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Peak District
Green Lanes Alliance

Saving our green lanes from off-road vehicles

PDNPA agrees Washgate TRO but exempts two motor vehicle trials

A quick reminder of where Washgate is and what the issues are. Washgate is an ORPA running from Booth Farm in Derbyshire (SK 058680) to Tenterhill in Staffordshire (SK0486773). It crosses the River Dove by a packhorse bridge and is a beautiful route for non vehicle users. In September 2016 PDNPA deferred making a decision on its proposed Traffic Regulation Order (TRO). They decided to go out to a further public consultation in order to consider an exemption for one or more than one named historic motorcycle trial. Authority Members felt these trials were part of the cultural heritage of the Peak District.



There has been erosion on the Derbyshire side this winter making the condition of the route worse. March 2017



The setts on the Derbyshire side, which have been lovingly repaired by PDNPA volunteers and the farmer, will soon be protected from vehicle damage on 363 days of the year. March 2017

The Audit, Performance and Resources Committee of PDNPA debated the proposed TRO again at their meeting on 3 March 2017 and decided to exempt from the TRO two trials which have used Washgate for many years; the Bemrose and Reliance Cup Trials. Should you wish to look at the committee papers provided for Members they are at <https://democracy.peakdistrict.gov.uk/ieListDocuments.aspx?CId=133&MId=1570&Ver=4>

You can also hear an audio recording of the meeting by clicking from the above link to 'Listen to live and archived audio webcasts'. You will see this near the top of the

page. You then need to go to 'Audit Resources and Performance Committee 3 March 2017' and the Washgate agenda item.

There were speakers from the public against any trials; a speaker from the Manchester 17 Motor Cycling Club opposing any TRO; a speaker representing the Reliance Cup Trial; and a speaker from the Autocycle Union suggesting an exemption for the two regular users and one other trial every year.

The Members decided to allow a specific exemption for only the Bemrose and Reliance Cup Trials. Recreational motor vehicles will be banned from Washgate at all other times.



The idyllic River Dove and packhorse bridge. March 2017

We were disappointed that the consultation responses and the committee papers provided no further information about what exactly the Trials did on Washgate or the impact of the trials on the river ecology. We thought that members ought to have had that information before coming to a decision.

We know from other sources that in the past, both trials have used the river for a tested section. PDNPA has no legal power to prevent the exempted vehicle trials from using the river for a tested section. This is because the river (other than the ford) is

not part of the highway. PDNPA may ask the organisers of the trials not to use the river; but only the riparian landowner has the legal power to prevent them from using it. We had hoped that concerns for the river and its ecology would lead PDNPA to reject the idea of exemptions for vehicle trials.

One member of the ARP Committee who was concerned about disturbance to the river was informed by officers that any impact on the river and its ecology, including any impacts on native white clawed crayfish, bullheads and salmon, would be a matter for legal action and enforcement by other agencies under other legislation (we assume they mean the Environment Agency). For example, it is an offence to knowingly disturb native crayfish as they are a protected species under the Wildlife and Countryside Act. Natural England has reported the species downstream of Washgate (see <http://publications.naturalengland.org.uk/publication/5673057362378752>).

The answer to the majority of questions asked of Officers by Members (such as whether it was possible to restrict numbers to less than the legal maximum of 180) was that it would depend on negotiation with the trials' organisers.

Members did say that it was a difficult decision to make and it would involve compromises. We only hope that allowing up to 300 motor cycles to use the route per year will not adversely affect the surface and will not hinder the natural recovery of the route.



The worst step on the Staffordshire side. The OS map is to provide a scale. March 2017

We wished that the decision had been made with a better knowledge of the impact of the trials on the river ecology and with more information available about whether the native crayfish were a concern or not. We would have preferred that PDNPA did not allow the trials.

However, we are pleased that no other recreational motor vehicle users will be allowed to use the route once the TRO is in force.

Report on the Bemrose Trial on Washgate on 12 March 2017

This trial took place before the PDNPA TRO came into effect (and we don't know when that will be). Two of our members went to observe on Washgate.

The Bemrose Trial is organised by the North Derbyshire Youth Motor Cycle Club and takes place under ACU Rules (as required by Parliamentary legislation).



Riders crossing the River Dove at the ford. March 2017

In recent years there has been a tested section in the River Dove near the packhorse bridge. There was no tested section this year in the river. We don't know the exact reason for this change. There are many uncertainties about the river section (including the possible harmful effects on native crayfish in the river which have been found recolonising the River Dove downstream after being nearly wiped out by plague in earlier times and on salmon found spawning in the River Dove). We understand that neither trial has asked the riparian landowner on the Derbyshire

side for permission to use the river for a tested section. It may have been felt best by all not to have a river section for this trial this year until these issues were resolved. PDNPA felt that all competitors going across the ford was better than a river section. We are not sure about that argument if contamination or transmission of invasive species eggs affecting the native crayfish is a significant issue.

We were told the river stage of the Bemrose Trial previously involved riding under the bridge upstream for about 20-30 metres and looping round on the Derbyshire bank for a short distance then re-entering the river to come back the same way.

This year there were 159 entries on 12 March, and about 140 finished the course. (An increase of about 20% on the average for the past 5 years) The draft PDNPA

conditions allow for up to 180 competitors. We wonder whether more riders will enter the Bemrose Trial in future as it will be one of the few legal ways of riding Washgate. (The Reliance Cup Trial – for older motor bikes- has stated that entries will be limited to 120 maximum)

The Trial occupied Washgate for about two and three quarter hours (11:50-14:35).

The behaviour of competitors was generally very considerate and our members were thanked a lot for standing to one side so as not to impede riders. Others checked with them that they were ready for drivers to come through. Speeds were generally low although possibly 10-15% showed an inclination to go faster if they thought they were not observed. This was most noticeable coming down to the river from the Derbyshire side; through the river; and up the “steps” on the Staffordshire side. A small number (<5%?) went faster than necessary whether they were observed or not. One of our members felt one rider went closer to her and faster near her than he should have.

This is our judgement as to the likelihood of contention with other users who may be on the route during the permitted trials based on what we saw:-

Walkers/cyclists: There should be minimal contention with some common sense on both sides as the non-agile are unlikely to use Washgate. It was generally necessary to climb onto verges and banks to keep out of the way of competitors. Our members did more of that on the Staffordshire side – but that probably reflected that they walked that part of the route when more riders were coming through.

The pictures below show where there could have been contention if there wasn't goodwill on the part of both walkers and motor cyclists. Generally it was possible to hear bikes from a distance and chose a sensible waiting spot on the banks/verge. As motor cyclists often came in groups, there were times when it was possible to walk for some distance without needing to get out of the way.



A bend on the Derbyshire side where there could have been contention without goodwill on both sides. March 2017



One of the muddy patches on the Staffordshire side where there could have been problems – but weren't. March 2017

Horse riders would be advised to keep away as there was seldom anywhere suitable for them to get out of the way.

Effect on the Surface

Derbyshire downhill section: there was no noticeable effect – but our members walked it when few motor cyclists had come through.



Riding very close to the edge of the path to avoid loose stones and the steps. March 2017

Staffordshire “steps” : more effect than expected. Some stones and soil were dislodged. There was a tendency to ride on the edges to avoid loose stones and minor steps. You could see stones rocking at times when motor cycles went over them.

PDGLA is concerned about the possible effect of having a section on the steps in the Reliance Trial in June. (We know this trial has a section on the Staffordshire side but the information submitted to the consultation did not give details of what this section involved.) Many drivers put a foot down to steady themselves on the

more tricky bits. This would have incurred penalty points if the steps were part of a trial section. We suspect that competitors would rev and accelerate more aggressively and use “wheelies” to get up the steps to avoid penalty points. This could lead to more damage than seen during the Bemrose Trial which does not have a tested section on the steps. Also motor cyclists waiting to be observed on the section could “block up” the route for other users.



The widest boggy bit on the Staffordshire side near Tenterhill. March 2017

Boggy stretch from “steps” to Tenterhill: less damage than we expected – the muddy path not noticeably widened. It was passable with care both the day before the trial and towards the end of the event.

Our members concluded that provided local horse riders are aware of the date of the trials and avoid Washgate on those two dates, problems for other users should not be too great. It might be a good idea if local walking groups could be alerted to the trial dates as large parties could find it harder to find suitable banks and verges to wait on. But this advance warning might be difficult

to do as so many organisations organise walks in the Peak District. PDGLA still has concerns about the river – whether it is vehicles using the ford or a tested section in the river. We are also concerned about the impact of the trials on the “Staffordshire” steps.

Monksdale Lane a bridleway!

The Planning Inspector has confirmed that the section of ORPA known as Monksdale Lane in the parishes of Tideswell and Wheston which runs from Summer Cross (at SK 173753) to Meadow Lane (at SK 149742) is a bridleway. The lane is on PDNPA's priority list; it is very narrow and bounded by walls on both sides; and there has been conflict between recreational motor vehicle users and other users.

When Derbyshire County Council (DCC) and the Planning Inspectorate consider a Definitive Map Modification Order application they consider only the historical evidence and if necessary, the user evidence. They do **not** take into account the wishes of the landowner; the wishes of users (both off-roaders and others); or the suitability of the route for recreational vehicle use in the 21st century.

DCC decided that the route should be a bridleway after considering the historical evidence and the user evidence forms that were submitted. The latter included evidence from local people detailing their use on foot and horseback; when they first saw evidence of off-roader use; and damage caused by recreational motor vehicle use.



Part of the evidence for damage caused by off-roaders which we prepared for the inquiry and which was supported by statements from local people. March 2011



Meadow cranesbill on Monksdale Lane. July 2016

There were objections from off-roader organisations to the decision so the matter was referred to the Planning Inspectorate who decided to hold a public inquiry so that the evidence could be tested. Some of our members worked hard in preparing our case. In particular much time was spent examining the user evidence submitted by off-roaders and getting statements from local people. We were surprised but pleased when the representatives of recreational motor vehicle users announced at the start of the inquiry that they conceded that there was insufficient evidence to establish 20 years use by recreational motor vehicles and that the inquiry need only consider the historical evidence. The Inspector confirmed DCC's decision.

There has been no appeal and the bridleway order has been confirmed. Once the bridleway signs go up, please report any illegal use to the Police using the non emergency 101 number.

Bridleway signs go up on Brushfield



The long awaited and "fought for" bridleway signs on Brushfield. March 2017

We reported in our January 2017 Newsletter that the Planning Inspector had confirmed that Brushfield was a bridleway.

PDNPA has put up signs on Brushfield and it is now illegal for recreational motor vehicles users to use the route. If you see any illegal use, please contact the Police using the 101 non emergency number. If it is safe to do so, take photographs and tell the police that you have them when you phone. But don't expect blue flashing lights. However, all such reports should be used for intelligence gathering to plan future operations.

The Edinburgh Trial (another long established motor vehicle trial that involves both cars and motor cycles) has used Brushfield for many years with a section on Putwell Hill. They approached Derbyshire County Council (as the Highway Authority) and Chatsworth (as a landowner) but not the other landowners on the route for permission to use Brushfield during the 2017 trial this Autumn. DCC published a Code of Practice in 2009 called "Motor Trials on Roads and Public Rights of Way" (http://www.derbyshire.gov.uk/images/2009.05.07%20ES%204.7%20Motor%20Trials_tcm44-102133.pdf) In particular it says "No event shall take place on any Public Right of Way that does not carry vehicular rights. This precludes Public Footpath, Public Bridleway and Restricted Byway from use for Motorised Trials. Crossing a Public Footpath, Public Bridleway and Restricted Byway will be permitted." DCC has refused permission for the Edinburgh Trial to use Brushfield.