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Peak District
Green Lanes Alliance

April 2015 Newsletter

Bogus Signs on Rights of Way



Bogus signs, printed to look like official DCC signs, have started to appear in the Peak District.

Here is a picture of one that appeared on a route known as Morton's Field near Eyam in March. The Planning Inspectorate recently decided that the path [which goes from New Road to the junction with Eyam BOAT 34 (also known as Riley Lane) and Grindleford Restricted Byway 32] should be a footpath. And as such it should no longer be used by any recreational motor vehicle users. (This path is now formally known as Eyam FP 28.) This decision has not been popular with off-roaders as it makes Eyam BOAT 34 a cul de sac route.

The notice, which superficially looks like an official notice from DCC, appeared on the route at the end of March 2015. DCC removed the sign when it was reported to them. The text is not to easy to

read in this small photo, but it says that motor cycles, scooters and quad bikes are still able to use the route. The notice was stuck over the official notice which stated that it was an offence for motor vehicles to use the route. The legal position is unaffected by the bogus sign and offenders are still liable to prosecution if they use the route. In addition we believe posting an unauthorised or misleading sign is itself an offence under Section 132 of the Highways Act 1980 and obliterating an official sign an offence under Section 131 of the same Act.



An illegal sign was again seen on the same route on 21 April and a similar sign has appeared on Abney Restricted Byway 5. All of these spurious signs have been reported to DCC.

Photograph: Bogus sign on the Morton's Field footpath. April 2015

If you see any problems on Derbyshire rights of way when you are out and about, please let the Rights of Way team at DCC know. Their email address is eteprow@derbyshire.gov.uk They ask that in your email:

- you tell them your full name, address, postcode and the best way to contact you
- you give as much detail as possible such as location (with grid references if possible), date, time and nature of problem.
- It would be helpful if you could send them a photograph. If you do, make sure that your attachments overall do not exceed 5MB in size.

Deregulation Act 2015 gets Royal Assent

The Rights of Way provisions in the Deregulation Act received Royal Assent on 26 March 2015. The provisions should make it simpler to make changes to the Definitive Map. However, additional Regulations and guidance will be needed before these come into effect. You can see the official DEFRA press release at: <https://uk-mg42.mail.yahoo.com/neo/launch?.partner=bt-1&.rand=2gu4s9a0dpm9g#mail>

The proposal, supported by PDGLA, that all unsealed and unclassified roads should become Restricted Byways was not adopted by legislators. We made our proposal because it was an opportunity to bring the problem of off-roading to the Government's attention. But we feared that our amendment might not be successful as it was the type of issue that government feels obliged to consult on. However, the positive outcome is that the current Government has proposed setting up a new Stakeholder Working Group to look at this problem.

Gorsey Bank Road and Pratt Hall Lane, Wirksworth is a Restricted Byway – not a BOAT

Although not within the Peak District, members may be interested in a recent Planning Inspectorate decision in Wirksworth. PDGLA was not involved with this route. An application was made for the route shown as a “white road” on the OS Map from SK294534 to SK294523 to be made a BOAT. The historical evidence of the Enclosure Award supported BOAT status. However 15 local residents

objected to DCC's 2005 decision of BOAT status. Because of the complexities of the NERC Act, since the the route was not recorded on the List of Streets and the objections delayed a final decision until after 2006, the route can no longer be made a BOAT. Instead it has been made a Restricted Byway meaning it can only be used by walkers, horse riders, cyclists and carriage drivers.