



North

Yorkshire County Council



# North Yorkshire Access Management Plan 2005





## Foreword

Welcome to this Access Management Plan. The purpose of the plan is to explain how the County Council has prepared for Open Access and how we intend to manage the new right in the future.

The Countryside and Rights of Way Act 2000 (CRoW 2000) will allow the public to walk freely in areas of newly mapped access land. North Yorkshire County, outside the National Parks, will have 36,920 hectares of new access land by the end of 2005. Funding from the Countryside Agency has paid for this Management Plan and future funding will help implement actions that the plan has recommended.

Open Access is not universally welcomed, some fear the new right could have a negative impact on some of our most protected landscapes. The Management Plan recommends clear information to ensure users of the new right do not knowingly act in such a way that the area they have come to enjoy could be harmed.

The Local Access Forum (LAF) for North Yorkshire has been heavily involved during all the stages of producing the plan. The LAF was set up as a requirement of CRoW Act 2000 and advises the County Council's officers on all matters to do with access to the countryside. The forum is made up of county councillors, landowners, recreational users and people with a neutral interest.

I hope you will find that this partnership has produced a plan designed to ensure that the public are able to enjoy their new right of access, whilst at the same time safeguarding the needs of landowners and occupiers, and of other interests, including archaeology and wildlife.



Derek Welford  
Chairman LAF



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# Access Management Plan

## 1. Introduction

The Countryside and Rights of Way Act 2000 (CRoW), will allow the public to have access on foot over large areas of common land and open country. Large areas of previously inaccessible land will be opened up for the public to use for 'open-air recreation'. When implemented this will include 36,920 hectares in North Yorkshire.

A new Access Management Grant Scheme administered by the Countryside Agency has been launched to support the open access element of the Countryside and Rights of Way Act 2000. The scheme is intended to provide both an incentive and support for access authorities to implement the new rights of open access locally.

The Access Management Grant Scheme is designed to target resources to those areas with most need, based on an assessment of the likely demand and use, vulnerable conservation areas, land types and existing rights in each local authority area. The scheme is designed to provide support to access authorities and land managers to implement positive management. Management priorities for the scheme are:

- those areas that are likely to be popular with visitors and which have nature conservation value and,
- those areas that are likely to be under high demand.

In order to apply for funding from the Scheme local authorities have been asked to undertake an assessment of their area in order to identify what actions are required to implement the new access rights at a local level. It is a requirement that this assessment should be brought together in a local access management plan.

This document outlines the work that has been undertaken by North Yorkshire County Council in preparing an Access Management Plan and highlights the developing policies and actions for managing the new rights of access within North Yorkshire.

## 2. The Mapping Process

In order to allow for public access, the Countryside Agency is preparing maps of all the new access land.

This land is identified under two categories:

1. All registered common land will become access land
2. Other access land will be called open country. Open country is defined as 'land that is wholly or mainly made up of mountain, moor, heath or down'.

As can be seen from above, the Act will not give people the 'right to roam' wherever they want. The new access rights will not, for example, apply to intensive farmland.

Following publication of the draft maps, most of the new access land in North Yorkshire is concentrated in the two National Parks, however there will be large sections of access land within the Nidderdale AONB and smaller sections dotted around the county. These are mainly areas of registered common land.

A small part of North Yorkshire within Craven District gained the new rights of access in September 2004. The rest of North Yorkshire will be due for commencement in May 2005.

As a result of the CRow legislation and the availability of the Access Management Grant Scheme, North Yorkshire County Council (NYCC) has developed three main aims in managing the new access rights. These are:

- To encourage the use and development, wherever possible, of sustainable linear access routes across the moors
- To promote informal management techniques ~ influencing how people use access land, rather than imposing statutory restrictions as the simplest and most direct way that land managers can minimise potential conflicts between land use/nature conservation and the new access rights
- To ensure that access is integrated with neighbouring access land and right of way/paths and tracks on non-access land

## 3. Access Management in North Yorkshire

### Introduction

Access Management Plans have been introduced by the Countryside Agency and are seen as a strategy to help with the implementation and management of the new rights of access. Adopting a plan is seen as an important step to providing a systematic way of assessing the likely use of open access and identifying the appropriate management tools that could be used to address potential issues.

Following guidance from the Countryside Agency, North Yorkshire County Council has been preparing an Access Management Plan from July until November 2004. The key steps within this process can be seen in Appendix 1.

The following pages summarise the approach that has been taken in North Yorkshire to access management planning and considers in more detail the impact of open access from the perspective of:

- Nature Conservation
- Archaeology
- Public Safety
- Disability Discrimination
- Land Management
- Existing Access

In addition there are the main conclusions to what has been found to date and where appropriate the action that will be undertaken to help manage the implementation of the new access rights.

Working with the BTCV (British Trust for Conservation Volunteers) a five day training programme is being developed. The programme will be accredited via the BTCV Institute for Environmental Conservation/NCFE Awarding Body and as a result be eligible for funding through the Learning Skills Council.

The focus for the initial volunteer service will be on Nidderdale where the greatest amount of access land exists. Opportunities for Open Access Volunteering in other parts of the county will arise as the county-wide volunteer service develops or if there becomes a need. It is anticipated that the service established within Nidderdale will be replicated else where in the county.

## What we have done so far in North Yorkshire?

Baseline data for birds, habitats and sensitive areas has been gathered and we have worked with English Nature to identify these areas that may have an increased usage.

In predicting possible demand Special Protection Areas (SPAs), Special Areas for Conservation (SACs), Special Sites of Scientific Interest (SSSIs) and other wildlife sites of county and local significance were noted.

- **Special Protection Areas** are a European Community Directive to help the conservation of wild birds. It requires member states to preserve enough wild places to safeguard migratory and vulnerable bird species. These form a network of guarded areas called Special Protection Areas.
- **Special Areas for Conservation** are a European Community Directive to help the conservation of natural habitats. This requires the identification and designation of areas of land as Special Areas for Conservation on account of their importance for wildlife other than birds.
- **Site of Special Scientific Interest** are an area of land which in the opinion of the government are of special interest for their flora, fauna, geological or physiographical features. There are over 4000 SSSIs in England, covering around 7% of land area.

English Nature conducted an audit of all designated or listed sites where access to the site raised potential concerns for nature conservation. North Yorkshire County Council received copies of these audits, with potential concerns highlighting CRoW access rights. This initial advice related to international sites or other sites of special scientific interest.

English Nature's advice specified the conservation features that are potentially vulnerable, their distribution on the site, the public uses that would represent potential concerns and the nature, level and timing of the sensitivity.

English Nature have provided more detailed information about sensitive features and (where appropriate) the distribution of any activities to which these features are vulnerable. North Yorkshire County Council has compiled details of existing levels and patterns of use in order to determine any likely changes in use following the introduction of CRoW access rights.

North Yorkshire County Council and English Nature have jointly assessed the implications of CRoW access on the features for which the site was classified or designated. Where the conclusion that the introduction of CRoW access rights has no adverse effect overall on the site, no further action has been taken.

### **What are the main conclusions that we have found?**

Existing maps and local knowledge highlighted the commencement of open access onto mainly moorland areas. The main concern of conservation staff was the impact on ground nesting birds. A secondary concern was the impact of dogs on fauna and flora.

### **What management action are we undertaking?**

Where concerns have been identified informal management solutions have been recommended to satisfy these concerns. Examples of positive access management (to avoid the need for statutory restrictions) will include:

- using codes, leaflets, notices to educate visitors to use access land in particular ways;
- managing paths or vegetation to encourage people to keep to particular routes or areas; or
- siting car parks, entry points, etc to minimise pressure on sensitive areas.

These approaches to access management will be reviewed at a later date to see if the circumstances and/or the information available have changed. In some cases this may lead to a different conclusion and the introduction of a legal restriction may be necessary.

North Yorkshire County Council could be contacted by other organisations or individuals raising concerns they have about potential impacts on wildlife. If this happens, NYCC will seek English Nature's advice as appropriate on the matters being raised.

## 3.2 Archaeology

### What we have done so far in North Yorkshire?

We have gathered baseline data for features in sensitive areas by working with county archaeologists and English Heritage. In assessing the impact of open access on archaeological sites in North Yorkshire the Historic Environment Record (HER) was used. Management of rural archaeological sites is less well-developed although a presence and condition survey was undertaken for parts of Nidderdale AONB about five years ago and this has been incorporated into the HER.

In predicting possible demand known sites of archaeological interest were cross-referenced with the known open access areas.

### What are the main conclusions that we have found?

Certain identified sites could be subject to pressure, in particular those historic features that are on access land and coincide with desire lines that people will follow.

In the west of the county in the Pennine fringe, Nidderdale and Craven there are many quarries and mine shafts that have not been recorded in the HER but may be plotted on maps, sometimes in complexes. A strategy is required to deal with these as they have an historic/archaeological value.

In the Wolds there are many small chalk pits that are not known to have archaeological value.

There are also many linear earthworks (dykes) noted which are incompletely plotted because they have become covered in colluvium in the valley floor and/or are only visible in the right light conditions where they angle across the valley sides. They are highly vulnerable to erosion and new stock fencing which is being increasingly used for stock management on this important grassland.

Mines, quarries and tips are the responsibility of landowners and local authorities in certain circumstances associated with health and safety risks. However, they are important monuments to archaeologists, often containing information on past technological processes, as well as being bat roosts and rare habitats for plant species, so management may need to be considered carefully with a number of organisations.

## **What management action are we undertaking?**

A number of locations include a scheduled monument within a Site of Special Scientific Interest. In such instances English Heritage and English Nature need to be encouraged to work together on management solutions.

Work on scheduled monuments may not be carried out until the formal consent process has been followed. It is proposed to set up a method of contacting the most appropriate English Heritage staff (probably the Field Monument Warden) well in advance to seek advice on whether consent will be required. The NYCC Rural Archaeologist can give a broad indication of what types of work require consent and facilitate good working practice.

Under Schedule 2 of the CRow Act metal detecting is not permitted, nor is collecting anything from the area, including rocks or plants, without express permission of the landowner. Artefact removal from a scheduled monument is illegal without Scheduled Monument Consent from the Secretary of State.

To maintain a consistent approach, the North Yorkshire County Council Rural Archaeologist will act as the first point of contact, to advise staff, volunteers and the public on the management, training and education of the impact of open access on archaeological sites in North Yorkshire.

Training has been identified as one tool to help with the management of archaeological sites, as there are an increasing number of people available for working in this area as rangers, voluntary wardens and others.

Trained personnel can monitor condition and carry out management operations where approved, either for each site or for certain operations. A training programme will be drawn up by the Rural Archaeologist to achieve this.

Some groups might be encouraged to adopt a local monument and the groups formed for Local Heritage Initiative funded projects would be ideal as they already have archaeological knowledge.

## 3.3 Public Safety

### What we have done so far in North Yorkshire?

Potential hazards and risks have been identified through map research and field survey.

### What are the main conclusions that we have found?

Research has revealed deficiencies in the legislation that has highlighted potential difficulties in the management of hazards and public safety. As a result of survey work a letter was sent to DEFRA highlighting concerns about a situation at Greenhow Hill above Pateley Bridge. This area has been heavily mined over many years and as a result there are up to 500 mine shafts in a relatively localised area. A large proportion of this land has been mapped as open country and there were fears that the new access right could compromise public safety.

### What management action are we undertaking?

DEFRA have now issued guidance for Local Authorities and landowners on their responsibilities with regards to the Mines and Quarry Act. The guidance can be viewed on the DEFRA's website: [www.defra.gov.uk](http://www.defra.gov.uk). They have instructed the Countryside Agency to include payments and guidance for low impact work to manage the danger, in their Access Management Grant Scheme. This guidance will be followed and there will be liaison with other agencies to minimise any risk to public safety.

## 3.4 Disability Discrimination

### What we have done so far in North Yorkshire?

Consideration has been given to any potential legal obligations under the Disability Discrimination Act (DDA) 1995 when developing the access plan. We have worked with the relevant organisations that promote access to the countryside to identify the possible benefits from the Countryside and Rights of Way Act.

### What are the main conclusions that we have found?

The implications of the Disability Discrimination Act have been considered for appropriate areas when implementing the practical management actions on open access land.

### What management action are we undertaking?

North Yorkshire County Council has adopted a policy of widening access for all. The main implications from the work undertaken to date are the appropriate use of type and colour when designing the information boards to be inserted at the identified access points.

## 3.5 Land Management

### **What we have done so far in North Yorkshire?**

Determining the different land types through how the land is managed and for what purpose has been undertaken by map and GIS research. In addition face to face meetings have been held with landowners affected by the implementation of the new access rights. This has helped to understand their approaches to managing open country and some of the conflicts that may arise.

### **What are the main conclusions that we have found?**

The research and local knowledge highlighted that different land types will have different potential pressures. Landowners are concerned over potential with grouse breeding, nesting birds, the impact of dogs on fauna and flora and the management of shooting.

Over larger grassland areas people will disperse, however, on heather moorland activity is likely to be restricted to existing paths.

### **What management action are we undertaking?**

We will look to monitor usage of different areas of access land and implement management actions accordingly. Use of appropriate signage and volunteers has been built into the access management plan to get across the appropriate message for people using the new access areas.



## 3.6 Existing Access

### What we have done so far in North Yorkshire?

We have undertaken a full field survey looking at the existing access points to proposed areas of open country. As part of the field survey the likely behaviour of users was anticipated. Desire lines were recorded where they followed features like lakes, rivers and ridge walks over high ground. As part of this process, attractive features (attractors) and places to avoid (detractors) were also recorded.

In predicting possible demand it was noted that wherever a right of way crosses the open country there would be an access point. Other recreational use within an area like climbing, caving or paragliding will create demand for access points. In addition it was recognised that formal and informal car parking and public transport routes, close to the new access land could have management implications.

### What are the main conclusions that we have found?

Use of the existing rights of way network has been identified as the main point of entry to open access land. Secondary access points may emerge where there is informal parking or public transport points close to identified open access land.

### What management action are we undertaking?

The existing network as the main point of entry will be the focus for the relevant information and signage relating to open access. Other areas will be monitored for possible use with the appropriate management action being taken.



## 4. Consultation

### What we have done so far in North Yorkshire?

With all the information recorded from stage one and two, a consultation exercise was undertaken. This was an opportunity to refine the proposed management actions and identify any other specific issues that may need to be addressed.

Over 950 people known to the rights of way department were invited to 'drop in' to one of four workshops that were organised around North Yorkshire. These were held in Richmond, Malton, Skipton and Nidderdale with around 100 people attending in total.

A meeting of the Local Access Forum and PROW liaison group discussed the proposed approach to managing open access land. Members of the forum were happy with the approach being taken and they gave some useful local knowledge to compliment the field surveys.

### What are the main conclusions that we have found?

The wider consultation process found that there was a low level of knowledge about the implications of the Act. Rights of way staff used the events to distribute information and raise people's awareness. Overall those consulted were happy with the approach adopted by North Yorkshire but were confused over the terminology of what actually constituted access land.

Feedback from user groups has focused on areas of proposed open access land with no current access to them. Suggestions were made for the creation of new access routes and points. These recommendations are being fed into the development of the Rights of Way Improvement Plan.

Feedback from statutory agencies considers open access as beneficial to improving the awareness of historic and biodiversity features. Recommendations from these bodies focus on the need for monitoring the use of open access land around sensitive sites with the appropriate management action being implemented.

### What management action are we undertaking?

The consultation process has endorsed the practice being undertaken by North Yorkshire in developing an access management plan with the identified management actions for nature conservation, land management, archaeology, existing access and public safety being endorsed.

## 5. Managing Open Access

### What action are we undertaking?

North Yorkshire County Council and Nidderdale AONB are working together to introduce an Open Access Volunteer Service. The service will form an important part of a county wide Volunteer Service. It will be administered locally but will follow overall guidance developed by the Countryside Service's new Volunteer Co-ordinator.

The volunteer's role will be varied and to a certain extent can be tailored to suit the individual. Important roles identified at this stage include:

- *Providing information and advice to visitors.* Volunteers will have the knowledge to assist people to help them enjoy their visit and reduce potential conflict to a minimum.
- *Gathering information to assist with the on-going management of access areas.* Much venture work has been put into predicting where people will want to. Volunteers will be ideally placed to monitor and record where people actually go. The information collected will be used to refine the management measures already in place or to add new ones if necessary.
- *Monitoring specific sites that have been identified as potentially sensitive areas with relation to conservation or archaeology.* This information will be important to ensure that the new rights will not have a detrimental effect on important conservation or heritage sites.

It is anticipated that after the initial interest in the new right of access the role of the volunteers may become less critical especially in the winter months. This gives the opportunity for the volunteers to undertake other tasks such as rights of way surveys or guided walks.

The administration of the volunteers is yet to be finalised. Standard procedures will be adopted for allocation of volunteers. Additional procedures will be needed to ensure the overall safety of the volunteers. One option for administering the volunteers is to form a partnership with the Yorkshire Dales National Park and link in with their existing system.

## 6. Conclusion

The process of producing the access management plan has highlighted the need for the provision of adequate public information as the best way to manage visitors. In terms of nature conservation visitors need to be aware that dogs must be under control and / or excluded. To achieve this we are proposing the provision of access information points and the development of a volunteer service.

In order to implement the above, the following changes will be made to support the management of open access in North Yorkshire. In 2004 to 2005:

- 11 Primary Access Points will be installed
- 13 Secondary Access Points will be installed
- 1500 information leaflets will be designed and printed
- 40 Volunteers will be recruited and trained
- 1 Access Website will be developed

The total investment in open access for 2004/05 is estimated to be £44,550. Bids have been submitted to the Countryside Agency for £33,412.50 with North Yorkshire County Council providing the balance. This is illustrated in the table below:

Number	Description	Unit cost	Total	CA contribution	NYCC contribution
11	Primary access point	£2,000.00	£22,000.00	£16,500.00	£5,500.00
13	Secondary access point	£1,100.00	£14,300.00	£10,725.00	£3,575.00
40	Volunteer recruitment, training & expenses	£75.00	£3,000.00	£2,250.00	£750.00
1500	Information leaflets	£1.00	£1,500.00	£1,125.00	£375.00
1	Website developed	£3,750.00	£3,750.00	£2,812.50	£937.50
<b>Overall totals</b>			£44,550.00	£33,412.50	£11,137.50

Looking forward, the action plan to achieve the requirements for implementing open access in North Yorkshire will be as follows:

Task	Action	Due
<b>Open Access Volunteer Service</b>		
Recruit volunteer wardens	Advertise in local papers. Producing a leaflet to distribute at events throughout the summer.	31/12/01
Enrol prospective volunteers to the service.	Send out application forms.	31/12/01
Prepare job description for volunteer duties.	Gather job descriptions from existing Open Access Areas e.g. Bardon Moor to produce our own	31/12/01
Identify and organise training requirements for new recruits.	Training programme consisting roughly of: Role of the Warden, Protected Landscape Overview, Practical Navigation, CRoW 2000 and general legislation, Health & Safety, Navigation skills. Course will be accredited to enable funding from the Learning Skills Council.	09/01/05
Select suitable venue for indoor training days and seek permission for outdoor events	Book suitable venue in the Pateley Bridge area and approach landowners for practical events.	09/01/05
Prepare rotas and organise supervision at weekends	Set up systems to administer volunteers. Provide volunteers and their appointed 'buddy' with emergency contacts.	31/12/01
<b>Access Management Plan</b>		
Consult with landowners affected by CRoW 2000	Meetings with landowners to discuss implications of CRoW 2000	31/04/05
Submit bid for Countryside Agency grant money	The Access Management Plan has identified infrastructure needed to manage and inform visitors to access land.	30/11/04
Design and manufacture interpretation boards for access information points.	Use Countryside Agency's signage guidance as a basis to design basic layout for interpretation panels. Offer a tender for the design and manufacture of boards.	31/03/05
Secure agreement for the installation of interpretation boards.	Organise meetings with relevant landowners.	30/04/05
Organise and manage contracts for works on the ground to implement Access Plan	Works have to be complete by the commencement day in order to comply with the grant scheme.	Ongoing
<b>Post commencement</b>		
Use feedback from wardens and others to monitor usage habits	Design easy to use feedback forms for volunteers to use on their duties.	Ongoing
Assist the Countryside Agency and landowners in informing the public about restrictions.	Keep access information points up to date with restriction notices.	Ongoing

For 2005 to 2006 it is anticipated that:

- 4 Primary Access Points will be installed
- 20 Secondary Access Points will be installed
- 2 kissing gates will be installed
- 1500 information leaflets printed
- 8 Volunteers will be on access land, 2 days per week, for every week of the year
- the Access Website will be updated and maintained

The total investment in open access for 2005/06 is estimated to be £54,030.00. Bids have been submitted to the Countryside Agency for £35,022.50 with North Yorkshire County Council providing the balance. This is illustrated in the table below:

Number	Description	Unit cost	Total	CA contribution	NYCC contribution
4	Primary access point	£2,300.00	£9,200.00	£5,175.00	£4,025.00
20	Secondary access point	£1,100.00 ~£1,350.00	£26,400.00	£16,112.50	£10,287.50
2	Timber kissing gates	£350.00	£700.00	£437.50	£262.50
8	Volunteer access management	2days/week £15.00/day	£12,480.00	£9,360.00	£3,120.00
1500	Information leaflets	£1.00	£1,500.00	£1,125.00	£375.00
1	Website maintenance	£3,750.00	£3,750.00	£2,812.50	£937.50
<b>Overall totals</b>			<b>£54,030.00</b>	<b>£35,022.50</b>	<b>£19,007.50</b>

## APPENDIX 1

### The process for preparing an Access Plan

Planning for the new rights of access is seen as an important step to providing a systematic way of assessing the likely use of open access and identifying the appropriate management tools that could be used to address potential issues.

The five stages to preparing the plan are:

- **Stage 1 ~ Gathering existing information** ~ existing information is used to establish how a potential area of open access is currently used. By gathering existing information it will help in stage 2 when predicting the likely change in public demand following commencement of open access.
- **Stage 2 ~ Predicting public demand following commencement of the new access rights** ~ to be able to write the access plan it is necessary to gather information that helps to anticipate the level of public demand for access to areas where there is currently no right of access and likely changes in the pattern of use in areas where there is currently public access.

Consideration is also given to any potential legal obligations under the Disability discrimination Act (DDA) 1995 when developing an access plan. The implications of the DDA on Access Authorities should be considered when providing new infrastructure or information about open access.

- **Stage 3 ~ Consultation** ~ with all the initial information recorded this is an opportunity to refine and identify any other specific issues that may need to be addressed. The aim of further consultation is to:
  - Cross check information and add anything that may have been missed
  - Take into account land management issues where appropriate
  - Give confidence in the process to users and land managers and allow everyone the chance to reflect on the outcomes to date

- **Stage 4 ~ Identifying the visitor management measures required and associated costs** ~ with all the information gathered in one place it should be digitised on to a GIS to give the opportunity to:
  - Identify areas of overlap and/or potential conflict between particular interests, and where visitor management techniques will need to be considered to reduce any likely impact.
  - Develop work programmes to deliver visitor management on the ground to include leaflets and off site information, on site signage/way marking and installation of access furniture to include new access points
  
- **Stage 5 ~ Drafting and submitting the Access Plan as a bid to the Countryside Agency** ~ the bid was submitted to the Countryside Agency in November 2004.

## Useful information

North Yorkshire County Council

Tel: 01609 780780

[www.northyorks.gov.uk](http://www.northyorks.gov.uk)

Countryside Agency

Open Access Helpline

0845 100 3298

Access website

[www.countrysideaccess.gov.uk](http://www.countrysideaccess.gov.uk)

Access e-mail

[openaccess@countryside.gov.uk](mailto:openaccess@countryside.gov.uk)

Post

Open access contact centre  
PO Box 725  
Belfast  
BT1 3YL

## Key dates to note

Bird ground nesting season

March to June

Grouse shooting season

12th August to 10th December

Pheasant Shooting season

1st October to 1st February

Heather Burning Season

1st October to 15th April

Lambing

March to end of May (uplands)



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