responsibility for Permanent Traffic Regulation Orders; Route Status and Route Alignment on the UUR network; and final powers of enforcement. Ultimately the UUR network is still part of the Highways Network and under the authority of NYCC Highways. CAS responsibility is limited to the maintenance and condition of the routes.
- 2.4 The reciprocal transfer of responsibility for urban metalled public rights of way from CAS to H&T is yet to be finalised. This will proceed once a definitive list of routes has been finalised and agreed.

3.0 Partnership Working

- 3.1 CAS has worked closely with both the Yorkshire Dales and North York Moors National Park. Both National Parks have taken on the role of delivery partners and helped to focus resources on priority UUR routes within their areas. This partnership approach has been extremely successful, and it would not have been possible to deliver such an extensive UUR work programme across the county without this support.

- 3.2 Individual meetings between the two National Park Authorities (NPAs) and the UUR Officer informs the production of an annual work programme. Where originally a fixed annual budget was allocated to each NPA, a more flexible approach is now taken, with the agreed allocations better representing overall network priorities for the year. NYCCs UUR Officer addresses any UUR issues within the National Park that fall outside of the priorities of the NPA.
- 3.3 Progress on the work programme is monitored through regular update meeting between the NYCC UUR Officer and National Park Ranger Teams. Site visits to look at various maintenance proposals are arranged on an ad-hoc basis as required. This partnership approach has resulted in the delivery of an extensive programme of work to the UUR network across the county. See Appendix 1.
- 3.4 CAS have continued to work closely with the colleagues in H&T as part of the UUR transfer, and have benefitted from the extensive historic knowledge that is held within the local Highway Area Offices, and the Network Strategy Teams.

4.0 User Group Liaison and community engagement

- 4.1 CAS have made every effort to engage with many of the user groups and stakeholders in the UUR network. Meetings have taken place with the Trail Riders Fellowship (TRF), the Green Lane Alliance, as well as Ramblers and Bridleway groups to help identify specific priorities for each group and help to foster a close working relationship based on trust and understanding. This approach has continued, with regular ongoing liaison with all stakeholders (including landowners and estate managers) helping to inform the UUR Work Programme.
- 4.2 Membership of the CAS User Liaison Group has expanded to include representatives from the TRF and GLASS.

5.0 Volunteering

- 5.1 CAS is well placed to utilise assistance from volunteers in monitoring and maintaining the UUR network. The CAS Volunteer Coordinator has successfully developed Path Keeper Agreements with user groups including the TRF and GLASS. These have engaged in a number of clearance projects that support NYCC in addressing maintenance issues not covered by the Capital Budget.
- 5.2 Volunteers from the Green Lane Association have undertaken photographic UUR surveys on behalf of NYCC – most notably the 27km network of UURs across Blubberhouses Moor.

6.0 Enforcement

- 6.1 CAS will make initial contact with landowners to address illegal obstruction of UURs. This has included, writing enforcement letters / email, telephone conversations and site meetings. Where this is not successful, then it would be for the relevant Highways Area Office to escalate enforcement action, with the support of the CAS UUR Officer and Legal Services.
- 6.2 It has not yet been necessary to escalate enforcement action to the Highways Area Office.

7.0 UUR Status

- 7.1 In line with DEFRA guidance, NYCC Highways hold the following position on the status of UURs as follows:

“In the case of Unsurfaced Unclassified Roads (UUR); the County Council’s position is that UURs recorded in North Yorkshire County Council’s List of Streets are public highways maintainable at public expense. Given this; the County Council acknowledges that the extent of public rights over those routes must, as a minimum, extend to pedestrian user though higher public rights may well exist. Determining the extent of any higher public right is a matter for assessment on a route-by-route basis.

Use of UURs 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. Use of legal orders will be considered where necessary.”

- 7.2 Following advice from NYCCs Legal Services, the practical interpretation of this position is as follows:
- UURs user rights must cover pedestrian as a minimum, though higher rights may exist.
 - The extent of higher rights should be determined on a route-by-route basis.
 - NYCC will not prevent public access above pedestrian; unless this becomes necessary – in which case legal orders will be considered.
 - Only NYCC as the Highway Authority can take action to prevent access to a highway. This includes the installation of signage designed to restrict access.
 - Action taken by a third party to restrict access on a UUR (locking of gates, misleading signage) can be addressed by the Highways Authority through enforcement action.

8.0 Traffic Regulation Orders (TROs)

- 8.1 Temporary Traffic Regulation Orders are an essential tool required for the maintenance of the UUR network. These are required to allow work to be safely undertaken; to mitigate the risk of injury to the public where a UUR is in a dangerous condition; or prevent further damage to a route where repairs are required. CAS takes the lead on implementing Temporary TROs.
- 8.2 Permanent TROs remain the responsibility of H&T and are processed by the relevant Highways Area Office. In this way, CAS are able to focus upon the maintenance requirement of the network rather than becoming involved in decisions relating to prohibition of use. Any decision to progress a permanent TRO would proceed following recommendations from CAS.
- 8.3 In response to concerns that the public had difficulty in identifying active TROs on the UUR network; all live Temporary TROs and all Permanent TROs are now recorded on the PRow section of the NYCC website. These can be found at:
<https://www.northyorks.gov.uk/rights-way-public-notice>

9.0 Example UUR Projects 2018 to 2021

9.1 U7057 - Coleson Banks, Battersby, North York Moor National Park – 2018-19

Coleson Banks is a steep UUR that leads from the village of Battersby up onto Battersby Moor and links to a bridleway section of the Cleveland Way National Trail. The route had been closed for many years as a result of serious water damage that had left it in a dangerous condition. As well as reinstating the surface of the path, it was vital to address the drainage issues on the route to ensure that any work carried out would be sustainable.

This route was highlighted as a priority within the network by the Ryedale Bridleway Group as well as the TRF. The completion of the work brings an important recreational link back into use.

Before



After



9.2 U7050 – Percy Cross to Lonsdale, Kildale, North York Moor National Park – 2018-19

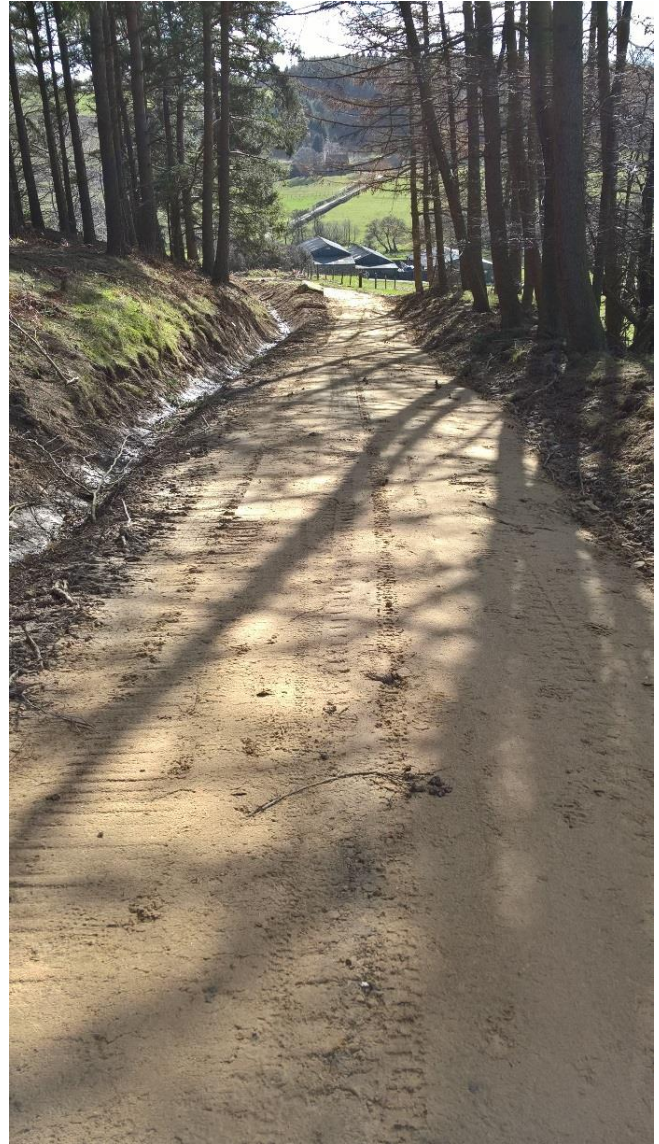
Percy Cross to Lonsdale is another steep UUR within the North York Moors National Park. Like Coleson Banks, this route had been closed for many years as a result of serious damage that had left it in a dangerous condition for all users. This was another major project that required extensive drainage work in order to protect the sandstone surface that has been reinstated.

This route was also highlighted as a priority within the network by the Ryedale Bridleway Group and the TRF. The essential maintenance to this route, coupled with the repairs to nearby Coleson Banks, reopens an important link in the recreational network within this area of the National Park that had been missing for many years.

Before



After



9.3 U1071 – Helwith, Marske, Richmondshire – 2019-20

This popular UUR between Marske and Helwith in Richmondshire had fallen into serious disrepair due to failed drainage, exacerbated by vehicular use. The repair required extensive re-profiling and stoning of the surface, as well as the re-establishment of drainage.

This was a priority UUR for a number of user groups and the work has brought a popular local route back into use.

Before



After



9.4 U7056 – Sheep Wash, Cod Beck, Osmotherley, North York Moor National Park – 2020-21

Sheep Wash alongside Cod Beck at Osmotherley is another steep UUR within the North York Moors National Park. This is an extremely popular part of the National Park and this UUR was in a dangerous condition for most users. The work was undertaken in partnership with North York Moors National Park.

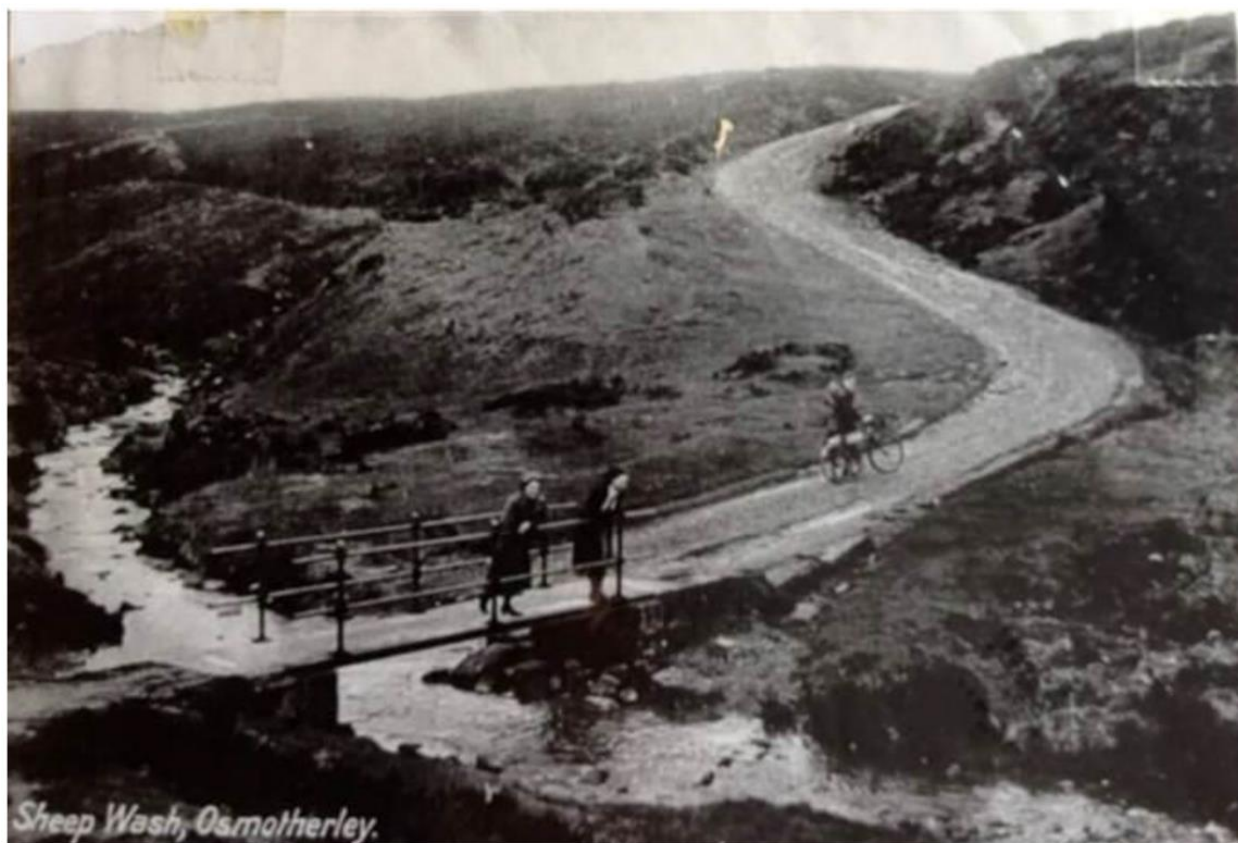
Before



After



Sheepwash completed work compared with Archive photo circa 1920



10.0 Next Steps

- 10.1 CAS to continue to manage the maintenance of North Yorkshire's UUR network on an ongoing basis. Note that the UUR maintenance budget for 2021/22 has reduced to £177,500 due to a reduction in the Department for Transport's Capital allocation to NYCC.
- 10.2 Develop a route prioritisation model to inform future UUR maintenance programmes in conjunction with key stakeholders.
- 10.3 Finalise the reciprocal transfer of responsibility for the maintenance of urban metalled public rights of way from CAS to H&T.
- 10.4 Seek to expand the scope of volunteers and 3rd party groups to assist with routine small scale maintenance works across the UUR network.
- 10.5 Work closely with the Nidderdale AONB to establish volunteer lead surveys of the UUR network to inform future work programmes.

11.0 Recommendation

- 11.1 It is recommended that NYLAF Members take note of the content of this report.

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Background Documents:

None

Appendix 1 – UUR Work Programme July 2018 to March 2021

2018-19

UUR Code	UUR Name	Location	Description or work	Delivery Area
U2345/1/30	WY150 Stainsacre Lane (Track)	Hawsker cum Stainsacre	Path restoration and surfacing with associated drainage works as necessary. Cutting back of encroaching vegetation prior to ground works.	NYMNP
U2340/9/50	WY 143 Golden Grove	Hawsker cum Stainsacre	Report of very wet gateway . Possibly just needs a load or two of stone. Need to investigate first.	NYMNP
U2392/9/50	Church Way	Danby Rigg, Scarborough	Surface repair, furniture replacement	NYMNP
U7102/9/50	Plum Tree	nr Danby Botton, Scarborough	Surfacing, repair collapsed ditch, crush and relay stone surface.	NYMNP
U1899/9/30	Windy Pike Lane	Hanlith	In-house surfacing & filling of pot holes/ deep ruts. Drainage works to include ditching & culverts. Landowner consultation required.	YDNP
U2279/2/80, U2279/2/60, U7028/9/90	Black Hill Road/ Forest Road	Pockstones Moor	In-house surfacing & filling of pot holes/ wet areas. Consultation required	YDNP
U7028/9/90	West Cam road	Ten End	Contractor, track re-org, stone crushing, drainage and surfacing	YDNP
U2710/1/40	Widdale Foot	Ling Beck	Contractor, track reprofiling and ditch maintenance	YDNP
U429/9/40	Fremington Edge	nr Quarry	Contractor, water management - installation of cut off drains, side ditches, minor surfacing.	YDNP
U9120/1/30	Richmond Gate	Richmond Gate	PC consultation required - possible in house, removal of encroaching vegetation / hedge, surfacing works	YDNP
U919/1/30	Nipe Lane	Nipe Lane	PC consultation required - possible in house, removal of encroaching vegetation / hedge, surfacing works	YDNP
U814/9/70	Dale Head	Dale Head	in-house, surfacing and filling of pot holes/wet areas	YDNP
U814/9/30	Goat Scar Lane	Goat Scar Lane	in-house, surfacing and filling of pot holes/wet areas	YDNP
U7057	Coleson Banks	Battersby	Surfacing and drainage	NYCC
U1071	Helwith	Marske	Surfacing and drainage	NYCC
U7050	Percy Cross	Kildale	Surfacing and drainage	NYCC
U32	Rudland Rigg (Turkey Nab)	Ingleby Greenhow	Surfacing and drainage	NYMNP
U7094	Demesne House	Fylingdales	Stone drop for residents.	NYCC
U7010	Jagger Lane	Gilling with Hartworth	Clearance	NYCC
U8147	Givendale to Cockmoor	Troutdale	Surfacing	NYMNP
U238	Brown Howe Rd	Stape	Sufacing	NYCC
U7011	Low Wood Lane	Leyburn	Sufacing and drainage	NYCC
U2293	Coverdale Lane	Runswick Bay	Clearance and drainage	NYMNP
various	Jagger Lane, Seggimire Lane etc.	Various	Access Works	NYCC
U1584	Back Lane	Hustwaite	Drainage and surfacing	NYCC

2019-20

UUR Code	UUR Name	Location	Description or work	Delivery Area
U1071/1/70	Helwith	Marske	Surfacing and drainage	NYCC
U2297	Barry Bank	Ugthorpe	Sufacing	NYCC
U241	Farwith Road	Pickering	Surfacing	NYCC
U7057	Coleson Banks	Battersby	Pedestrian footbridge replacement	NYCC
U2392/9/50	Church Way	Danby Rigg, Scarborough	Surface repair, furniture replacement	NYMNP
U7071 / U7069	Troutdale Brow	Trouts Dale	Section 56 repairs	NYMNP
U2341/9/50	Track to Betty Meads Wood	Cloughton	Surface repairs	NYMNP
U230/9/30	Marsett - Stalling Busk	Marsett Revetment Wall	Contractor, Rebuild failing revetment wall	YDNP
07028/9/90	West Cam Road	Ten End	Contractor, Surfacing and drainage	YDNP
U255/9/70	Dubbing Garth Lane	Multiple sites	Surfacing and drainage	YDNP
U254	Low Lane	Multiple sites	Surfacing and drainage	YDNP
U429	Fremington Edge	Quarry	Water management.	YDNP
	Stake Road	Multiple sites	In house, Surfacing & drainage maintenance	YDNP
U2250	Moor Lane	Grassington	Surfacing and drainage	YDNP
U8037/9/70	Moor Head Lane (BOAT & UUR)	Stainforth	In house. Resurface 1km of UUR. Drainage works - stone culvert & piped culvert. Costs include ARx6 days + AcRx22days	YDNP
U2318	Deerstons Bridge	Beamsley	Replace Footbridge - rebuild abutments	NYCC
U8147	Low Moor Lane	Leyburn	Emergency Flood Damage Works	NYCC
U7054/9/50	Faceby to Whorlton	Faceby	Drainage and access works	NYCC
U2421/9/50	Beacon Brow Rd	Scalby	Delivery of Stone - Ringway	NYCC
U2717	Track from High to Low Ellington	High Ellington	Access works	NYCC
U928	Goose Lane	Thoralby	Access works	NYCC
U8006/9/70	Thunder Head Hill	Lowna	Access works	NYCC
U1873/9/50	Piper Road to Scugdale	Scugdale	Culvert erosion works	NYCC
U7054/9/50	Faceby to Whorlton	Faceby	Additional Draining works	NYCC
U7081	Newton Bank	Newton Mulgrave	Drainage and access works	NYCC
U615/1/50	Cliff Lane	Snainton	Drainage installation	NYCC
U3316/2/70	Gayle Lane	Braythorn	Surfacing and Drainage	NYCC
U8147	Low Wood Lane (additional)	Leyburn	Additional storm damage works.	NYCC
U2282/9/50	Track to Tranmire Grange	Scaling Dam, Newton Mulgrave	Access works and surfacing	NYCC
U2323	Track to Tranett Bridge	East Marton	Surfacing	NYCC
U429	Fremington to Hurst Road,	Hurst to Fremmington	Emergency Flood repairs	NYCC
U7050	Percy Cross	Killdale	Install drainage pipe	NYMNP
U939/1/50	Sleight Lane	Southern end of Lickber Lane	Clearance works to facilitate access works.	NYCC
U2421/9/50	Beacon Brow Rd	Scalby	Delivery of Stone - W C Watts	NYCC
U1873/9/50	Piper Road to Scugdale	Scugdale	Access works	NYCC
U32	Bank Foot	Ingleby Greenhow	Surfacing and Drainage	NYMNP
		Bewerly Moor	Stone delivery - 80 tons	NYCC
U1873/9/50	Piper Road to Scugdale	Scugdale	Additional Access works	NYCC
U1872/9/50	Whorlton House to Parish Crook	Whorlton	Pothole infill and surfacing	NYCC
U2421/9/50	West Dike Road	Stape	Sufacing	NYCC
U238	Brown Howe Road	Stape	Surfacing	NYCC
U445/1/70	Track to Redmire Moor	Preston Under Scar	Surfacing	NYCC

2020-21

UUR Code	UUR Name	Location	Description or work	Delivery Area
U3577	Gale Lane	Fremington	Surfacing	NYCC
U1095	Sturdy House Lane	Gayles	Surfacing, drainage and culvert installation	NYCC
U8006	Lowna	Rawson Syke	Surface repairs and drainage.	NYMNP
U1858	Kirkby Trods	Kirkby	Regrading and drainage	NYMNP
U1873	Raisdale Mill	Scugdale	Regrading and drainage	NYMNP
U7056	Sheeps Wash	Osmotherley	Regrading, drainage and surfacing	NYMNP
U586	High Langdale	Langdale End	Surfacing - earth works	NYMNP
U7069 / U7071	Troutdale Brow	Troutdale	Surfacing - additional works	NYMNP
U2710/1/40	Widdale Foot	Ling Beck	Bank reinforcement, track reprofiling and drainage.	YDNP
U2286/9/70	How Gill Lane	Park Top, Eastby	Drainage and resurfacing work to reinstate a 300 metre section of track. In house	YDNP
U2279/2/80 U2279/2/60	Black Hill Road	Appletreewick	Resurface a further 200 metre section of track. In house	YDNP
U1899/9/30	Windy Pike	Hanlith	Resurface 1.3km of the UUR. In house.	YDNP
U808/9/40	Mastiles Lane	Malham Moor	Drainage and resurface 70m. (16T 75mm - dust & 64T 40mm - dust limestone).	YDNP
U808/9/60	Mastiles Lane (East)	Kilnsey	Surfacing. In house.	YDNP
U8040/9/20	Gorbeck Road	Langcliffe	Cattle grid emptying	
U431/1/50	Skell Gill	Reeth	Drainage / surfacing	YDNP
U447/1/70	Castle Bolton	Beldon Beck Bridge	1x 24ft timber beam replacement (1 of 4 beams). In house	YDNP
U7028/9/90	West Cam Road	Ten End	Contractor, Surface repairs & drainage	YDNP
U232/1/60	Stake road	Multiple sites	In house. Surface repairs & drainage	YDNP
U228/1/40	Roman Road - Cam High Road	Four Lane ends	In house. Surface repairs & drainage	YDNP
U1052/9/70	Morpeth Gate	West Witton Steeps	Contractor, Surface Repairs & drainage	YDNP
U2509	DOB PARK ROAD TO ROSE TREE FARM, CLIFTON	Farnley	6 Dales Trail Access improvements	NYCC
Various	Various	Various	UUR Access Clearance - Kitter Lane, Tinkler Lane, Wykeham, Charlcot	NYCC
Various	Various	Ryedale	UUR - Ryedale surfacing - Scagglethorpe and West Heslerton	NYCC
Various	Various	Various	UUR - Access works, Newton Mulgrave & High Ellington	NYCC
U482/9/50	Leavening to Burythorpe	Leavening	TRO Signage supply and fit - Leavening	NYCC
U7056	Sheeps Wash	Osmotherly	TRO Signage supply and fit - Sheep Wash	NYCC
U2241	School Lane	Conistone	Emergency surface repairs	NYCC
U1849	Plain Moor	Barton le Willows	90 ton stone delivery	NYCC
U3577	Gale Lane	Low House Grinton	Drainage and surfacing	YDNP
Various	Various	Various	YDNP UUR Minor Works	YDNP
U230	Marsett Bottoms	Track from Marsett to Stalling Busk	Stone washed out following flood.	YDNP
U7005	Low Green	Thoralby	Culvert clearance and drainage	NYCC
U8006	Lowna	Hagg End	TRO Installation, clearance and surfacing	NYCC
U2689	Broxa Farm to Lowdales Lane	Broxa	Clearance, drainage and surfacing	NYCC
U832	Runley Mill	Settle	Culvert safety inspection	NYCC
U8006	Lowna	Hagg End	19 gate repairs	NYCC
U1873	Harfa House	Scugdale	culvert works	NYCC
U2954/2/90	Drift Lane	Laverton	instalation of post for TRO sign.	NYCC
U41/2/30	Lund Road	Lowna, Farndale East	Drainage and surfacing	NYMNP
U8025/9/50	Track from Collinson Road	Rillington	Hole fill	NYCC
U2471/9/50	Rudda Rd to Scarborough Rd.	Saintondale	Stone delivery.	NYCC
U7094	Demesne House, Fylingthorpe	Fylingdales	Surfacing	NYCC