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Peak District
Green Lanes Alliance

August 2015 Newsletter

Damage at Hollinsclough Rakes

This is a copy of a message from Staffordshire Police that was posted on an off roader website:

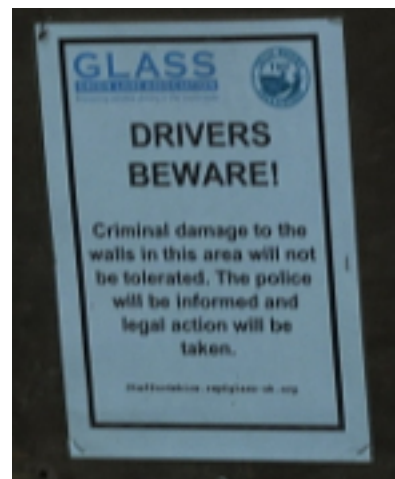
“There appears to have been some significant damage caused to roadside drystone walls, around 1500 hrs 28th June 2015. Police have been made aware and the matter recorded as criminal damage. This has occurred in The Rakes area of Hollinsclough.

It seems the occupants of 4x4 vehicles have removed a significant quantity of roadside dry stone walling to place in the road surface to allow them drive over. The removed walling has not been replaced or made good.

As you can appreciate the situation outlined above is unacceptable. If any vehicle user wishes to discuss the above with me or has any information as to who is responsible, they can do so on this email address.

Paul.Bolam@staffordshire.pnn.police.uk”

Off roading organisations are concerned about this damage and are encouraging their members to report the miscreants. (In spite of this, a few respondents on the off-roaders' website seem to be justify the damage to walls on the basis that some local residents are hostile to them.) GLASS (an organisation representing recreational motor vehicle users) has put up signs at the start of Limer Rake.



It is worrying that the route has got to such a state that even off roading organisations are advising members to consider whether they have the vehicle or skills to cope with the route.



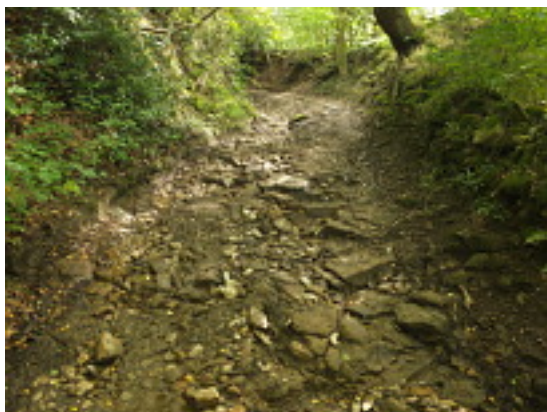
The steps on Limer Rake. Photograph July 2015



Foundations of walls being undermined. Photograph July 2015

The route is continuing to deteriorate and walls are becoming more and more undermined and hence potentially dangerous to all users. The depth and width of the rut in the section of Swan Rake below the junction with Limer Rake has increased. We expressed our concern to the PDNPA ARP committee (which deals with off-roading matters) that Swan Rake and Limer Rake were not included in its 2015-2016 Action Plan. This new incident, where walls are being damaged to make passage easier for recreational motor vehicles, only strengthens our argument that Traffic Regulation Orders (TROs) are needed urgently on the Hollinsclough Rakes.

Hurst Clough Lane a BOAT



Photograph: August 2013

A Planning Inspector, after considering the evidence and objections by written representations (which means that there was no public inquiry), has decided that Hurst Clough Lane in the Parishes of Outseats and Bamford should be a BOAT. PDGLA did not submit an objection because there was clear historic evidence of vehicle rights which would have made a BOAT decision inevitable under current legislation.

Paragraph 2 from the Inspector's report was interesting and is included below:

“Eight objections were made to the Order, of which 2 were subsequently withdrawn. However, none of those remaining address issues I am able to consider under the Wildlife and Countryside Act 1981 (‘the 1981 Act’) by which the Order has been made. I

appreciate that the concerns of the objectors about suitability, safety, speed, noise, damage to the environment and the impact on local residents are sincerely held and are important to them. However, my decision must be based on the evidence as to whether or not a byway subsists as claimed.”

The full report can be found at

http://www.planningportal.gov.uk/uploads/pins/row/documents/fps_u1050_7_93_od.pdf

PDNPA members of the ARP committee heard representations from local people about the problems they experienced from recreational motor vehicle use earlier this year. They agreed to reconsider the route in the Autumn of 2015. We hope that now the status of the route has been resolved, they will seriously consider the need for a TRO on this route and include it in their work programme.

DCC Survey on Managing the Public Rights of Way

DCC are undertaking a survey with a view to making changes to its management of the Public Rights of Way (PRoW) network. The survey covers safety/obstructions/surveys/maintenance to rights of way and proposes longer time scales before action is taken. It ignores issues which we would regard as important to the working of the RoW department but there are a limited number of “free form” questions which will allow you to suggest other priorities. The department has largely avoided the manpower cuts many other councils have had to make. We feel they should explore whether with re-organisation and management changes, current service targets could be retained with fewer staff.

This link takes you to the consultation page for the Public Rights of Way Review consultation www.derbyshire.gov.uk/rowreview

The deadline for completion is 20 September 2015 and they would welcome your feedback.

For a paper copy of this consultation please email: eteprow@derbyshire.gov.uk or telephone: 01629 533301.

Our view is that if DCC were to use Traffic Regulation Orders (TROs) to prevent further damage to routes, they would make savings on the cost of repairs they are otherwise faced with. In spite of repeated lobbying, we have been unable to get DCC to address the problems and distress caused to other users and communities by unregulated use of green lanes by vehicles.

Off-piste damage continues on Houndkirk Road

Recreational motor vehicle users who are determined to drive off the track and onto the surrounding moorlands have been a problem on Houndkirk Road, Sheffield for many years. Posts on the internet going back to late 2008 refer to damage to the moors by drivers going off the track on the adjacent fragile moorland. Walking along the route reveals many areas where Sheffield City Council (SCC) has had to place large boulders to stop this off-piste activity. An extensive area has been fenced off on the north west side of the track because it

was being used as an off roading circuit. The moors are protected as a SSSI site and it is an offence to damage them.

Houndkirk Road is a disused turnpike road going from the A6187 across Houndkirk Moor to a minor road at Ringinglow. It is now a BOAT and can be legally used by 4 x4s and motor bikes.



Off piste damage in May 2014

The picture above shows the damage caused by drivers going off the track in a section of the route just north of Parson House Outdoor Pursuit Centre in May 2014. The track there was in perfectly good condition and there was no reason to divert from it. Unfortunately, our member who photographed it did not report that damage to SCC or PDNPA thinking mistakenly that they must know about it. Another member reported damage in the same area in December 2014 and was told that SCC had only recently learnt of it.

Unfortunately some things don't improve; they only get worse. The picture below shows the same area in August 2015. Again the official track was in good condition.



The same area in August 2015. Visible damage has increased

SCC have said that boulders will be placed to stop access to this area soon. Because this area is part of the Eastern Moors SSSI, Natural England has to agree to any work and work can only be carried out when it won't disturb nesting birds.

Part of the moral of this, is that if you see damage, don't assume that someone else has reported it. Rights of Way officers and Rangers do not patrol every area regularly and may not be aware of damage. So do report damage by email to both PDNPA and the relevant Local Authority Rights of Way Officers.

The Police have limited resources and can't patrol such a remote area continuously. You can help by contacting the Police on the non emergency 101 number if you see anyone driving off the track and on open moorland. If you can get their registration numbers without putting your self at risk, please do so.

We believe that a change in the law is necessary to protect the countryside from such vandalism by irresponsible recreational motor vehicle users.

Opportunity to save green lanes in Wales

Rights of way legislation is devolved in Wales. Therefore the kind of new legislation which PDGLA and other groups have been proposing to the UK Government for England (to stop recreational motor vehicles using unsealed

unclassified roads by making them restricted byways and to make it easier to get traffic regulation orders on BOATs) has to be agreed by the National Assembly for Wales, if it is to become law in Wales.

The problems caused by offroading in Wales were raised with and by Assembly Members (AMs) during the first three months of 2015, at a meeting of the Rural Affairs cross-party group. This was done by a question to the Minister for Natural Resources from Antoinette Sandbach AM, and in a debate introduced by Aled Roberts AM. This interest from Assembly Members has led the Welsh Government to include a question about offroading in its Green Paper on access to the outdoors for responsible recreation. The question is “*How could legislation better strike a balance between the various demands of motorised users, landowners and the natural environment?*” (The demands of non-motorised users are not specified in this question, despite the problems offroading causes for other users being described in the Assembly debate.)

If you have been affected by offroader use of green lanes in Wales, please respond to this question (No. 9 in the consultation response form) by 2 October 2015. The Green Paper and the response form can be found at <http://gov.wales/consultations/environmentandcountryside/improving-opportunities-to-access-the-outdoors/?lang=en>. If you have friends or relatives who live in Wales, please encourage them to respond to the consultation. You and they may also be interested in other questions in the Green Paper, which relate mainly to improving non-motorised access for recreation and simplifying rights of way legislation.