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Peak District
Green Lanes Alliance

Ranger Assaulted

A Peak Park Ranger who saw motor vehicles driving illegally on Long Causeway in breach of the TRO was assaulted by one of the drivers. He was able to make a note of the registration number and reported the incident to the Police. He was assisted by local runners who had confronted the vehicles before the assault and a mountain biker who had also taken photos on her mobile phone. We are pleased to report that he was not badly hurt.

PDNPA starts the TRO process on Washgate

PDNPA has started the consultation process for a possible Traffic Regulation Order (TRO) on Washgate, Hartington Upper Quarter and Hollinsclough parishes. Washgate is an old packhorse route that crosses the River Dove by a beautiful grade II listed bridge. It crosses the Derbyshire/Staffordshire border south of Buxton.



The packhorse bridge: January 2015

It was originally surfaced with stone cobbles or setts down the steep descents to the river on both sides. Recreational motor vehicle use has destroyed this surface. Subsequent erosion has caused further serious damage. The setting is being restored by volunteers on the Derbyshire side but will inevitably suffer the same fate if vehicle use continues. Washgate is also narrow in places so there is potential conflict between vehicles and non-vehicle users. Horse riders used to

use the route regularly but use has declined because of surface problems and the potential danger of meeting vehicles on the route.

The first stage of the consultation process is to write to a number of organisations asking them to describe how they think the route should be managed. The questions PDNPA ask are very open ended and give no clue about what type of response is needed. Some of the organisations that are consulted (such as the County Council, Parish Councils and Ramblers Association) are specified in legislation. Others such as PDGLA, Peak Horsepower and the Peak and Derbyshire Vehicles Users Group are groups that PDNPA has identified as

having an interest in the matter. You can see the full list of consultees at <http://www.peakdistrict.gov.uk/looking-after/vehicles/current-tro>



The Staffordshire descent to the River Dove. The remnants of the setts are on the left and the eroded "steps" on the right: January 2015.



The Derbyshire descent to the River Dove, The setts have been repaired by the Peak Park Consultation volunteers: January 2015

We are working on our reply and will look to find as many arguments as possible in favour of a full TRO applying to all recreational motor vehicle users.

PDNPA will **not** consider responses from individuals or organisations who are not on the list of consultees until later in the consultation process. So please do not write to them at the moment unless you have been approached by them.



If you are unfamiliar with Washgate and want to visit it, the route starts at Booth Farm and goes to Tenterhill (SK 058680 to 047672).

Photograph: The view from Staffordshire across to the Derbyshire hills from Washgate. March 2014

You can read the PDNPA Route Summary for the route at http://www.peakdistrict.gov.uk/_data/assets/pdf_file/0009/579474/RS1506-Washgate.pdf

How PDNPA goes about a TRO

The process for a National Park making a TRO is laid down in law and described in DEFRA Guidance. If PDNPA fails to follow this process, they would leave themselves open to an expensive legal challenge.

PDNPA has published documentation on how and when it might make TROs
http://www.peakdistrict.gov.uk/_data/assets/pdf_file/0011/227738/vehicles-procedure-Feb-2012.pdf

and

http://www.peakdistrict.gov.uk/_data/assets/pdf_file/0003/227739/vehicle-strategy-Feb-2012.pdf

DEFRA has a helpful flow chart of the whole process on page 15 of

<http://webarchive.nationalarchives.gov.uk/20130123162956/http://www.defra.gov.uk/rural/documents/countryside/crow/npguid-tro.pdf>

The first stage is the Regulation 4 consultation which PDNPA is currently undertaking. (See the previous article for details of this stage of the process.)

PDNPA has said that a report will be prepared by officers and presented to the Members of the Audit, Resources and Performance (ARP) Committee meeting in September. Before the Members debate the report there is an opportunity for members of the public to address the meeting (with a maximum time for individual speeches of 3 minutes.) The Members then debate the report and in the past have passed a resolution detailing what type of TRO (if any) they wish the officers to go out to public consultation on.

If the decision is to go for a specific TRO, the officers then prepare a paper to accompany the public consultation. This public consultation will be announced in local newspapers and on PDNPA's website and by notices on the route itself. We will let you know when the Washgate public consultation (also known as the Regulation 5 consultation) starts. Any member of the public and any organisation can respond. The consultation period is quite short although PDNPA have in the past allowed longer than the statutory minimum.

The officers have then to consider all the responses. This has taken a long time previously because of the high volume of responses received – running into the thousands. A second report for the Members of the ARP committee is prepared which has to take note of all the arguments raised for and against the proposed TRO. In the past, PDNPA officers have not told Members which option they favour but have left Members to make up their own minds. If Members decided to pursue a different type of TRO, the process would have to start again.

Assuming that PDNPA decides to proceed with a TRO, they have to let objectors know their reasons and formally publish notice of their intention to make the order. Only after all these stages can a TRO come into operation.

Note: This is a simple “Noddy guide” to the process and is not authoritative.

Derbyshire Police Off-roading Enforcement on 6 June 2015

Derbyshire Police had one of their periodic off-roading enforcement days on 6 June. They visited Long Causeway, Leys Lane (Great Longstone) and Riley Lane (Eyam and Grindleford). Long Causeway and Leys Lane both have TROs prohibiting their use by recreational motor vehicle users (RMVUs). Riley Lane is a cul de sac BOAT continuing as a footpath and restricted byway. Illegal use of the footpath section by RMVUs still continues in spite of official notices at either end.

The Police “ticketed one driver”.

You can read more about this at <http://www.derbyshire.police.uk/My-Local-Police/BDivision/BSouthSection/BakewellSheldonOverHaddonandAshford/News/2015/11-June-Officers-work-to-tackle-nuisance-off-road-bikes-and-vehicles-in-the-Derbyshire-Dales.aspx>

The May 2015 PDNPA “Green Lanes Newsletter” reports that 2 motorcyclists illegally using Chapelgate (which has a TRO on it) were issued with Section 59 notices recently. It's not easy to explain Section 59 notices simply but <http://www.newsnorthwales.co.uk/news/148357/bikers-warned-by-police.aspx> gives an example of where they have been used in Chirk and the ramifications of such a notice to the vehicle owner.

If you do see illegal use of any route with a TRO on it, or any use of a footpath, bridleway, restricted byway or open moorland by recreational motor vehicle users, please report it to the Police on the 101 number. This information, in conjunction with PDNPA vehicle logging data, is used to determine on which routes such exercises will be targeted in future.

Horse riders and Long Causeway



Riders are back on Long Causeway! The TRO excluding motor vehicles from the route, plus DCC repairs, have made it safe on horseback for the first time in many years. The photo shows members of Peak Horsepower on a celebration ride on the Causeway during the British Horse Society's annual Access Week.