



# North York Moors

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# Local Access Forum

North York Moors National Park Authority, The Old Vicarage, Bondgate,  
Helmsley, York, YO62 5BP

**Date:** Tuesday 1 December 2020 at 10.00am

**Venue:** Virtual meeting on Lifesize – click on this link;  
<https://call.lifesizecloud.com/973980>

**please call: Judith Seaton, the meetings moderator, on 01439 772700 if you are having trouble joining the meeting**

**Papers circulated;**

Notes of the last meeting  
Annual Reporting Form  
Report on the Y H&NL LAF Regional meeting 04.03.20  
Report on the YH&NL LAF Regional meeting 09.09.20  
Principles for Woodland Creation Applications  
Principles for fencing proposals  
S33 authorisations for motorsport events  
Moorsbus 2021 and Paths for Everyone Projects

**LAF Members; Val Arnold (NYCC), Barry Atkinson, Les Atkinson, David Brewster, Jade Colston, Mike Conlon, Catriona Cook, Catherine Cussons, Helen Douglas, Alison Fuller (Chair), Martin Fletcher (Redcar & Cleveland BC), Helen Gundry, Heather Moorhouse (NYMNP), John Richardson (Deputy Chair), Muriel Mitchell, Philip Thurlow, George Winn-Darley**

**Officers attending; Michael Graham, Vanessa Burgess, Tom Hind**

**Business**

1. Welcome & introductions – Michael Graham (MG)
2. Apologies
3. Tom Hind CEO, NYMNP
4. Public Minutes of the meeting held on Tuesday 1 December 2019
5. Matters Arising
  - a) AF Annual Reporting (AF) – sent to defra April 2020
  - b) Updating Parish Forums on PROW prioritisation in 2020 (n.b. no parish forums held in 2020)
  - c) Share with Care messages and leaflets – MG
  - d) LAF Consultation on the “Principles for Woodland Creation Applications” and “Principles for fencing proposals”- AF
  - e) Forge Valley planning application – granted. (Funding being sought)
  - f) Update on the Cinder track

Cont....

6. NYMNPA (MG)
  - Staffing
  - Update on the latest government restrictions and their effect on the NP
  - Importance of reporting problems on RoW.
7. Protected Landscapes (Glover) review update – MG
8. BVPI survey results - MG
9. Ticks and Tick Diseases (MG)
10. S33 authorisations for motorsport events – MG
11. Moorsbus 2021 and Paths for Everyone Projects – Helen Gundry
12. Regional LAF meetings (reports attached)
  - meeting held 04.03.20
  - meeting held 09.09.20
  - Questions (AF)
13. Items for Future Meetings?
14. Any Other Business

**Date of the next Local Access Forum meeting will be 9 June 2021 venue tbc**

**Note:**

- The Authority has produced a Virtual Public Meeting Protocol, which sets out how the North York Moors National Park Authority virtual meetings will operate. The Protocol can be accessed on the [Meetings and Agenda's](#) section of the Authority's website.
- **The Authority allows the recording and reporting of public meetings but asks that any party wishing to do so informs the Authority in advance of the meeting.**
- Vanessa Burgess should be notified of any apologies.
- This agenda is available on the website [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)
- This agenda is available in large print on request.



# North York Moors

## Local Access Forum

North York Moors National Park Authority, The Old Vicarage, Bondgate,  
Helmsley, York, YO62 5BP

Public Minutes of the meeting held at The Old Vicarage, Helmsley on Tuesday 3 Dec 2019

**Present:** Les Atkinson, Jade Colston, Mike Conlon, Catriona Cook, Alison Fuller, Helen Gundry, Muriel Mitchell, Heather Moorhouse, John Richardson, George Winn-Darley. David Jeffels (NYCC LAF Observer)

**Apologies:** Val Arnold, Barry Atkinson, David Brewster, Catherine Cussons, Helen Douglas, Tim Gray, Philip Thurlow

**Officers in Attendance:** Michael Graham, Debbie Trafford, Vanessa Burgess

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### Copies of All Documents Considered are in the Minute Book

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Debbie Trafford welcomed everyone to the meeting, including new members, Les Atkinson, Barry Atkinson and Jade Colston. David Jeffels, NYCC LAF representative also attended the meeting as an observer. Debbie Trafford informed the meeting that Peter Hutchinson had recently stepped down as a member of the Forum; she thanked Peter for his time as a LAF member.

#### 12/19 **Election of Chair**

Alison Fuller was elected Chair.

#### 13/19 **Election of Deputy Chair**

John Richardson was elected as Deputy Chair

#### 14/19 **Public Minutes**

Members requested three amends to the June minutes before the Chair signed them off as a true record:

- Minute 2/19 – title in bold to read Creation of Public Bridleway (not Creation of Public/Permissive Bridleway)
- Minute 2/19 – After sentence on Creation of Public Bridleway, additional wording to be added as follows: potential for additional route, should future funding opportunities arise.
- Minute 10/19 – Share with Care section. First bullet point to read Para 3, 2<sup>nd</sup> sentence – Bridleways, (add the word byways) and permissive routes (not Para 3, 2<sup>nd</sup> sentence – Bridleways, (add the word byways) and permissive rights of way)

#### 15/19 **Matters Arising**

**Forge Valley** – Debbie Trafford, thanked LAF Members for their input on this matter. Planning had since been approved, but there was no new parking within the application. The full application has been submitted. If successful, work should start early in 2020.

**Rosedale Railway Permissive Access Licence** – Negotiations are still ongoing.

**Mowing Grass Verges** – The matter will be taken forward by the Authority's Conservation Department when resources become available.

**Malton/Pickering Cycle Route** – Work should commence soon. Alison Fuller has asked for specifications for surfacing. Helen Gundry to speak to Rosie Sanderson.

**Livestock worrying** – Debbie Trafford informed members that a press release has been planned in relation to this issue, together with partnership working involving the local police and the R.S.P.C.A. Information will also feature in the next Out and About Guide.

**NYCC UUR Work** – Debbie Trafford informed members that NYCC were committed to continuing on with this work and budget was guaranteed for the next financial year at least.

**Biosecurity and tree disease** – One or two members voiced concerns about this on-going issue. All agreed it was important to share information on best practice and continue to educate people.

### **Update on Cinder Path**

Michael Graham informed the meeting that the group hadn't been able to meet since June. The next meeting is scheduled for 15 January 2020. Sustrans obtained funding and work is now going ahead at the Whitby/Scarborough end of the track. Officers are still waiting to hear about Tourism Infrastructure Grant to help with employment of a Maintenance Ranger.

### 16/19 **LAF Annual Reporting**

Debbie Trafford advised the meeting that Natural England hadn't produced a new annual reporting form, so Officers intended to revert back to using the most recent previous version of the form.

**Action:** DT to look at the form in the new year and send on to Alison Fuller, LAF Chair in the first instance for her consideration/input.

### 17/19 **Public Rights of Way Prioritisation**

Debbie Trafford reminded members that this matter had previously been discussed at the LAF meeting in June. A report on this issue was taken to Full Authority meeting in September. The Authority was trying to focus resources on routes most used. The split on priority routes was approximately 40%. The Authority has been focussing on this since 2015, but had never published such facts.

### **Helen Gundry left the meeting at 10.45am**

Discussion followed. Authority now has a lot less resource available and can't maintain everything, need to prioritise. The Authority needs to communicate the matter clearly to people and remind landowners of their responsibilities too. Jade Colston informed members that she will be undertaking audit work to make sure Foresters tidy up after carrying out work.

**Action:** DT to send a copy of the full NPA paper to Members (VB e-mailed to Members 3 December 2019)

**Action:** DT/MG to update Parish Forums on PROW prioritisation in 2020.

#### 18/19 **Protected Landscapes Review**

Michael Graham thanked the LAF for their letter and the really good points they raised. To date, very little has been said about what is happening following the review. National Trails remain supportive of Glover Review, although funding for the National Coastal Path is currently unclear. There is some concern that National Parks may end up with more responsibility than they have resources for.

#### 20/19 **Electric Bikes on Bridleways**

Members found the RoSPA, Road Safety Factsheet – Electric Bikes, October 2018 a useful document. The meeting agreed that education on the subject was still the best way forward, along with the Share with Care document about user etiquette. The Authority is engaging with a number of businesses, encouraging them to be cycling friendly.

**Action:** Emily Watson, Visitor Development & Marketing Assistant, to engage with local businesses in spring 2020 re Share with Care

**Action:** DT to raise issue at Regional Access Forum level and at a National Level where appropriate.

#### 21/19 **LAF Consultation on the “Principles for Woodland Creation Applications” and the” Principles for fencing proposals on Open Access Land”.**

Members commented on the above in relation to Item 12 Appendices 3 & 4 of the December LAF Agenda:

- All LAF Members to be given the opportunity to comment on these proposals. Then Authority to refine and send members a further draft
- LAF consultation at the meeting said that each application should be looked at individually on a case by case basis and sent to all LAF members for comment. Members don't want access to be compromised.

#### Specific comments regarding **Appendix 3 - Principles for Woodland Creation Applications on Open Access Land**

- Query with Alasdair Fagan, Woodland Creation Officer – 20 year timescale when reviewing the need for fencing.
- Start of paragraph.....On CROW Access Land..., sentence needs tidying up
- On CROW Access Land, point 1 .....include sentence stating that the use of stiles will be considered on a case by case basis.

**Action:** LAF Members to send any further comments on Appendices 3 & 4 to DT

#### 22/19 **Moorsbus update/public transport**

Helen Gundry tabled her briefing note via e-mail, prior to the meeting.

Members commented that the work on designated cycle ways was a big project/ a big commitment, one which would require a substantial amount of funding to achieve.

23/19 **Items for Future Meetings**

- Analysis of BVPI survey results
- Ticks/Tick Diseases – more publicity/information sharing

24/19 **Any Other Business**

Alison Fuller raised the issue of people receiving feedback, when problems on RoW had been fixed. A brief discussion followed. DT and MG explained that the Ranger Service does not have an automated system which can update people when a problem is resolved. It is not always possible for Rangers to update individuals of progress on a problem report due to time and resource constraints. The Ranger Service's customer service in terms of receiving problem reports and dealing with the high volume of customer enquires has improved greatly over the past two years thanks to additional admin support.

**Date of next meeting:** Wednesday 10 June 2020 to include, if appropriate, lunch and an afternoon site visit. Details will be made available to Members in 2020.

..... (Chair)  
10 June 2020

**Note:** After the meeting closed, members were given a short presentation update on the Land of Iron project, by Tom Mutton, project manager.

# Local Access Forum Annual Review Form

## April 2019 to March 2020

Name of LAF	North York Moors National Park
Name of LAF Chair	Alison Fuller
Name of LAF Secretary	Vanessa Burgess

Total number of LAF members	16/17
Number of members representing users of public rights of way or access land	6/7
Number of members representing owners and occupiers of access land or land over which PROW subsist	5/4
Number of members representing other interests	5/6

Number of full LAF meetings held	2	Number of sub-group meetings held	1
Number of working groups led by others	0	Number of training days provided by the Appointing Authority	0
How many km of PROW have been improved due to LAF input?	0	How much funding did the LAF (or an associated body) raise?	0
How many extra volunteer hours were committed to public access (not including LAF committee meetings)?			50

**Partners your LAF worked with during 2019/20 (click on a box or type 'x')**

Local Nature Partnerships	<input type="checkbox"/>	Local Enterprise Partnerships	<input type="checkbox"/>
Health and Wellbeing Boards	<input type="checkbox"/>	LEADER funding Local Action Groups	<input type="checkbox"/>

**LAF achievements/making a difference?**<sup>1</sup> Please give examples to illustrate how your LAF has improved public access to land for the purpose of open air recreation and the enjoyment of the area. Do you think your LAF has made a difference to public access in your area via its discussions and actions?

No examples of how the LAF has improved access.

The LAF may have made a difference with their comments following a site visit regarding a planning application.

**What activity did your LAF undertake to help record historical PROW before 2026?**

This authority no longer deals with **definitive map** ROW work

<sup>1</sup> These achievements form an important part of the national annual report that is submitted to Defra/Minister and help to promote the work and good practice of LAFs

# Local Access Forum Annual Review Form

## April 2019 to March 2020

Please add numbers to the following differentiating between formal consultations and general advice given by the LAF on particular subjects. If a consultation covered more than one subject area, please count separately.

	Consultations	Advice	Optional Detail
Green Infrastructure strategies	0	1	Glover Report
Transport (LTP, traffic management, rail, DfT, Highways)	0	0	
Water / Coast (slipways, flood defence, EA, shoreline)	0	0	
Public open space (public space protection orders)	0	1	Grass verges
Dog control/exclusion/on leads/fouling orders	0	1	
Planning applications /Housing development	1	0	Forge Valley
Land use and planning matters (e.g. informal advice on land)	0	2	Proposals on Principles of fencing open access & woodland creation
Local development frameworks and planning	0	0	
PROW creation, diversion or closure - number of each	0	0	
Recording lost ways/historical rights - working towards the	0	0	
Right of Way Improvement Plan review	0	0	
Route improvements (to PROW and other multi-user/cycling/horse-riding/walking routes)	1	1	Share with care (advice) Malton to Pickering cycleway (consultation)
Promotion of access, open air recreation and the enjoyment of	0	0	
Vehicular access and issues relating to motorised use of	0	0	
Parish Council or other grant schemes	0	0	
Access for people with reduced mobility	0	0	
Commons, village greens	0	0	
Open Access land restrictions	0	0	
Coastal Access/National Trails	0	0	
NNR dedication	0	0	
Greenspace including Country Parks and Local Nature Reserves	0	0	
Nature conservation (including SSSIs)	0	0	
Agri-environment scheme issues (HLS and new Countryside Stewardship) e.g. expiring permissive access agreements, effects of land management	0	0	
Forestry and woodland	0	0	

# Local Access Forum Annual Review Form

## April 2019 to March 2020

**Any other LAF activity (please specify):**

None

**What are your top priorities for the year ahead?**

To retain, increase and enhance off road access for non motorised users

**Do you foresee any issues or challenges that may affect your LAFs operation and/or its ability to deliver improvements to public access in the coming year?**

Coronavirus pandemic. Reduction in government funding of the NYMNPA

**Is there any particular support or training that you need to deliver your priorities or work program for next year?**

Not known

**Summarise any feedback received from section 94(4) bodies<sup>2</sup>**

None

**Comments from the Appointing Authority**

**Comments from LAF Chair**

# Local Access Forum Annual Review Form

## April 2019 to March 2020

Annual review completed by LAF Chair. No further comments.

### Any other comments

<sup>2</sup> The Countryside and Rights of Way Act, 2000, Section 94(4) specifies that it is the function of a local access forum, as respects to the area for which it is established, to advise the appointing authority; the local highway authority; other bodies exercising functions under CROW Act Part 1 (Natural England, Forestry Commission and English Heritage) and such other bodies as may be prescribed. These other bodies are set out in the LAF Regulations 2007, paragraph 21, and include: any conservation board established by the Secretary of State, any parish or town council in the area covered by the LAF, and Sport England.



# GOING BIKING?

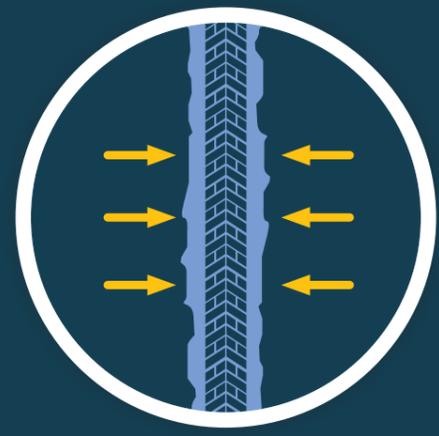
## A quick guide to cycling in the North York Moors National Park



**On the right track**  
Only cycle on blue  
bridleways,  
not yellow footpaths



**Share the trail**  
Give way to  
walkers and  
horse riders



**Trail care**  
Keep singletrack  
single and stay  
on the trail



**Keep it clean**  
Don't give pests  
or diseases an  
easy ride



**Be prepared**  
Plan ahead  
and make sure  
you're equipped



**Ask permission**  
It's illegal to build or  
alter trails without  
landowner consent

**SHARE  
WITH  
CARE**





# BE FIRE AWARE!

Moorland and forest fires destroy everything in their path – devastating for wildlife and the environment



No BBQs – why not have a picnic instead?



Don't light fires, or discard matches, cigarettes or glass in the open countryside



And take your litter home

**PLEASE REPORT ANY WILDFIRES  
IMMEDIATELY BY CALLING 999**

**SHARE  
WITH  
CARE**

[northyorkmoors.org.uk/sharewithcare](http://northyorkmoors.org.uk/sharewithcare)



North York Moors  
National Park



# OUT FOR A WALK OR BIKE RIDE?

Here's how you can help wildlife  
in the North York Moors National Park



Please stick to rights of way,  
and take your litter home with you



Tread carefully – paths, grass verges,  
even car parks, might harbour baby  
mammals and ground-nesting birds



Keep your dog on a lead or under close  
control to protect wildlife and grazing sheep



And please report anything that might  
harm our wildlife - call 101 and ask that  
details are passed to a Wildlife Crime Officer

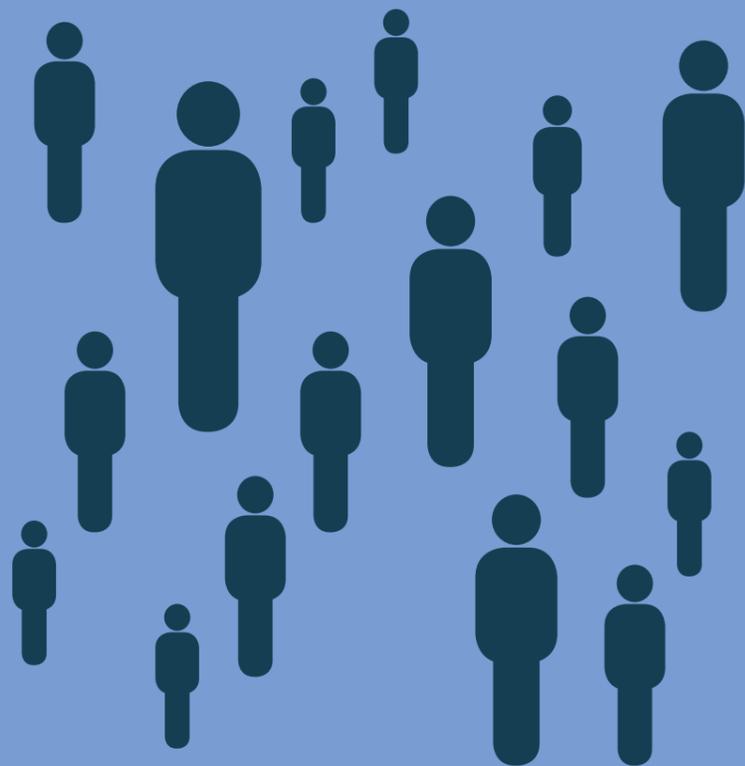
**SHARE  
WITH  
CARE**

[northyorkmoors.org.uk/sharewithcare](http://northyorkmoors.org.uk/sharewithcare)



North York Moors  
National Park

# BUSY, BUSY, BUSY?



Here's how you can help everyone  
in the North York Moors National Park



If this site is already busy,  
please go elsewhere or come  
another time



Please park considerately -  
don't block access for local  
residents or emergency services



Remember no overnight parking  
is allowed

**AND TAKE YOUR LITTER  
HOME WITH YOU**

**SHARE  
WITH  
CARE**

[northyorkmoors.org.uk/sharewithcare](http://northyorkmoors.org.uk/sharewithcare)



North York Moors  
National Park

## .North York Moors National Park Local Access Forum

### Principles for Woodland Creation Applications on Open Access Land

These principles will be used to inform our responses to applications for woodland creation on open access land.

We will, in general, not object to applications for the creation of native woodlands in situations where they are deemed to be appropriate. This would normally include Open Access Land that is not common land, where the land has a s106 Woodland creation Agreement and is dedicated as Open Access land after the planting has been completed.

- Applications to be supported by an access management plan to include provision for ongoing maintenance and improvement in access. This to be authorised by the National Park Ranger Service.
- Local Access Forum, local user groups and the Parish Council should be consulted before the application is made and if not, as part of the application process.
- Where fencing is required, in all cases, the principle of the 'least restrictive option' will be applied to any proposal which affects Open Access Land in line with s69 Countryside and Rights of Way Act 2000.

The LAF expects:

- That the fencing does not unnecessarily impede or disadvantage access.
- That all public access; be it on public rights of way, tracks, desire lines or other routes e.g. to points of interest, viewpoints or rock scrambles is to be retained and where possible improved. In some cases it may be necessary to provide an alternative route and in that case all legal formalities to be adhered to e.g. diversion of a public right of way.
- Where a gate has to be installed this must comply with B.S. 5709 or subsequent standard and if access is required for equestrians, equestrian easy latch catches are to be installed. Stiles can only be considered on a route to be used on foot only and **will only be authorised in exceptional circumstances**. Where authorised, stiles must comply with B.S. 5709 or subsequent standard.
- All legislation relating to public access to be adhered to. Particular attention must be made when a public right of way goes into or borders new woodland to ensure that access is unhampered; this is particularly relevant where access is available for horse riders.
- Access to be retained at all times except when closure is required for forestry work. Any closure is to be advertised at all entrances to the woodland, with maps if only certain parts are to be closed. All legislation regarding such closures to be adhered to.

- The National Park with the landowner will review from time to time, the need for any fencing erected as part of the woodland planting scheme. The first review will be after 10 years unless this can be done earlier and at the latest after 20 years.
- If the fencing is no longer required, it is to be removed as soon as possible. The LAF should be informed of who will be legally responsible for the removal of any fences and the date they are due to be removed.

Additional considerations:

- Wherever possible, local materials should be used.
- Barbed wire must only be used if essential for stock control and barbs to be covered close to a gate or stile.
- All agreements will be land charged and agreements will require dedication of land as Open Access Land under schedule 16 of the CROW Act, in the event that a parcel of land is declassified (i.e. land ceases to meet the criteria for Open Access Land at review).

Original: Item 12 – appendix 3 Papers for the LAF meeting 03.12.19  
Revision by: Alison Fuller  
Date: 07.11.20

# .North York Moors National Park Local Access Forum

## Principles for fencing proposals on Open Access Land

These principles will be used to inform our responses to consultations for the fencing of open access land. In all cases, the principle of the 'least restrictive option' will be applied to any proposal which affects Open Access Land in line with s69 Countryside and Rights of Way Act 2000.

- Applications to be supported by an access management plan to include provision for ongoing maintenance and improvement in access. This to be authorised by the National Park Ranger Service.
- Local Access Forum, local user groups and the Parish Council should be consulted before the application is made and if not, as part of the application process.

The LAF expects:

- That the fencing does not unnecessarily impede or disadvantage access.
- That all public access; be it on public rights of way, tracks, desire lines or other routes e.g. to points of interest, viewpoints or rock scrambles is to be retained and where possible improved.
- Where a gate is to be installed this must comply with B.S. 5709 or subsequent standard and if access is required for equestrians, easy latch handles installed. Stiles can only be considered on a route to be used on foot only and **will only be authorised in exceptional circumstances**. Where authorised, stiles must comply with B.S. 5709 or subsequent standard.
- All legislation relating to public access to be adhered to.
- Access to be retained at all times and any request for a closure to be authorised by the National Park Authority. Any closure to be advertised at all entrances, with maps if only certain parts are to be closed. All legislation regarding such closures to be adhered to.
- If the fencing is no longer required e.g. because the agreement has come to an end, it is to be removed as soon as possible. The LAF should be informed of who will legally be responsible for such removal and the date it is due to be removed.

Additional considerations:

- Wherever possible, local materials should be used.
- Barbed wire must only be used if essential for stock control and barbs to be covered close to a gate or stile.

- In the event that a parcel of land is declassified (land ceases to meet criteria for Open Access Land at review) the landowner should agree to dedicate the land as Open Access Land.

Original: Item 12 – appendix 4 Papers for the LAF meeting 03.12.19  
Revision by: Alison Fuller  
Date : 07.11.20

DRAFT

## North York Moors Local Access Forum

December 2020

### Motorsport event proposals

#### 1. Background

1.1 Motorsport is a popular and established (although often controversial) activity in the National Park. Competitive events exist broadly in two broad formats: forest stage rallies and motorcycle events. Organisers must secure a number of permissions from various bodies; in particular, they must have the permission of the landowner, and authorisation from the Highways Authority under s33 of the Road Traffic Act 1988 in order to use public rights of way for their event. For a full breakdown of the permissions required, see [appendix 1](#).

1.2 It is our role as the delegated Highways Authority to grant s33 authorisation to motorsport event organisers (see delegation agreements with RC&C BC and NYCC). Failure to secure s33 will invalidate the organiser's public liability insurance. There would be potentially serious consequences for the Authority if events were knowingly permitted to take place without s33 authorisation, for instance in the event that a vehicle using a public right of way were to collide with a member of the public causing injury. It is the Authority's role to ensure that the use of public rights of way for motorsport events is appropriate to the site, and to make recommendations on the use of signage and marshals. For instance we might recommend a slightly altered route, request that signs are placed at a crossing point prior to and during the event, and that it is marshalled at all times.

1.3 The Authority made a decision in 2015 to charge for issuing s33 authorisation and the charge currently stands at a £200 flat rate, which is intended to recoup staff time involved in checking routes in detail, liaising with organisers and often ensuring that control measures are being implemented correctly during the event. There are often enquiries from members of the public about the appropriateness of motorsport events in the National Park and on public rights of way, which require a comprehensive response explaining our role in authorising such events.

1.4 We work closely with Forestry England on Forest stage rallies, but most motorbike events are smaller and take place on private land.

#### 2. Legality of charging

Legal advice is that charging is reasonable, although an explicit power or requirement for Authorities to charge does not exist in law. There is judged to be a very low risk of a successful challenge to our decision to charge.

#### 3. Current position

3.1 The current system works well for forest rallies which tend to be large scale and well organised. Organisers get in touch with the Authority early and are generally able to pay the £200 fee.

3.2 However it became apparent during a series of discussions in 2019 that a number of annual motorbike events are not applying to the National Park Authority for s33 authorisation, mostly because the £200 fee is off-putting to smaller event organisers. As explained in para 1.2, this would technically invalidate their insurance and leave organisers liable. In 2019 and early 2020, the fee was mostly waived or replaced with a donation based on entries, in order to ensure that organisers applied for s33 permission and the events could take place safely. All known motorsport event organisers were sent a copy of the

guidance at [Appendix 2](#), reminding them of their responsibilities. Motorsport events have mostly been cancelled for the remainder of 2020 due to Covid 19.

#### 4. Recommendation

a Gaining s33 authorisation is essential for the safety of competitors and the general public, and it offers an opportunity for event organisers to engage with the National Park Authority and ensure that any possible conservation or heritage impacts are avoided or have been mitigated.

b North York Moors National Park Authority has for some time charged one fixed fee of £200 for issuing s33 authorisation to organisers of motorsport events. However the Authority recognises that this fee is prohibitive to smaller event organisers and may present a barrier to their gaining the legally required authorisation.

##### Option 1

Waive the fee for all events, or only for smaller events

##### Option 2

Adopt a sliding scale of charging proportionate to the amount of work involved in issuing the s33 permission.

The Authority proposes the following sliding scale of fees, based on event impact and staff time involved, which would apply to every application for s33 authorisation. These fees do not wholly cover the staff time involved in checking routes and advising event organisers, but are considered reasonable to offset the staff costs involved whilst not being considered prohibitive to smaller event organisers.

Minor use of public rights of way – crossing no more than 2 public rights of way (non-promoted routes)	£70
Moderate use of public rights of way – crossing up to 5 public rights of way, or following no more than 200m total distance on public rights of way (non-promoted routes)	£120
Any use of public rights of way which exceeds the above categories, or use of any promoted route	£200

It is recommended that the Local Access Forum should be consulted on the proposals.

## Appendix 1

### **Requirements and procedures for seeking authorisation for motorsport events under Section 33 of the Road Traffic Act 1988:**

Organisers of motorsport events are required to use the application form on the website when applying to North York Moors National Park Authority for consent under section 33 of the Road Traffic Act 1988.

The following requirements apply:

1. The event organiser is required to consult with the National Park Authority, as required under section 10(3) of The Motor Vehicles (Competition and Trials) Regulations 1969.
2. An application for s.33 authorisation must be made at least 6 weeks in advance of the event. Application forms will be acknowledged within 5 working days of receipt.
3. On receipt of a duly made application, the Authority will endeavour to determine an application within 3 weeks.
4. To be duly made, an application must be accompanied by all of the following:
  - a. A clear Ordnance Survey plan (or equivalent.) Ordinarily, this must be to a scale no greater than 1:25,000. The route must be accurately and clearly drawn on the map with the location of footpaths, bridleways and restricted byways annotated. Either electronic or hard copy formats are accepted provided they are legible.
  - b. Landowner and occupier consent in writing, which must be cross-referenced with the route map.
  - c. Payment for the appropriate fee.

If any of these items are not included, or there is a lack of clarity e.g. in relation to the way in which the route is drawn on the map, then the application will be returned within 5 working days of receipt without being processed. The organiser's attention will be drawn to any such problems so that they can be rectified.

5. A copy of the Motorsport UK route authorisation under the 1969 Regulations shall be included with every application, or provided to the Council within three working days after the event.
6. Organisers must fully comply with the Motor Vehicle (Competition and Trials) Regulations 1969 (as amended) unless authorised as a race or trial of speed under the 2018 Regulations. The regulations are interpreted within guidance as set out in the current Motorsport UK or ACU handbooks. Where there is conflict, the 1969 Regulations will take precedence.
7. Organisers are encouraged to consult Natural England prior to making an application for authorisation under section 33 of the Road Traffic Act 1988. The Authority is obliged to consult Natural England when considering these applications. If a response from NE is included with the application, together with details of any mitigation measures suggested by them, this will allow the Authority to process the application more quickly. The section 33 authorisation will include a condition to deliver protected site protection measures as agreed, and any mitigation suggested by NE at the Authority's discretion.

8. If Motorsport UK/ACU signage (or similar) is not used, appropriate signage must be agreed by the Authority in advance of the event. Marshalling arrangements must be agreed by the Authority in advance of the event

9. Where a footpath, bridleway or restricted byway proposed to be used by an event is on, or within land that is a SSSI, planning permission will be required under Schedule 2, Part 4, Class B.1(c)(i) B2 Town and Country Planning (General Permitted Development Order) 1995.

## Appendix 2

### Guide for event organisers: Planning a Motorsport Event in the North York Moors

#### For all events:

1. If the event does not use public rights of way, *it is still necessary* to consult the National Park Authority. Where an event route lies in whole or in part in a National Park, the event organiser must consult with the National Park Authority at least six weeks prior to the event, as required under section 10(3) of The Motor Vehicles (Competition and Trials) Regulations 1969.
2. Check if you require planning permission - Where the land proposed to be used by an event is on SSSI (site of special scientific interest, planning permission will be required under Schedule 2, Part 4, Class B.1(c) (i) B2 Town and Country Planning (General Permitted Development Order) 1995. [https://laragb.org/pdf/LARA\\_20191101\\_MotorSportEventsInCountryside.pdf](https://laragb.org/pdf/LARA_20191101_MotorSportEventsInCountryside.pdf)
3. Check for any Scheduled Monuments on your proposed route. These are historic monuments with statutory protection. You can either search Historic England's List <https://historicengland.org.uk/listing/the-list/> or contact our archaeology team for advice - Nick Mason [n.mason@northyorkmoors.org.uk](mailto:n.mason@northyorkmoors.org.uk)
4. It is good practice to consult Natural England in advance to check that the event does not affect any protected areas such as SSSI, SAC etc. We will consult Natural England as a matter of course so it is best if you are aware of any designations in advance. If you're not sure, you can check the Defra Magic Map <https://magic.defra.gov.uk/MagicMap.aspx>
5. Check if your planned route uses public rights of way – if you're not sure, speak to the landowner and look at our interactive map. <https://www.northyorkmoors.org.uk/about-us/rights-of-way/rights-of-way-map> Public rights of way are defined for this purpose as footpaths, bridleways and restricted byways. <http://www.legislation.gov.uk/ukpga/1988/52/section/33> If you're unsure, please contact the Ranger Service for advice.
6. If the route does use public rights of way, contact the National Park Authority [ranger.enq@northyorkmoors.org.uk](mailto:ranger.enq@northyorkmoors.org.uk) at least six weeks prior to your event to secure s33 authorisation. We will review your proposed route and advise on the positioning of marshals and signage. To issue s33, we need a copy of your proposed route, marked on a 1:25,000 Ordnance Survey map; copies of your public liability insurance; and written landowner and occupier permission <https://www.acu.org.uk/organiser/msa-authorisation.aspx>. This can all be done by email.
7. The Motor Vehicles (Competitions and Trials) Regulations 1969 require that any motoring event which utilises the Public Highway is subject to Authorisation under UK law. MSUK are the sole agent appointed by the Department of Transport and as such has a statutory duty to the Government to ensure that any event that takes place on or uses part of the Public Highway follows the legislation as laid down by the government in the Regulations quoted above under the Statutory Instrument No 414 of 1969. A copy of the legislation can be viewed and/or downloaded from the ACU website. <https://www.acu.org.uk/organiser/msa-authorisation.aspx>. The use of any public roads or UURs (green lanes) needs to be authorised through this route.

There is a fee for issuing the s33 authorisation which covers the staff time involved in the process.

Most organisers comply fully and happily with these requirements – this reminder is intended to ensure all organisers have up to date information. The authorisations for using public rights of way are extremely important to safeguard members of the public, you and your competitors. Not having the correct authorisations in place is likely to invalidate your public liability insurance. Please do get in touch if you are in any way unsure about the requirements; you can also contact the ACU or MSUK for advice.

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## Environmentally Sustainable Transport update, NYMNPA LAF, December 2020

### From Helen Gundry, for Moorsbus CIC & Ryedale Cycle Forum

#### Moorsbus

Early in 2020, we hoped, like many others, that things would be “back to normal” by summer, and we were planning for Moorsbus services. But, with continued health warnings about sharing public spaces with anyone, and with many older people doing long-term shielding, we soon realised that Moorsbus services would not be financially viable for the summer 2020 season. Passenger numbers on the busy routes would have to be restricted for social distancing, and the quieter routes would probably be too quiet. It is good to see that some commercial routes such as the 840, the 128 and the 31X have been supported by government, because these are a lifeline for some people without cars. It is very sad that there has been no public transport to most of the National Park all year, including Sutton Bank & Danby Visitor Centres

There has also been a Covid - delay in getting the disabled access bus stops installed at Danby Visitor Centre, but we are hopeful they will be there for 2021. Dalby Forest have improved their visitor centre public transport bus stop, so that wheelchairs can use it. We are also working towards disabled public transport access to Helmsley.

Working in the background, we made a submission about rural public transport to the Rural Commission for North Yorkshire, and Bill Breakell was invited to speak to the Commissioners. We have also been working to raise awareness that improved public transport is part of the essential carbon footprint cutting, and air pollution cutting, that is needed for national targets. Buses are lower on emissions than most cars, and can carry more people. To be used more, public transport needs to be more frequent, which would make it more convenient for many. This applies to the National Park and to the wider visitor catchment area. We are raising awareness through Local Enterprise Partnership stakeholder events, through the Ryedale Environmental Group on-line sessions, through social media opportunities, and with key players at NYCC and Redcar & Cleveland Council. Just looking to electric cars as a “green” solution will do nothing for congestion across UK National Parks, except that fewer people will be able to afford to visit the Parks. Not investing in Public Transport is actual discrimination against poorer people (including ethnic minorities), disabled people, older people and young people. The carbon footprint of switching to electric cars is still higher than that of a good public transport system, and so the need to invest in enabling public transport cannot be ignored. It is now 8 years since NYMNPA decided to cut all its support for public transport, and we now need NYMNPA to help Moorsbus CIC by part-funding to, develop key routes. Targetted transport and community transport, while beneficial to a few, will always be too small have a meaningful impact on carbon abatement, congestion, or access for all to the Park.

We will inform NYMNPA as soon as we know what 2021 services we can afford.

#### Ryedale Cycle Forum

The signage, bridleway, and minor road improvements for the Malton-Pickering Cycle route will be installed in early Spring 2021. This route will help touring cyclists to reach the National Park from the continent, from the National Rail network, from York, from Hull and from the Eastern Ryedale towns and villages.

Cycle Forum members have been making progress towards the **Kirkbymoorside-Helmsley and Hovingham-Malton Path for Everyone projects**. For details see <https://getryedalecycling.com/cycle-forum/development-wishlist/> (scroll down the list). Path for Everyone projects are appropriate for linking rural villages with market towns, where volume of users, at least for a few years, would not require segregation of different path users. They will enable cyclists, mobility scooters, horse-riders, runners and walkers to do “active travel”, which has health benefits, reduces carbon footprint and supports the tourist economy. We look at existing verges, bridleways, former rail bed, footpaths, and the missing sections, and come up with a route

that is safe and comfortable for all users. Don't just think of lycra! We are including the very old, the very young and people with disabilities. Mantra: - "Share/Respect/Enjoy".

Parish Councils have voiced what is important to them, for instance Swinton Parish want to use the rail-bed to Hovingham, Hovingham want us to talk to their local landowners and residents, and Nawton want to improve safety near Ryedale School. Some Parishes have begun to help. Helmsley Town Council are willing to put funds towards a wheelchair accessible bridge, for all user access to the rail bed towards Kirkbymoorside, and Kirkbymoorside Town Council have secured £20,000 from the Police Commissioner's AJ1 Road Safety fund toward a verge path towards Helmsley.

Other potential partners are also being supportive. These include Ryedale School, English Heritage, The Ryevitalise Project, Duncombe Park Estate, The Malton & Norton Area Partnership, Ryedale Bridleways Group, Environmental Smart, and the Local Enterprise Partnership, Ryedale District Council, NYCC Highways and PROW

Most parish/town councils do not have the accounting back-up to cope with the large grants required for paths. The recently announced Government funds for cycling will be used for segregated cycle schemes in bigger towns, such as Harrogate and Scarborough. Ryedale Cycle Forum, have been consulting about setting up a Charitable Incorporated Organisation (a form of registered charity) which could apply for grants towards active travel from a wide range of sources.

The new LT20 DfT guidance on installation of cycle schemes requires that biodiversity along a route is increased by 10%. This gives lots of opportunities for ecology projects including new ponds, trees, meadows, marshes and other habitats.

To help Moorsbus or a path project, contact Helen Gundry, c/o NYMNPA LAF

## Report on The Yorkshire, Humber and North Lincolnshire Local Access Forum Regional Meeting held in Leeds on 4<sup>th</sup> March 2020.

Author: Alison Fuller

Present representatives from the following LAFs: North Yorkshire (outside the NPs), Leeds, Bradford, Sheffield, East Riding & Hull joint and also representing North Lincs, NYMNP

The following items were discussed that I think are relevant to NYMNP:

1. Presentation by Ted Liddle (TL) (joint Northumberland and other north eastern LAFs) on shared access – best practice. He is a independent cycle tourism specialist and has his own website [www.tedliddle.uk](http://www.tedliddle.uk)

His talk focused on how to manage dismantled railways. His main points were as a result of user surveys and the 3 concerns were signage, access control, and surface. The 2 main causes of conflict were width and visibility.

The main concern of the whole meeting was the speed of cyclists and the following were talked about

Code of conduct ; don't expect to go fast, metal to give way to flesh

Signage: cyclists to give way better than cyclists dismount, signage every 100m (or longer routes 1km) made walkers/horse riders feel more confident, segregated lanes need to be more than 3.3m otherwise people ignore.

K frame (needs to be min 72mm to take modern mountain bikes) rather than A frame was successful to keep motor bikes out and need associated horse style box but this needs to be maintained otherwise fills up and so easy for motor bike to use.

Paint tunnels white so less intimidating.

Lateral vegetation to be kept well cut back but now issues with people worried about affecting nature.

Cyclists and horse riders to use hi viz so can be seen

No need for edging of surface if one bit hard and the other grass

Surface – he agreed that no tarmac outside urban areas. (where urban area stops an issue) but basically tarmac as a last resort.

Flexipave ([www.flexipave.co.uk](http://www.flexipave.co.uk)) in use – v.good with 20 year maintenance guarantee.

New method is soil stabilisation which one member had heard of being used in the Lake District where the rest of the path had been washed out due to flooding but this bit remained ([www.consolid.co.uk](http://www.consolid.co.uk)).

(Flexipave is much more used for a well used multiuser path but I think this Consolid might be worth looking at in a more rural environment.)

Educating cyclists – a problem as people not joining clubs, Strava a real problem.

## 2. Electric bikes

TL said this was going to be a real growth area and all the reps v.concerned about this. Speed and the weight of the bikes. There is a recent case reported 26.02.20 BBC London have it on their website where a person driving an ebike has resulted in a pedestrian being killed and he hasn't been charged with anything.

This is the copy from part of the web report

*Mr Hanlon denies causing death by careless driving.*

*Under the law, e-bikes which are fitted with an electric motor can only be driven without a licence or insurance if their power is limited and if the motor automatically switches off at speeds above 15.5 mph.*

*The court heard Mr Hanlon's bike was capable of going double that speed and as such should have been categorised as a motorbike.*

The next problem is people trying to modify an ebike to overcome the restrictions and one member reported that he had a friend who ran a cycle shop and they

have been asked to modify an ebike. They refused but the concern is that responsible bike shops will not do this but people at home may try.

### 3. LAF Position statements

TL said that Northumberland LAF had these on a number of issues and really recommended these

### 4. Illegal use of mpvs.

Everyone reported this to be a problem.

The police in Northumberland are doing the same as in North Yorkshire by recording the vehicles that the motor bikes are being transported in and writing to warn them about illegal use.

### 5. Natural England

People had tried to find out what is happening with the 2026 cut off and individual LAFS had written. No one knows what is going to happen i.e. abandoned or extended. Reference the Deregulation Act 2015 – regulations and guidance have not been produced.

All LAFs, except East Riding and Hull, reported a huge back in DMMOs and very little resource to process.

LAF Annual reports were also mentioned and no one knew if they would be required.

The general view is that the government would like to abandon LAFs.

### 6. Agriculture and Environment Bills 2020.

The main one is the Agriculture Bill 2020 and the relevant section is Part 1, (1) (b) “powers to support public access and access to the countryside”. The Regional LAF to make representation. Copy of the Mid & West Berks LAF representation included with the minutes.

## 7. Environmental Land Management: policy discussion.

Issued Feb 2020 responses to 05.05.20.

New Land Management Scheme – 3 tiers

Tier 1 Sustainable farming

Tier 2 Land environment, PRow, navigation, education, geo diversity

Tier 3 Land use change, forest and woodland

National Pilot 2021 – 2024 full roll out 2024. Direct payment 2021 – 2027.

## 8. Tree planting

General concern that to combat flooding and global warming there will be more schemes and there will be an adverse effect on access.

(I said that our LAF had already looked at this at our last meeting (03.12.19) and also fencing on Open Access Land but said that the policies were being finalised. They are all v.interested in this and want to look at what NYMNP has done.)

## 9. Possible Joint LAF with Yorkshire Dales, NYMNP and North Yorkshire (outside the National Parks)

TL thought that more cooperative working between LAFs with a similar landscape would be beneficial.

(I think yes in principle but how many meetings do you go to and I thought this was done at staff level.)

It appears that some LAFs are working quite independently of their Council.

## Report on The Yorkshire, Humber and North Lincolnshire Local Access Forum Regional Meeting held virtually on 9<sup>th</sup> September 2020.

Author: Alison Fuller

Present: representatives from the following LAFs: Leeds, Bradford, Rotherham & Sheffield, East Riding & Hull joint, Yorkshire Dales Nat Park, North Lincolnshire, NYMNP.

(The virtual meeting was not wholly successful as a number of people who had wanted to, couldn't get the IT to work properly)

The following items were discussed that I think are relevant to NYMNP:

### 1. Update on the Agriculture Bill.

Public access had not been specifically included in either the Agriculture Bill or Environment Bill and reliance is being placed on measures in the Environmental Land Management Schemes.

### 2. Covid 19 issues

Restrictive notices aimed at dissuading public access, more visitors coming into the countryside which had led to problems like littering, lack of toilets, car parking, picnicking and trespass. Positive note – Yorkshire Dales National Park had seen a huge increase in visits by ethnic minority groups.

Inability of volunteers to work on PRow e.g. vegetation clearance.

### 3. Regional LAF Position Statements

Initial trial to look at one for shared use of PRow.

Yorkshire Dales NP LAF had already developed position statements on Tree Planting Schemes and Fencing Access Land.

### 4. Consultation on proposed changes to the Highway Code to give more priority to cyclists and pedestrians.

In view of Covid and the time for responses most LAF's had not made representation. It was agreed that the Regional LAF would comment that more emphasis needed to be made on the needs of equestrians.

## 5. England Tree Strategy

This mainly relates to the National Parks and from what the representative from the Yorkshire Dales National Park said they have had more applications to create new woodland than we have. Concerns – use of top line barbed wire fencing, sufficient gates and stiles installed, money to take down temporary fencing.

I brought up the issues we had discussed - trees planted too close to the RofW leading to vegetation encroachment, fencing, positioning and standard of gates and stiles, removal of temporary fencing.

Leeds C.C. are taking the eventual breath and spread of mature trees into account when looking at width of paths.

The Regional LAF to respond to this consultation.

## 6. General points

Concern over the 2026 cut off and the level of backlogs in dealing with DMMOs.

Need to get publication and clarification of the regulations in the Deregulation Act 2015 ref: s20-26 and Schedule 7 which relates to the 2026 cut off, the right to apply for extinguishment and diversion of PRow, gates on restricted byways and BOATs, cost recovery and the DMMO procedure to make it easier and what the Highway Authority has to do.

7. Date of next meetings: 10 March 2021 & 8 September 2021.