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Peak District  
Green Lanes Alliance

## January 2014 Newsletter

### Chapel Gate – Full TRO



*Trail bikes on the badly drained summit area of Chapel Gate. The photograph does not show peat flying into the air or the noise of revving engines. Photo: January 2014*



*A different part of the badly drained summit area which has not been repaired by DCC. Photo: January 2014*

We are delighted that PDNPA members of the Audit, Resources and Performance Committee who met on 24 January 2014 unanimously decided that they wanted a full, permanent TRO on Chapel Gate, Edale. The grounds for the TRO are amenity and conservation. Members said they thought the moors around Chapel Gate were some of the most important in the National Park. The papers considered by the committee can be seen at <http://www.peakdistrict.gov.uk/about-us/committees/audit-committee/agenda-24-january-2014> (including the 118 pages of analysis of responses from the public in Appendix 11). Recreational motor vehicle users will not be able to use Chapel Gate once the TRO comes into operation.

DCC has had a temporary TRO on the route for carrying out repairs. They have not had plant there for some time and there are no signs at the start and end of the track about the TRO. Consequently all users have been using the route as normal. We had been trying to find out the status of DCC's TRO but had had no success. This lack of control by DCC is regrettable but we know now that the temporary TRO will be removed imminently. We will let you know when PDNPA announce the start date for their TRO.

Members walked the route earlier this month. If you haven't been on the route recently, here are some pictures showing its current state.



*Water erosion is still a problem on the lowest part of the route in spite of the DCC repairs in 2011 and 2013.  
Photo: January 2014*



*Many felt that planings were not a sympathetic material to use for the 2nd DCC repairs. However, they are wearing well where DCC has improved the drainage. Photo: January 2014*



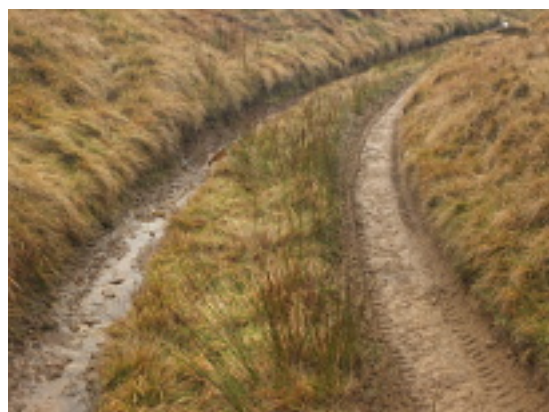
*However, planings are collecting in the culverts which will need cleaning regularly if they are to remain effective. Photo: January 2014*



*Grass is continuing to regenerate on those stretches where DCC has left the 2011 repair surface intact. Photo: January 2014*



*Tyre tracks on the side of the earthen bank. This is unnecessary. Photo: January 2014*



*2 Tyre marks on a track parallel to the main route. The moors are a SSSI site and need to be protected from such damage. Photo: January 2014*



Final pictures of Chapel Gate:



*The steps in the bed rock on the descent to the Chapel Road seem to be increasing in height. Photo: January 2014*



*Many users find this section difficult. The TRO should help to reduce the rate of damage to this part of the route. Photo: January 2014*

### **The Roych – Full TRO**



*Tranquillity is important to many users. The TRO will mean that this beautiful route will be spared the noise of trail bikes. Photo: December 2013*

You may remember that PDNPA decided to implement a full TRO on The Roych in July 2013. DCC then closed part of the track for repairs in October and November 2013 using a temporary TRO. PDNPA are not allowed to place a TRO on a route which is subject to a TRO imposed by the Highway Authority so the PDNPA TRO was withdrawn. PDNPA decided that they should review their July decision after the repairs around Roych Clough were completed.

The matter was debated at the meeting of the Audit, Resources and Performance Committee on 24 January 2014. They decided, with one

abstention, that they still believed that a full TRO was necessary. We are very pleased with this decision. You can see the papers prepared for this committee meeting at <http://www.peakdistrict.gov.uk/about-us/committees/audit-committee/agenda-24-january-2014> Recreational motor vehicle users will no longer be able to use this route once the TRO comes into operation.

## Change to Friends of the Peak District's Policy On Off-roading by Motorised Vehicle Users

Anne Robinson of Friends of the Peak District has written about their change of policy for this newsletter.

“Friends of the Peak District launched its ‘Take Back the Tracks’ campaign three years ago when an increase in 4x4s, trail bike and quad bike activity was endangering vulnerable Peak District landscapes including Rushup Edge and Stanage. At that time, the Friends’ policy was to promote better management through consensus rather than apply restrictions to routes which had legal rights for recreational motor vehicle users. Only on the most environmentally sensitive routes did we campaign for closure. However, due to escalating damage on an increasing number of routes, it became clear that current legislation is ineffective to control the situation. Consequently, we have now changed our policy to campaign for a change in the law to make all off-roading by recreational motor vehicle users in the National Park illegal.



*Long Causeway. Photo: April 2013*

Despite welcome changes in rights of way law within the CROW Act (2000) and NERC Act (2006), off-road vehicles continue to use routes (both legally and illegally) which, due to their location and condition, cannot sustain such use. The adverse physical condition of some routes can make them impassable to walkers, horse riders and cyclists. If they can still pass, their enjoyment is marred by noise and conflicts between them and

off-roaders. There can also be serious impacts on wildlife, soil erosion and land management, particularly where irresponsible off-roaders drive off tracks and onto open moorland.



*Minninglow Lane, Ballidon. Photo: January 2014*

Tools for addressing these impacts range from repairing and maintaining damaged routes to applying Traffic Regulation Orders (TROs) that limit vehicle use to a more acceptable level or ban their use completely. Within the National Park, PDNPA can instigate TROs on the grounds of improving amenity and/or protecting the environment. However in the six years

that PDNPA has been able to apply TROs, only three have been pursued to near completion. Recently, Highway Authorities have chosen to repair routes rather than implement TROs. Instead the duty to secure the expeditious, convenient and safe movement of vehicular and other traffic has prevailed and the route is repaired. Both the bureaucratic procedures for TROs and recurrent maintenance are resource hungry and costly, and to date have not addressed inappropriate use of sensitive routes. As the damaging impacts of vehicle use and conflict between users are escalating we now believe that in the National Park all unsealed rights of way (Byways Open to All Traffic and Unclassified County Roads) should become Restricted Byways and lose their rights of way for recreational motor vehicle users. When an opportunity arises the Friends will seek to change the law, as it applies within the National Park, such that all off-road recreational motor vehicle use is made illegal.

Until the law changes as it applies to the National Park, and outside the National Park in High Peak and in South Yorkshire, our policy remains one of addressing the most sensitive routes and preserving the majority of routes for 'quiet enjoyment' by foot, horse or bike, depending on the status of the right of way."

### **Prosecution by Natural England**

Natural England recently prosecuted Christopher Wright and Jordan Frost in High Peak Magistrates Court for recklessly damaging the Leek Moors SSSI site. In December 2012, their Land Rovers became bogged down while off-roading on open moorland. They created ruts 1 metre deep and 200 metres long on the moors which have caused significant, long lasting damage. The two men paid a total of £340 in fines and £1100 in costs.

For more information, see the Natural England press release at [http://www.naturalengland.org.uk/about\\_us/news/2014/150114.aspx](http://www.naturalengland.org.uk/about_us/news/2014/150114.aspx)

If you see recreational motor vehicles driving on open moorland, please report it to the Police using the non emergency 101 number.