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Peak District  
Green Lanes Alliance

## April 2014 Newsletter

### Route of the month – Sough Lane, Taddington, Derbyshire

Sough Lane is currently an ORPA (Other Route with Public Access) going from the A6 west of Taddington, southwards to a minor road known as Moor Lane.



*Photos: Ruts across the whole of the width of the route. March 2014*

Derbyshire County Council is investigating its status via a DMMO (Definitive Map Modification Order). Unfortunately, because a small section of the route was a Public Carriage Road in a 1793 Enclosure Award, when the consultation process is completed it will be a BOAT. This is yet another example of how the law does not consider suitability of use by modern motor vehicles when making BOATs; only the historical evidence of Enclosure Awards which were written for a different purpose in a different age.



*Some recreational motor vehicle users are using the verges even when the route condition is satisfactory.*



*The stony, steep descent towards the A6. Photo: March 2014*

The route is also on PDNPA's Priority list. The action proposed as part of the 2014/2015 Action Plan is annual vehicle logging, biannual inspections and installing advisory signage and requesting Derbyshire County Council to schedule repairs

We've highlighted this route, to show how some recreational motor vehicle users are not interested in just driving the route, but use the access provided by the route to play on verges and open land beside the route. Part of the charm of such routes is that they go across open fields. Fencing would spoil the landscape but we have sympathy with farmers who feel they have to put up fences to protect their land from such illegal use. All the following photographs were taken in March 2014.



*Cutting across a very large corner. The official track presents no problems for vehicles.*



*Yet another corner being cut off.*



*Signs of 4 x 4s "exploring" an old mining waste heap.*



*The trail bike on the left is on Sough Lane. Signs of recreational motor vehicles riding on mining waste heaps.*

### **Progress on the Deregulation Bill**

To ordinary people progress seems slow as we try to sort out an amendment to the Bill that is acceptable to the Parliamentary draughtsmen. Any amendment has to be within the spirit of the bill which is to remove “red tape”. Our original amendment was deemed “out of scope” because it would have created new rights ie the creation of restricted byway rights on unsealed unclassified county roads. The fact that it would have reduced the work of determining historic rights seems not to count.



*Gorbeck Road, Yorkshire Dales National Park, before the first TRO was overturned by the courts.*



*Gorbeck Road, two months after the first TRO was overturned. There is now a full TRO on the route.*

We have no problems with the government accepted amendments which are concerned with simplifying the process for making Definitive Map Modification Orders. (DMMOs) that are used to create footpaths, bridleways, restricted byways and BOATs or to alter the status of such a route.) However, our belief is that this is tinkering with the problem and that a fundamental change in the law is required. The Government appreciates that green spaces in towns and cities are conducive to public well being. Most walkers, horse riders and cyclists go to the countryside to escape cars and all the other trappings of towns and cities once they have parked their car and started their chosen activity. Allowing recreational motor vehicles on “green lanes” is extending urbanisation into the countryside and destroying the peace and tranquillity that most users seek.

The Government has proposed asking a new Stakeholder Working Group (SWG) to consider the use of recreational motor vehicles on unsealed routes. The SWG would be made up of all interests including recreational motor vehicle users, landowners, ramblers, horse riders etc. We are not enthusiastic about this option, which is not what we understand by the “public consultation” promised by the Government in its response to the report of the bill's Scrutiny Committee. We feel a new SWG will never achieve consensus on such a divisive issue (although a majority view might emerge). Further consultation will also mean additional delay in getting the law changed. The SWG that reported on the accepted recommendations probably made its original proposals on changes to Rights of Way law in 2010. It is only in 2014 that these are being implemented.



We are extremely grateful for the very generous donations some of our members have made towards publicity for changes to the Bill. We are deferring major expenditure until we know exactly what amendment might be acceptable to Parliament and hence have a clear message to put to the media. However, there is no doubt that publicity will be needed in the future to push for a radical change in the law.

A number of groups are involved with us in campaigning for this change. We thought we'd tell you about just three of those involved.

GLPG (Green Lanes Protection Group) is co-ordinating the campaign. It is an informal group of 21 organisations opposed to off-roading. PDGLA is, of course, one of its members and find them a source of wisdom on the legal complexities of Rights of Way law. You can find a complete list of its members at <http://www.gleam-uk.org/explanation-of-terms/>

GLEAM – the Green Lanes Environmental Action Movement – a national organisation that represents individuals and groups opposed to the use of “green lanes” - is also involved. PDGLA also belong to this group. You can find out more about them from their website at <http://www.gleam-uk.org/>



*Picture provided by YDGLA showing motor bikes in Dentdale. Photo: Taken before 2008*

Our sister organisation in the Yorkshire Dales, the Yorkshire Dales Green Lanes Alliance is actively involved in the campaign nationally and in their National Park. You can see their website at <http://www.yd gla.co.uk/index.html>

### **Pictures wanted**



*Mastiles Lane, Yorkshire Dales National Park before the TRO was placed on the route in 2008.*

We're planning ahead for our campaign to get the law changed. We need to be able to give MPs and Members of the House of Lords pictures of routes affected by recreational motor vehicle use. In particular we're looking for photographs of unsealed, unsurfaced ORPAs (Other Routes with Public Access - shown as routes with round green dots on the 1:25000 OS map - and also known as UCRs (unclassified county roads) or NCHs (non classified

highways)). We have pictures of such routes in the Peak District and in the Yorkshire Dales. However we could make our case stronger if we had photos of such routes in other National Parks and throughout England generally. The routes may be undamaged (what we are trying to protect) or damaged (why legislative change is necessary). If you have such photos, please send them to us by email giving the name of the route, where it is in England, the date the photo was taken and any additional information you think might be useful.

In this newsletter, we've used some of the pictures provided by YDGLA for the publicity campaign. We plan to show these and other pictures from YDGLA and from elsewhere in the country at our AGM. We will be including pictures from other parts of the country in future newsletters.

### **Recent Meeting With Derbyshire Police**

Early this month our chair and secretary met with Hardyal Dhindsa (Deputy Police & Crime Commissioner) and Inspector Goodman (Traffic Police) to discuss tackling illegal off-roading. Like other public sector bodies the police are suffering from large budget cuts, which limit their scope for action. However a number of useful points emerged and we were encouraged by the response we received.



*Trail bikes on the moors by Chapel Gate in January 2014. Unfortunately the vehicle that the bikes were unloaded from was not registered with DVLA.*

Police priorities are determined by the statistics they collect so it is crucially important to report any illegal off-roading incidents you see to the non-emergency number 101. Off-roading offences are not identified explicitly but form part of "anti-social behaviour". If the number of the latter was sufficiently large, then there would be further manual analysis identifying specific causes. Once a problem is identified as a priority, then all officers are focussed on countering it.

The response to a particular incident will depend on resources available at the time, so do not expect immediate flashing blue lights and helicopters. But

you should eventually receive feedback from the relevant Safer Neighbourhood Team on how the incident was dealt with. If you think the response was inadequate but the officer you are dealing with feels unable to take further action you should report this via the following link:-

<http://www.derbyshire.police.uk/Contact-Us/Give-Us-Feedback/Dissatisfied-Form.aspx>

If you are seriously concerned about the behaviour of any officer, feeling, for example, that he/she has not:-

- Acted with honesty and integrity, fairness and impartiality
- Treated members of the public and their colleagues with respect
- Abused their powers and authority
- Acted in a manner that discredits or undermines public confidence in the police service

You should escalate the matter to the Professional Standards Department at:-

[PSDA@derbyshire.pnn.police.uk](mailto:PSDA@derbyshire.pnn.police.uk).

Inspector Goodman suggested the most effective response the police can give is to have planned, targetted operations and exemplary prosecutions of offenders. We agree wholeheartedly. The geographical area of most concern to us is the responsibility of B Division, which covers the High Peak and Derbyshire Dales. Mr Dhindsa promised to arrange a meeting for us with the B Division Commander to discuss in more detail what is being done and could be done. He also promised to investigate our concerns that other forces (such as Merseyside and Yorkshire Dales police) are doing more to combat illegal off-roading.