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Peak District  
Green Lanes Alliance

## Summer 2022 Newsletter

### It's a snail's pace, everywhere

Something you learn quickly when it comes to rights of way is that everything moves very, very slowly. Right now, it is slower than ever because the already huge backlog of rights of way work (on applications for new routes, on public inquiries, and just dealing with complaints) has grown ever bigger due to Covid and short staffing at the highway authorities. Nonetheless, we can report on at a bit of movement on some of the routes we are working on.

### Good news on Moscar Cross

We have often featured in the newsletter Moscar Cross Road, a Byway Open to all Traffic (BOAT) on the Sheffield fringe of the Peak District National Park. A soft, grassy track on a steep rise, it gets badly rutted by motor bikes and 4x4s, right across the width of the track ([see January newsletter](#)). We have been arguing for years that Sheffield City Council (the responsible highway authority) should, as a minimum, bring in a seasonal Traffic Regulation Order (TRO) stopping motor vehicles using the track in the wet months of the year.

In February we finally got an onsite meeting with Sheffield. They invited the other main user groups to come along. By the end of the meeting all the user groups, including the off-roading organisations, had agreed to a seasonal TRO. Sheffield made no commitment but said it would consider the idea. Everything then went very quiet.

After a bit of chasing and chivvying, we have heard back from Sheffield. They say they will make a seasonal TRO, but they won't be bringing it in until winter 2023/24. They want to monitor the route so they can decide when the TRO should start and end. We will be doing our own regular monitoring and photographing. At present we think the seasonal TRO will need to run from October to the end of May.

### Bamford Clough – the row rumbles on

Bamford Clough<sup>1</sup> is the narrow and exceptionally steep (1:3) Byway open to all Traffic (BOAT which Derbyshire CC closed for many years for safety reasons and has now

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<sup>1</sup> linking Bamford with near to Long Causeway

tarmacked from top to bottom (see our [January newsletter](#)). They used tarmac despite the Clough being a right of way (ie not an ordinary road), and despite vigorous objections from the parish council and from walking and equestrian groups.

In response to complaints that walkers and riders will be put at risk if motor vehicles are able to use the Clough when it finally re-opens, and that the tarmac has made the surface dangerous, Derbyshire has carried out a Safety Audit. The Audit found that the Clough '*presents hazards to road users associated with its layout, surfacing, gradients, and restricted width between stone boundary walls*'. The Audit went on to recommend making the route one-way uphill for vehicles<sup>2</sup>. DCC is currently consulting user groups on this idea.

We have objected to the proposal and called for motor vehicles to be excluded at all times. A one-way system cannot make the Clough wider, change its layout, remove the walls or make walkers and riders safe from oncoming motor vehicles, whatever the direction of motorised travel. We have also called on DCC to remove or modify the tarmac to make the surface of this right of way safe for walkers and horses.

### **Is Kirklees finally getting the message?**

There is a bit of good news about what is happening in the Kirklees part of the National Park. A swathe of lanes in the Holme Valley area have been [closed to 4x4s and trail bikes](#). Scaly Gate, Cheese Gate, Nabside and Scar End Lane are now physically blocked off and have temporary closure orders placed on them. Local residents are hoping that the closures will become permanent. The closures are a positive development for the Holme Valley and for everyone who enjoys non-motorised use of the lanes or lives nearby. It seems Kirklees are at last acknowledging the damage and nuisance caused by off-road 4x4s and motor bikes and are now doing something about it, though not yet on poor old Ramsden Road where the Authority seems to be paralysed and in thrall to the off-roading lobby. There is still no progress on either implementing or abandoning the abortive Public Spaces Protection Order dreamed up by Kirklees. The Authority is now saying it can't bring the Order in after all because they can't afford to pay to gate the route. They have also had to give up the idea of the off-roaders managing the permit scheme which they had been contemplating to control the number of off-road vehicles using the route. One of the ways we keep up with the Ramsden Rd saga is through [Pathwatch](#). It has a keen Ramsden Rd watcher on the case.

### **Staffordshire may be edging towards vehicle ban**

When we last reported on Limer and Swan Rakes in Staffordshire the County Council had decided to repair the (severely damaged) Hollinsclough Rakes '*to the minimum standard of a bridleway or cycleway with a smooth surface suitable for use by all non-motorised users*'. This was good news as it implied that Staffordshire, which had already found no evidence of any historic motor vehicle rights, was not keen on keeping the Rakes open to 4x4s and motor bikes. They have now carried out the first stage of consultation on a Traffic Regulation Order (TRO) which, if brought in, would permanently exclude off-roading motor bikes and 4x4s. We have not been able to respond as this first stage consultation is for statutory consultees only (Police, Fire etc) and users directly affected by the proposal (presumably the off-roading organisations). The consultation closed at the end of April. Fingers crossed that

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<sup>2</sup> 'vehicles' in law includes push bikes

Staffs will press on with a proposal for a full TRO. Meanwhile the repairs are in progress and both Rakes are still closed to all users.

### **Unfinished business on Bonsall Moor (Matlock area)**

We thought that back in 2015 two green lanes on Bonsall Moor had been protected from off-roader use. In that year Derbyshire County Council (DCC) confirmed Orders adding the historic lines of Moor Lane and Moorlands Lane (the latter a Peak District National Park Authority (PDNPA) priority route) to the Definitive Map of Rights of Way as part byway open to all traffic and part restricted byway. This made the routes cul-de-sacs for off-roaders. But there is unfinished business. The two Authorities they have not opened up the restricted byway sections to the non-motorised public and they are allowing off-roaders to use the same unofficial diversions as non-motorised users. We are working with the British Horse Society Ramblers' colleagues to get DCC PDNPA to resolve these issues, to ensure that equestrians, cyclists and walkers do not have to share the whole lengths of these lanes with off-roaders, and that illegal motorised use is deterred.,

### **Changes to the Highway Code**

Some of the recent changes to the Highway Code are potentially good news for some green lanes. Drivers should now allow at least 2 metres (6.5 feet) of space between their motor vehicle and a horse, a change which should prove to be very useful in pressing for Traffic Regulation Orders to exclude motor vehicles from narrow routes.

### **2026 cut-off date for new rights of way abandoned**

The government has ditched the cut-off date set by the Countryside and Rights of Way (CROW) Act (2000) for adding to the Definitive Map currently unrecorded public rights of way where the evidence for their status is based on historic documents. Defra has not yet made any announcement about whether the government will also be repealing the bit of the CROW Act which says that no new Byways Open to all Traffic (BOATS) can be added to the rights of way map after 2026.

### **Defra consultation on off-roading**

The Defra consultation which included questions about whether there should be new legislation to control off-roading on unsealed tracks in the countryside closed on 9 April. We fear it could be up to a year before Defra publicises the outcome of the consultation or makes any decisions. Many thanks to everyone who took part and called for further restrictions.