

Committee: ACCESS
Date: 17 April 2008

Report: HEAD OF DEPARTMENT REPORT

1. ACTIVITIES

Attendance at meetings:

Yorkshire Tourist Board to discuss 'year of adventure' website development
Cumbria Countryside Access Partnership
Yorkshire Dales Access Forum
Pennine Bridleway Steering Group
Public Toilet Review Group
Irish Sports Council Visit to look at work on the Pennine Bridleway

2. ISSUES FOR MEMBERS CONSIDERATION

None.

3. ISSUES FOR MEMBERS TO NOTE

a) Cumbria Countryside Access

1. Since the last Access Committee meeting there has been one meeting of the Partnership Board.
2. The Partnership Board is attended by the Access and Recreation Member Champion and one officer in support. The main agenda items were minutes from the various task groups and operational steering group.

b) GoDales!

3. The 'stage 2' funding bid for the GoDales project was submitted to Sport England in March, we are awaiting to hear if this bid were successful.

c) the Mountain Bike Coast to Coast Feasibility study

4. The study looking at the feasibility of a Coast to Coast mountain bike route linking the North York Moors, Lake District, and Yorkshire Dales National Parks has now been completed by Asken.
5. The report was considered at the Pennine Bridleway steering group meeting on 10 April 2008, and copies of the report can be made available to other members of Access Committee on request.
6. The proposed route links up existing bridleways from west to east across the Park, and traverses from Sedbergh, Dentdale, Wensleydale towards Leyburn. The consultants have estimated that it would cost £500,000 for the route to be implemented across its entire length, and if the route is to be taken forward it is hoped that the regional development agencies will fund the project.

d) Defra Report on illegal use of public rights of way (PRoWs) by mechanically-propelled vehicles (MPVs)

7. The Faber Maunsell research commissioned by the Department for Environment, Food and Rural Affairs (Defra) and the Countryside Council for Wales (CCW), in 2006, to investigate the illegal use of public rights of way (PRoWs) by mechanically-propelled vehicles (MPVs). Has now been published (see www.defra.gov.uk/wildlife-countryside/issues/public/illegal-use.htm). The research sought to:
 - establish the current levels of participation in illegal MPV activities;
 - establish the effectiveness of current measures for curtailing illegal use;
 - identify if there are any particular characteristics of PRoWs, which are used illegally;
 - determine whether the illegal use is more prevalent in certain areas or related to certain local conditions;
 - provide information about the numbers and characteristics of the people who use PRoWs illegally and the types of vehicles they are using;
 - establish the availability of off-road facilities (including illegal sites), and whether they are provided by the public or the private sector;
 - identify the extent to which off-road facilities would reduce illegal use of PRoWs.
8. In general the approach taken in this research was to focus on PRoWs but to recognise that the illegal use of MPVs will not be confined to such ways and may also be present on:
 - Other routes with public access which are not legally PRoWs; and
 - Green areas open to public access which may be in the countryside and in towns and cities.

e) Public Rights of Way Delegation Agreements with the County Councils

9. Members will be aware of the ongoing negotiations with both Cumbria and North Yorkshire County Councils regarding firstly, reviewing and updating the delegation agreements between the County Councils and the National Park Authority relating to the management of public rights of way, and secondly the request from the Authority for some financial recompense from the County Councils in recognition of the resources the Authority puts into public rights of way management.
10. In terms of the reviewed agreements, a draft agreement has been agreed with Cumbria County Council and it is expected that the agreement will be brought to the July meeting of this committee for member endorsement. A draft agreement has also been received from North Yorkshire County Council and it is expected that officers from both organisations will finalise this in the near future. Both agreements should therefore be ready to bring to the July Access Committee meeting for member consideration and endorsement.
11. In terms of the financial aspects of the negotiations members will recall the discussions at the Authority meeting in March when it was reported that North Yorkshire County Council had pledged £50k to both the North York Moors Authority and this Authority in recognition of the public rights of way responsibilities that we undertake on behalf of the Council. Unfortunately Cumbria County Council has not felt able to do the same. A budget line, in respect of the National Park Authority, was entered into the draft County Council budget but it did not make it through to the final budget. This is within the context of the Lake District National Park Authority and Carlisle City Council receiving markedly reduced amounts from previous years for the same functions. However discussions are ongoing with Cumbria County Council over aspects of the rights of way management that they may be able to carry out for us such as bridge survey and design resulting in effect in a 'payment in kind' to the Authority.
12. The settlement from North Yorkshire County Council is however a major achievement and the first time, despite numerous requests over a long period of years, that the Council has financially acknowledged the duties that the Authority carries out on its behalf.

RECOMMENDATION

13. **Members are asked to note the report**

**JON AVISON
HEAD OF PARK MANAGEMENT
April 2008**

Background documents:
none

Yorkshire Dales Green Lanes Advisory Group Meeting
15 January 2008
The Victoria Centre, Settle

Notes of Meeting

Present:

Chair:

Dr Malcolm Petyt, YDNPA Recreation Management Member Champion

Members:

Jon Beavan (Businessman & LAF)

Michael Bartholomew (GLA& LAF)

Stuart Monk (NYTMAG)

Geoff Wilson (TRF & LAF)

Mark Dale (4x4 users)

Neil Hesletine (Farmer)

Officers in attendance:

Jon Avison (YDNPA)

Mark Allum (YDNPA)

Kathryn Beardmore (YDNPA)

Doug Huzzard (NYCC)

David Gibson (CCC)

Apologies:

Simon Lovell (Natural England)

Ben Heyes (Landowner representative & LAF)

Mark Sandamass (Mountain biking)

1. Welcome and introductions

None

2. Notes of previous meeting and matters arising

- I. Phil Eckersley has now left Natural England to take up a post with the Broads Authority, and so will no longer be attending the meetings.
- II. Code of conduct leaflet had a press release which was picked up by a number of publications. A reprint of the leaflet is now being organised.
- III. West Cam Road. It is too soon yet to see what effect the temporary traffic regulation order placed on the Cam High Road (Far Gearstones) has had. This will be reported in due course.

- IV. JA/KB have yet to look at whether CNP or ENPAA could write to the motor cycle industry concerning the need to reduce noise from motorcycles.
- V. Routes 1 to 15. A report on the management options for the first fifteen routes looked at by YDGLAG will be going to Access Committee on 17 January 2008. This will give details about the first stage consultation for the 8 routes where a traffic regulation order is a possible management solution, and will recommend that the Authority conducts a second stage consultation.
- VI. GW would like consultees to be given a full picture of the process we are going through rather than simply being asked to comment on possible traffic regulation orders for specific routes. This would reflect the wider picture being given to Access Committee.

3. Route assessment report – Arten Gill Moss to Widdale Foot

The evaluation report had been circulated and the following key points were highlighted:

- Unsurfaced unclassified county road, and a cul de sac route
- No ecological and archaeological issues identified, although route passes through a Black Grouse buffer zone, and a Red Squirrel Reserve
- B6255 visible for long sections, as well as a number of plantations
- 16 motor vehicle movements per month on average, with 10 of these being motorbikes (based on limited data)
- Substantial parts of the route are in poor condition, in particular through the forestry area, and on the top section
- Much of this damage is due to poor drainage or is old vehicle damage
- Not well connected at northern end to other rights of way. Southern end has good connections and will link to the Pennine Bridleway

GW made the point that we should not confuse historic damage caused by motor vehicles with any damage that is currently occurring.

MB believed that forestry vehicles do not use the section of damaged track in the forest area.

JB wondered if a TRO would have any effect given that through traffic would already be acting illegally. MB felt that a TRO adds clarity and would enable the landowner to report offenders.

DH stated that NYCC are currently considering a policy for dead end unsurfaced UCRs that link to rights of way. This may lead to them being removed from the list of streets, and placed on the definitive map.

KB stated that there may have been a stopping up order made for this route which has been referred to following investigations on an adjacent route. This information will be passed on to NYCC.

Recommendation

The advice of the group (with one dissension) was:

- NYCC to investigate the stopping up order
- Maintenance work should be carried out focussing on improving drainage
- The situation should be reviewed in 2-3 years time

4. Route assessment report – Cam High Road (Bainbridge to Fleet Moss)

The evaluation report had been circulated and the following key points were highlighted:

- Pre-dominantly a walled stone lane, and so limited potential for ecological or archaeological damage
- Interesting heritage feature in its own right with Roman connections, and old Turnpike road.
- Great views from the route and powerful straight line within the landscape
- Surface condition is good with only a number of minor ruts. Condition is better than reported in 1988 survey
- 312 motor vehicles per month on average, with significant agricultural use
- This is a well connected and important route for all users. This includes hang gilders and paragliders for the top section.

MB felt that we should be attempting to return this route to a lane with a grass surface, as it was reported in past publications. Other members felt that this was unrealistic.

Recommendation

The advice of the group (with two dissensions) was:

- Continue to maintain the route to its current standard
- Continue to monitor use and condition of the route
- Consider signage for the route to ensure responsible use by motor vehicle users

6. Route assessment report – Barth Bridge to Garsdale

The evaluation report had been circulated and the following key points were highlighted:

- This is an unsurfaced unclassified county road situated in the Cumbria part of the National Park. There are two identified routes into Garsdale
- The route passes through a number of habitats of high biodiversity importance which are very vulnerable to damage
- Heritage features in this area are uncertain
- There are spectacular views from all parts of the route
- Long sections of the route are on vegetation surfaces, and there was little sign of the route on the ground, in the July survey, on the Garsdale side.
- There is deviation on the ground from the OS line shown on their mapping
- Levels of use, both recreational and agricultural, are low
- Motor vehicles would be highly incongruous on this route, as would any engineering works

DG (CCC) stated that he had inspected the route in December 2007 and that its surface condition had deteriorated with extensive ruts caused by motorcycles being present. Other members who had also looked at the route in winter conditions had found the same.

It was confirmed that the surveyed line matches that held by Cumbria County Council on the list of streets, and that the OS line is incorrect.

There was discussion around whether the reported damage is seasonal and cyclical, or whether the route was deteriorating over the longer term having now been 'discovered'.

GW suggested the use of an experimental order to close the route initially in winter, and if this did not halt the decline then it could be extended to become a full time order.

Recommendation

No consensus could be reached for this route. The key points were:

- All members are in agreement that a restriction is necessary on this route
- Members were split between a seasonal order and a full time order
- That the use of an experimental order should be considered

7. Route assessment report – Busk Lane

The evaluation report had been circulated and the following key points were highlighted:

- This is a predominantly walled stone lane and so vulnerable ecological or archaeological issues are protected
- Historic route, possibly Roman, with good views along its length;
- Overall the route is in good condition with some minor ruts to verges;
- Route is in better condition than reported in the 1988 survey
- 104 motor vehicles per month on average, with significant agricultural use (approximately 40%)
- Links with Stake Road (BOAT) and Thoralby Lane bridleway

Recommendation

The advice of the group (with one dissension) was:

- Continue to monitor the route, and maintain it to its current standard
- Consider signage for the route to ensure responsible use by motor vehicle users

8. Route assessment report – Carlton to Middleham High Moor

The evaluation report had been circulated and the following key points were highlighted:

- The route is an unsurfaced unclassified county road
- A variety of habitats are met along the route
- There are fine views along the route
- Sections near Carlton have been repaired by the landowner in an unsightly, and difficult to use, fashion
- The section over open heather moorland is badly damaged, which is attributable to motorcycles

- There are 42 motorcycles per month using the route on average, and these are 99% of the traffic on the moorland section
- There is a divergence between the route recorded on the list of streets and the route followed by users on the ground, and
- the recorded route is obstructed by fences in two places.

SM stated that in light of the higher levels of use than expected he believes that NYTMAG would support a full time TRO, rather than the seasonal TRO they had proposed. MB welcomed this.

Recommendation

The advice of the group which was consensus was:

- That a full time traffic regulation order should be placed on the route
- It was noted that care would need to be taken with sign placement to ensure that the situation was clear to users

9. Any other business

JA explained that for the routes originally covered by **experimental traffic regulation orders**, and subsequent other traffic regulation orders, placed by NYCC, YDNPA would be going out to formal consultation to consider making a TRO under its powers. These routes would not be brought to YDGLAG simply because there had already been extensive consultation surrounding their management.

TRO signage. JB felt that the highways signage associated with traffic regulation orders can be extremely intrusive in the context of unsurfaced routes in a National Park, and cited examples such as that in the middle of Long Lane. MA explained that there is a process to gain dispensation for non-regulatory signs from government office on a site by site basis. This will be followed up where appropriate. GW cited examples from the Lake District where such dispensation had been gained, and artwork commissioned.

The **temporary traffic regulation orders** placed on Ling Gill and the Cam High Road are to be extended. This is because the wet weather has meant the contractors have had to be pulled off the site, and will not be able to restart until March because of other work commitments.