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Peak District
Green Lanes Alliance

June 2021 Newsletter

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Ramsden Rd – another fine mess

We reported in our last issue on the incompetence of Kirklees in dealing with Ramsden Rd. It has now changed tack and is proposing to partially close the route and two other nearby tracks through a Public Spaces Protection Order (PSPO). PSPOs are part of the legal tools available to local authorities under the Anti-social Behaviour Crime and Policing Act 2014. They allow authorities to close a highway to off-roaders if the way they drive and use a route amounts to anti-social behaviour. They are cheaper and easier to bring in than Traffic Regulation Orders and we have noted other authorities starting to use them. For instance, Erewash District Council has recently made one to stop off-roader nuisance.

However, true to form, Kirklees has made a mess of things. It messed up its consultation on the PSPO by failing to publish, as it must do, the Statement of Reasons for the Order, and it has excluded the general public from commenting on either the appropriateness or likely effectiveness of the Order. We are currently awaiting developments. Meanwhile we have noted that the proposed Order still allows uncontrolled use of the routes concerned by motor bikes and that thirty-two 4x4 a week will still be permitted. We anticipate that most of this use will be at weekends.

A curious aspect of the proposed Order is that the permit scheme for 4x4s will be put in the control of the Green Lanes Association and its membership, ie the 4x4 lobby group.



The PSPO will not restrict or reduce motor bike use

We responded to the consultation pointing out that Kirklees has failed to follow the guidance for local authorities on how to conduct a PSPO consultation and saying that what is needed on Ramsden Rd is a Traffic Regulation Order (TRO) excluding all types of recreational motor vehicle at all times.

One advantage of PSPOs is that routes can be gated and locked. The Order Kirklees wants to bring in includes locked gates controlled by GLASS, but it remains unclear how Kirklees intends to manage access for horse-drawn carriages. The now belatedly published statement of Reasons for the Order says only that 'This exclusion will not impact on the other user types - trail riders, mountain bikers, horse riders and walkers who will still be able to access the route' – no mention at all of carriage drivers.

The belatedly published Reasons for the Order are available (finally) at [Kirklees Council \(Yateholme\) \(Highways Access\) Public Space Protection Order No.1 2021 - Statement of Reasons](#)

More details of the continuing sorry saga are on Pathwatch at [ramsden road – Path Watch \(path-watch.com\)](#)

Moscar Cross Road, Sheffield

Moscar Cross is a soft, grassy, uphill Byway Open to all Traffic on the Sheffield fringe of the National Park. Every year it gets completely wrecked by off-road vehicles. Horse riders and fit walkers can squeeze alongside the edge of the ruts, but for over half the year, every year, the ruts are so wide and so deep that the route is impassable for people who rely on Trumper mobility scooters to get out into the countryside, for walkers with impaired mobility and for carriage drivers. Despite these users being excluded, and despite the horrendous scar on the hillside, Sheffield Council insists that flattening the ruts every year and re-seeding the grass is an adequate management regime. We say this is not good enough and that Sheffield should bring in a seasonal TRO so that off-road vehicles are excluded in the wettest part of the year.



Moscar Cross March 2021

Several legal grounds for making a TRO are obviously met: 'For preventing damage to the road'; 'For preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the character of the road'; 'For conserving the amenities of the area'; and 'For the purposes of conserving and enhancing the natural beauty of the area'.

Criminal damage at Houndkirk

Houndkirk Rd is part of a SSSI called the Eastern Moors that link Sheffield with the Peak District National Park. It is Byway Open to All Traffic and heavily used by 4x4s and motor bikes, including during the recent lockdowns. The sight lines are pretty good, so it is not dangerous for non-vehicles users. The problem is that many of the off-roaders who use Houndkirk don't stay on the track but drive off it onto the SSSI land. The Eastern Moors Partnership (RSPB plus the National Trust) manage the Moors on behalf of the National Park Authority. They are trying hard to stop the trespass and damage by using signs, gates and barriers. But it is a bit like painting the Forth Bridge. The Partnership has told us that no sooner have signs gone up but they mysteriously disappear and that posts, gates and barriers are being smashed through. We are told that the police are involved and doing their best, but PDGLA wonders how long it will be before the Partnership has to accept that the only effective solution to persistent damage to the SSSI will be a Traffic Regulation Order banning all 4x4s and motor bikes.



'Keep on the track' signs disappear and are ignored – this is the result

Off-roader damage on the Eastern Moors recently featured on Radio 4's Farming Today programme. The item featured the impact on farming and the SSSI. It was part of a larger piece about access to the countryside. The farmer who farms on the Eastern Moors described off-roaders smashing through gates, chasing sheep and trespassing on and damaging the SSSI moorland. The item is at [Farming Today - 22/05/21 Farming Today This Week: Australia tariff-free trade deal, peat action plan, access to the countryside - BBC Sounds](#)

Peak Park green lanes assessment criteria disappears

The assessment criteria which the Peak Park National Park Authority has used up until now to underpin management of its green lanes has been withdrawn, along with its list of routes causing it the greatest concern. These documents are no longer publicly available. Meanwhile, there are quite a number of routes on the original list of those needing protection where little or no action has been taken. The Authority received a report on green lanes in May but this was silent on new assessment criteria and was for information and to be noted rather than for approval. The report had been sent for discussion to the Local Access Forum, but as this is an advisory body, not the decision maker, we think that this has left a deficit in public accountability as far as the Authority's decision making on green lanes is concerned.

On top of all this, under LDNPA rules for meetings, the public is unable to address the Members on reports which are to be noted rather than for decision. In previous years the report has been for decision and fully considered and approved by the Authority via its Programmes sub-committee and the public has been able to attend and speak. All the public was able to do this year was to send in written representations. As the voice recording of the May Authority meeting failed, we did not hear if there was any discussion or comments on the written representations, but we understand that the meeting remained silent on replacement assessment criteria and on the pressing need for Traffic Regulation Orders on some routes.

Policing and illegal off-roading

Derbyshire Rural Crime Team Using Drones

Derbyshire Police have cotton on to the usefulness of drones in catching illegal off-roaders. The Rural Crime Team's Facebook page shows them deploying a drone to pinpoint a motor cyclist reported by residents to be driving illegally on footpaths in the Duckmanton area, NE Derbyshire. Once the drone had found and was tracking the offender, the police deployed what they call their 'stinger device' across the likely route of escape. The bike was seized, and the rider booked. The **Facebook posting says: 'This won't be a one off and residents can expect to see a focus on this issue over the coming months'**. You can see the drone in action at

<https://www.facebook.com/groups/NeDerbyshireBridlewaysGroup/permalink/1257005281363177/>

South Yorkshire Off-road Bike Team

Meanwhile, over the border South Yorkshire Police now have a dedicated off-road biking team, something which is still lacking in Derbyshire. The South Yorks team has reported some early success in catching illegal offroaders damaging farmland and crops. See [Off-road quads and bikers terrorising farmland and killing animals' say farmers | Doncaster Free Press](#)

Reporting illegal use

It is a criminal offence to drive a 4x4, quad or motor bike where there is no public right of way for motor vehicles (e.g. a public footpath, bridleway or restricted byway). It is also illegal if that right has been suspended by a traffic regulation order (TRO) or a public space protection order (PSPO). The only exceptions are if the driver has lawful authority (typically by permission of the landowner), is on a mobility scooter, or is exempted from a TRO or PSPO. Such illegal use should be reported to the police, if possible with photos of the offending vehicle and its number plate. Ring the non-emergency police number (101) and make sure to ask for an incident number. Please also report to the Peak Park Authority.

Even if the driver is not traceable, typically because the registration plate is illegible, false or absent), the police and the Peak Park will be able to use your report to identify where Police operations against illegal users should be targeted.

You can check legality with DVLA

The police often find that off-road drivers are illegal in other ways - false number plates, no tax, no insurance, or no MOT. Anyone can check whether an off-roading vehicle they see is legal by going to the DVLA website at <https://www.gov.uk/get-vehicle-information-from-dvla> and looking up the vehicle registration number. You can see straight away whether the vehicle is and MOT'd and whether the reg plate corresponds to the vehicle. If you find that the vehicle is illegal in some way, please report it to the police.

Did off-roading reduce during the lockdowns?

The Green Lanes Environmental Action Movement (GLEAM), the national organisation campaigning for the end of off-roading, monitored the impact of the lockdowns on off-roading, what the off-roading organisations said about lockdown and the extent to which restrictions were observed.

GLEAM says that the available evidence (from vehicle loggers, national parks, Facebook and media reports) suggests that although some green lanes were protected by the lockdowns, others were not, and that there was an overall increase in illegal activity in some areas.

At the beginning of the first lockdown, the Green Lane Association (GLASS) told its members to “*avoid using green roads*”. The Trail Riders Fellowship (TRF) initially said that “*members could continue trail riding whilst taking extra precautions*”, but then asked members to follow government advice. By January this year, when non-essential travel was prohibited, the TRF was saying that the decision to trail ride was for the individual rider.

In the Lake District, vehicle logger data shows that the second lockdown (5 November 2020 to 1 December 2020) had much less effect in reducing off-roading than the first one, especially on one well-publicised route and among motorcyclists. Ministry of Defence police observed similar behaviour on the BOATs and permissive byways on Salisbury Plain, “*eerily quiet*” during the first lockdown, but “*people carrying on as normal*”, including illegal use, during the second lockdown.

The Friends of the Ridgeway noted (in their Annual Report 2020 and Facebook links to Thames Valley police) an increase in illegal and anti-social motorbike and 4x4 use of the Ridgeway national trail, especially during the second and third lockdowns.

In the Peak District and adjacent parts of the Pennines, cars were abandoned and burnt out on green lanes, and motorists drove onto and damaged SSSI land. The National Park Authority reported that in the 12 months ending February 2021 Derbyshire police investigated more than 80 traffic offences relating to the illegal use of footpaths, bridleways, green lanes subject to traffic regulation orders and farmland.

In the Lake District and in South Wales, motorcyclists used and damaged mountain bike trails in forests. By contrast, in North Wales the Welsh government’s ban on travel to/from the rest of the UK during the December 2020 to 11 April 2021 lockdown, and police enforcement of this ban, seemed to have resulted in a significant reduction in off-roading on green lanes during that period.