

# Public Document Pack

**Peak District National Park Authority**

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Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



Our Ref: A.1142/1431

Date: 8 September 2016



## NOTICE OF MEETING

Meeting: **Audit Resources & Performance Committee**

Date: **Friday 16 September 2016**

Time: **10.00 am**

Venue: **The Board Room, Aldern House, Baslow Road, Bakewell**

SARAH FOWLER  
CHIEF EXECUTIVE

## AGENDA

- 1. Apologies for Absence**
- 2. Minutes of previous meeting of 22 July 2016** (*Pages 1 - 4*)
- 3. Urgent Business**
- 4. Public Participation**  
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
- 5. Members Declarations of Interest**  
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.

6. **Proposed Traffic Regulation Order at Washgate (A76226/SAS)** (*Pages 5 - 118*) 60 mins
- Appendix 1
  - Appendix 2
  - Appendix 3
  - Appendix 4
  - Appendix 5
  - Appendix 6
  - Appendix 7
  - Appendix 8
  - Appendix 9
  - Appendix 10
  - Appendix 11
  - Appendix 12
  - Appendix 13
7. **2016/17 Quarter 1 Corporate Performance and Risk Management Report (A91941/WA)** (*Pages 119 - 150*) 15 mins
- Appendix 1
  - Appendix 2
  - Appendix 3
8. **External Audit 2015/16 Annual Report (A1362/ RMM)** (*Pages 151 - 184*) 15 mins
- Annex A
  - Annex B
9. **Statement of Accounts 2015-16 (A.137/21/PN)** (*Pages 185 - 252*) 20 mins
- Appendix 1
  - Appendix 2
10. **2015/16 Annual Governance Statement (JS)** (*Pages 253 - 264*) 10 mins
- Appendix 1

11. **Trails Structures Capital Expenditure (PM3511/ES)** (*Pages 265 - 270*) 20 mins
12. **Local Government Ombudsman Annual Review Letter 2016 (RC/A.157)** 10 mins  
(*Pages 271 - 280*)
- Appendix 1
- Appendix 2
- Appendix 3
13. **Items for approval with no discussion**  
The Chair has identified the following item(s) as being for no discussion unless there is an advance request from an individual Member for a discussion to take place:
1. Risk Management Policy (A91941/WA) (*Pages 281 - 294*)
- Appendix 1
- Appendix 2 (part 1)
- Appendix 2 (part 2)

### **Duration of Meeting**

In the event of not completing its business within 3 hours of the start of the meeting, in accordance with the Authority's Standing Orders, the Authority will decide whether or not to continue the meeting. If the Authority decides not to continue the meeting it will be adjourned and the remaining business considered at the next scheduled meeting.

If the Authority has not completed its business by 1.00pm and decides to continue the meeting the Chair will exercise discretion to adjourn the meeting at a suitable point for a 30 minute lunch break after which the committee will re-convene.

### **ACCESS TO INFORMATION - LOCAL GOVERNMENT ACT 1972 (as amended)**

#### **Agendas and reports**

Copies of the Agenda and Part A reports are available for members of the public before and during the meeting. These are also available on the website <http://democracy.peakdistrict.gov.uk>

#### **Background Papers**

The Local Government Act 1972 requires that the Authority shall list any unpublished Background Papers necessarily used in the preparation of the Reports. The Background Papers referred to in each report, PART A, excluding those papers that contain Exempt or Confidential Information, PART B, can be inspected by appointment at the National Park Office, Bakewell. Contact the Democratic and Legal Support Team on 01629 816200, ext 362/382. E-mail address: [democraticandlegalsupport@peakdistrict.gov.uk](mailto:democraticandlegalsupport@peakdistrict.gov.uk)

#### **Public Participation and Other Representations from third parties**

Anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Director of Corporate Strategy and Development to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website <http://www.peakdistrict.gov.uk/looking-after/about-us/have-your-say> or on request from the Democratic and Legal Support Team 01629 816362, email address: [democraticandlegalsupport@peakdistrict.gov.uk](mailto:democraticandlegalsupport@peakdistrict.gov.uk), fax number: 01629 816310.

## Written Representations

Other written representations on items on the agenda, except those from formal consultees, will not be reported to the meeting if received after 12noon on the Wednesday preceding the Friday meeting.

## Recording of Meetings

In accordance with the Local Audit and Accountability Act 2014 members of the public may record and report on our open meetings using sound, video, film, photograph or any other means this includes blogging or tweeting, posts on social media sites such as publishing on video sharing sites. If you intend to record or report on one of our meetings you are asked to contact the Democratic and Legal Support Team in advance of the meeting so we can make sure it will not disrupt the meeting and is carried out in accordance with any published protocols and guidance.

The Authority uses an audio sound system to make it easier to hear public speakers and discussions during the meeting and to make a digital sound recording available after the meeting. The recordings will usually be retained only until the minutes of this meeting have been confirmed.

## General Information for Members of the Public Attending Meetings

Aldern House is situated on the A619 Bakewell to Baslow Road, the entrance to the drive is opposite the Ambulance Station. Car parking is available. Local Bus Services from Bakewell centre and from Chesterfield and Sheffield pick up and set down near Aldern House. Further information on Public transport from surrounding areas can be obtained from Traveline on 0871 200 2233 or on the Traveline website at [www.travelineeastmidlands.co.uk](http://www.travelineeastmidlands.co.uk).

Please note that there is no catering provision for members of the public during meal breaks. However, there are cafes, pubs and shops in Bakewell town centre, approximately 15 minutes walk away.

## To: Members of Audit Resources & Performance Committee:

Chair: Cllr A McCloy  
Vice Chair: Cllr F J Walton

Mrs P Anderson	Mrs F Beatty
Cllr A R Favell	Cllr D Greenhalgh
Mr Z Hamid	Cllr C Furness
Cllr Mrs G Heath	Cllr N Gibson
Ms S Leckie	Cllr S Marshall-Clarke
Cllr C McLaren	Cllr Mrs L C Roberts
Mrs E Sayer	Cllr Mrs N Turner
Cllr D Williams	

## Other invited Members: (May speak but not vote)

Mr P Ancell	Cllr D Chapman
Cllr D Birkinshaw	

Constituent Authorities  
Secretary of State for the Environment  
Natural England

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## MINUTES

**Meeting:** **Audit Resources & Performance Committee**

**Date:** Friday 22 July 2016 at 10.00 am

**Venue:** The Board Room, Aldern House, Baslow Road, Bakewell

**Chair:** Cllr A McCloy

**Present:** Cllr F J Walton, Mrs P Anderson, Mrs F Beatty, Cllr A R Favell, Cllr C Furness, Cllr N Gibson, Cllr D Greenhalgh, Mr Z Hamid, Cllr Mrs G Heath, Cllr S Marshall-Clarke, Cllr C McLaren, Mrs E Sayer and Cllr Mrs N Turner

Mr P Ancell, Cllr D Chapman and Cllr Mrs L C Roberts attended to observe and speak but not vote.

**Apologies for absence:** Ms S Leckie.

### **35/16 CHAIR'S ANNOUNCEMENTS**

The Chair welcomed and introduced the Authority's two, new Independent Members, Philip Sunderland and Jean Walker. They had been appointed for a four year term ending in July 2020.

On behalf of the Authority the Chair thanked the two, former Independent Members, Joan Carr and Robert Ashworth for their contributions to the Authority's Standards processes. Joan Carr had been appointed 14 years ago and Robert Ashworth 13 years ago. Both were presented with tokens of the Authority's appreciation.

### **36/16 MINUTES OF PREVIOUS MEETING OF 20 MAY 2016**

The minutes of the last meeting of the Audit, Resources and Performance Committee held on 20 May 2016 were approved as a correct record.

### **37/16 MEMBERS DECLARATIONS OF INTEREST**

There were no Member declarations of interest.

### **38/16 ENVIRONMENTAL MANAGEMENT ANNUAL PERFORMANCE REPORT 2015/16 (A595 / MF)**

The Environmental Management Officer introduced the report which gave details of the environmental performance data for the 2015/16 financial year and progress against performance in previous and baseline years. The data related to the environmental

impacts arising from the Authority's operations and reflected the scope and methodology of reporting as established in the Authority's Carbon Management Plan (CMP).

The officer emphasised that this year (2016/17) was the final year of the CMP and that a total decrease in Carbon Emissions of 24.2% had been achieved to 2015/16 since the baseline year with approximately £125,000 financial savings to date.

It was noted that the key to figure 5 in the report was incomplete and from the bottom of the chart upwards showed air travel, grey fleet, pool car use, rail use, Field Services fleet and other use.

It was noted that some intended actions had not happened due to the Authority's review of its property portfolio but that a new CMP 2 was being considered and this would include consideration of outstanding intentions alongside future proposals for assets. The CMP 2 would also be considered with the new Corporate Indicator for environmental performance of assets.

**RESOLVED:**

**That the environmental performance data detailed in Appendix 1 of the report be considered and adopted as the detail supporting the out turn position on the Authority's operational environmental performance over the 2015/16 reporting period.**

**39/16 INTERNAL AUDIT 2016/17 ANNUAL PLAN (A1362/7/ PN)**

Members considered the report on the proposed Internal Audit Plan for 2016/17. It was requested that future reports include a key for abbreviations.

It was noted that the proposed plan included a review of the Planning processes in January 2017, to provide assurance following an Ombudsman decision and the resulting recommendations of the Authority's micro scrutiny.

The recommendation to approve the Plan was moved, seconded, voted on and carried.

**RESOLVED:**

**That the 2016/17 Internal Audit Plan be approved.**

**40/16 PROPOSAL TO CONSULT ON REVISION TO THE PEAK DISTRICT NATIONAL PARK AUTHORITY MANAGING CHANGE POLICY AND STATEMENT OF TERMS AND CONDITIONS (SF/TR)**

The Chief Executive introduced the report which advised the Committee of the intention to start discussions with the Authority's recognised trade union, UNISON, on a review of two elements of the Managing Change Policy and the current Statement of Terms and Conditions. It was noted that the outcome of the consultations and negotiations would be reported to the Authority meeting in October 2016.

**RESOLVED:**

- 1. To note and consider the Chief Executive's intention to begin consultation/negotiations with a view to making recommendations to the Authority on revisions to the Managing Change Policy to bring into line**

**with best practice and ensure that it supports the on-going change agenda at the PDNPA.**

- 2. To note the Chief Executive's intention to also consult about the simplification and updating of the Terms and Conditions of Employment (otherwise known as the contract of employment).**

**41/16 EXEMPT INFORMATION S100 (A) LOCAL GOVERNMENT ACT 1972**

**RESOLVED:**

**That the public be excluded from the meeting during consideration of Agenda Item No 10 to avoid disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 3 "Information relating to the financial or business affairs of any particular person (including the Authority holding that information)".**

**42/16 EXEMPT MINUTES OF PREVIOUS MEETING OF 20 MAY 2016**

**RESOLVED:**

**That the exempt minutes of the meeting of the Audit, Resources and Performance Committee held on 20 May 2016 were approved as a correct record.**

The meeting ended at 10.50 am

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## **6. PROPOSED TRAFFIC REGULATION ORDER AT WASHGATE (A76226/SAS)**

### **Purpose of the report**

1. This report presents the outcome of the publication of proposals under Regulation 5 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007 for a permanent traffic regulation order (TRO) on Washgate.
2. Having regard to the representations made pursuant to Regulations 4 and 7 of the 2007 Regulations, available evidence and the information in this report, it is proposed that the Authority considers a TRO on this route in the form and manner agreed at this meeting.

### **Recommendations**

3. **1. That Members decide the appropriate option having regard to the option analysis in the report and make a resolution from those set out in the report at paragraph 45.**

### **Policies and legal obligations**

4.
  - National Park Management Plan – Partnership for Progress 2012-17 –W14
  - Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsealed Highways and Off-road, and Procedure for Making Traffic Regulation Orders (TROs).
  - Sections 5(1) and 11A of the National Parks and Access to the Countryside Act (NPACA) 1949
  - Section 122 of the Road Traffic Regulation Act 1984.

### **Background**

5. On 20 March 2015, Audit Resources and Performance (ARP) Committee approved actions in the key areas of work required to deliver the revised Strategy on managing recreational motorised vehicles (Minute 17/15). The Green Lanes Action Plan focused on the priority routes where the need for improved management had been identified. At Washgate, this included a proposed consultation on vehicle regulation.
6. In June 2015, statutory consultees were consulted under Regulation 4 of the 2007 Regulations. An ARP Members' site visit took place on 16 September 2015 (Appendix 1) prior to the ARP Committee meeting on 18 September 2015 at which it was resolved to proceed to publish notice of proposals for a TRO to prohibit use at all times by mechanically propelled vehicles on the Washgate route (Minute 51/15). The Regulation 4 representations are dealt with in the report (with appendices) to the ARP Committee meeting on 18 September 2015 and copies of these representations are at Appendix 2 to this report.

### **The Route**

7. Washgate runs from Tenterhill in Staffordshire to Booth Farm in Derbyshire crossing the river Dove via a narrow stone bridge. It is approximately 1.5 km long. The relevant Highway Authorities are Staffordshire County Council (SCC) and Derbyshire County Council (DCC). A map showing the route is provided in Appendix 3.
8. There are properties at either end of the route and part way along the route at Leycotes. The route is narrow and mostly walled and is not passed by any roads throughout its length. There are far reaching views in the upper sections before the route drops steeply as it approaches the River Dove. Derbyshire County Council resurfaced the eastern part

of the route in 2009. Since 2011, there have been volunteer working parties restoring the historic stone pitching on part of the route.

9. The route is adjacent to a Site of Special Scientific Interest (SSSI) and a Section 3 Semi-natural woodland/Natural Zone. The verges are species-rich. The route is considered to be post-medieval in origin and runs through two Historic Landscape Character (HLC) areas. The packhorse bridge is Grade II listed. The route lies within the South West Peak Landscape Character Area.
10. The track extends to either bank of the River Dove which forms the administrative boundary and is crossed by a narrow stone bridge (referred to above). The majority of the route is an Unclassified Road (UCR) and its legal status has not been formally determined. The route appears on Derbyshire County Council's List of Streets as a publically maintainable highway. Approximately 60m of the route in Staffordshire is shown in the County Council's Definitive Map and Statement as a public footpath. No claims for recording motorised vehicle rights have been submitted for the Derbyshire and Staffordshire sections.
11. In 2009, Derbyshire County Council placed boulders at the western end of the route and at Leycotes which have prevented access by 4-wheeled vehicles to this section. Vehicle logging shows a relatively high use by 2-wheeled mechanically propelled vehicles (MPVs). Washgate is an important recreational asset for all users. A number of rights of way converge at the River Dove. Access to Leycote Farm and its adjoining land is via the eastern part of the route.
12. Issues identified in the preparation of route management reports relate to disturbance and user conflict, the nature and condition of the route, the environmental sensitivity of the route and cross-boundary management. Detailed route management information is available at [www.peakdistrict.gov.uk/priorityroutes](http://www.peakdistrict.gov.uk/priorityroutes).

### **The Proposed Traffic Regulation Order**

13. In September 2015, ARP resolved that a TRO should be considered on the following grounds of the Road Traffic Regulation Act 1984 (Appendix 4):
  - s1(1)(f) – for preserving or improving the amenities of the area through which the road runs
  - s 22(2) – for the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area
14. In the draft order (Appendix 5) the Authority proposed a permanent restriction on all mechanically propelled vehicles at all times save for the following exceptions:
  - Use by emergency services or by any local authority or statutory undertaker in pursuance of their statutory powers and duties
  - Use to enable work to be carried out in, on, under or adjacent to the road
  - Use for the purposes of agriculture or land management on any land or premises adjacent to that road
  - Recognised invalid carriage
  - Use upon the direction of or with the permission of a Police Constable in uniform
  - Use with the prior written permission of the Authority.
15. The statement of reasons (Appendix 6) identified the factors which contribute to natural beauty and the benefits afforded to people from that seen and experienced and the opportunities offered for recreation. Vehicle use and the effects of vehicular use on the special qualities of the area are also identified.

## **Section 122 of the Road Traffic Regulation Act 1984**

16. In September 2015, Members considered the duty under section 122 of the Road Traffic Regulation Act (RTRA) 1984 (Appendix 7) to secure twin objectives, namely the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The duty takes effect in 'so far as practicable' having regard to the matters specified in s122(2).
17. In considering the factors set out in relation to s122(2):
  - Access to premises – any proposed restriction would only be for mechanically propelled vehicles using the route as a through-road or for recreational use. Vehicular access to Leycotes Farm and land adjacent to the route (for agricultural or land management purposes and for residential access) would be unaffected.
  - Amenities of locality – the removal of MPVs from the route is likely to improve the amenities of the locality. To access this route it is necessary to use metalled roads. These offer an alternative for recreational vehicle users, albeit not of the same character as an unmetalled track. A UCR is not part of the road transport network. Heavy commercial vehicles do not use this route.
  - Air quality –recreational motorised vehicle use has a negligible impact.
  - Public Service Vehicles – as this is an unsealed route it is not used by such vehicles.
  - Disabled access – Recognised invalid carriages will not be affected by the TRO. There are no parking and very limited turning opportunities along the route. Any TRO would not prevent the use by wheel chairs and trampers and would enhance the safety and enjoyment of such access, subject to the physical limitations of the route, in accordance with the exemption set out in paragraph 14 above. Access by other means by disabled users could also be obtained on application to the Authority.
  - Natural beauty/amenity – the restriction of MPVs would have a beneficial impact on the natural beauty of the area and amenity of other users.

## **Consultation**

18. The consultation on the proposed TRO under Regulations 5-7 of the 2007 Regulations ran from 10 March 2016 to 22 April 2016. This followed the consultation under Regulation 4 referred to in paragraph 6 above. Statutory consultees and landowners were notified and it was advertised in the Buxton Advertiser, Derbyshire Times, on the Authority's website and on the route.
19. The consultation documents included: a draft order (Appendix 5), a statement of reasons and appendices covering use, interests and impacts (Appendix 6), a notice of proposal (Appendix 8) and a map.
20. The organisations listed in Appendix 9 (the statutory consultees) were consulted at the first and second stage of the process, as required by the Regulations. Manchester 17 Motorcycle Club were included at the second stage of the process as a discretionary consultee. There were 4 consultees – Derbyshire Constabulary, Byways and Bridleway Trust, National Farmers Union and the Green Lanes Association - that responded to the first consultation but not this second specific consultation. The responses were split between those supporting a permanent order to prohibit MPVs on the route at all times as per the proposal, those believing a less restrictive option would be sufficient and those that considered restrictions were unnecessary including over and above that presently provided by the signage and boulders. Those objecting to the proposal comprised:

- Auto Cycle Union
- Land Access and Recreation Association
- Trail Riders Fellowship
- Association of Peak Trail Riders
- Manchester 17 Motorcycle Club

Those in support of the proposal for a permanent order to prohibit MPVs on the route at all times included:

- Hartington Upper Quarter Parish Council
- Peak District Local Access Forum
- Derbyshire Dales Group of the Ramblers
- Ramblers Association Staffordshire Area
- British Horse Society
- Peak and Northern Footpaths Society
- Peak Horsepower
- Peak District Green Lanes Alliance

Two consultees - Natural England and Derbyshire CC – stated that they did not object to the proposal. Hollinsclough Parish Council supported the proposal but with an exemption or permit system for local use. Friends of the Peak District supported a TRO on the section between Leycote and Tenterhill.

21. A summary of the representations received within the above consultation period from the statutory consultees is set out in Appendix 10. Consultee responses at the Regulation 4 stage are dealt with in the report and appendices at Appendix 2. In addition to the statutory consultees, there were objections to the proposal from 158 individuals and organisations, and support for the proposal from 96 individuals and organisations.
22. Objections – Other than the statutory consultees, 4 organisations objected to the proposal. Their representations are set out in Appendix 10. There were also 153 individual representations, 1 objection with no grounds provided and a petition with 85 signatories. The representations are summarised in Appendix 11.
23. The objections to the proposed order are summarised in Appendix 11 with comments provided relating to consideration of these objections. The main issues raised by objectors are:
  - The heritage of long-established motorcycle trails in this area is important
  - The route can accommodate motorcycle use
  - The proposal is unnecessarily restrictive for the level of use
  - A permanent prohibition will displace use onto other nearby routes
  - There are limited alternative routes
  - The proposal promotes the amenity of one user type over another and is discriminatory
24. Many of those objecting acknowledged that motor vehicular use of Washgate needed to be managed in some way but considered that there were alternative management options to that proposed. Motorcycle users pointed to the fact that their disturbance is less than four-wheeled vehicles due to weight/width issues and that the motorcycle events named in those objections were carefully managed. The most commonly mentioned alternatives included:
  - A restriction on all mechanically propelled vehicles at all times on the section between Leycotes and Tenterhill
  - A restriction on all mechanically propelled vehicles at all times with exemptions for established named motorcycle events (the Bemrose, Reliance, Dave Rowland and Northern Experts)

- A width/weight restriction relating to four-wheeled motorised vehicles
  - A restriction on all mechanically propelled vehicles at all times with an exemption or permit system for local use
25. A number of the consultation responses referred to the status of the route and whether the route was a through-route and if it continued through the ford or via the stone bridge. Whether there were public rights for mechanically propelled vehicles was also raised along with consideration of whether a National Park Authority would have the power to make traffic regulation orders on routes where the status was uncertain. The powers granted to NPAs allow the making of TROs on routes recorded as public rights of way on the Definitive Map and Statement or which are unsurfaced carriageways (ways over which the public have the right of passage in vehicles). Part of this route is recorded in Staffordshire County Council's Definitive Map and Statement as a public footpath. The determination of the legal status of the public's rights over the remainder of the route is a matter for the relevant Highway Authorities. The route appears in Derbyshire and Staffordshire County Council's list of highways maintainable at public expense and vehicle logging data show use of the route by vehicles in 2007, 2010, 2012, and 2014 to 2016. On the balance of probabilities, the evidence available to the PDNPA at this time leads to the conclusion that there are public vehicular rights over the route and, as the route is unsurfaced, the view of officers is that the Authority has power to make a traffic regulation order over the whole route.
26. A number of the consultation responses referred to the condition of the route. Whilst the Authority has similar powers to the Highway Authorities (HA) in relation to TROs, only the HA have the duty to maintain routes. Maintenance and condition of the route will therefore be relevant to a TRO proposed by a NPA only in so far as changes to the condition of the route influence the effect that vehicles are having on other users and the environment of the area. The NPA would not normally consider making a TRO on the basis of disrepair alone, but the state of disrepair and prospective timing and extent of repair may be one of the considerations which may contribute to the NPA's assessment of the impact on natural beauty and amenity.
27. The importance of access for disabled users was also raised by many respondents. An exemption for invalid carriages and access on application is provided within the draft order (Appendix 5) and the NPA will investigate other means to ensure reasonable access for registered disabled users.
28. Support - Other than the statutory consultees, 3 organisations supported the proposal. Their representations are set out in Appendix 10. There were also 93 individual representations. The comments are summarised in Appendix 11.
29. The reasons for supporting the proposal are summarised in Appendix 11. The main issues raised by supporters of the proposal are:
- The use by motorised vehicles on this historic route is unsuitable and unsustainable
  - The route forms an important means of access to the wider area
  - There are safety concerns from other users meeting motorised vehicles
  - Motor vehicle use impacts on this particularly peaceful and quiet area of the National Park

### **Partial TRO Options**

30. In deciding to pursue a consultation on a permanent restriction on the Washgate route, Members had regard to the extent to which it is necessary to restrict mechanically propelled vehicles. S122 of the RTRA does not require the Authority to proceed in stages starting with a least restrictive option. However, if a less restrictive option might achieve

the desired outcome then it is a factor for consideration. Paragraph 24 highlights the principal alternatives which have been identified from the representations received. These are considered below:

31. **Restriction on part of the route**

<p><u>Pros</u> Reduces conflict and impacts on the more sensitive sections No requirement to enforce on section to Leycotes Farm</p>	<p><u>Cons</u> Some user conflict remains Some visual, physical and auditory impacts remain</p>
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**Restriction with exemption for specified motorcycle events**

<p><u>Pros</u> Manage type of use to restricted times and levels Manage conduct of users Prior notification, site notices, and presence of marshalls reduce safety concerns.</p>	<p><u>Cons</u> Some user conflict remains Some visual, physical and auditory impacts remain</p>
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**Width/weight restriction**

<p><u>Pros</u> Removes impacts and conflict from 4x4s Reduction in overall numbers of vehicles Lessens conflict with other user types and deviations</p>	<p><u>Cons</u> 2-wheeled use impacts remain Some user conflict remains</p>
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**Restriction with exemption or permit system for locals**

<p><u>Pros</u> Manage type of use Flexibility</p>	<p><u>Cons</u> Some user conflict remains Some visual, physical and auditory impacts remain Practicalities of enforcement</p>
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**Summary**

32. The route is in a National Park designated for its exceptional natural beauty and is adjacent to an area of Natural Zone with habitats of national significance and where it is particularly important to conserve that natural beauty.
33. Washgate is a historic route which is used as a means of access to the wider area. It is an important route for all recreational users and is used by mechanically propelled vehicle users for short journeys, to pass through the area on part of a longer journey and for long-established motorcycle trials and classic events.
34. The route is steep, loose, and narrow with limited visibility in places and the risk of potential conflict with motor vehicle users has deterred some users from using this route. As a result of the signage and physical restrictions in place, motorised vehicle use over the last 6 years has been 2-wheeled only; which tends to be concentrated during the events and at weekends.

35. It is considered that unrestricted motorised vehicle use on this route has an adverse impact on the ecological, archaeological and landscape interests, the natural beauty, amenity and recreational value of the area and the special characteristics of the route. It is therefore considered that some form of order is required to manage mechanically propelled vehicle use on this route. The extent of that restriction revolves around whether it may reduce to an acceptable level the impacts on the interests and amenity of the route and area and other users and conserve the natural beauty of the area to meet the Authority's obligations in respect of its statutory purposes.
36. The proposed order imposes a permanent restriction on all mechanically propelled vehicles (MPVs) at all times (subject to specified exceptions) and seeks to address issues of user conflict and impacts on the landscape, ecology and cultural heritage of the area and the nature of the route through reducing the use by MPVs. This would meet the desired outcome of conservation and enhancement in accordance with National Park purposes and the preservation of the amenity of the route and area and of other users. Any partial TRO should also address these matters and requires consideration of the type, the timing and the level of use.
37. In their consideration of the extent to which the desired outcome could be met by means other than the proposed order, Members may consider a partial TRO containing, for example, the following elements: a prohibition on 4-wheeled motorised vehicles at all times and for 2-wheeled motorised vehicles to be permitted on specified occasions when impacts on the interest of the area and other users may be lessened through appropriate marshalling and codes of conduct (details of the events identified in the consultation responses are at Appendix 13). In relation to any specific written requests received to allow the continuation of use for local journeys, these could be dealt with under the exceptions within the order.
38. In any event, it is recommended that an additional exception be inserted to any order to allow for residential use in addition to that for agricultural and land management purposes.
39. In relation to enforcement of any TRO, this would be undertaken in consultation with the Highway Authority and the police having regard to signage, the selection or retention of barriers and the character of the route. Routine monitoring should identify if there are any problems.

### Option Analysis

40. The following main courses of action are available:
- To proceed to make a permanent order to prohibit MPVs at all times as proposed
  - To make an order incorporating one or more measures for management of the route as suggested in paragraph 31 above (a partial TRO)
  - To hold a public inquiry and appoint an inspector
  - To delay the making of the order
  - To resolve not to make a TRO

41. **Permanent TRO (permanent prohibition of all MPVs at all times)**

<u>For</u>	<u>Against</u>
Impacts on natural beauty and amenity reduced	Enjoyment of recreational motorised vehicle users removed
Increased use and enjoyment of the route	Enforcement issues including selection and replacement of barriers
	Displacement issues
	Legal challenge

**Partial TRO (partial restriction)**

<p><u>For</u> Impacts on natural beauty and amenity reduced Increased use and enjoyment of the route at times when no vehicle users present Vehicle user groups part of the solution</p>	<p><u>Against</u> Some impacts on natural beauty and amenity remain Enforceability/non-compliance/selection of barriers Displacement issues Management of level of use Delay if re-consultation/notification required Potential for legal challenge from disaffected parties</p>
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**Public Inquiry**

<p><u>For</u> Independent analysis of options having regard to evidence</p>	<p><u>Against</u> Cost and time Order delayed Impacts on natural beauty and amenity remain during the inquiry process</p>
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**Deferment**

<p><u>For</u> Potential for clarification of legal use and/or trialling, monitoring and surveys to determine action</p>	<p><u>Against</u> Impacts on natural beauty and amenity remain</p>
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**Abandonment**

<p><u>For</u> Potential for clarification of legal use and repairs by the Highway Authorities and further monitoring and surveys to determine action</p>	<p><u>Against</u> Impacts on natural beauty and amenity remain</p>
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42. In further consideration of the options:
- a) Partial TRO - if an order is made in substantially different terms to the proposed order, the 2007 Regulations require the Authority to take such steps as appear to it to be appropriate for informing people likely to be affected by the modification. This includes providing the opportunity to make written representations and to consider those representations before making the order. A re-consultation period of 21 days would be adopted. A partial TRO could be perceived to be a substantive change from the published proposed order and consequently require further consultation.
  - b) Public inquiry – The cost of a public inquiry would be borne by the Authority and the Inspector would provide a report and recommendations which the Authority would not be bound to follow but would have to provide good reasons for not doing so.
  - c) Deferment – an order cannot be made more than 2 years after the proposal has been publicised in accordance with Regulation 5. This period expires in March 2018.



## Proposal

43. In their consideration of the most appropriate course of action, it is necessary for Members to have regard to the following:
- the representations received in accordance with Regulations 4 and 7 (Appendices 2, 10 & 11)
  - whether it is expedient to make a traffic regulation order on this route on the grounds specified in the draft order (Appendix 5)
  - alternative courses of action as set out in the option analysis
  - the statutory purposes of the National Park, in accordance with ss 5 and 11A of the NPACA 1949
  - the balancing exercise set out in s122 of the RTRA (Appendix 7)
44. In relation to s122, Members will need to be satisfied that the preservation and enjoyment of the amenity and conservation of the natural beauty of the area outweighs unrestricted recreational motor vehicular use of the route notwithstanding that such a restriction will affect the expeditious and convenient use of the route by mechanically propelled vehicles.
45. Depending on which of the options Members wish to adopt for this route, the following possible resolutions are relevant:
- (i) Permanent TRO (permanent prohibition of all mpvs at all times)**  
**Resolution: the Authority proceeds to make a Permanent Traffic Regulation Order under Section 22 BB(2)(a) Road Traffic Regulation Act 1984 that will have the effect of prohibiting use by mechanically propelled vehicles at all times on the Washgate route (subject to specified exceptions).**
- (ii) Partial TRO (partial restriction)**  
**Resolution: (i) the Authority proceeds to make a Permanent Traffic Regulation Order under Section 22 BB(2)(a) Road Traffic Regulation Act 1984 that will have the effect of prohibiting use by mechanically propelled vehicles on the Washgate route in the manner identified by Members (ii) that if a substantive change is made to the TRO as previously proposed, an opportunity for further comments to be made is given in accordance with Regulation 12 of the 2007 Regulations and representations arising from this consultation reported thereafter to this Committee.**
- (iii) Public Inquiry**  
**Resolution: the Authority appoints an inspector to hold a public inquiry and publishes notice of the public inquiry in accordance with Regulation 9 of the 2007 Regulations.**
- (iv) Deferment**  
**Resolution: the Authority defers a decision on making a TRO on the Washgate, route such deferment being subject to review .**
- (v) Abandonment**  
**Resolution: the Authority abandons pursuing a TRO on the Washgate route at this present time.**
46. If the order is made as proposed, subject to any minor modifications as may be required (to be finalised by officers), a notice of proposals, order and map will be prepared and publicised. A decision notice giving reasons for not acceding to the grounds for objecting will also be provided within 14 days of making the order. To this end, Members are asked

to consider the comments on representations at Appendix 11, which will form the basis of reasons for not accepting objections.

47. If Members decide to make an order in substantially different terms to those in the proposed order, an opportunity of 21 days will be provided for further comments to be made and considered.

**Are there any corporate implications members should be concerned about?**

48. **Financial:**

Resources have been allocated to this area of work until March 2017. In May 2016, Members supported an investment proposal framework which included adding £26k to the baseline budget to deliver the green lanes action plan.

Supplementary costs relate to:

- advertising and site works for any order that is made
- public inquiry, where the decision is taken to hold one
- defending potential High Court challenges, including Counsel's fees and an award of costs if unsuccessful.

49. **Risk Management:**

There is an element of reputational risk to the Authority for deployment of a TRO or for not using this power. This issue is likely to be of considerable public interest. The Authority must be confident that the grounds for action are clear, objective and defensible.

50. **Sustainability:**

This report addresses sustainability issues in the context of both the National Park Management Plan and the Authority's statutory purposes, duty and legal powers.

51. **Equality**

The requirements of the Equality Act 2010 have been met in the consideration of proposals on this route and the ongoing requirements to have regard to the duty.

52. **Background papers:**

None

53. **Appendices**

The following documents are appended to this report:

1. Site Inspection notes
2. Regulation 4 responses – statutory consultees
3. Map of the route
4. Grounds for making a TRO
5. Draft order
6. Statement of reasons
7. S122
8. Notice of proposal
9. List of consultees
10. Regulation 7 responses - organisations
11. Representations and comment
12. TRO checklist
13. Motorcycle events at Washgate

54. **Report Author, Job Title and Publication Date**

Sue Smith, Rights of Way Officer, 8 September 2016

## Washgate Site Visit - 16 September 2015

### Purpose

A site visit took place on 16 September 2015 to enable the Members of the Audit, Resources and Performance Committee to be better informed of the relevant issues and facts about the proposal.

### Attendance

Members of the Audit, Resources and Performance Committee attended the site visit. The Highway Authorities were not present.

### Procedure

The Chair of the Committee presided at the site visit. Members did not make a decision or recommendation on the proposal during the site visit.

### The Site Visit

Members walked the full length of the route. The Authority Officers explained the proposal and summarised the background. This included the reasons for the proposal, the management history of the site, the clarification of motorised vehicle rights over the section of the route that is a public footpath, and discussion of management options.

Officers answered questions from Members which included:

- The on-site signage identifying a 1.3 m limited width
- The location and placement of boulders by Derbyshire County Council
- The access required to the farmhouse on the route and to farmland
- The width, gradient and surfacing of the route
- The location of designated areas
- Effect of vehicle use on the river and the listed bridge
- The barrier restricting 4-wheeled access through the River Dove
- The conservation interest of the River Dove
- The effect of the existing signage on the setting of the bridge and area
- The extent of the public footpath along the Staffordshire section of the route
- Other rights of way and access land adjacent to the route
- The character of the route and its setting

Officers were asked to provide further information on the number of motorised vehicle users:

During 2007: 4-wheeled – average of 0.8 per day (0.08 Mon-Fri and 0.7 at weekends)

2-wheeled – average of 5.9 per day (0.6 Mon-Fri and 5.3 at weekends)

During 2007: 4-wheeled – average of 0.6 per day (0.07 Mon-Fri and 0.5 at weekends)

2-wheeled – average of 2.7 per day (0.5 Mon-Fri and 2.2 at weekends)

During 2010: 4-wheeled – Nil

2-wheeled – average of 3.5 per day (0.2 Mon-Fri and 3.3 at weekends)

During 2010: 4-wheeled – Nil

2-wheeled – average of 2.4 per day (0.8 Mon-Fri and 1.6 at weekends)

During 2012: 4-wheeled – Nil

2-wheeled – average of 5.7 per day (0.8 Mon-Fri and 4.9 at weekends)

During 2014: 4-wheeled – Nil

2-wheeled – average of 2.3 per day (0.4 Mon-Fri and 1.9 at weekends)

Officers were also asked to provide details of the extent of the work by volunteers to reinstate the pitching:

From 2011 to 2015: 47 project days and 348 volunteer days.

Members did not ask Officers to undertake further work prior to the consideration of the item at the formal Committee meeting.

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## Washgate – Summary of Regulation 4 Consultation Responses

### **Derbyshire County Council, Highway Authority -**

- In terms of traffic distribution, this route has no importance as a link road within the highway network. The removal of mechanically propelled vehicles from a route can only be beneficial in terms of the safety of more vulnerable road users and also reduce future maintenance costs. Therefore, there would be no reason to object to such a proposal.
- In terms of the type of restriction that should be used, would suggest something that would enable some form of physical barrier to be erected to ensure self-compliance. Anything that would require a Police presence for enforcement purposes would undoubtedly become abused.

### **Derbyshire Constabulary –**

- The surface itself is in gradual decline and will only get worse over time so the viability of the associated maintenance costs involved has to be questioned and provided there is justification through monitoring an option is to restrict its use by leisure drivers/riders.
- From an enforcement perspective ideally there is a need to introduce physical measures supporting the restriction –the need for access by agricultural vehicles means this is not easily achievable and also the smaller width of motor cycles often allows riders to evade any such measures. Any such restriction cannot be a policing priority, particularly those in such rural locations and without engineering measures in place, there can be no expectation on any routine police enforcement.
- The argument for not restricting its use is dependent on the results of monitoring –what type of traffic use it and how often etc because such a restriction may not be proven necessary. The deteriorating condition of the surface also provides a natural deterrent.
- No evidence to suggest that its use causes issues for the police, but the need for action relates to protecting the surface, so again this comes back to the local authorities satisfaction that such a restriction is needed.
- Signs alone are unlikely to deter unlawful use and this must be borne in mind as part of the local authority's need to manage the expected benefits of such a TRO –practically regular police enforcement cannot be relied upon to make such a restriction effective.
- Washgate travels between Derbyshire and Staffordshire of course so any enforcement implications will be evident for both police forces.

**Hartington Upper Quarter Parish Council** – believes that the route should be restricted by a permanent Traffic Regulation Order prohibiting use by all recreational motor vehicles at all times. Think that the TRO should be between Ley Cote Farm and Tenterhill Farm. Do feel however, that a possible exemption could be made in the Order for 2 motorcycle trials per year, The Bemrose and the Reliance, as they have used the lane for many years without causing problems. Reasons for proposing this action are as follows:

- Washgate Lane is a beautiful and historic packhorse lane which has been badly damaged by motor vehicle use in recent years. The lane is very narrow with steep banks in places; it is very difficult and dangerous for horse riders, cyclists and walkers to use the lane when it is being used by motor vehicles.
- The historic stone pitching and the wonderful packhorse bridge are very important parts of our heritage and feel that the only way of protecting them for future generations is to prohibit more vehicle use on the lane.
- Following on from this, feel that the excellent work to restore and repair the stone pitching that is being carried out by PDNPA conservation volunteers will be destroyed unless a TRO is put in place.
- The lane and especially the area around the bridge is one of the most beautiful and tranquil places in the National Park. It is mentioned in a number of books and features in several paintings. The area should be a place where people can relax without the noise and pollution

from motor vehicles. A TRO would greatly enhance the enjoyment of the area for a great many people.

- The banks and verges of the lane are very rich in plant life as is the area through which the lane runs. This has been confirmed by various ecological studies including recently by Staffordshire Wildlife Trust. Lizards, voles and much other wildlife inhabit the banks of the lane. The best way to protect the flora and fauna of the lane and the surrounding area is a permanent TRO.
- In conclusion feel that a full permanent TRO prohibiting motor vehicles will greatly enhance the amenity of the area for other users, will protect the history and heritage of the lane for future generations and will conserve and protect the ecology of the lane and surrounding area.

Supplemental - Would like to restate our view that a full permanent Traffic Regulation Order should be put in place as quickly as possible. However we recognise that this can take time and we are concerned about the possibility of 4 X 4 use on the lane in the meantime. Any 4 X 4 use would cause great damage to the lane and the excellent restoration and repair work carried out by PDNPA. If there is any possibility of this happening we would strongly urge PDNPA to place a temporary Traffic Regulation Order on the lane immediately to protect the lane while working towards a permanent Order.

#### **Peak District Local Access Forum –**

- Has a long history of involvement with this route, and has sought to find ways to improve its management by advising both the Highway Authority and the National Park on ways to do so. On 28th November 2008 a sub group of the LAF met at Losehill Hall to discuss the route. The sub group were asked to comment on how the route could be managed to improve the condition. After discussion the following was recommended: (i) a permanent TRO for recreational motor vehicles (except with specific permission); (ii) a repair of the historical route surface. The sub group agreed the above with one member abstaining. Detailed comments on the route are recorded in the route management plan which were later used as a response to DCC's consultation on a proposed TRO for Washgates in July 2010.
- Since 2010 both DCC Highways and the Peak Park Conservation Volunteers have carried out repairs. There are boulders and signage to restrict the use of the route by wide vehicles.
- On 1st October 2014 the LAF Green Lanes sub group had a site visit to look at the management issues associated with the route and to make further recommendations for improvements. The findings were discussed at the sub group on 2nd July where the members recognized that although significant time and resources had been spent on this route since 2008 (including repairs by volunteers) progressive deterioration, even with limits on width, have made the route inaccessible for some users. The sub group agreed that the use by motorized vehicles is unsustainable and that the environmental significance are considerable.
- It is worth noting that the route is in both Derbyshire and Staffordshire and the LAF urges support from both Highway Authorities.
- The unanimous decision by the sub group was to recommend a permanent full time TRO on motorized vehicles

#### **Byways and Bridleways Trust**

- The route should be kept open to use by motor vehicles wherever possible. Do not believe the distinction between highway users in terms of recreational use or otherwise is an attractive distinction. All use of the highway is exactly that, i.e. use of the highway whether by recreational or other types of vehicles.
- If there is an identified problem which is supported by compelling evidence to that effect then would be willing to look at that evidence and form a view on your second question. Hitherto there is no evidence of an issue and your consultation letter makes no reference to issues on this particular route. BBT's view is that a TRO is only needed where there is a particular problem that needs to be resolved.

- BBT Trust wrote to the Council in December 2011 regarding a proposal to limit vehicles wider than one metre. A copy of the Trust's letter is attached. If it is the case that what your Authority have in mind in 2015 is something similar then our comments from 2011 would remain.
- Can see no reason to restrict the use of the route as far as solo motorcycles are concerned. Any width restriction ought to consider saddled horses as set out in our 2011 letter.
- I have ridden this route on a pedal cycle several times in the last few years (including the ford) and cannot see any reason why motorcycles should be precluded from the use of this public road. There is a view that the ford is an integral part of this ancient highway. Suggest that resolution of the Ford as part of the highway is an essential pre-requisite to any TRO on the route.

#### **Ramblers' Association –**

- Support the proposed Traffic Order on Washgate Lane. Are of the opinion that all mechanically propelled vehicles should be restricted from using Washgate Lane, and that the restriction should be permanent. - Staffordshire Area
- Would strongly support the introduction of a Traffic Regulation Order on the Route at Washgate shown on the plan attached to your communication with interested parties. The view is that the area is remote, wild and of scenic, environmental and historical significance. Any kind of motor vehicle on this route would cause damage to the structure of the route, the bridge and the ford. As such vehicle use is inappropriate in this remote area of the National Park.- Derbyshire Dales group
- Suggest that it should be restricted to non motor propelled vehicles. The river crossing is a bridge of considerable historic value, possibly listed and it should be protected from damage by vehicles e.g. motor bikes and 4 x 4s. A restriction would improve the amenity for walkers and enhance the natural beauty of the area. Use should be restricted (we understand that there is considerable history attached to the regulation and use of this bridge) - New Mills & District

#### **Land Access and Recreation Association –**

- See that there was a consultation in 2010. That proposal was for an order not prohibiting solo motorcycles, via a one-metre width restriction. Not aware of any matter since 2010 that makes such a 'selective order' no longer appropriate, but there is a matter regarding the width of the route that needs to be addressed before any informed decision can be taken on a TRO.
- The PPNPA has formed the view that the ancient and current highway passes over the bridge, and that the adjacent ford is not highway. Do not think that argument stands up to challenge. Essentially, bridges (and this was mostly foot bridges) on 'old roads' were put in as a facility for pedestrian traffic using the road, where other traffic still had to proceed via a ford. Suspect that you are watching the Brushfield Lane case? Well, this issue is central to that road as well.
- You should, without prejudice to any future TRO report and decision, first 'bottom' the issue of the nature of the highway, particularly with a proper consideration of the rather arcane law regarding highways, improvements, and bridges, in period. Happy to assist but doubt if it can be done by 10 July. Would you please simply decide now to withdraw the matter from committee for further investigation, and push it back one committee 'slot'?
- With respect, you need to get this right as much as anyone else does, and it is not really a usual area of expertise within the Park's remit. To proceed on a false premise could well be a tripwire for another round of acrimony, and I hope that we are getting away from that.

Supplementary - You are going about this in the wrong way and, ii) your 'consultation' is invalid anyway. Without prejudice to any further comment or potential challenge, and this below is not exhaustive:

- In your consultation letter of 10 June you said (my emphasis throughout): "The National Park Authority is seeking views on the possibility of the Authority making some form of traffic

regulation order to restrict use of the above route by recreational mechanically propelled vehicles.”

- The National Park Authorities’ Traffic Orders (Procedure) (England) Regulations 2007. 2007 No. 2542, provides: Consultation before publication of proposals: 4. Where a National Park authority proposes to make a traffic regulation order it must, before publishing a notice of proposals pursuant to regulation 5(1)(a), consult the persons specified in the second column of the table in Schedule 1 in the cases specified in the third column of that table.
- The dictionary definition of ‘possibility’ most apt to your letter is: “a thing that may be chosen or done out of several possible alternatives.” The dictionary definition of ‘proposes’ most apt to the Regulations is: “put forward (a plan or suggestion) for consideration by others.” Plainly, Regulation 4 provides for statutory consultation where the Authority has properly considered all management measures (and, indeed, no measures at all) and has come to the view that a traffic order is necessary, and therefore ‘proposes’ such. Simply, your ‘consultation’ of 10 June is invalid as drafted and intended.
- In your letter of 21 August you say, “As clarification, the route is a highway and is used for the passage of vehicles although its legal status has not been determined by the Highway Authorities.” Your power to make traffic orders comes from s.72 of the NERCA Act 2006: Traffic regulation on byways etc. in National Parks. After section 22B of the Road Traffic Regulation Act 1984 (c. 27) insert— “22BB Traffic regulation on byways etc. in National Parks in England and Wales. This section applies to a road — which is in a National Park in England or Wales, which is— (ii) a carriageway whose surface, or most of whose surface, does not consist of concrete, tarmacadam, coated roadstone or other prescribed material,
- You will see that I have emphasised the words ‘is’, and ‘carriageway’. You say that the unclassified road at Washgates has an uncertain status. If that is the case then you have no power to make a traffic order on the basis that the road may be a carriageway. Is a carriageway = you have jurisdiction. May be a carriageway = you have no jurisdiction.
- In your letter of 21 August you say, “However, a section of the route in Staffordshire is a public footpath which is on their Definitive Map and Statement.” Are you sure? Have you looked closely at Staffordshire’s definitive map and statement? From what our local contacts have established last week, it seems that FP 10 does not run along the unclassified road to the river crossing, but rather runs between termini on county roads. Can you please confirm that you personally checked the information you gave with SCC, and copy to me the documentation they gave you to confirm your view?
- Respectfully ask you to tell all parties to whom you sent the ‘consultation’ that it is not in accordance with statute, and that the matter is being taken back for further work. We should, as always, be pleased to assist you to find a fair and balanced management package for this route.

**Natural England** - The route under consideration is closely sited to the Colshaw Pastures Site of Special Scientific Interest (SSSI). The proposed traffic order will not directly affect the notified interest as it lies out with the SSSI. However, restricting the vehicle usage on this section of PROW would reduce the risk of potential 3rd party damage to the site and therefore Natural England would be supportive of the proposal.

#### **Friends of the Peak District -**

- Welcomes the National Park Authority’s consultation on the future of recreational motorised vehicular use of Washgate. We have, since the launch of our Take Back the Tracks campaign, lobbied both the National Park Authority and Derbyshire County Council (DCC, the Highway Authority) to protect Washgate from the damage and disturbance caused by motorised vehicle use.
- Given the sensitivity of the historic quality of the route, the conflict between recreational motorised vehicle users (RMVUs) and other users, and the damage caused by RMVUs, FPD believe that a permanent TRO restricting all RMVUs on Washgate between Leycote in the



east and Tenterhill in the west is the most expedient method of protecting the environment and public amenity.

- Within the White Peak Washgate provides a tranquil intimate walk that descends steeply on both sides of the River Dove to cross it through a particularly distinctive and charming ford and on a Grade 2 listed pack horse bridge. At 4feet 6inches wide, the packhorse bridge is particularly vulnerable to RMVU use and its setting is marred by signage warning of a width restriction. The lane both sides of the river used to be stone pitched but has suffered severe damage (see Mark Richards website [www.markrichards.info/walk-free/peak-park-and-stride/the-southern-dales-1-16/13-washgate-bridge-and-hollins-hill.html](http://www.markrichards.info/walk-free/peak-park-and-stride/the-southern-dales-1-16/13-washgate-bridge-and-hollins-hill.html)), although recently the setts have been partially restored. Flower rich verges add to the pleasure of the walk.
- Walking west between Washgate bridge and Tenterhill there are some low rocky steps beyond which the lane becomes muddy, rutted with standing water and narrowly enclosed between walls with high or no verges and flourishing vegetation. Washgate east of the bridge offers a narrow winding climb to Leycote. Above the repaired setts there are short ruts and several narrow sections with no verges. Whilst damage to the surface is in part the result of water run-off, the clear evidence of motorbike use and its impacts indicates that such use is a significant factor.
- In 2007, based on the Authority's well tested methodology to assess sustainability of use of green lanes, Washgate scored 14/15 showing that use of the route by RMVUs could not be sustained. In May 2011 DCC decided to make a permanent TRO restricting all vehicles over 1m wide but did not proceed to publish a formal notification of the proposal for making the TRO. Hence no TRO exists on the lane. However boulders at either end of Washgate and at the ford have effected a width restriction since a temporary TRO for repairs in 2008-2009. Vehicle logging during the winter of 2015 confirms that significant numbers of motorbikes, but no 4x4s, continue to use the route particularly at weekends<sup>1</sup>. This creates conflict and safety issues with other users, deterring some from using the route, destroys the surface of the lane and
- impairs the tranquillity of the route.
- DEFRA Guidance for National Park Authorities making TROs accompanies the 2007 regulations and identifies the eight grounds for making a TRO on a route as a) avoiding danger or the likelihood of danger; b) preventing damage to a road; c) facilitating the passage on the road (including pedestrians), d) preventing use which is unsuitable having regard to the existing character of the road, e) preserving the character of the road where it is specially suitable for use by persons on horseback or on foot; f) preserving or improving amenities of the area; g) for air quality; and h) conserving the natural beauty of the area, or affording better opportunities for the public to enjoy the amenities of the area.
- We believe that a permanent TRO meets seven of the above eight grounds (we have no evidence for air quality) for making a TRO.
- Landscapes within National Parks are afforded the highest level of protection and use of Washgate by RMVUs conflicts with National Park statutory purposes which are: to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and to promote opportunities for the understanding and enjoyment of the special qualities [of the Parks] by the public.
- The Defra guidance (page 6) is clear that outdoor recreation experiences within a National Park should enable people to enjoy the special qualities of the area such as scenic beauty and peacefulness, and not detract from the enjoyment of the area by others i.e. quiet outdoor recreation.
- The distinctive intimate character of the route makes it unsuitable for use by noisy trail bikes which create conflict and safety issues with other users, destroy the surface of the lane and impair enjoyment of its special qualities by other users. Indeed trail bikes may deter some from using Washgate. The narrowness of the lane with poor sightlines creates a danger for walkers, cyclists and horse riders who meet a RMVU. In places there are no refuges at all.
- Although the distinctive historic quality of the lane is being restored continued use by RMVUs will destroy the efforts to repair the setts and threaten the integrity of the packhorse bridge

and ford, and the extent of the flower rich verges. As several paths converge at the packhorse bridge the route is part of a number of popular circular and through walks that are so important to the cultural heritage and amenity of the area. Removing RMVU rights would also allow all the clutter created by signage warning of the width restriction to be removed from around the ford and packhorse bridge, thereby enhancing the landscape.

- Believe the situation on Washgate justifies complete recreational vehicle restrictions and that only a permanent TRO would expediently deliver seven of the eight grounds for making such an order and fulfil National Park statutory purposes. We therefore urge the National Park Authority to consult on a permanent TRO on Washgate.

Supplemental - This has not altered what we wrote in our previous letter of 6th July that a permanent TRO restricting all recreational motorised vehicle use on Washgate between Leycote in the east and Tenterhill in the west is the most expedient method of protecting the environment and public amenity. However, we are concerned that if there is no TRO in force on Washgate then the obstructing stones are illegal. Since the legal status of the route is unknown, removal of the stones would make the route usable by 4x4 vehicles again. Such use severely damaged the route previously and led to the existing width restriction. If the route became usable again by 4x4 vehicles the ford, the Grade 2 listed pack horse bridge and the restored stone pitching would all be vulnerable to damage. In order to prevent such damage a temporary TRO should be urgently placed on the route to protect it. Defra guidance is explicit that TROs can be used to prevent damage from happening but the authority should be able to demonstrate a reasonable risk that the situation the TRO is intended to prevent would arise. The past history of damage on Washgate demonstrates this risk. We therefore urge the PDNPA to work in partnership with Derbyshire and Staffordshire County Councils to implement a temporary TRO to cover the period of the ongoing consultation on the future management of the route.

#### **National Farmers Union -**

- Have visited the Staffordshire end of the route and following consultation with members, we do not have an objection to that section of the route being opened provided that it is managed so that it doesn't deteriorate further. Our member feels that the route should be available for the public to enjoy and this means that it should be accessible to all users. On the Staffordshire side the highway is very steep and narrow and there is potential for conflict if it were open to a wide range of user groups. Therefore any future management should focus on reducing conflict between users and ensuring that it is safe for all user groups to enjoy.
- There is currently evidence of frequent use by motorbikes on the Staffordshire side as the route is partially open. This has led to widespread erosion and damage to the route surface with some very rutted and muddy sections. We would have concerns if the route were to deteriorate further. This erosion does present a risk to WFD status of the River Dove as sediments are washed into local watercourses. We would be concerned if a ford were to be opened up on the river Dove as this could encourage further use and result in additional damage and erosion. The eroded nature of the route means that it would be very attractive to 4 x 4 users and this may mean that there is a significant uplift in traffic if it were opened and consequently a very real risk of damage to the route and surrounding walls. Therefore if use is not restricted there must be a way of regulating traffic, managing the surface and drainage, reducing flood risk and facilitating ongoing repairs to damage in order to reduce the challenge to 4x4s.

#### **Trail Riders Fellowship –**

- Welcome efforts on the part of the Peak District National Park Authority (PDNPA) to engage with user organisations, and are pleased to note that the consultation letter invites suggestions for variations of, or alternatives to, a traffic regulation order (TRO).
- Disappointed that this exercise is being initiated under the umbrella of a prescribed TRO process, which is not intended or suitable to be used to consult on such a broad basis. A fair and proper preliminary TRO consultation requires that the consultees are provided with sufficient information upon which to formulate a response. As a bare minimum the general

nature of the proposed TRO should be set out, together with the reasons for proposing it. The current exercise leaves consultees speculating as to what the form of TRO is and likewise as to the PDNPA's reasons. It appears that the consultation is not a TRO consultation in the statutory context, but a consultation which seeks to canvass views on how the road could be better managed, if indeed it requires better management.

- The questions that PDNPA presents can be properly accommodated by a non-statutory consultation, which would also be conducive to reducing adversity between the Authority and the users who continue to suffer as a result of unjust TRO's.
- Has concerns that PDNPA is acting beyond its powers by utilising a statutory consultation process. National Park Authorities are only empowered to interfere with the Highway Authorities' roads in very narrow circumstances, those being: where the road is recorded on the Definitive Map, or; where the road is definitely a carriageway and has a surface that is of a prescribed description, and; where no relevant TRO is in force.
- Washgate Lane is not recorded on the Definitive Map and is not subject to a relevant TRO, it does have a road surface that would appear to fit in the prescribed description. It follows that PDNPA could exercise TRO powers (which include the power to consult under regulation 4) if the road is definitely a carriageway. The legislation does not provide for National Park Authorities' to interfere with roads that *might* be carriageways. I have asked to be provided with clarification on this point in order to be able to provide a properly informed response to this consultation. PDNPA have declined to provide their opinion as to the question of whether the road is a carriageway or otherwise. In the absence of this information being provided, the TRF can only speculate on the basis of the PDNPA's reports and action plans which resolve to clarify the status of the road and deny that part of it is a highway.
- Assume that the PDNPA have proceeded to exercise powers on a belief that Washgate lane isn't entirely a highway and that it might be a carriageway. PDNPA does not have the power to do this. Highway Authorities can, and do, utilise TRO's on non-highways and roads that might be carriageways. It is for this reason that Highway Authorities should be involved in meetings with user groups and PDNPA in which the improvement of the green road network can be facilitated. PDNPA are well placed to facilitate such progress and would have the TRF's support should they choose to action this.
- For the aforementioned reasons, are of the opinion that engaging in this consultation, within a statutory context, is not in the public interest. Accordingly, decline to provide answers to the questions set out in the consultation letter.

**Peak and Northern Footpaths Society** – supports the making of a TRO to prevent all kinds of mechanically-propelled vehicles, except emergency vehicles & those with private rights, from using the Non-Classified Highway known as "Washgate". The TRO should be permanent, in both directions & extend the full length of the route between existing tarmac all-purpose roads. I used to walk this route regularly until the early 2000s & it was a delightful cobbled lane of great antiquity & historic interest. The unfettered use of it by recreational MPVs since then ruined it for all non-motorised users. Any repairs undertaken will not last if the use of the lane is not controlled to prevent further damage.

**Peak Horsepower** –believes that all motor vehicle traffic (other than for farm and emergency vehicle access) should be permanently prohibited from using Washgate at all times. Do not believe that there are any alternative effective or enforceable means of protecting this route from damage from recreational motor vehicles or which will render it safe for horse riders.

- Understand that there is currently a DCC TRO on Washgate designed to protect the ancient packhorse bridge from use by vehicles over a specified width. This has had the effect of excluding 4x4s from the route. The DCC TRO does not exclude motor bikes. Nor does it exclude quad bikes, which present to horse riders the same danger as motor bikes and, like motor bikes, continue to damage the surface of the route. Our understanding of highway law is that it currently precludes more than one TRO being on the same route at the same time. If PDNPA decides to proceed to a TRO which will achieve the exclusion of all types of motor vehicle from Washgate, we think it will need either to draw up a TRO which aligns with the

existing DCC TRO excluding 4x4s, or it will need to ask DCC to lift its current TRO. Believe that six of the legal grounds on which PDNPA can make TROs apply to Washgate:

- TRO on safety grounds: 'For avoiding danger to persons or other traffic using the road or any other road, or for preventing the likelihood of such danger arising' - Washgate used to be a route easily and safely used by horse riders. It had a decent surface throughout its length. Since recreational motor vehicles began to use it much of the surface has become dangerous. A horse can easily fall in ruts and on bare rock, injuring itself and its rider, and it risks being lamed on surfaces which are large, rough rocks and stones.
  - The route is narrow and enclosed. There is nowhere for a horse and rider to get out of the way of oncoming vehicles.
  - There is insufficient room for a horse to pass or be passed safely by a 4x4, let alone a convoy of 4x4s.
  - The route has unsighted bends. Motor bike and quad drivers often go round bends too fast for safety. They have no means of knowing what is around unsighted bends and due to their engine noise and use of helmets they cannot hear any warnings which horse riders may try to give. For these reasons there is a risk of collision on this route between horses and fast moving motorised trail and quad bikes.
  - Horses are frightened by the noise, speed and sudden appearance of trail bikes and quad bikes. A frightened horse will panic, whip round and try to bolt. This can lead to serious accidents, particularly on a surface on which the horse can lose its footing and fall. There is high risk of such accidents on Washgate.
  - To be useable safely and in its entirety by riders, the route needs repair, particularly on the Staffordshire side of the border, and we hope that PDNPA can persuade Staffordshire CC to carry out the necessary repairs. However, repair alone will not make Washgate safe for riders because the nature of the route makes it inherently dangerous for it be used by both riders and motor vehicles. Only a full TRO can make riders safe.
- TRO on grounds of 'preserving or improving the amenities of the area through which the road runs' and on the grounds of 'affording better opportunities for the public to enjoy the amenities of the area, or recreation...'
  - Use of Washgate by motor vehicles has led to the exclusion of horse riders from the route and so to the loss of an amenity with high value to horse riders. It is also curtailing the recreation opportunities for riders in the area.
  - The loss of amenity arises from riders choosing not to use the route due to fears over safety and their physical inability to use the route due to surface damage.
  - A local trekking centre run by a member of Peak Horsepower still uses the least damaged and dangerous part of Washgate but the centre says they are able to do so because they always go out in a group and that because they are in a group they can make vehicles give way to them. They say that an individual rider on the route would be very vulnerable.
  - They say that their horses are sturdy cobs which can cope with difficult surfaces. They say that riders with finer bred horses will not use such surfaces and that they do not consider that horses in general can cope with it.
  - Riders with valuable horses used for competitions or hunting will never use such surfaces.
  - The trekking centre says that their horses now have to jump up the large slab step which has been created on the route by motor vehicle damage and that it would be 'impossibly unsafe' to attempt to come down it on a horse.
  - The trekking centre says that parts of the route are so damaged and dangerous that they are impassable on a horse.
  - Know of no individual rider now prepared to risk using the route.
  - The trekking centre says that there can be up to 50 or 60 trail bikes at a time on the route when competitions are being held.
  - Washgate has the legal status of unclassified county road. Unless and until it is proved through the statutory Definitive Map Modification procedure that it has no right of way for horse-drawn vehicles, carriage drivers have the same legal right to use the route as any other user. The dangerous presence of motor vehicles on Washgate and the surface

- damage which has been caused by motor vehicles mean that at present no carriage driver can make use of an amenity which should be open to them.
- TRO on grounds of the character of the road: 'For preventing the use of the road by vehicular traffic or a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the character of the road'
    - Washgate is an ancient paved pack horse route which is part of the historic fabric of the National Park. The surface of the route, including much of the historic pitched paving, has been destroyed or severely damaged by recreational motor vehicles. Some repairs have been done on parts of the route in the past but the repairs are already showing signs of new vehicle damage and other parts of the route are continuing to deteriorate. The extent of the damage which has been done to Washgate indicates that motor vehicles are being driven in a manner which is inherently unsuitable having regard to the character of the road.
    - Understand that 4x4s are observing the DDC width restriction and are not now using the route and that the main users are motor bikes. There is evidence on the ground from motor bike tracks that motor bike use alone use is damaging those sections of the route which have been recently been repaired. Mention this as believe it is clear that motor bikes are being driven in manner which is unsuitable for the character of the road.
    - Do not believe that the surface of Washgate can be engineered to support use by recreational motor vehicles without a permanent change in the character of the route.
  - TRO on the grounds of 'facilitating the passage on the road or any other road of any class of traffic (including pedestrians)'
    - A TRO excluding motor vehicles will facilitate the passage not just of horse riders but of all classes of non -motor vehicle user. Non-vehicle users are currently either deterred from using Washgate (cyclists and pedestrians) or, in the case of most horse riders and all carriage drivers, they are prevented from using it altogether. A TRO plus repairs will enable and facilitate the passage of all non-vehicle users, including carriage drivers.
  - TRO on the grounds of Washgate being 'specially suitable for use by persons on horseback'
    - The Leycote/Longnor/Hartington area is peculiarly ill-served with regard to bridleways and off-road riding routes. Unsurfaced, unclassified roads such as Washgate are therefore particularly important to riders in the area and routes such as Washgate should be made safe for them to use.
    - Washgate is the only through off-road route connecting riders with, and giving them access to, either side of the Hollinsclough valley and as such is of special importance to them.
  - TRO on the grounds of 'conserving or enhancing the natural beauty of the area'
    - Peak Horsepower's overriding concern is safety and access for horse riders and these concerns form the basis of our response to this consultation, but our members also value highly the privilege of being able to live and ride amidst the beauties of the National Park. We therefore support the making of a TRO on Washgate on the grounds of conserving and enhancing the natural beauty of the area.
    - The route passes through a SSSI.
    - The Staffordshire Wildlife Trust has identified over 100 species of flora growing on the verges of Washgate.
    - Exclusion of all recreational mechanically propelled vehicles from Washgate will eliminate intrusive loud noise and prevent further damage to the surface of the track and to its verges, banks, flora and retaining walls. All of these are part of the landscape and natural beauty of the National Park which PDNPA has a statutory duty to protect.

#### Supplemental

- Suggestion that Washgate is part footpath
  - You say in your letter that part of the route is a footpath (FP). Do not believe that this information is correct. Our researcher, an expert on rights of way, has examined historic documents relating to Washgate and its connecting routes and advises that there is no historic evidence for any part of the route being FP. The same documents should be

- available to the highway authority. Nor is there any signage on the ground to indicate that part is FP.
- Should Staffordshire County Council (SCC) wish to suggest that part of the route is FP, and should it wish to try to add part of Washgate to the Definitive Map (DM) of rights of way as FP, SCC will need to go through the statutory Definitive Map Modification Order (DMMO) process. This legal process cannot be short-circuited by a highway authority and it typically takes some years, even in authorities which are actively processing their DM applications and have provided resources for their DM work.
  - Understand that the SCC rights of way team has been reduced to one half-time post and that it is some time since that Authority has had the capacity to manage or progress its long list of outstanding DM Modification applications. Think it highly unlikely that SCC would have either the willingness or the capacity to determine what legal rights of way exist on its part of Washgate.
  - Should SCC nonetheless find at some point in the future the resources to start a DM process for its part of Washgate, and should it as part of the necessary statutory process determine that part of the route is FP, Peak Horsepower will make a formal objection. A FP DMMO on any part of the route would exclude horse riders from using Washgate as a through route. We would challenge this as we believe we would be able to establish bridleway (BW) rights. Do not wish to be put in this position as an objection to a FP Order on our part will lead to a public inquiry and an unpredictable increase in the length of time it could take to deal with the alleged FP issue through the DMMO process. (Public inquiries into highway authority DM determinations typically take place up to several years after the highway authority's initial determination and Order.)
  - Unless and until any part of Washgate goes onto the DM as either footpath, bridleway or restricted byway, that part of the route can continue to be used by motor vehicles.
  - PDNPA has the power to put a TRO on any route which is on the definitive map or on any unsealed road not on the definitive map, regardless of its rights of way status. This includes highways on which the rights of way are currently unknown and which may or may not have latent but so far unproven FP or BW or motor vehicle rights. PDNPA put a TRO on the Roych at a time when this route was an Unsealed Unclassified Road on which the rights of way remained unknown and which continue to be unknown. Washgate is no different. It does not even have a DMMO application on it and as explained above it will take years for any DMMO to be processed and enacted.
  - There is a pressing need to protect Washgate as quickly as possible - to prevent further damage, to protect the recent repairs, and to restore the whole route as an amenity for horse riders and other non-vehicle users. Believe that the possibility of part of the route being footpath is a) ill-founded and b) a distraction. PDNPA must not allow itself to be distracted. It should press on with a full TRO on the whole route as quickly as possible and make a decision to start the next round of consultation at the ARP committee at its meeting on 18 September as originally stated
  - Derbyshire TRO/boulders
    - In original response to the consultation said that we thought there was a Derbyshire County Council TRO on part of the route which had created a width restriction. Your letter explains that this is not the case and that there is no TRO current on the route. This means that PDNPA will not have to deal with the complication of timing its own TRO (should it decide to use one) with the lifting of a DCC TRO, as it did for Long Causeway.
    - Urge PDNPA to liaise with Derbyshire CC to make sure that the boulders which currently prevent 4x4s and any other wide vehicles from damaging the pack horse bridge remain in place. Our understanding of the legal position is that unless and until motor vehicle rights are proven to exist via the statutory DM modification process, neither landowners nor highway authorities are legally obliged to remove any obstructions which may be preventing motor vehicle access.
    - PDNPA could also ask Derbyshire CC to put in place a temporary TRO with a width restriction which will protect the bridge, this TRO to remain in place until the outcome of PDNPA's own decision in the TRO process is known and implemented.

### Peak District Green Lanes Alliance –

- Believe that the PDNPA should introduce a Traffic Regulation Order (TRO) banning all classes of motor vehicles on Washgate from travelling in both directions for all days of the year (with the normal exemptions for emergency vehicles, agricultural vehicles etc.) The reasons that PDNPA should adopt this approach are given in our response. Have also detailed why believe that other approaches would be unsuitable.
- Any TRO will need to be worded to ensure that access is maintained for the inhabitants and visitors of both Leycote and Booth Farm from the eastern end of Washgate. This could be achieved either by the wording of the exemption or by changing the starting point of any TRO.
- The status of Washgate is not known. It is currently shown as an ORPA on the OS maps and is on the List of Streets. The PDNPA Route Summary says that it is understood that there are no public vehicular rights over the ford. There are no suitable turning places on the Derbyshire side of the River Dove. Because of this, recommend that PDNPA should consider a width restriction for horse drawn carriage users to ensure that wide carriages do not damage the historic packhorse bridge (which is 4 foot 6 inches wide) over the River Dove or the ford. Do not have the expertise to say what an appropriate width restriction should be to minimise the risk of damage to the bridge.
- Understand that motorcycle trials use the route. It is possible that PDNPA may be asked to include an exemption in the TRO to allow these trials to continue. Urge PDNPA, if it decides to make an exemption for motorcycle trials, to ensure that such trials do not prejudice the grounds on which it makes any TRO. If PDNPA is minded to allow current, long established motorcycle trial(s) to continue, ask that any exemption is worded in a way that considers the future sustainability of the surface of the route and of the ford (if used). Do not think that PDNPA should allow any trials to use the route except established, historic trials (which are currently being run) organised by responsible organisations. Would not wish to see any new vehicle trials allowed on Washgate.
- Use of the route - The route is used by walkers, cyclists, some horse riders and recreational motor vehicle users (mainly motorcycles). PDNPA logging reported in the Route Summary shows that since at least 2010, the route has been used only by motorcycles and not 4 wheeled drive vehicles ([http://www.peakdistrict.gov.uk/\\_data/assets/pdf\\_file/0009/579474/RS1506-Washgate.pdf](http://www.peakdistrict.gov.uk/_data/assets/pdf_file/0009/579474/RS1506-Washgate.pdf)) with use highest at weekends. Logging does not detect non vehicle users. Some horse riders are deterred from using the route because of the perceived danger of meeting motorcycles in the narrow sections on both sides of the River Dove. The whole route is still used by some more skilled and experienced horse riders who feel competent to cope with the surface and are prepared to encounter motorcycles.
- Repairs to the route - The route was closed to all motor vehicles by a Temporary TRO between April 2008 and May 2009 for urgent repairs by DCC. During this period the surface started to solidify and vegetation grew holding it together. After the route was reopened to motorcycles the surface became looser once more. Where DCC laid a surfacing material called “top track” motor bikes tended to develop grooves in it which led to rain water washing it away. On a site visit on 5 January 2012 it was seen that there was much loose material on the track and that nearly all of the “top track” had disappeared. On the line used by motor bikes there was no vegetation. This evidence suggests that motor bikes are damaging Washgate. PPCV volunteers have since repaired part of the setts/paving/pitching on the descent to the River Dove on the Derbyshire side of the route.
- Motorcycle Trials - We understand that motorcycle trails have been using Washgate for many years. The programme for the most recent Bemrose trial on Sunday 8 March 2015 gives a potential start list of 150 competitors, although the results show that only 93 actually did the Washgate section. These numbers compare with a total of 195 motorcycles logged in the 85 days from 21 Nov 2014 to 13 Feb 2015 (reported in the PDNPA Route Summary.) Suspect that this volume of one use on one day could cause damage and may also result in conflict with other users.



- Reasons why we believe regulation of recreational motor vehicle use by a Traffic Regulation Order can be justified.
- For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising
  - Noise - the noise made by revving motorcycle engines frightens some horses.
  - Width - The narrow enclosed nature of the steep section of the route on the Derbyshire side means there are potential conflicts between motor vehicle users and other users. DCC's report (2011) on a possible TRO says that this part of the route "is barely wide enough to accommodate a single 4x4 vehicle of usual (1.8m) width". The narrow width of the packhorse bridge (Grade II listed) means that it is unsuitable for use by wide vehicles. Have elaborated more fully on this. This is why we would support a width restriction on wider horse drawn carriage users.
  - The path on the Staffordshire side of the route is also narrow. This again could lead to a conflict between vehicle users and non vehicle users.
  - Sightlines - There are problems with visibility in the walled section of the Derbyshire descent to the River Dove. Vehicle users can not see what lies ahead and therefore may be encouraged to go too fast.
  - Steepness - The route descends steeply to the River Dove on both sides of the river. Vehicle speeds often increase on steep downhill. Increased speed means increased stopping distances. Steep uphill often result in increased revving and wheel spin which can damage the surface. Dangerous surface - The surface on the Staffordshire part of the route is in poor condition as the route climbs from the River Dove. There are deeply eroded steps. Very uneven surfaces increase the risk of stumbling and falling for all non vehicle users. Believe that continuing use of this section of the route by recreational motor vehicle users (RMVU) will increase the rate of erosion and hence the risk associated with dangerous surfaces.
- For preventing damage to the road or to any building on or near the road
  - Local residents remember there being setts/paving/pitching on both sides of the river to make the descent and ascent easier for pack horses. The paving on the Staffordshire side has nearly completely disappeared in living memory. The original paving has been virtually destroyed on the Derbyshire side.
  - Dodd and Dodd "Peakland Roads and Trackways" shows a photograph taken in 1972 of the undamaged paving on the Derbyshire side (Page 87 of the Third edition).
  - Mark Richard "White Peak Walks" includes a drawing of the undamaged pitching in the 1988 edition. The Second Edition published in 2009 refers to the subsequent damage on both sides of the river.
  - PPCV volunteers are still repairing the paving on the Derbyshire side and the repaired paving will inevitably suffer the same fate if motor vehicles are allowed to continue using the route. There are two causes of erosion, vehicles and water, but vehicles are the initiating cause. Skid marks on the stones are evidence of the forces exerted on paving stones by vehicle wheels, by power applied on ascent and by braking on descent. This loosens the stones, allowing water to get in and wash them out.
  - A TRO would protect these repairs from further damage by motor vehicles and enable visitors to see the route as it was in historic times and up to the 1980s.
  - See also comments under the heading of "Repairs". We believe that the earlier repairs carried out by DCC were damaged by the continued use of the route by motor cycles.
  - The packhorse bridge (Grade 2 listed) is narrow (4 foot 6 inches or 1.3 metres wide.) There is no turning place on the Derbyshire side near the bridge. As explained in the "Summary", PDNPA and DCC understand that there are no public vehicle rights at the ford. If this is correct, a TRO is needed to protect the bridge. Believe that this can be best achieved by banning all recreational 4 wheel drive vehicles from Washgate via a TRO. Believe that it will be necessary to restrict the width of horse drawn carriages able to use the route. Do not have the expertise to say what an appropriate width restriction for horse drawn carriages would be to protect the bridge but intuitively something of the order of a metre would seem appropriate.



- As described earlier under “Dangerous surface”, the surface of the ascent from the river on the Staffordshire side is poor and a TRO would help protect the “steps” from further damage by motorcycles and conserve the small remaining areas of paving.
- For facilitating the passage on the road or any other road of any class of traffic (including pedestrians)
  - This route is valuable to walkers, horse riders and cyclists as it is a through route in its own right and joins other public footpaths and a bridleway at the bridge. If recreational motor vehicle users no longer had access to this route, it would benefit these non-vehicle users and facilitate their passage.
  - Some horse riders no longer use the route because of concerns of meeting motor cycles on the narrow and steep sections. Effectively some horse riders are being denied access to Washgate. A TRO would encourage those horse riders whose horses could cope with the damage on the Staffordshire part of the route to return to using it.
  - One of the special qualities of the Peak District National Park is the “Opportunities for outdoor recreation and adventure”. According to DEFRA, recreation in this context “suggests a focus on quiet outdoor countryside recreation, associated with the wide open spaces, wildness and tranquillity to be found within the National Parks.” A TRO would help all non vehicle users experience this tranquillity on Washgate and further restrict recreational motor vehicles, whose presence is inappropriate for a National Park and extremely damaging on unsurfaced routes.
- 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 existing character of the road or adjoining property
  - Believe that it is important to protect the historic character of this route and prevent damage to the packhorse bridge and the repaired setts/paving/pitching. Believe that continuing to allow recreational motor vehicles to use the route could result in the historic character being destroyed for the reasons given.
- For preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot
  - Local riding stables used to use the route with both adults and children. The deterioration of the surface and the fear of meeting motorcycles on the narrow, sunken sections has deterred all but extremely competent horse riders with placid mounts from using the route. A TRO would encourage other horse riders to start re-using the route and would also allow all non-vehicle users to experience its original character.
- For preserving or improving the amenities of the area through which the road runs and Section 22 (2) for the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area. - Because the reasons for supporting a TRO on these grounds are so similar we have dealt with these sections of legislation together in order to avoid excessive repetition. “Amenity and natural beauty” is a statutory term derived from Section 5(2) of the National Parks and Access to the Countryside Act 1949 (as amended and as informed by Sections 59 and 99 of the Natural Environment and Rural Communities Act 2006). These terms are discussed in detail in the DEFRA guidance “Public Rights of Way: Guidance for National Park Authorities making Traffic Regulation Orders under section 22BB Road Traffic Regulation Act 1984” pages 5, 6 and 7. Have used this information to guide our response in this section.
  - Natural Heritage Features - Appendix 1 of the PDNPA Route Summary details ecological surveys carried out by PDNPA in 2008 and 2015. Attach as part of our submission a copy of a Staffordshire Wildlife Trust survey of the route which lists all the flowers and birds seen when they visited. The verges of the route are species rich. Believe the plant life along the route is at threat from motorcyclists driving on those verges. There is evidence of off-piste activity on the verges near Leycote. Recent press reports have highlighted the importance of verges for plants. One of the special qualities of the Peak District National Park is the “Importance of wildlife and the area’s unique biodiversity.”

- Off piste activity damaging the ford - It is understood that there are no vehicle rights at the ford beside the packhorse bridge. Vehicles have used the ford and damaged the banks. This damage is visually intrusive degrading the amenity of the location and the setting of the packhorse bridge and may also be detrimental to the river ecology (DCC report on possible TRO, 2011). In addition, visually intrusive boulders and signs have been placed in the area by the Highway Authority to reduce future damage. A TRO would mean the boulders and signs could be removed and in time, the damage to the river banks might heal. It is clear from ride reports and videos posted on the internet that many motorcyclists use the ford, indicating that recent vehicular damage to the banks is due to motorcycles, not 4x4 vehicles.
- Cultural Heritage Features - Appendix 2 of the PDNPA Route Summary describes the history of field enclosure in the area. Enclosures have formed the network of stone walled fields in the National Park. Dodd and Dodd describes the packhorse routes in the Upper Dove and Manifold Valleys in Section 5.7 of "Peakland Road and Trackways." They describe how the route forms part of the network of packhorse routes in that area. They also describe the packhorse bridge (Grade II listed) and the paved packhorse way (largely destroyed at the time the third edition was published but now being restored on the Derbyshire side by volunteers.) See also this submission which gives more detail of the damage to the surface of the track and the potential for damage to the bridge. One of the special qualities of the Peak District National Park is the "Thousands of years of human influence which can be traced through the landscape." The walls beside the track, as well as the packhorse route itself, are part of the cultural heritage. On other routes, dry stone walls have been destroyed by RMVUs (either by collisions or by removing coping and other stones near very muddy stretches to fill in hollows). Stone walls are mentioned in the special qualities of the National Park. Believe that a TRO would help preserve this cultural landscape for future generations.
- Landscape Quality and Scenic Quality - The route falls within the South West Landscape area. The overall impression of the route is of a mainly narrow sunken lane through pastoral farmland which descends steeply to the River Dove. The river area is particularly attractive. In places there are extensive views of the upland areas to the east and west of the River Dove. The Peak District National Park has many varied landscape types. Washgate illustrates a beautiful pastoral landscape around a steeply incised river valley.
- Tranquillity - "Opportunities to experience tranquillity and quiet enjoyment" are one of the special qualities of the National Park. This part of the National Park is far from major roads and is relatively isolated with scattered farms rather than villages close together. Without the noise of motorcycles, it would be a most tranquil area.
- Value of the route to non vehicle users as an amenity and for recreation - Four footpaths, one bridleway and Washgate converge on the bridge over the River Dove. This means that Washgate can be used as a through route or to access other paths. There is an extensive network of paths for walkers in the general area. There is also the potential for horse riders and cyclists to create a number of routes using Washgate.
- Believe that all the reasons given above support a TRO under the Road Traffic Regulation Act 1984 Section 1 (f) and Section 22 (2).
- Other Options Other than a Full TRO - have considered other possible options for managing recreational motor vehicle use on Washgate and have briefly given our reasons why we believe they would be inadequate.
- Voluntary Restraint - Voluntary agreements suffer from the defect that many vehicle users are not members of recognised organisations; even members of these organisations may not abide by them; and the organisations themselves have no effective sanction over their members. There are no sanctions against users who deliberately ignore voluntary restraint. DEFRA recognises this in "Making the Best of Byways" December 2005 page 26 "Discussions with authorities when drafting this guide indicate that voluntary restraint is widely seen as ineffective in managing mechanically propelled vehicle use of byways." However DEFRA goes on to conclude "Voluntary restraint can be a useful tool for management of byways where reductions in mechanically propelled vehicle traffic is

desirable but not where the prohibition of mechanically propelled vehicles is agreed to be necessary.” Do not believe a simple reduction in use of vehicle traffic is the solution to the problems on Washgate. Experience of voluntary restraint on The Roych and Minninglow Lane (both in the Peak District National Park) suggests that the lack of sanctions results in a significant minority of recreational motor vehicle users ignoring them. Have observed this behaviour mirrored in other areas of the country – both in National Parks and outside. Therefore would not advocate a voluntary agreement on Washgate.

- Partial Traffic Regulation Orders By Class of user or width - 4x4s, being wider, make it harder for other users to pass them and cause more damage. However, motorcycles generally drive much faster, and often in larger groups. Excessive revving of their engines can cause wheel spin and on unconsolidated surfaces can throw-off large quantities of earth, so the erosive effect may not be much less. The noise of motorcycles is more intrusive. Tranquillity is an important character of a National Park. Horses are frightened by the noise of motorcycles but not by the noise of 4x4s. Motorcycles are thus more likely to cause danger to horse riders. Do not believe that banning only one class of recreational motor vehicle user would be sufficient to resolve the problems of Washgate. However, do believe that PDNPA should consider a width restriction for horse drawn carriages.
- Seasonal Restriction - A seasonal restriction is unlikely to protect Washgate from further damage to the surface. Generally seasonal restrictions are in the winter when other use is lower anyway. Seasonal TROs have been used by Highway Authorities in other parts of the country to protect unsealed and unsurfaced routes on heavy clay soils which are vulnerable to damage during wet weather. Increasingly, these HAs are having to extend these TROs to cover other periods at their discretion. Moreover seasonal restrictions do nothing to counter danger, loss of amenity etc. to other users when they are not operative.
- Time Restriction - Banning night time use, would not deal with the loss of amenity to other users during the day time when recreational use is greatest. Do not believe a TRO applying at weekends only would be sufficient.
- One way system - A one way system may not reduce the volume of recreational motor vehicle use on Washgate. In addition horse riders believe that one way systems increase the danger to them because vehicles, particularly motorcycles, may travel faster on a one way system even approaching blind summits and bends.
- A Permit System - A permit system would cause additional administration for PDNPA and would involve adding additional gates to the route (which would need permission from the Highway Authorities). Evidence received from contacts in the Lake District where the Lake District National Park use a permit system on one route, suggests that more vehicles use the route than have been authorised and that the code for the combination lock is passed between vehicle users. Therefore do not believe that a permit system would be effective.
- Alternative Routes for a Recreational Motor Vehicle Users if a Full TRO were imposed - The alternative routes on sealed and surfaced roads from Booth Farm to Tenterhill are considerably longer. A full TRO banning recreational motor vehicle users from using Washgate would deprive them of the opportunity to drive on this unsealed and partially unsurfaced route and to test their driving skills on the “steps”. However, on balance believe that other users (walkers and cyclists and hopefully more horse riders if the Staffordshire part of the route were to be repaired) would best be served by a full TRO on this route. The loss of amenity to recreational motor vehicle users is outweighed by the gain in safety, amenity and opportunities for outdoor recreation for other users; by the preservation of this historic route; and by expediting the healing of the route.

Supplemental - Do not wish to alter anything in the body of our report but wish to add these additional paragraphs to our summary:

- Do not believe that the PDNPA TRO consultations and the considerations by the ARP Committee should be halted whilst the status of all or any part of the route is determined. Would like to see the ARP Committee reaching a decision on a TRO at its meeting on 18 September 2015 as originally planned.
- Believe the clarification that there is no existing TRO on the route will lead to a request being made to either or both of Derbyshire County Council and Staffordshire County Council to

remove the boulders (that effectively prevent wider vehicles using the route) and the signs that imply there is a width restriction on Washgate. If either or both of these Highway Authorities decide that such a request must be complied with, then PDNPA should liaise with Derbyshire County Council and Staffordshire County Council with a view to placing a Temporary Traffic Regulation Order (TTRO) on Washgate. If neither County Council will do this, then PDNPA should place the TTRO itself. The purpose of the TTRO would be to prevent serious damage to the route by wider vehicles and/or the likelihood of danger to the public, while the TRO consultation is in progress. Evidence for supporting such a TTRO is contained in the body of our original submission where we have discussed the effect of 4x4 vehicle use on the route.

- Note the clarification that the status of the route has not been determined by the relevant Highway Authorities and that a “section of the route in Staffordshire is a public footpath which is on their Definitive Map and Statement.” Believe that this is a reference to Hollinsclough Footpath 10. We think there appears to be a discrepancy between the Definitive Map and accompanying Statement for this footpath. If the information about a section of the route being a public footpath came from Staffordshire County Council, we believe that PDNPA should ask SCC why it has not put up signs on this part of the route indicating its footpath status and warning motor vehicle users that use is therefore an offence under section 34 Road Traffic Act 1988. If this information came from some other source, SCC should be asked to verify it, as this will affect the duration of any TTRO.
- We do not believe that the status of any part of the route should alter the scope of a TRO on Washgate. We believe that it would be preferable (and simpler for users to understand and the Police to enforce) to place a TRO on the whole of the route rather than distinguish between different portions of the route, as the arguments in favour of a TRO apply to all of the route. The ability of PDNPA to place a TRO on the whole of the route is not compromised if part of the route is shown as a footpath on the Definitive Map and Statement.

**Green Lanes Association** - minded to oppose any permanent TRO on the Washgates route, there are issues of management which need attention before any such proposal should be made by the PDNPA.

- Your letter dated 21<sup>st</sup> August contains inaccuracies regarding the route and is considered misleading. Staffordshire CC have confirmed to us that FP10 doesn't run alongside or over Golling Gate, FP10 terminates at a midpoint of Golling Gate. Debbie Bailey, Land Charges dept. in Stafford has reported a discrepancy in their online map showing Golling Gate, D1026, terminating 20 metres short of the River Dove. Their archive paper map, dated 1922, shows Golling Gate terminating at the river.
- It is evident from the alignment of the Derbyshire and Staffordshire elements of the Washgates route that the ford was/is an integral part of the highway, and the 1.5m wide bridge (which has been used as an excuse by the Authorities to illegally block the rest of the route with boulders and standing stones) is offset from the ford, thus forcing a short detour from the original track. This would not therefore have been the original route for horses and carts which would have used the ford before (and no doubt after) the bridge was built.
- It is true that 4x4s have not used the route since boulders and signs were installed, but legally the blue road signs have no status as the boulder obstruction has no supporting TRO and no other legal basis. The fact that there are blue road signs does however indicate that the route has vehicular rights, or the highway authority would not have erected such signs to advise limited vehicle width.
- Believe that other management arrangements could be considered for this route, such as clearance of the obstructing vegetation along the route and removal of the illegal rock blockages, and restoration of the original width of the route. Instead of a TRO a voluntary restraint scheme could be agreed with LARA and the user groups which could restrict the size and/or weight of vehicles.
- With regard to the PDNPA aims of protecting the 'natural beauty' of the area, the large blue road sign should be removed from the vicinity of the bridge, as it is an eyesore and

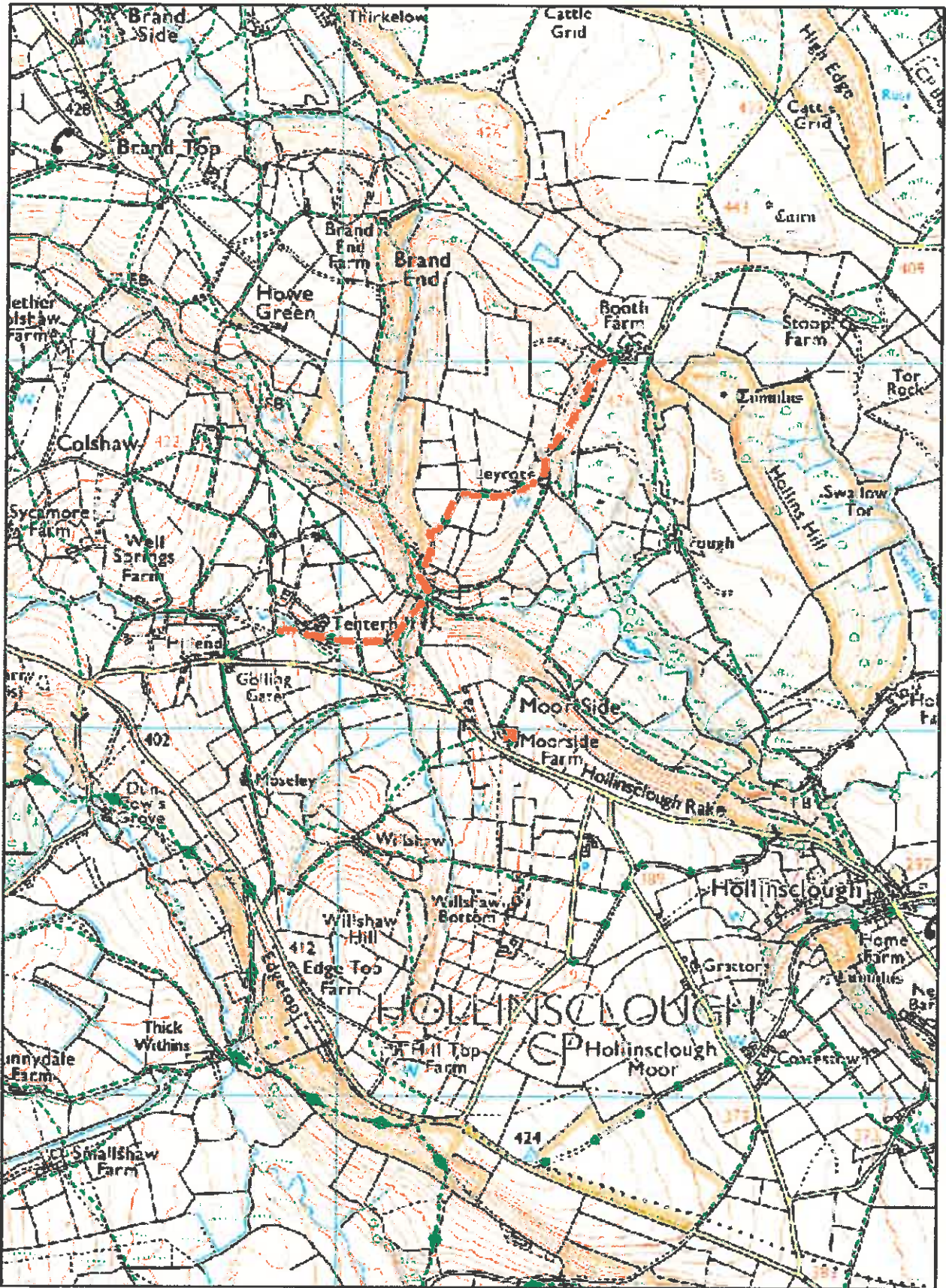
not legal. The bridge and its environs are not enhanced by such signs, or the artificial obstructions in the highway and the river ford.




### **Association of Peak Trail Riders**

- Use - this particular route is of significant value to motorcycle trail riders, yet of little value by comparison to other users. It is key in many ways to a route used by many experienced riders. This lane is well known to trail riders all over the country and many come to ride this particular lane as part of a Peak District riding experience. To close it to motorcycles would be closing a major attraction to tourism. The damage to local business and tourism in general would be devastating. As such, any closure or restriction to this lane could be considered as sabotage to local businesses and a demonstration of a possible anti motorcycle agenda by the authority since once again following similar closures and consultations it is only motor vehicles and motorcycles rather than any other user that the authority is considering to impose restrictions by way of a TRO order.
- Should it be used ? - it should be used. Strongly recommend this that this lane be left open to all users including motorcycles. It does not appear to us be in the general public interest not to use this lane for the reasons explained above.
- Alternative - As this lane is used in both directions regularly, in all seasons of the year do not recognise any alternative other than the status of open to all users and motorcycle traffic at all times and in both directions.
- Observation evidence - the route is mostly made up of rocky terrain especially on the climb in or out ward from the river section in both directions. Having visited the lane in question on the 20th of June 2015 could not find any visual evidence of tyre marks or tread pattern imprinted on any area of the rock section in either directions which shows the lane can sustain many years of usage. On the date I visited I did not see evidence of long term damage (so called) apparent to the hard surface areas of the route that could have been caused by motorcycles. The entry point from the Golling Gate end has an overgrown single track path at times with a mixed surface of soil and rock. which was much wider in past years. Without regular vehicle use to this particular part would suggest this part would soon become overgrown so therefore requiring maintenance to sustain access by foot in the long term. Feel access by motorcycles is actually assisting with the preservation of natural access for all users at this particular approach to the lane.
- Have made a short film that illustrates the cause of erosion on the Washgate lane. This film forms part of our submission and can be viewed by following this link: [https://youtu.be/-xyO\\_igmVfU](https://youtu.be/-xyO_igmVfU)
- As with all categories of trails, footpath, bridleway, byway or 'unclassified county road' the natural process of water erosion, assisted by frost action damages even the strongest surface. The key factors being steepness of slope, lack of water breaks and un-maintained / poor drainage. In the Washgate example the process is proven due to the flat sections at each end having an un-eroded base, the steep slope sections being mostly clear of loose rocks and debris, and the lower sections approaching the river being strewn with large debris fields of boulders.

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 <p><b>PEAK DISTRICT NATIONAL PARK</b></p>	 <p>Scale 1:15000</p>	<p><b>Washgate - Proposed Traffic Regulation Order</b></p> <p> The Route</p> <p>The existing road network provides a number of potential alternative routes for diverted traffic.</p>
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### Grounds for making a Traffic Regulation Order

Under the Road Traffic Regulation Act 1984 (RTRA) as amended by the Natural Environment and Rural Communities Act 2006, a National Park Authority is able to make a TRO for any relevant road or part of a road where it appears to the Authority making the order expedient to make it:

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising (s1(1)(a) RTRA 1984)
- (b) for preventing damage to the road or to any building on or near the road (s1(1)(b) RTRA 1984)
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians) (s1(1)(c) RTRA 1984)
- (d) 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 existing character of the road or adjoining property (s1(1)(d) RTRA 1984)
- (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot (s1(1)(e) RTRA 1984)
- (f) for preserving or improving the amenities of the area through which the road runs (s1(1)(f) RTRA 1984)
- (g) for any of the purposes specified in paragraphs (a) to (c) of sub-section (1) of section 87 of the Environment Act 1995 (air quality) (s1(1)(g) RTRA 1984)
- (h) for the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area. This includes conserving its flora, fauna and geological and physiographical features (s22(2) RTRA 1984).

A "relevant road" is any road which is within the National Park which is shown on a definitive map and statement as a byway open to all traffic (BOAT), a restricted byway, a bridleway or a footpath, or a carriageway whose surface, or most of whose surface, does not consist of concrete, tarmacadam, coated roadstone or other prescribed material.

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**DRAFT ORDER**

**PEAK DISTRICT NATIONAL PARK AUTHORITY  
(WASHGATE PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)  
TRAFFIC REGULATION ORDER 2016**

**ROAD TRAFFIC REGULATION ACT 1984 (as amended)**

The Peak District National Park Authority (“the Authority”) in exercise of its powers under section 22BB(2)(a) of the Road Traffic Regulation Act 1984 (“the Act”) and all other enabling powers and after consultation with the Highway Authorities for the road specified below hereby makes the following Order:

1. In this Order “road” means any length of highway or any other road to which the public has access and includes footpaths, bridleways, restricted byways, byways open to all traffic, carriageways whose surface, or most of whose surface, does not consist of concrete, tarmacadam or coated roadstone and bridges over which a road passes.
2. Save as provided in article 4 of this Order no person shall cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 of this Order or any part thereof at any time after the date on which this Order comes into force.

**3. WASHGATE**

The road known as Washgate being an unclassified road which (1) in the County of Derbyshire, commences from Booth Farm (grid reference SK 057 680), proceeds in a south westerly direction for a distance of 1000 metres or thereabouts to meet the county boundary at the River Dove and bridge (grid reference SK 053 674) and (2) in the County of Staffordshire, from the county boundary at the River Dove and bridge, proceeds for a distance of 500 metres or thereabouts ending at Tenterhill (grid reference SK 049 673).

4. Nothing in article 2 of this Order shall render it unlawful to cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 of this Order if the vehicle is being used:
  - a) by emergency services or by any local authority or statutory undertaker in pursuance of their statutory powers and duties
  - b) to enable work to be carried out in, on, under or adjacent to the road
  - c) for the purposes of agriculture or land management on any land or premises adjacent to that road
  - d) as a recognised invalid carriage as defined in the Use of Invalid Carriages on Highways Regulations 1988
  - e) upon the direction of or with the permission of a Police Constable in uniform
  - f) with the prior written permission of the Authority

5. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.

6. This Order comes into force on [ ] and may be cited as the Peak District National Park Authority (Washgate Prohibition of Mechanically Propelled Vehicles) Traffic Regulation Order 2016.

THE COMMON SEAL OF THE  
PEAK DISTRICT NATIONAL PARK  
AUTHORITY was hereby affixed  
On the..... day of.....2016

.....  
Authorised signatory

**WASHGATE**  
**Statement of Reason for Proposed Traffic Regulation Order**  
**March 2016**

	<b>Background</b>
1.	The proposal is to make a traffic regulation order that will have the effect of prohibiting use by mechanically propelled vehicles at any time along the route known as Washgate.
2.	The proposed order would be for the purposes of: <ul style="list-style-type: none"> <li>• preserving or improving the amenities of the area through which the road runs</li> <li>• conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area.</li> </ul>
3.	The proposal conforms to the Authority's Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsealed Highways and Off-road and the Procedure for Making Traffic Regulation Orders.
4.	The proposal follows consideration of consultation responses under Regulation 4 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007. These responses identified various management options and were reported to the September 2015 Audit Resources and Performance Committee <a href="http://www.peakdistrict.gov.uk/committees">www.peakdistrict.gov.uk/committees</a> .
	<b>The Route and Area</b>
5.	The road known as Washgate being an unclassified road which (1) in the County of Derbyshire, commences from Booth Farm (grid reference SK 057 680), proceeds in a south westerly direction for a distance of 1000 metres or thereabouts to meet the county boundary at the River Dove and bridge (grid reference SK 053 674) and (2) in the County of Staffordshire, from the county boundary at the River Dove and bridge, proceeds for a distance of 500 metres or thereabouts ending at Tenterhill (grid reference SK 049 673).
6.	The route is in a National Park designated for its exceptional natural beauty and adjacent to an area of Natural Zone where it is particularly important to conserve that natural beauty. There are habitats of national importance and high quality biodiversity habitats adjacent to the route. The verges are also of biodiversity value and as a wildlife corridor linking habitats and species. The River Dove supports three internationally recognised species. The designated and undesignated assets all make a significant contribution to the character of the area.
7.	The route leads from Booth Farm passing Leycote Farm and open country and leading to a convergence of rights of way at the River Dove. Much of the route has panoramic views and there is an impression of remoteness and timelessness.
8.	The historic nature of the route and the listed status of the bridge and their setting in the landscape in addition to the variety of natural and cultural heritage features and species adds to the experience of using the route. The route also gives the opportunity for quiet enjoyment and to experience tranquillity, one of the special qualities that people value most about the Peak District National Park.

9.	Appendix 1 sets out the use of the route. Appendix 2 sets out the conservation interests of the site. Appendix 3 sets out the factors which contribute to natural beauty and the opportunities for open-air recreation.
	<b>Impacts</b>
10.	Management problems associated with this route include disturbance, user conflict, the nature and condition of the route, the environmental sensitivity of the verges and the river and cross-boundary management. Actions have included advisory signage, logging vehicle use, repairs to the route, a consultation by Derbyshire County Council on a potential traffic regulation order and signage and barriers to reduce use above 1.3 metres in width.
11.	Derbyshire County Council resurfaced the eastern part of the route in 2009 and since 2011 there have been volunteer working parties restoring the historic stone pitching. In 2009 Derbyshire County Council placed boulders and signage beyond Leycotes Lane at Grid Reference 054 676 and at the western end of the route and which have prevented access by 4-wheeled vehicles to this section. Detailed route management information is available at <a href="http://www.peakdistrict.gov.uk/priorityroutes">www.peakdistrict.gov.uk/priorityroutes</a> .
12.	The presence of mechanically propelled vehicles using the route, effect and evidence of their passing, and the works required to manage that use have an impact on the natural beauty in this area. This impact and the anticipation of the presence of motorised users can detract from the experience and enjoyment by other users. The reference in section 5 of the National Parks and Access to the Countryside Act 1949 to the purpose of understanding and enjoyment of the special qualities of National Parks suggests a focus on quiet outdoor countryside recreation associated with the wide open spaces, wildness and tranquility to be found within the National Park. (Defra 2007). The use of the route by mechanically propelled vehicles detracts from this focus.
13.	Whilst it is recognised that motorised vehicle users, in undertaking their chosen form of recreation, also appreciate the special qualities of the area, their continued use of the route by this mode of transport is adversely affecting those special qualities to a more significant extent than other users.
14.	The nature of the route and its location away from major roads is such that mechanically propelled vehicles are visually and aurally intrusive. Vehicle use on this route has led to impacts on the special qualities of the area and the route surface. The route and bridge are narrow and because of difficulties in passing and avoiding users there is the potential for conflict with non-motorised users. Government guidance suggests that 'a level of recreational vehicular use that may be acceptable in other areas will be inappropriate in National Parks and incompatible with their purposes.' (Defra 2007).
15.	Appendices 4 and 5 identify the effects of recreational vehicular use on the special qualities of the area.
	<b>Alternatives</b>
16.	A width restriction reduces the overall numbers and impacts from mechanically propelled vehicle users (MPVs) but 2-wheeled use is still significant in its extent and intrusive with the potential for conflict with other users.

17.	A restriction on all MPVs with an exemption for motorcycle trials on specified days limits the overall numbers and the type of vehicles but impacts would remain and would be concentrated during those times.
18.	In view of the nature of the route and area and use by non-MPV users, it is not considered that the impacts could be adequately managed by a more selective TRO or other measures such as a scheme of voluntary restraint. A less restrictive option is therefore unlikely to achieve the outcome of sufficiently protecting the natural beauty and amenity of the route and area.
	<b>Public Interest</b>
19.	In balancing the duty in section 122(1) of the Road Traffic Regulation Act 1984 to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the factors set out in S122(2) of the 1984 Act, the Authority believes the need to preserve the amenity and conserve the natural beauty of the route and the area through which it runs outweighs the needs of mechanically propelled vehicular users of the route notwithstanding that such a restriction will affect the expeditious and convenient use of the route by mechanically propelled vehicles. For vehicles seeking to use the affected route as a through-road, notwithstanding that there are no legal rights to use the route as a through-route, there are alternative routes on metalled roads in the area.
20.	Exceptions to the prohibition are proposed for: <ul style="list-style-type: none"> <li>a) use by emergency services or by any local authority or statutory undertakers in pursuance of their statutory powers and duties</li> <li>b) use to enable work to be carried out in, on, under or adjacent to the road</li> <li>c) use for the purposes of agriculture or land management on any land or premises adjacent to that road</li> <li>d) use by a recognised invalid carriage</li> <li>e) use upon the direction of or with the permission of a Police Constable in uniform</li> <li>f) use with the prior written permission of the Authority</li> </ul>
21.	On balance, it is considered that continued use by mechanically propelled vehicles on this route would have an adverse impact on the ecological, archaeological and landscape interests, the natural beauty, amenity and recreational value of the area, and the special characteristics of the route.
	<b>Consultation Comments</b>
22.	This statement accompanies the proposed order, notice of proposals and map showing the extent of the proposed restrictions. These may be viewed at <a href="http://www.peakdistrict.gov.uk/consultations">www.peakdistrict.gov.uk/consultations</a> and at Aldern House, Baslow Road, Bakewell, Derbyshire, DE45 1AE from 8.45am to 5pm Monday to Friday (closed Bank and Public Holidays and closed at 3pm on Christmas Eve).
23.	If any person wishes to make any representations relating to the proposed order, they must do so by 5pm on 22 April 2016 via the consultation webpage referred to above or by writing to Rights of Way at the above address.

24.	The following documents are appended: Appendix 1 – Vehicle Use Appendix 2 – Conservation Interest Appendix 3 – Natural Beauty and Recreation Appendix 4 – Impacts of Mechanically Propelled Vehicles Appendix 5 – Special Qualities
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Ref: Guidance for National Park Authorities making Traffic Regulation Orders under section 22BB Road Traffic Regulation Act 1984, Defra, 2007



## Appendix 1 – Washgate – Vehicle Use

### **Status**

The route to either side of the River Dove (the County Boundary) is an unsurfaced Unclassified Road (UCR). The legal status for the majority of the route is undetermined. A section of the route in Staffordshire (approximately 60m) is a public footpath.

### **Highway Authority Records**

- 1) Definitive Map and Statement (DMS) - A short section of the route is shown in Staffordshire County Council's DMS as a public footpath. The route is not recorded in Derbyshire County Council's DMS.
- 2) List of Streets (LoS) – the route appears on Derbyshire County Council's LoS and Staffordshire County Council's LoS as a publically maintainable highway.

### **Claims**

No claims for recording motorised vehicle rights have been submitted to Derbyshire County Council or Staffordshire County Council.

### **Private Use**

Sections of the route are used by landowners and tenants at Leycotes, Tenterhill and Gollin Gate Farm for access to their premises and land.

### **Vehicle Logging Data**

2007: 4-wheeled – average of 0.8 per day  
2-wheeled – average of 5.9 per day  
4-wheeled – average of 0.6 per day  
2-wheeled – average of 2.7 per day  
2010: 4-wheeled – Nil  
2-wheeled – average of 3.5 per day  
2-wheeled – average of 2.4 per day  
2012: 4-wheeled – Nil  
2-wheeled – average of 5.7 per day  
2014: 4-wheeled – Nil  
2-wheeled – average of 2.3 per day  
2015: 4-wheeled – Nil  
2-wheeled – average of 3.6 per day

### **Events**

The route forms a stage for the Bemrose and Reliance motorcycle trials. These are annual events but the stages can vary. They last took place in March 2015 and May 2015. Permission from landowners is obtained.

### **Access**

It is an offence under s34 of the Road Traffic Act 1988 to drive a vehicle without lawful authority on the section of the route that is a public footpath.

Boulders are in place which limit the width of vehicles.

## Appendix 2 - Washgate – Conservation Interest

### **Ecological interest**

A short section of the route abuts onto the southern block of Colshaw Pastures Site of Special Scientific Interest (SSSI) and Section 3 Semi-natural Woodland/Natural Zone.

The Colshaw Pastures SSSI was designated for its species-rich unimproved grassland and flushed areas.

The Natural Zone designation comprises habitats falling within the Section 3 map defined by the Wildlife and Countryside Amendment Act 1985 as areas whose natural beauty it is particularly important to conserve.

The lane is bordered by a wide range of acid and neutral grassland, heathland, wet flush, scrub and broad-leaved woodland communities, the majority of which are high quality biodiversity habitats. The woodland community comprising bird cherry, eared willow, grey willow, hybrid willows and alder is uncommon in the Peak District. The species rich acid and neutral grasslands are considered to be the highest category in the Peak District. A significant proportion of the adjacent land is managed in Higher Level Stewardship Scheme agreements in recognition of its high environmental quality and the opportunities for positive conservation management.

Locally the verges of the lane support exceptionally high quality grasslands and heathland of importance for biodiversity but also to the visitor experience. Over 80 species have been recorded along the route including Sheep's bit, a Derbyshire Red Data Book plant owing to its rarity and declining population. Managed by only very light and erratic grazing the verges support habitat types and structures that are subtly different to the adjacent farmland and woodland. They therefore add to the complex mosaic of habitats in the area which anecdotally support a very diverse bird and invertebrate fauna. In addition whilst the verges are of value in their own right they also act as a wildlife corridor linking adjacent habitats and sites.

The River Dove, downstream at Wolfscote Dale, is within the Peak District Dales Special Area of Conservation and supports 3 species associated with the river: Bullhead, Brook Lamprey and White-clawed Crayfish.

### **Archaeological Interest**

The route runs through a range of Historic Landscape Character areas - Post-1650 Enclosure; regular:Piecemeal/Award; Enclosure of unknown date irregular fields - and is considered to be post-medieval origin.

The packhorse bridge is grade II listed and is identified on the Derbyshire Historic Environment Record (HER) as a heritage asset of local and regional importance whose conservation contributes to the overall cultural heritage of the NP. Also registered on the Derbyshire HER is the location of a former sheepwash and yard area known as Washgates.

### **Landscape Interest**

Washgate lies within the National Park and the South-west Peak Landscape Character Area and adjacent to the Natural Zone.

The National Park is designated for its internationally and nationally important landscape.

The Natural Zone designation comprises areas whose natural beauty it is particularly important to conserve. Within the National Park it comprises the wilderness areas in which the influence of man and of development is less marked.

The overall strategy for the South-west Peak LCA is to protect and manage the distinctive historic character of the landscapes through sustainable landscape management, and seek opportunities to value the diverse landscapes of the South west Peak whilst managing recreation opportunities, woodlands, wildness and the diversity of remoter areas.

### Appendix 3 – Washgate – Natural Beauty and Recreation

The following identifies how the special characteristics of the area meets the tests for designation as a National Park and the evaluation of opportunities for open-air recreation.

#### Natural beauty

**Landscape quality** i.e. condition, that is the intactness of the landscape, the condition of its features, its state of repair, and the absence of incongruous elements:

- Landscape elements and features in good condition; some erosion to rights of way
- Landscape unspoilt with no notable incongruous features

**Scenic quality** i.e. appeal to the visual senses, for example due to important views, visual interest and variety, contrasting landscape patterns, and dramatic topography or scale:

- Far reaching views contrasting with a sense of seclusion towards the bottom of the clough
- Scattered trees along the watercourse
- Contrast between farmland and open country
- Sunken walled lane

**Relative wildness** i.e. the presence of wild (or relatively wild) character in the landscape due to remoteness, and appearance of returning to nature:

- Areas of heathland
- Sense of remoteness, particularly at the bottom of the clough

**Intrusiveness/tranquillity** i.e. freedom from undue disturbance. Presence in the landscape of factors such as openness, and perceived naturalness:

- Adjacent to open country
- Adjacent to Natural Zone/section 3 semi-natural woodland

**Natural heritage features** i.e. habitats, wildlife and features of geological or geomorphological interest that may contribute strongly to the naturalness of a landscape:

- Acid and neutral grasslands and wet flush communities
- Semi-natural woodlands
- Diversity of verge species
- Internationally important species associated with the river

**Cultural heritage features** i.e. archaeological, historical and architectural characteristics or features that may contribute to the perceived beauty of the landscape:

- Route is of post-medieval origin
- Packhorse route running from Flash or Leek to Buxton or Chelmorton
- Packhorse bridge is listed and the route is paved
- Nearby former sheepwash area

**Associations** i.e. connections with particular people, artists, writers, or events in history that may contribute to perceptions of beauty in a landscape or facilitate understanding and enjoyment:

- A 'perfect packhorse bridge' (Peakland Roads & Trackways, Dodd & Dodd)

### Recreation

**Access to high quality landscapes, memorable places and special experiences** i.e. opportunities to enjoy scenic quality, relative wildness, and peacefulness etc:

- Outstanding views
- Convergence of footpath links and access to area of open countryside

**Presence of a wide range of natural or cultural heritage features**, landmarks and designations that cumulatively enrich the landscape experience:

- Historic track, bridge and sheepwash
- Diverse range of opportunities

**Range of outdoor recreational experiences which enable people to enjoy the special qualities of the area** and do not detract from the enjoyment of the area by others i.e. quiet outdoor recreation:

- Easily accessible from surrounding settlements
- Scope for a variety of walks
- Opportunities for nature study

**Scope for management of recreation** to enhance recreational opportunities or protect the conservation interest of the Park:

- Repairs to the route in sympathy with former condition and the area
- Removal of obtrusive signage at the listed bridge
- Restrictions to recreational motorised vehicle users

Appendix 4 – Washgate – Impacts of Mechanically Propelled Vehicles

Ecological Impacts	Possible Mitigation
<p><b>Loss of vegetation adjacent to the route</b> Species rich verges border the route and provide a wildlife corridor. In places the route has widened resulting in a net loss of vegetation.</p>	<ul style="list-style-type: none"> <li>• The route is narrow and sunken in places with limited opportunities for widening it. Widening would further reduce the amount of vegetation and would result in further impact on the road side verges and the ecology of the area.</li> <li>• The width of the bridge is self-limiting for larger vehicles to use the route as a through-route and which, in the alternative, ford the River Dove or turn around at this point.</li> <li>• Boulders and signage limit the width of vehicles using sections of the route. Signage at the listed bridge specifies the width limit.</li> <li>• Voluntary code of conduct (do not use roads that are too narrow for your vehicle) unsuccessful in preventing damage.</li> <li>• Liaison with PDNPA Ecologist over vulnerability, sensitivity and capacity issues.</li> </ul>
<p><b>Damage to the drainage and surfacing of the route and boundary walls</b> The drainage and historic stone pitching of the route has been damaged by use over time by vehicles. Surface run-off has increased which is exacerbated by vehicle use and flows into the River Dove which downstream supports internationally designated species. The passage of vehicles has damaged boundary walls.</p>	<ul style="list-style-type: none"> <li>• Maintain the route. Consider appropriateness of surfacing with respect to designations and character of the area. Liaison with Highway Authorities and PDNPA Ecologist.</li> <li>• Replacement of the historic stone pitching is being carried out by volunteers in the Derbyshire section of the route.</li> <li>• Voluntary code of conduct (do not use roads which may be seriously damaged by wheel pressure, do not travel on green roads where they risk being damaged beyond a point of natural recovery, do not use roads that are too narrow for your vehicle.) unsuccessful in preventing damage.</li> </ul>

Ecological Impacts	Possible Mitigation
<p><b>Damage to watercourse</b> The use of the river as a ford or turning point results in disturbance and sediment loss affecting its water quality and potentially the internationally designated species downstream. Damage has resulted to the river banks, which has led to substantial soil and vegetation loss and a re-routing of the side-stream, requiring engineering works to repair.</p>	<ul style="list-style-type: none"> <li>• Liaison with PDNPA Ecologist over vulnerability, sensitivity and capacity issues.</li> <li>• Boulder placed on the Derbyshire side of the route to limit wider vehicles using the river as a ford.</li> </ul>
<p><b>Noise and disturbance impact on wildlife</b> Disturbance to nesting birds where susceptible. Sediment and pollution impact on water quality and the species associated with the river from run-off and disturbance.</p>	<ul style="list-style-type: none"> <li>• Level and timing of use being monitored. Liaison with Natural England and PDNPA Ecologist over vulnerability, sensitivity and capacity issues.</li> <li>• Voluntary code of conduct (effective silencing, ride quietly) unsuccessful in preventing disturbance.</li> </ul>
Archaeological Impacts	Possible Mitigation
<p><b>Impact on the heritage asset and its setting and therefore the significance of nationally designated and currently undesignated heritage assets</b> Vehicle use has damaged the listed bridge and the historic stone-pitching. Intrusiveness of vehicles has an impact on the setting of features. Evidence of passage, and works and signage to deal with that, have an impact on the heritage asset and the character of the route and area and the setting of features.</p>	<ul style="list-style-type: none"> <li>• Level and timing of use being monitored. Liaise with PDNPA's Cultural Heritage Team over vulnerability, sensitivity and capacity issues.</li> <li>• Signage limits width to prevent damage but in itself impacts on the setting of the feature.</li> </ul>
Landscape and Visual Impacts	Possible Mitigation
<p><b>Visual impact of vehicle movement in the landscape over a wide area</b> The impact from the passage of vehicles during the day or night is affected by the visual envelope of the route, the popularity of the route and the special characteristics of the area.</p>	<ul style="list-style-type: none"> <li>• Level and timing of use being monitored.</li> <li>• Stone pitching being replaced by volunteers .</li> </ul>

Landscape and Visual Impacts	Possible Mitigation
<p><b>Wheel ruts and damage to character of the route</b> Evidence of the passage of vehicles is seen by the development of wheel ruts and on and adjacent to the route and the disturbance to historic stone pitching.</p>	<ul style="list-style-type: none"> <li>• Maintain the route. Consider appropriateness of surfacing with respect to designations and character of the area. Liaison with Highway Authorities and PDNPA Ecologist.</li> <li>• Existing voluntary code of conduct (do not use roads which may be seriously damaged by wheel pressure, do not travel on green roads where they risk being damaged beyond a point of natural recovery) unsuccessful in preventing disturbance</li> </ul>
<p><b>Signage</b> Evidence of works to manage vehicles is present in the landscape and impacts on the landscape and character.</p>	<ul style="list-style-type: none"> <li>• Assess the need to protect cultural heritage and natural features with the need to conserve other elements of the natural beauty of the area.</li> <li>• Existing voluntary code of conduct (do not use roads which may be seriously damaged by wheel pressure, do not travel on green roads where they risk being damaged beyond a point of natural recovery) unsuccessful in preventing disturbance</li> </ul>
Social Impacts	Possible Mitigation
<p><b>Deterrence of use by non-MPV users from presence or anticipation of vehicles</b> Disturbance from vehicles on enclosed steep narrow lane</p>	<ul style="list-style-type: none"> <li>• Signage indicating the range of classes of users</li> <li>• Voluntary code of conduct (limit to group sizes and maximum speed limits) unsuccessful in preventing disturbance</li> </ul>
<p><b>Noise impact on people</b> Disturbance from vehicles on users of the route and nearby properties.</p>	<ul style="list-style-type: none"> <li>• Voluntary code of conduct (travel at a quiet and unobtrusive pace in small groups) not always applied</li> </ul>

Appendix 5 – Washgate – Special Qualities

<u>Quality</u>	<u>Value</u>	<u>Impact by Mechanically Propelled Vehicles</u>
The natural beauty, natural heritage, landscape character and diversity of landscapes	Protected habitats and species; pastoral landscape with extensive views, secluded clough	Ecological – damage and disturbance and risk of disturbance Archeological – impact on setting of features Visual - presence and evidence of use
A sense of wildness and remoteness	Away from major settlements and roads	Visual – presence and evidence of use Noise – transient but concentrated in the clough or over a wide area
Clean earth, air and water	Protected areas, agricultural grazing, away from sources of pollution	Pollution
The importance of wildlife and the area's unique biodiversity	Protected habitats and species; accessible areas for the study of nature	Damage and disturbance and risk of disturbance
Thousands of years of human influence which can be traced through the landscape	Range of historic features apparent in the landscape	Impact on features and their setting
Trees, woodlands, hedgerows, stone walls, field barns and other landscape features	Range of landscape features	Damage to boundary walls
Opportunities to experience tranquility and quiet enjoyment	Freedom to explore away from sources of noise	Noise - transient but concentrated in the clough or over a wide area. Conflict with other users
Opportunities to experience dark skies	No significant light sources away from the farms	Night driving
Opportunities for outdoor recreation and adventure	Recreational pursuits of quality and challenge	Conflict with other users



<u>Quality</u>	<u>Value</u>	<u>Impact by Mechanically Propelled Vehicles</u>
Opportunities to improve physical and emotional well being	Variety of access and recreation	Conflict with other users
The cultural heritage of history, archaeology, customs, traditions, legends, arts and literary associations	An important area for access to the landscape that contain these elements	Impact on features and their setting
Environmentally friendly methods of farming and working the land	Area of farming includes Higher Level Stewardship agreements	Damage to boundary walls and impact on agricultural access.
The special value attached to the National Park by surrounding urban communities	Nearby communities and links to the towns of Buxton and Leek.	Deterrence of other users
The flow of landscape character across and beyond the National Park boundary providing a continuity of landscape and valued setting for the National Park	Far reaching views	
Sense of place	Timelessness of the landscape	Visual – presence and evidence of use Noise - transient but concentrated in the clough or over a wide area

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S 122 of the Road Traffic Regulation Act 1984

(1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway or, in Scotland the road].

(2) The matters referred to in subsection (1) above as being specified in this subsection are

(a) the desirability of securing and maintaining reasonable access to premises;

(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;

(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);]

(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and

(d) any other matters appearing to . . . the local authority . . . to be relevant.

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**PEAK DISTRICT NATIONAL PARK AUTHORITY  
(WASHGATE PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)  
TRAFFIC REGULATION ORDER 2016**

**ROAD TRAFFIC REGULATION ACT 1984 (as amended)**

1. **NOTICE** is hereby given that the Peak District National Park Authority (“the Authority”) in exercise of its powers under s.22BB (2)(a) of the Road Traffic Regulation Act 1984 (“the Act”) for the purposes of;

- i) preserving or improving the amenities of the area through which the road runs (s.1(1)(f))
- ii) conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area (s.22(2))

is proposing to make a Traffic Regulation Order the effect of which will be to prohibit access at any time by mechanically propelled vehicles to the road more particularly described in paragraph 2.

**2. WASHGATE**

The road known as Washgate being an unclassified road which (1) in the County of Derbyshire, commences from Booth Farm (grid reference SK 057 680), proceeds in a south westerly direction for a distance of 1000 metres or thereabouts to meet the county boundary at the River Dove and bridge (grid reference SK 053 674) and (2) in the County of Staffordshire, from the county boundary at the River Dove and bridge, proceeds for a distance of 500 metres or thereabouts ending at Tenterhill (grid reference SK 049 673).

3. Exemptions will be provided in the Order in relation to:

- a) use by emergency services or by any local authority or statutory undertaker in pursuance of their statutory powers and duties
- b) use to enable work to be carried out in, on, under or adjacent to the road
- c) use for the purposes of agriculture or land management on any land or premises adjacent to that road
- d) use as a recognised invalid carriage as defined in the Use of Invalid Carriages on Highways Regulations 1988
- e) use upon the direction of or with the permission of a Police Constable in uniform
- f) use with the prior written permission of the Authority

4. A copy of this Notice together with a copy of the proposed Order, statement explaining the reasons for the Order and a map showing the extent of the restrictions may be viewed at [www.peakdistrict.gov.uk/consultations](http://www.peakdistrict.gov.uk/consultations) and at the Authority’s Office at Aldern House, Baslow Road, Bakewell, Derbyshire DE45 1AE from 8.45am to 5pm Monday to Friday (closed Bank and Public Holidays and closed at 3pm on Christmas Eve).

5. If any person wishes to make any objections or other comments relating to the proposed Order they must do so in writing via [www.peakdistrict.gov.uk/consultations](http://www.peakdistrict.gov.uk/consultations), or to [washgate@peakdistrict.gov.uk](mailto:washgate@peakdistrict.gov.uk), or to The Rights of Way Team at the Authority’s address in paragraph 4, stating their reasons, by no later than 5pm on 22 April 2016.

Dated: 4 March 2016

Andrea G. McCaskie, Head of Law  
Peak District National Park Authority  
Aldern House, Baslow Road  
Bakewell Derbyshire DE45 1AE

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**Washgate - List of Organisations and Bodies Consulted – June 2015 & March 2016**

<b>Person</b>	<b>Cases in which consultation is required</b>	<b>Reg 4 Response</b>	<b>Reg 7 Response</b>
1 The highway authority for the area in which the road is situated. <ul style="list-style-type: none"> <li>• Derbyshire County Council</li> <li>• Staffordshire County Council</li> </ul>	In all cases	Received No reply	Received No reply
2 The appropriate Crown authority	Where the proposed order relates to or appears to the National Park authority to be likely to affect traffic on a Crown road.	Not consulted	Not consulted
3 The fire and rescue authority for the area in which the road is situated. <ul style="list-style-type: none"> <li>• Derbyshire Fire &amp; Rescue</li> <li>• Staffordshire Fire and Rescue</li> </ul>	Where it appears to the National Park authority that the order is likely to affect the passage on any road of fire fighting vehicles.	No reply No reply	No reply No reply
4 The NHS trust or NHS foundation trust providing an emergency ambulance service for the area in which the road is situated. <ul style="list-style-type: none"> <li>• Derby &amp; Derbyshire NHS</li> <li>• Stafford &amp; Stoke on Trent NHS</li> </ul>	Where it appears to the National Park authority that the order is likely to affect the passage on any road of ambulances.	No reply No reply	No reply No reply
5 The chief officer of police for the area in which the road is situated. <ul style="list-style-type: none"> <li>• Derbyshire Constabulary</li> <li>• Staffordshire Constabulary</li> </ul>	In all cases	Received No reply	No reply No reply
6 The parish or town council for the area in which the road is situated. <ul style="list-style-type: none"> <li>• Hartington Upper Quarter Parish Council</li> <li>• Hollinsclough Parish Council</li> </ul>	In all cases	Received No reply	Received Received
7 Any local access forum for the area in which the road is situated. <ul style="list-style-type: none"> <li>• Peak District Local Access Forum</li> </ul>	In all cases	Received	Received
8 Auto Cycle Union	In all cases	No reply	Received
9 British Driving Society	In all cases	No reply	No reply
10 British Horse Society	In all cases	No reply	Received
11 Byways and Bridleways Trust	In all cases	Received	No reply
12 Open Spaces Society	In all cases	No reply	No reply
13 Ramblers' Association	In all cases	Received	Received
14 Cycling UK	In all cases	No reply	No reply
15 Land Access and Recreation Association	In all cases	Received	Received
16 Natural England	Where the order relates to a road which is within or partly within an SSSI.	Received	received
17 Campaign to Protect Rural England (Friends of the Peak District)	In all cases	Received	Received
18 National Farmers Union	In all cases	Received	No reply
19 Country Land and Business Association	In all cases	No reply	No reply
20 Council (Campaign) for National Parks	In all cases	No reply	No reply

	<b>Person</b>	<b>Cases in which consultation is required</b>	<b>Reg 4 Response</b>	<b>Reg 7 Response</b>
21	<p>Such other body representing persons that the National Park authority considers are likely to be affected by any provision in the order</p> <ul style="list-style-type: none"> <li>• Peak and Derbyshire Vehicles User Group</li> <li>• Peak Rights of Way Initiative</li> <li>• Trail Riders Fellowship</li> <li>• Peak and Northern Footpaths Society</li> <li>• Peak Horsepower</li> <li>• Peak District Green Lanes Alliance</li> <li>• Green Lane Association</li> <li>• Disabled Off Road Association</li> <li>• Association of Peak Trail Riders</li> <li>• Manchester 17 MCC</li> </ul>	In all cases which the National Park authority considers appropriate	<p>No reply</p> <p>No reply</p> <p>Received</p> <p>Received</p> <p>Received</p> <p>Received</p> <p>Received</p> <p>Received</p> <p>No reply</p> <p>No reply</p> <p>Received</p> <p>-</p>	<p>No reply</p> <p>No reply</p> <p>Received</p> <p>Received</p> <p>Received</p> <p>Received</p> <p>No reply</p> <p>No reply</p> <p>Received</p> <p>Received</p>

Consultations addressed to a local representative for the area where notified to the NPA for this purpose.



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## Washgate – Summary of Regulation 7 Consultation Responses – Organisations

### Statutory Consultees

**Derbyshire County Council** – Providing comment as a Traffic and Safety Officer of the Highway Authority, Derbyshire County Council. Assume that colleagues in Maintenance and Rights of Way will provide separate comment from each of their points of view.

- No objection in principle to a TRO prohibiting vehicular access to Washgate.
- Note the list of exemptions in the draft Order and how this would affect those that reside within the restricted area (Leycote, Tenterhill). There doesn't appear to be an exemption for access to premises for general day to day purposes including deliveries, etc. Ordinarily, the exemptions would include something along the lines of "to access premises or land fronting the said length of road to which there is no satisfactory alternative means of vehicular access". Would also normally expect to see "delivering or collecting postal packets to premises" and probably a reference to refuse collection.
- In terms of signing a restriction such as this, signs to diagram 619 of the Traffic Signs Regulations and General Directions 2002 would be required to give rise to the restriction. It would also be advisable to have signs in advance of the start of the restriction to advise motorists and to deter them from driving to the start point of the restriction where turning manoeuvres will then have to be carried out. Happy to advise on the use of highway signage should the TRO progress to be made.

**Hartington Upper Quarter Parish Council** - set out the reasons why the TRO is needed in the Statutory Consultation last year. Accordingly fully support the proposal.

**Hollinsclough Parish Council** – devoted the major part of its meeting on 20th of April 2016 to a concentrated discussion of the proposal. It studied the statement of reason for the proposal in all its detail together with other documents and came to the following conclusions.

- In agreement with the proposal as presented to it but would wish a further exemption to be added to those proposed in the order.
- The route known as Washgate between Booth Farm and Tenterhill via Leycote has been for generations (historic use) and still is a shortcut for local people living in the northernmost reaches of the Staffordshire Moorlands (mainly the parishes of Hollinsclough, Quarnford, and Heathylee) and the contiguous parts of Derbyshire 'over the bridge' in their everyday life movements through the area.
- Feel very deeply, fervently and seriously that such movements of short travel from property to property along the route and beyond for purposes of work, personal interest and social communication and for dealings between local people using mechanically propelled vehicle should continue to be allowed.
- The point was made that such journeys are often taken by lone/ individual locals.
- It is strongly felt that such travel journeys in addition to the proposed exemption use for local agriculture and land management activities are part of the traditional way of life and culture of this area. Not to be able to travel would be an erosion of how the area has functioned in the past and continues to function nowadays. As one councillor commented "we are a society of busy bodies. We are visiting relatives and neighbours. That is what people are like. It is a way of life."
- Recognise the severe damage that has been caused along the route to the pitches and to ecosystems and the disturbance caused by mechanically propelled vehicle to other users of the route. Many of the 4x4 vehicles and trail motorbikes that have used the route hitherto have been 'souped-up' to increase their power and efficiency and that local people journeying as described above are not likely to be travelling using speed/power enhanced vehicles.
- The idea of a permit system was suggested.
- Matters of a more general concern were also raised by councillors:
  - who would police or how would a TRO at Washgate be policed.

- What would be the likely impacts of a TRO at Washgate on Limer and Swan Rakes which are also huge concern within the parish. How would they be policed/managed following a complete removal of mechanically propelled vehicles from Washgate.
- Mindful of a 3 minute speech made to the PDNP Audit Resources and Policy meeting by Professor Bellerby of Hollinsclough on 3rd of May 2013 urging the PDNP to prevent casual use of Limer and Swan Rakes by motorised off-road vehicles. Local people would not like to see an increase in use of the two rakes as an outcome of a TRO at Washgate.
- Not fully conversant with invalid carriages on the highway regulations but wondered whether more could be done for wheelchair users to gain access and enjoyment to safe appropriate sections of local rakes to give a better sense of inclusivity in the event of TROs prohibiting mechanically propelled vehicles from them.

**Peak District Local Access Forum** – a statutory body of volunteer members, appointed jointly by the Peak District National Park Authority (PDNPA) and Derbyshire County Council (DCC) under the provisions of the Countryside and Rights of Way Act, 2000. It covers the National Park area and the countryside of north-west Derbyshire around Buxton, New Mills and Glossop. Role is to advise both the authorities on the improvement of public access and opportunities for the purpose of open-air recreation and enjoyment of the area.

- Following on from the Local Access Forum meeting at Longshaw on Thursday 10th March, support the proposed permanent Traffic Regulation Order in respect of Washgate to restrict use by mechanically propelled vehicles at any time. This is in line with the letter and representations on 14th July 2015 which is still relevant..
- A meeting is being arranged with Staffordshire County Council to talk about resources, Rights of Way and Green Lanes issues. Washgate is a good example of where co-ordination with them and Derbyshire County Council is important.

**Auto Cycle Union** – the national governing body for motorcycle sport, and is organised with 'Centres' and Clubs, and so will be receiving objections directly from the local Centres and Clubs in addition to this one from Headquarters. Please regard this letter as being in addition to these individual objections, and on behalf of our Members locally and generally.

- Regardless of the merits of the use of the Washgate unsealed public road by the wider public with motorcycles and 4x4s, the ACU has a particular interest as regards organised observation trials, as currently run by three of its Clubs. At least one of the ACU's local Clubs, the Manchester 17, also has members who have used this road carefully and responsibly for touring motorcycling over decades, and it is not fair or necessary to take away their rights and enjoyment.
- As regards the motorcycle observation trials, at the moment Washgate is used once a year each by Manchester 17, the Reliance Trial, and the Bemrose Trial. All of these events are long-established, and the Bemrose goes back to 1921, making it considerably older than the National Park itself.
- These trials events are slow, low-impact, and organised and run in accordance with the ACU Handbook, which is a respected and regularly updated set of rules and codes of practice for our events. Our Clubs aim to be and are good neighbours in the countryside, and we seldom get complaints anywhere, and we have none for the use of Washgate. In our experience people out-and-about in the countryside are interested and not at all resentful when they encounter a motorcycle trial, often stopping to watch and talk. How then can we be running a harmful activity that should be prohibited? Our events are welcomed by the local community, and we bring a good economic benefit directly into the local rural economy in a place that is not one of the 'tourist hotspots'.
- Have copies of magazine reports of the Bemrose Trial (an example from 1935 is attached) reaching well back before the 1939-45 War, which show just how popular and highly regarded this event was (as it still is) and this gives the trial a legitimate heritage, just like (for example) steam trains and canal boats, neither of which seem to draw your ire. One of your responsibilities as a National Park Authority is to preserve the heritage of the area, and we believe that our long-established trials are heritage. It seems that in the reports to committee

regarding this traffic order no proper consideration has been given to the 'heritage factor' of our events, and that given your statutory purpose, this is a defect that should be corrected before any further decision is made.

- If there is a genuine need to regulate ordinary motor traffic on Washgate - and not convinced that there is any good case for a total prohibition - then it is entirely possible to make a traffic order such that the established events are respected and facilitated, and can continue with appropriate safeguards. As an example attach a copy traffic order made by Bath and North East Somerset Council in 2012, together with an explanatory note from LARA's Traffic Management Hierarchy, Part 2. Technical & Background Materials. This order was framed such that the long-established Allen Trial (with a considerable heritage, not unlike the Bemrose and the others) can continue, once each year, while excluding the local hooligans who had been damaging the road and adjoining common. If that can work in Bath and North East Somerset (and it has worked since 2012) then it will surely work on Washgate too.
- In summary, Washgate is part of our heritage and your traffic order is taking that heritage away very lightly, and for no good evidential reason whatsoever. That cannot be reasonable by any objective standard, and respectfully asks please to consider further the whole traffic order and, in any event, to protect the continuation of the ACU Clubs' observation trials events into the future. Are ready to meet with you and discuss this at any convenient time. Also welcome the opportunity to address your Committee on this matter.

**Ramblers' Association Staffordshire Area** - supports the proposed traffic order for Washgate, near Hollinsclough.

**Ramblers Association Derbyshire Dales Group** – support the introduction of a TRO on the route at Washgate. The area is remote and wild and scenic, of environmental and historical significance. Any kind of motor vehicle using this route could cause damage to the structure of the bridge, the ford and the route itself. We feel that motor use unless as stated in the exceptions is inappropriate in this remote area of the National Park.

**Land Access and Recreation Association** – LARA is a national forum advising and representing the primary organisations in motor sport and recreation regarding access to land and minor highways. This objection does not replace or supersede any from our Member Organisations, or from those organisations' individual clubs and members.

- Do not believe that an objective, evidence-based, case has been made out for a total prohibition of the public with motors from this unsealed public road.
- Washgate has been used by the public with motors for many years. Motorcycle use is known to go back at least to the inter-war period. Have never heard of problems being caused by motorcycle use, and believe that any impacts from 4x4 use have happened only in recent years when we have had long periods of very wet weather. Such use during vulnerable ground conditions should be managed, but a total prohibition is completely unjustified. We have set out what we think are appropriate management measures in our paper Traffic Management Hierarchy. Good Practice in Traffic Management on Unsealed Public Roads. (Parts 1 & 2), which you already have, but we will gladly supply again on request.
- Washgate is not in a 'honey-pot' area of the National Park, and the economic benefit of our Members' activities, put directly into the local rural economy, should not lightly be discounted.
- Know that the Auto-Cycle Union (ACU, one of our Members) has Clubs that run long-established motorcycle observation trials which take in Washgate. One of these trials, the Bemrose Trial, dates back to 1921 and so has a considerable heritage. Respectfully suggest that should be preserving this heritage, rather than destroying it. Trials of this type can be accommodated within the terms of a traffic order, as has been done for the Allen Trial just south of Bristol. The details of this are in our Traffic Management paper.
- As you know, LARA has been in dialogue with your officers for years now regarding the management of unsealed roads in the National Park. Are disappointed that, yet again, your approach seems to be a total ban, rather than a proportionate level of traffic management. Given Washgate's location, character, and its history of use, ask you please to break the mould

this time and to use a level of regulation that addresses the problems, but no more. Remain ready to assist you with this.

**British Horse Society (Derbyshire)** – The lane is mostly very narrow indeed and therefore wholly unsuitable for 4x4 vehicles. If 4x4 vehicles were to use the lane they would render it unusable by other users such as horse-riders because there are no passing places along much of the route. There is evidence of motorcycle use where the grass surface of the lane has been eroded by deep wheel ruts. These ruts are dangerous for horses to walk on and certainly preclude any trotting or cantering. I am informed by local riders that this section of the route used to be available for horses to canter on safely but that is no longer the case. Some of the route has steep gradients and this fact combined with its narrowness, blind bends and extremely rough surfaces means that horse-riders have to proceed with care. Use of the lane by motorcycles presents a danger to horse-riders who have very limited room for manoeuvre and cannot take rapid avoiding action on the uneven ground. In summary, the route in places is steep, it has badly eroded surfaces of grass with deep ruts, exposed bedrock, loose stones, broken stone steps and cobbles; there is poor visibility at some points on the route because of narrowness, sharp bends and high walls. The route seems to be well used by equestrians but a prohibition on recreational mechanically propelled vehicles (including motor cycles) would make it safer and protect the path surface from further damage. For these reasons considers it would be beneficial to the enjoyment by equestrian users and to the general amenity of the lane if recreational mechanically propelled vehicles (including motor cycles) were prohibited from using Washgate. There is no seasonal aspect to the hazards and damage featured at Washgate, therefore it is appropriate that the proposed TRO is a permanent measure. In conclusion, give full support to the proposed TRO.

**Natural England** - no objection to the implementation on the making of a permanent traffic regulation order (TRO) on Washgate to restrict use by mechanically propelled vehicles at any time.

**Friends of the Peak District** – welcomes the National Park Authority's consultation on the future of recreational motorised vehicular use of Washgate. Have no further evidence to add to letter of 6 July 2015 in response to the consultation under Regulation 4 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007. Given the sensitivity of the historic quality of the route, the conflict between recreational motorised vehicle users (RMVUs) and other users, and the damage caused by RMVUs, fully support the use of a permanent TRO restricting all RMVUs on Washgate between Leycote in the east and Tenterhill in the west at any time.

**Trail Riders Fellowship** – object to the proposed TRO on Washgate on the following grounds:

- The proposed order is over-restrictive
- There is a uniquely rich tradition of motorcycling on the green roads within PDNP that is older than the park itself. The TRO will spoil that traditional fabric of the countryside
- Motorcycle traffic will be displaced onto black roads, with the result that riders will adapt by using more powerful machines to ride enthusiastically between the remaining green roads. The net effect will be an increase in noise, greater loss of opportunities for quiet enjoyment, and increased danger to all road users.
- The tro proposed amounts to an extremist preservation approach. PDNPA should adopt a moderate approach based on principles of conservation.

**Peak and Northern Footpaths Society** – very strongly supports the making of a TRO for all the reasons described in the relevant documentation. In particular, the reasons for the TRO which would enhance the recreational experience for all walkers are strongly supported.

**Peak Horse Power** - The Peak Horsepower bridleway group has over 300 individual members. All the bridleway groups and riding club based in the National Park are affiliate members. Washgate is a longstanding riding route. Horse riders are currently excluded from it because its use by motor vehicles has made it dangerous. Responded to the initial Regulation 4 consultation on whether or not to put a TRO on Washgate. Our view remains the same, namely that only a full TRO preventing use of the route by all types of motor vehicle can restore use of the route to horse riders. Are not

repeating here the entirety of our Regulation 4 response. As our views have not changed refer you to it. Fully support a TRO on Washgate on the grounds of 'preserving and improving the amenities of the area' and 'affording better opportunities for the public to enjoy the amenities of the area or recreation'. A TRO made on these grounds will restore Washgate as a riding route and preserve an amenity which is important to all riders based in the Washgate area. This includes a trekking centre which has advised us that they have had to stop using the route due to the presence of motor vehicles. The Washgate area is being degraded by vehicle noise and fumes and by the physical damage which recreational motor vehicles are doing to the surface of the route and to its verges, trees and flora. Support use of a TRO to 'conserve and enhance the natural beauty of the area'. Have noted the exemptions in the proposed Order and have no objection to them. Congratulate PDNPA in its efforts to protect Washgate and other riding routes.

**Peak District Green Lanes Alliance** – supports the proposals for a TRO for Washgate and have nothing further to add to our earlier Regulation 4 submission.

**Association of Peak Trail Riders** - object to the proposed Traffic Regulation Order on the route known as Washgate. The following objections are put forward using our long experience as motorcycle trail riders in the area. Cannot comment on other mechanically propelled vehicles and their suitability for this route. The reasons for this objection are as follows:

- There is no evidence that the presence of a small number of motorcycle trail bikes briefly present and in transit along the route have a detrimental effect on the scenic quality, relative wildness, natural or cultural heritage of the route. In fact as motorcycles have been using all unclassified roads in the area for over 100 years they are part of the cultural heritage of the area.
- There is no evidence that the presence of motorcycle trail bikes impede on the opportunity to enjoy tranquillity and quiet enjoyment by other users on the route as they are required by law to be properly silenced in accordance with construction and use regulations. As the route is technically challenging it requires great finesse in terms of throttle control and balance and is impossible to traverse above about 5mph. In any case the number of motorcycles using the route a few and far between (5.7 per day in 2015) and as the route is only short any effect is very transitory.
- Particularly since the width restriction of 1.3 metres was introduced can see no evidence of walls being damaged, historic stone pitching or drainage suffering for motorcycle use. Motorcycle trail bikes have little to no impact as they have to be lightweight to control. Any damage to pitching or drainage is due to heavy water downpours that regularly affect the route, along with frost damage and poorly maintained drainage. The adjacent walls are in poor repair to such an extent that they are falling down. Sheep, deer and heavy weather over time are all helping to push over these walls.
- The route is very adequately wide all along and therefore does not need widening. Therefore there is no threat to the 'species rich verges' that 'provide a wildlife corridor'. If the route had been widened in places as claimed then why are those species still there today? During the summer months the verges are heavily and lushly vegetated, the 'wildlife corridor' firmly intact and unaffected.
- 'Conflict with other users'. Not aware of any conflict with other users as sited in 'Appendix 5-Washgate-Special Qualities'. Please provide independent evidence or police reports. It would also be useful to have the dates on which these incidences occurred.
- 'Opportunities to experience dark skies'. Due to the technically challenging terrain along the Washgate route and the width restriction in place effectively limiting it to trail bikes it would be impossible to traverse it on one during the night. Motorcycle trail bikes are notorious for their poor headlights and it is our educated opinion that night riding does not take place for those reasons. Attempting it would result in serious injury.
- In closing the beautiful and iconic route to motorcycles the PDNPA is once again damaging local trail riding businesses and associated support businesses such as B&Bs, cafés, pubs etc. This TRO will further damage motorcycle tourism coming to the area and continue to destroy the already very limited access available.

- To conclude 1200 individual members and 55 local businesses lodge our formal objection to this action. Believe many of the reasons put forward to support the closure are subjective and unproven. Challenge the PDNPA to provide independent evidence to support their claims. Clear that the PDNPA is not showing balance and fairness in this regard.

**Manchester 17 MCC** - have been asked to represent all of the trials riding clubs of the ACU Cheshire Centre and the East Midland Centre to formally object to the proposed closure of Washgate by imposing a Traffic Regulation Order to cover all recreational motorised vehicles.

- As your officers will no doubt have advised you this route has a history of use by motorcyclists and that it is used as a principal route for the internationally prestigious Bemrose; Reliance; Dave Rowland and Edinburgh Trials. Can prove history back to 1921 when Col KL Bemrose first introduced the trial to the area, which has been run ever since that date, except for the period of World War II. The most recent event of the Bemrose Trial was March 2016.
- These trials are part of the history and culture of the area, supported by the local landowners and farmers who willingly give their permission for motorcyclists to ride over their land and access. They know from experience that the minor wear to the grassland on the day of the event recovers very quickly and that the bedrock is hardly ever marked at all.

Summary of Grounds for Objection -Statement Of Reason

- Sect. 6 - you state that there are habitats of national importance but do not state; what they are; exactly where they are nor why they are important; you state that there are three internationally recognised species but do not state your perception as to how our limited activities has any direct detrimental effect
- Sect. 7 - the 'panoramic' views of the route are greatly over stated as the route is primarily passing through a winding shaped valley, the main beauty is the ford and its neighbouring bridge
- Sect. 8 - part of the natural and cultural heritage is the fact that the route is documented as having been used by motorcycles from at least as far back as 1921, most probably even longer; the Peak District has a vast array of peaceful and tranquil experiences and so a few occasional motorcycles using Washgate is not going to destroy that
- Sect. 9 - Refers to Appendices to which I will refer later.
- Sect. 10 - you state disturbance but do not clarify who or what is disturbed, know for a fact that the resident farmers immediately located to the route have no objection to motorcyclists using it; you state user conflict, but I know of no such conflict over the past 43 years of my personal use. Indeed I have had many pleasant chats with other users, being able to pass on local knowledge of the history of the route and how it links to other locations. I recently spent time with a school group telling them of the history of Washgate; how it fits into the area; the derivation of the local names; there are no records of disturbance being registered with the Police; the verges are not ridden on by motorcyclists, although I have seen evidence of them having been walked upon; the illegally erected and oversized signage is itself detrimental to the beauty of the specific location, discreet signage at the entry points would be far more in keeping than the large notice at the river crossing; we consider that the boulders placed at the northern end to prevent use by horse carriages and 4X4 vehicles have been installed illegally, whilst we do acknowledge the need for a vehicle width restriction
- Sect. 11 - since repairs have been undertaken by DCC the route must be a legal right of way for vehicles or DCC has acted illegally by spending public finances on what would otherwise be a private location; the stone pitching is not 'historic' but is a relatively modern method of route maintenance; in the past recreational motorists have offered and have undertaken many voluntary repair ventures in conjunction with DCC and PDNPA, regrettably of recent years the PDNPA has then seen fit to undermine that goodwill by placing unnecessary TROs on to otherwise legal rights of way for recreational motorists
- Sect. 12 - the maintenance for motorised vehicular use is minimal bearing in mind the financial costs incurred to repairing other footpaths and bridleways, as an example please look to the Jacobs Ladder area in the parish of Edale; the suggested anticipation of the meeting with vehicles is exaggerated beyond comprehension; improved signage would emphasise that the route has vehicular access; the recreational motorists use a relatively narrow band of track and to the side of which are two designated footpaths, which are never violated; fail to understand

how a legal route, used by a very limited volume of motor cycles (your vehicle logging system refers) detracts from the focus of using the route by other users

- Sect. 13 - your statement regarding adversely affecting use is total speculation and negatively inspired discriminatory propaganda; 'beauty' is in the eye of the beholder and you have recorded that motorcyclists do value the beauty of the Peak District, if we did not then we would not wish to continue to use such few routes
- Sect. 14 - the river crossing by motorcyclists is not made by using the packhorse bridge but using the original line of the Ford so there is absolutely no chance of users passing each other on the bridge; if there were to be need for different user groups to use the crossing then typically the motorcyclist following their Codes of Practice would allow pedestrians to cross first; the so called 'guidance suggestion' is not applicable in this situation nor appropriate to the location
- Sect. 15 - Refers to Appendices to which I will refer later.
- Sect. 16 - the width restriction is totally appropriate; the overall numbers of vehicles is minuscule (your own logging statistics refers); there has never been nor currently exists any conflict other than in the mind of a relatively small number distractors
- Sect. 17 - the limited daily use (again your figures) and the annual events are minuscule in the scale of use of the total area of the Peak District National Park
- Sect. 18 - the volume of motorcyclists using the route, either daily or annually, is minuscule in comparison to the number of other recreational users in the Peak District at any given time frame
- Sec. 19 - the nominal volume of users on this highway is so small that there is no need for further restrictions other than vehicle width; upon what specifics are the values placed upon the route by motorcyclist any less than those other users?; you say that there are alternative routes for vehicles but the whole point is to value the characteristics of this specific route; there are a multitude of alternative routes for ramblers in the immediate vicinity of the route designated solely for use by ramblers or horse riders; if motorcycle riders wished to use the alternative routes then they would ride alternative vehicles but they exercise their right to choose lightweight motorcycles designed and maintained for use on such routes as this
- Sec. 20 - an exemption to become sub section 'g' should be recorded that the route 'can be used in perpetuity for the benefit of motorcycles being ridden whilst taking part in the historic reliability and skill events such as the Bemrose; Reliance; Dave Rowland and Edinburgh trials'; object that we should have to apply to the discretion of the PDNPA as such discretion is not binding upon the Authority to allow such use
- Sect. 21 - there is no balance of consideration otherwise given to recreational motorists using a legal highway and therefore to have their rights so severely and discriminatory restricted

#### Appendix 1.

- Status - Staffordshire CC record the route as a 'County Road' and not as a 'footpath' as you claim, please have somebody peruse their records as we have done
- Highway Authority Records - the legal status must be confirmed by the simple fact that DCC has spent public finances on repairs and maintenance; the legal status is clear from historical evidence such Tithe records; the legal status is clear from presumptive use; the legal status is clear if you were to more closely study the various historical references such as Dodd & Dodd plus other published reference books and maps
- Claims - there is no need for claims to have been submitted by recreational motorists as the route is clearly a highway no matter which terminology is used
- Private use - the local farmers have no claim for Private status as the route is a public highway; the local farmers have always regarded the shared use and have never made any complaint to any motorcyclist
- Vehicle logging; - the recorded nominal vehicle use is minimal especial in reflection to the footfall; please clarify why the years of 2008; 2009; 2011 and 2013 have not been not recorded?; please clarify why there no are figures for use in the year 2016?
- Events - you have totally ignored the regulations for historical use, despite correspondence between myself and your officer describing the historical benefit
- Access - the route is not, as your report claims, a footpath; the boulders are an illegal restriction and should be removed

#### Appendix 2 - Conservation Interest

- Ecological Interest - an SSSI cannot be applied to the 'right of way' such as the physical impact on the ground; the route only abuts it does not cross any SSI, which must be to the side of the route; the route does not cross the Coleslaw Pasture SSI; motorcyclists ride on the bedrock route and do not veer onto the verges; a route should be measured between the enclosing walls and physical barriers; if the route were to be a footpath then there could still be interference to the verges by those users still accessing the route; the effect of a motorcycle crossing the river is no more likely to cause injury nor detriment to species further down stream than farm vehicles; horses; bicycles nor pedestrians
- Archaeological Interest - the packhorse bridge is also recorded on the Cheshire Historic Environment Record
- Landscape Interest - the area has clearly been defined by the industrial and farming influence of mankind; the strategy must have due regard to historical use and diversity whilst managing recreation, this must include historical motor vehicle use.

#### Appendix 3 - Natural Beauty and Recreation

- Natural beauty - the route and its features does not detract from the beauty of the environment but actually are the intrinsic to that beauty
- Scenic quality - this is not compromised by the route nor use
- Relative wildness - remains totally intact
- Intrusiveness/tranquillity - motorcycles and their riders are not viewed as a threat by wildlife, totally unlike the disturbance caused by ramblers
- Natural heritage features - this has already been addressed by my comments
- Cultural heritage features - the motorcycle events previously referred to are included by this title
- Association - the motorcycle events are part of our National and International reputation; the events are totally supported by the landowners and tenants
- Recreation - the events should be regarded as being included in the term of 'special experiences' as they are Nationally and Internationally recognised
- Presence - there would have been no presence without the need for transport facilities; the fact that there is a county highway adds to the experiences
- Range of outdoor recreational experiences - the motorcycle events previously identified are totally encompassed by this statement
- Scope for management of recreation to enhance recreational opportunities or protect conservation - the continuation of the named events will improve the skills and reputation of this Nation's motorcycle trials riders; the former condition has not been impaired by the use by motorcyclists, enclose a photograph, at the conclusion of this submission, which clearly shows the how similar is the condition of the surface of route back in 1939; only nominal maintenance is required to control the erosion by natural forces such as by water; motorcyclists work in unison with the Rangers in monitoring the condition of the route and will continue to assist in its maintenance for the mutual benefit of all users

#### Appendix 4 - Impacts of Mechanically Propelled Vehicles

##### Ecological Impacts.

- Loss of vegetation - the route has not and will not be widened by the use of motorcycles; motorcyclists do not need an increase in width to travel across the ford nor the bridge; the boulders blocking the route are illegal and inappropriate; the signage is unnecessary, inappropriately positioned and inappropriately sized; there is no Voluntary Restraint in place and the route could be better managed by appropriate width restriction only; the recorded vehicle logging shows that the route is not used by 4X4 vehicles; there has been no damage caused by motorcyclists to the walls; have in the past seen ramblers inappropriately walking on the top parapet of the walls of the bridge, naturally we have asked them not to do so both for their own safety and to protect the bridge; have also seen ramblers throwing rocks into the pools and watercourse, again in a friendly manner we have asked that they refrain from such
- Damage to the drainage - the stone pitching is not 'historical' and the deterioration is by weather induced erosion not by the passage of lightweight motorcycles; surface water runoff is a result of climate change and reduced maintenance; motorcycles have not damaged the boundary walls; motorcyclists are fully prepared and committed to join in with the other voluntary groups in



maintaining this and other similar routes throughout the Peak Park; PDVUG, LARA and the TRF on behalf of all recreational motorists have repeatedly made offers to the PDNPA to undertake such maintenance on this and other similar routes but the offers have been ignored and the PDNPA has repeatedly failed to be act upon such offers

- Damage to the watercourse - there has been no damage by 4X4 vehicles since the illegal blocking of the route by use of boulders; it would have been preferable for other methods of vehicle control to have been introduced and maintained but again the PDNPA refused to work in conjunction with or implement the suggestions made by PDVUG; LARA and the TRF
- Noise and disturbance - unlike ramblers and mountain bikers motorcyclists have far less impact upon bird behaviour as they are not seen as a threat; all recreational motorcycles are road legal in respect of efficient silencing; MOT; insurance; driver licensing; etc; all competition based motorcycles must conform to the ACU codes and when travelling on the public highway they must also conform to the Construction & Use regulations, plus other highway legislation as appropriate; ramblers paddling in the pool cause far more sediment disturbance than the passage of a few motorcycles crossing the ford, which is bedrock; ramblers having picnics in the vicinity of the ford and bridge cause more continual noise and disturbance to wildlife; ramblers having picnics in the vicinity of the ford and bridge cause litter pollution to the area and the water course; dog walkers allowing their pets to toilet in the area of the ford and along the route cause serious potential health hazards to children, livestock and the environment

#### Archaeological Impacts

- Impact on heritage asset - presume that comments refer to the single incident of damage to the listed building which was a coping stone that had been dislodged, but with no other damage sustained it is inconclusive that it was caused by a vehicle; comments regarding the inappropriate use of PDNPA erected signage has already been submitted

#### Landscape and Visual Impacts

- Visual impact of vehicle movements - vehicles have every right to use the area whether it be day time or night time; the route in question is never used at 'night time' by trials riders; motorcyclists very rarely ride such routes at night although late evening might be a possibility however discussion with the local residents informs us that no night time activity has been recorded on this route; the situation regarding stone pitching has already been covered
- Wheel ruts and damage to character - wheel ruts would be typical for heavier farm vehicles and not motorcycles; motorcycles do not create wheel ruts, especially when travelling on bedrock; there are no wheel ruts nor to the best of our knowledge have there ever been any on the specific route other than on the upper most section on the Derbyshire side; there is no current damage since recreational 4X4 vehicles have not used the route (refer to your own logging figures)
- Signage - we concur that the signage, which has already been referred to, is illegal, inappropriate in size; wording and colours, inappropriate in location

#### Social impacts

- Deterrence of use by non-MPV users - concur that appropriate signage is required and have repeatedly requested such; concur that your current signage is inappropriate for the location; PDVUG; LARA and the TRF, have on numerous occasions offered to part and even match fund costing of appropriate signage of routes in the Peak District National Park but you have repeatedly rejected such; have offered to voluntarily assist with or to erect signage but such has been repeatedly rejected too; refute that voluntary codes have not worked, the TRF; ACU; LARA and Manchester 17 MCC codes of practice are upheld; vehicle logging records show a daily visit of numbers far less than the normal code figures that we suggest even as a single group
- Noise impact on people - concur that appropriate noise silencing is required and I have already explained our approach to such; if there should be inappropriate noise levels then that should be a matter for the Police and not the PDNPA nor the Highway Authorities; will gladly continue to support such action by the Police against inappropriate use by motorists

#### Appendix 5 - Special qualities

- Natural beauty - the location has been produced and induced by agricultural and industrial processes; drainage and erosion are natural processes managed by intervention for society's own purposes; evidence of use is far more clearly seen on the adjacent footpaths of the immediate area; evidence of usage by ramblers using the routes connecting to such as the

Pennine Way are far more intrusive to the eye than a few motorcycle tyre tracks hidden between vegetation and the boundary walls; the maintenance of footpaths and bridleways incur far more expense than the unsurfaced routes, jointly used by recreational motorists

- Sense of wilderness - the presence and evidence of use by a greater number of other users, e.g. ramblers, in bright clothing; chatting; playing of music; bicycles; even agricultural vehicles and their processes are far more intrusive to the location than that induced by an average of less than four motorcycles per day
- Clean earth, air and water - the natural pollution resulting from animal waste is far greater than a few motorcycles passing by; the exhaust pollution by most motorcycles in a day's use will be less than that produced by the volume of ramblers who have been driving into the Peak District
- Importance of wildlife - motorcyclists cause less damage to the environment and are less of a threat to wildlife than any of the other human leisure activities
- Thousands of years of human influence - recreational motorised users will have no negative effect upon such ideals
- Trees, woodlands, hedgerows etc - there is no damage sustained to the features unlike the patchwork of footpaths
- Opportunities to experience tranquillity - noise is a fact of all human endeavours; noise which spoils tranquility to one person could be as simple as the 'chattering' of walkers; will there be a ban on the various 'new' activities regarding music festivals, e.g. "Y Not festival" and marriage receptions held in farmers' fields; which can be seen and heard for miles around the venues?
- Opportunities to experience dark skies - have already made an answer to this erroneous claim regarding motorcycle use, we are reliably informed by the immediate neighbours that the route is not used at night by motorcyclists; does this mean that neither ramblers; mountain bikers nor horse riders will be able to use head torches; nor lights required by law after dark?; will Duke of Edinburgh participants not be allowed lighting?; will there be a ban on camping lights through the Peak Park?; will there be a ban on the various 'new' activities regarding music festivals, e.g. "Y Not festival" and marriage receptions held in farmers' fields; which can be seen and heard for miles around the venues?
- Opportunities for outdoor recreation and adventure - you propose to remove those very rights from a single minority group who wish to fulfil the values of this category
- Please take a close look at the attached photograph and compare the route with its current condition, after an intervening time of some 77 years. The surface then as now is bedrock strewn with small stones caused by natural erosion.
- We concur with the route as shown on your map.

### Other Organisations

**Green Lanes Environmental Action Movement (GLEAM)** – Support proposal for a TRO on Washgate to prohibit access at any time by mechanically propelled vehicles, except for farm vehicles and emergency vehicles. Support the prohibition of mechanically propelled vehicles to unsealed unclassified roads such as Washgate for the following reasons:

- The tracks themselves came into existence to serve the modest needs of mostly local pack-horses and horse-drawn carts, as well as pedestrians and livestock. Recreational motor vehicle users call them roads, but they are not roads in any normal sense of the word. They have no sealed surface (i.e. no tarmac or concrete), and use by powerful modern motor vehicles for purely recreational purposes is destroying the fabric of these lanes.
- 4x4s and motorcycles create noise and disturb wildlife, deep in the countryside, where peace and tranquillity might reasonably be expected.
- Recreational motor vehicles make the use of green lanes by farmers, walkers, equestrians and pedal cyclists difficult and, quite often, dangerous or impossible.
- Green lanes used to be a valuable resource for disabled people, as the lanes have no stiles, and used to have reasonable surfaces. But the surface damage that has been caused by motor vehicles, driven and ridden by the able-bodied, have ruined them for disabled people.

Encounters with strings of vehicles, deep in the countryside, are hazardous, especially for sight-impaired, hearing-impaired or learning-disabled people.

- The cost of repairs to green lanes by local authorities is prohibitively high – up to £75,000 per mile. Furthermore, repairs seldom produce permanent solutions. If a track is unsealed and if it is regularly used by non-essential vehicles, repairs will swiftly deteriorate. Green-laning organisations sometimes do their own repairs, voluntarily, but as a contribution to the overall problem of devastated green lanes, such voluntary efforts make scarcely any serious impact, and are as short-lived as those carried out by local authorities.
- Set against the cost of repairs by hard-pressed highway authorities, the money that green-laners contribute to the rural economy is derisory. In any case, if green-laning were to be prohibited, 4x4 drivers and motorcycle riders will still be able to enjoy green lanes, and spend just as much money, when they arrive on bicycles, on horses, or on their feet. Moreover, the health benefit to people who leave their vehicles where the tarmac stops and go on to enjoy green lanes under their own steam, is obviously far greater than the supposed health benefit of riding a motorbike or viewing green lanes through the windscreen of a 4x4.
- Also suggest that an alternative approach to imposing a TRO on Washgate, and which would have the same practical effect, would be to classify it as a Restricted Byway. Such a classification would be less likely to be reversed than the imposition of a permanent TRO.

**North Derbyshire Youth Motorcycle Club** - object to the proposed Traffic Regulation regarding Washgate Bridleway. Our interest in keeping the route open is that since 1921 have traversed that bridleway for the Bemrose Trial, which you are aware of, and would like to keep the trial route for the future. Used for this year's trial in March and walking the path, less than two weeks later it was impossible to see that it had been used. Having read in detail all 5 Appendix on your Notice of Proposal, find the prognosis for the area very difficult to agree with. Almost everything that has been written seems to have been 'cut & pasted' from some other notice, thus having little relevance to Washgate. The route of the path is mainly on cobbled surface, which has high banks where natural course grass is growing. It is hidden almost completely from view. The local farmers are the persons who maintain the condition of the land, which you describe in great detail. After all are only considering the bridleway. Have spoken to the farmer at both ends of the path and neither consider the motorcycles create any disturbance or damage to the path. Regarding noise, the farm tractors create more noise and ground disturbance than any number of motorcycles. You touch on Recreation. Please bear in mind that the trial attracts people from all over the U.K. You will be denying and restricting quite a number of people's activity, which we claim is against the Parks principles.

**Northern British Bike Pre-1965 trials Championship** – writing to you as the coordinator of the Northern British Bike Championship which is a national competition for Classic British Trials Motorcycles and we are a non-profit making club. Our series has run for 18 years and we have been responsible for working alongside the South Liverpool Motorcycle Club in planning, organising and running the Reliance Cup Trial.

- The Reliance Cup trial is in excess of 100 years old which is almost as old as British motorcycling itself. The format covers a 26-mile lap of Derbyshire and its surrounding areas. Use several venues that are linked by minor roads both classified and unclassified, farm tracks and moorland crossings. All the observed sections are on land that farmers and landowners have granted as permission to use much of the land is owned by Lord Derby and I have attached our Health and Safety Risk Assessment which shows how we deal with meeting general public on route, events are covered by Public Liability Insurance via the AMCA.
- The motorcycles that are used are all of British manufacturer and all date before 1965, they are part of our country's history and we feel that their use in properly organised approved events are a credit to our heritage. They are, due to their age, quite low in power in comparison to many modern trail bikes which also use very different tyre characteristics which we feel could possibly have an effect on unmade roads, but also feel that there would need to be a lot more traffic than the three vehicles highlighted in your appendix 1.
- The Reliance Cup starts from Booth Farm and our first group of sections are on the limestone outcrop just above the farm. The second group of two sections are sited as they have been

since 1934, one in the stream at wash gate and the other one within this group is the climb out at Tenterhill. The closure of Washgate would seriously affect the historic route of our event. The Bemrose Trial, which dates back to the 1950s is run by similar club to ours, would also be affected dramatically by the loss of this byway.

- Both are events would only be in this area for a maximum of 2 hours on the day of each trial. Neither club use or ride over the historic Packhorse Bridge and therefore are not likely to cause any damage to it, pollution cannot be considered a problem as motorcyclists have been fording the river crossing for many years and as yet have caused no environmental problems. On a very positive note, our event brings over 120 riders to Derbyshire on an annual basis. Many travel long distances, stay in Buxton and the surrounding villages, and bring much earned economic benefits to the local area.
- At our first round which was held on 3rd of April, we had on hand up petition which was signed by the majority of the riders taking part in that day's event. That petition is attached for your records many of us feel that if you have to continue with the restriction of a vehicular access you would view the historic use of Washgates for the 2 Reliability Trials to be allowed to continue. Would like to think that you would be able to find a way round the proposed order to benefit all users of this wonderful part of our country.

**Rough-Stuff Fellowship** - a non-competitive off-road cycle touring organisation and believe that the use of mechanically propelled vehicles is despoiling the Peak National Park. They should actively be discouraged, since the effect is to make bridleways and BOATs very difficult for walkers, horse riders and cyclists and to destroy the general peace and pleasant atmosphere of the Park

**Staffordshire Moorlands Motorcycle Club** - officiated at the annual Bemrose Trophy Motorcycle Trial on Sunday and learned that there is a proposal to close Washgates to traffic.

- The event last Sunday was the 87th running of the Bemrose Trial which started in 1921 and has run every year since ( except 1940-1946 ). On Sunday 150 competitors took part in the event, which has National Status, from all over the British Isles. The Bemrose has always been one of the most prestigious events in the National Trials Calendar. The route on Sunday also included Tenterhill and Hollinsclough as it has done every year in living memory.
- My father competed in the 1947 event and these sections were used then; I competed in the 1960's, 70's and 80's and Washgates and Hollinsclough were included every time.
- Another event which uses these sections is the Reliance Trial which is held in June. This trial is even older, having started in 1911, and this year will be the 97th running of the event. The Reliance is restricted to Pre 1965 machines and regularly gets an entry of over 100.
- Appeal to take into consideration the history of these events which are still active after all this time keeping up the tradition of motorcycle trials in this area.
- Attach a Route Card from the 1959 event, in which I competed, which shows both Tenterhill and Hollinsclough included in the route.

**Yorkshire Classic Motor Cycle Club** – write as an objector to your proposals for the TRO for Washgates and as a classic motorcycle trials rider in his mid seventies. I am the president of the Yorkshire Classic Motorcycle Club and have been riding trials motorcycles since the late 1950s.

- In the past - have used this Green Lane many times over the years competing in the Bemrose and Reliance trials and have personally not noticed any significant changes other than the effects that winter the varying severity have had over the years to the surfaces.
- There are more loose stones and rocks now than they used to be but these have come away from the bedrock over time due to heavy frosts and the flow of water down the steep tracks. The passage of 4x4 vehicles will not have helped as quad bikes and other four wheel drive transport do create ruts and caused damage. These vehicles have powerful engines and have the ability to create problems if driven irresponsibly. However as these have been stopped due to width restrictions some time ago they have no bearing on the future.
- Current position - the ramblers association are a powerful body who would like nothing better than to have sole access to all open spaces and green lanes and fight hard to restrict uses of rights of way that have been shared on certain historical routes for decades. Organised

recreational riding of trials motorcycles is just as much a pastime for thousands of people as walking or horse riding. These activities can coexist without conflict if common sense prevails.

- Low powered motorcycles with soft modern tyres do not damage the hard surfaces of bedrock such as that at Washgates. They are ridden at slow speeds and keep to the tracks causing no damage to verges or bankings. Any observed sections are marked so that riders have to stick to the track and keep inside the flags away from the sides. Trees, grassland, shrubbery or verges in this area have never been damaged or eroded by motorcycles passing by them. There is a code of conduct stressed in the entry forms of each event that reminds riders and their responsibilities while riding in the countryside or on private land.
- Motorcycles have always forwarded the River Dove with caution and care as these places are slippery and a ducking is lurking for the speedy or unwary. An average of 3 bikes today crossing is surely not the reason why river bank are being eroded or water quality affected.
- With regard to the two organised events that use Washgates the Statement of Reasons suggests that the use by motorcycles detracts from the enjoyment of others. These events use the area on 2 days per year or 0.005% of the time available to other users. The riders pass through within an hour of the first man arriving (they only take 5 hours to do the 30 miles circuit) which is a small part of one day causing the minimum of disturbance.
- Finally The Reliance trial is held in June. The suggestion the wildlife and birds nesting in particular are being disturbed is wide of the mark. Birds nest in early spring not mid summer and very little wildlife all have a habit or feed so close to a lane where walkers and horse riders are in close proximity.
- Solution - if you seriously believe that casual motorcyclists are causing the problem then why not gate the entrances and exits to Washgates with prohibition notices stating pedestrians and horse riders only and allow the Bemrose and the Reliance trials organisers to apply for restricted access on their trials dates. Notices could be put up put on the gates informing locals, walkers etc of the intended events giving them the choice to stay clear.
- Two days use for say 3 hours in total period is not going to upset the world or cause any problems that won't recover within a few days and this at least keeps some balance and equality between all parties. This is an important part of both these events and without it both will be significantly diminished.

**Yorkshire Dales Green Lanes Alliance** - Our purposes can be viewed at [www.ydqla.co.uk](http://www.ydqla.co.uk). Have watched at close quarters the programme for the imposition of TROs by the Yorkshire Dales National Park Authority. After overcoming spurious legal objections from LARA, the programme has succeeded in the imposition of ten key TROs. This has unquestionably improved both the general amenity of those who come to the Park for quiet recreation, and the fabric of the TRO'd lanes. Therefore welcome the proposed TRO on Washgate. The reasons for the order are entirely cogent. Wish you well in your endeavours to preserve the heritage embodied in the great network of green lanes in PDNP. A TRO on Washgate will be a valuable contribution to the preservation of the special qualities of the national park.

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Washgate – Summary of Regulation 7 Representations and Comment

These representations are a summary of the objections to and support for the proposal received. Most respondents made several comments as part of their representation. Individual items of correspondence may be viewed at the National Park offices.

**Objections**

<u>Representation</u>	<u>Comment</u>
<p><b>Amenity</b></p> <ul style="list-style-type: none"> <li>• Washgate is an important route for Green Road riders due its location. Its acts as an important link to the wider network of green roads and as such loss of this amenity would be extremely inconvenient and tantamount to a denial of my rights</li> <li>• Am 68 years old and I enjoy seeing the countryside using my motorbike. More and more byways are having RTO's placed on them and it is increasing difficult to enjoy my activity. We only have about 4% use of all the trails in the countryside which should be shared as fairly as possible amongst all users.</li> <li>• It will have an impact on all the users of the lanes locally, as well as further afield if the lanes are shut.</li> <li>• There are 4 of us all over 50 who go out every week in all weathers all year round an on our travels pick up litter left by ramblers , we stop for tea and bacon cobs then have lunch also petrol , we are conscious of the environment and how beautiful Derbyshire is</li> <li>• As a trail rider I use this trail 4 to 6 times a year and my use does not prevent other Peak Park users from enjoying this amenity for all.</li> <li>• Closing this route to users of mechanically propelled vehicles will prevent them enjoying the amenities of the area as members of the public which according to paragraph number 1 section ii of your propose prohibition notice they should be able to do. The closure would be one less public amenity.</li> <li>• There are hundreds of miles of footpaths in right to roam places and bridleways and cycling routes to people's needs so why try to close a few places where motorbikes can go.</li> <li>• Appreciated the repairs carried out in Derbyshire and the installation of width restriction.</li> <li>• The limited amount a motorcycle use either in events or for private leisure use does indeed present outstanding opportunities for understanding and enjoyment of special</li> </ul>	<p>Washgate is an important recreational asset for all users.</p> <p>The Authority is conscious of the limited number of routes available for recreational motor vehicles in the National Park. The physical characteristics of this route means that it is valued by many different users yet there is evidence of conflict and damage occurring on this area of conservation and amenity interest.</p> <p>Whilst it is recognised that motorised vehicle users, in undertaking their chosen form of recreation, also appreciate the special qualities of the area, their continued use of this area by this mode of transport is adversely affecting those special qualities to a more significant extent than other users.</p> <p>In cases where there is a conflict between the NPA's two statutory purposes, greater weight shall be attached to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage.</p> <p>All recreational users are important to the local economy.</p>

character and qualities of the area and in no way inhibits that in other users apart from those who are seeking to find problems.

- Am 72 years of age, and would be deprived of this amenity as I am not fit enough to walk the road
- A weekend away driving the green roads is a family event, much enjoyed by all my family, we are not just a group of single men out for a few hours driving.
- my hobby is riding an enduro motorcycle on green lanes and byways, I have spent alot of money over the years on my hobby and it is wrong that you are stopping me doing this by putting a TRO on this lane
- My father first rode there in 1937 I rode from 1977 and my son has ridden from 2000.
- Nothing beats farther n son getting out exploring together , sadly my farther is no longer with us ,though in three years' time my son will be able to ride out with me , can't wait for that day it's going to be amazing to be able to show him the dales from the saddle of his own bike, of which he will have saved up and bought himself through hard work ,no time nor inclination to hang around on the street causing trouble .
- May not be able to walk any distance but can cover a great distance on my motorcycle and get to see great amounts of countryside , this is what gets me up in the morning ,the freedom to roam the lanes.
- These lanes are something to be treasured and used by all people from all walks of life being it by foot , car , tractor , mountain bike, motorcycle. There is room for us all in our national parks and nobody should be turned away just because it suits a few .
- The peaks district is for everyone to enjoy how they please
- As a trail rider,I have used the route called Washgates since i started motorcycling in 1976. I use the route probably three to four times a year. I have also cycled the route, (once), but have never walked it. In my years of riding this route, I have never come across horse riders, or cyclists and few walkers. Interestingly, I cannot recall coming across other Motorcyclists groups when I have been there
- Ride this route on my motorcycle 2 or 3 times a month with friends
- Used this route in organised motor cycle trials since the 1970's and Then in the 1990s when my son was old enough to take part with me. Was hoping to be able to take my grandson when he is old enough to ride his trials bike on the road.
- Ridden this old road many times in the 1950/1960s on my motorcycle and have enjoyed riding this road combined with other roads in this wonderful part of this country.
- Have artificial knees and motorcycling the green lane network is the best way to enjoy



the remote countryside. This is also a link road to local businesses that will surely suffer a loss if the lane is closed .

- It is a byway I use every time I visit the peaks and is one of the many historic byways myself and others ride as a healthy hobby and pastime
- Closing the lanes is crippling a great hobby for thousands of people.
- Won't be able to enjoy the PD with my ageing mates. We are not the enemy.
- There's not many places to ride away from busy roads, and those few routes left should not be closed.
- The use of MPV's along this route allows all users to benefit from the views and scenery.
- Already have little or no places to ride as it is, think we have around 2% and walkers have 98 %
- Plan to come and visit the Peak District for in order to enjoy the green road and countryside. Please don't close anymore lanes.
- Love riding byways as it allows me to get to remote locations would not otherwise get to on foot.
- The use of historic byways throughout the Peaks is the reason many people visit the area and this should not be deterred.
- The lads I see on bikes are always very polite and considerate and having the time of their lives. It would be such a shame to take this away from them they have just as much right as the walkers to use this lane.
- They live right next to Washgate and want it kept open to motorcycles as they themselves have been green laning in the Peaks for as long as they can remember. They are local through and through. They understand the economic impacts of TROs and are particularly outraged at the prejudice and cultural ignorance displayed by the PDNPA in relation to the cultural importance of motorcycling trail riding in the locality.
- Used the road both on a motorbike and with my brother on a tractor going back to the 1940s going from Hollins Farm past Fough Farm to Booth Farm and then Leycote through Washgate to Tenterhill when going to Flash auction and other places. The road from Tenterhill through Washgate to Booth has been used for hundreds of years by horse and carts as many documents will prove. There was once a fuller's Mill and later a corn mill at Washgate and local people would have travelled this road to and from the mill with horse and cart.
- The quiet enjoyment of Washgate lane by motorcycles is a part of my own cultural

heritage and that of the area too and has been for a century. When speaking with locals who live directly by this route – those who are most likely to be affected - they fully accept legitimate bike users as being no form of problem whatsoever.

- This road has been used as a road for longer than most roads and its vehicular rights should be maintained regardless of other users views.
- Riding motorcycles has historically been popular in this area.
- Green lanes and the use by motorised Vehicles is part of the rich history of the Derbyshire Dales.
- Ridden this classic lane for over thirty years. Motorised traffic has been allowed to use this green lane since the introduction of the motor vehicle.
- Banning vehicles from this road is contrary to the declared aim of "affording better opportunities for the public to enjoy the area". A person on a motorcycle is as much the "public" as anyone else.
- Many trials riders are over the age of 50 and appreciate the opportunity to follow their sport in a beautiful setting ,especially those who live in big cities .
- Proposal would be of benefit to very few foot users and would penalise the riders who use the lane with minimal conflict relative to other parts of the national park
- Not harming nobody, just trying to enjoy my time off.
- Spent many happy hours picnicing in the area and bird spotting. I use a motor cycle as my means of transport as it is most convenient for me and enables me to get away from busy roads. Many similar routes in the Peak District have now been closed and it is increasingly difficult to find such pleasant and quiet routes to visit.
- Come to trail riding in my late fifties and find it an extremely enjoyable pastime. Also use the countryside for walking, mountain biking and cycling. Aware of the need for countryside users to find ways to share the countryside with no particular users' interests taking priority over those of others.
- The proposal would have an adverse effect on the recreational value of the area by preventing its use by motor cycles
- Used this route carefully by motorcycle for many many years and it closure would be yet another example of the loss of these iconic lanes which I pay to maintain.
- I use the route approximately 4 times a year as it forms a loop of legal rights of way in the area. I rarely come accross other uses. The loss of the rights of way will severley impact my enjoyment of this area.
- Have spoken to the locals before about this and they are all in favour of keeping it open,

<p>many of the local families are bikers and use the route regularly.</p> <ul style="list-style-type: none"> <li>Motorcycles are a more environmentally friendly to our countryside than users than other users. This is because there are very few motorcyclists trail users, (calculated at only 10,000 in the whole of the UK), compared to the Millions of walkers, horse riders and cyclists. All of whom need to be transported to the countryside.</li> </ul>	
<p><b>Historic Motor Cycle Trails</b></p> <ul style="list-style-type: none"> <li>Manchester 17 trials motor cycle club uses Washgates three times a year as part of our annual national competitions. The club have used the route for the Bemrose event in March. The northern experts in November and the reliance trial in June. All these events have been run for between 102 years and 87 years.</li> <li>Ran 87th Bemrose national trial on Sunday 13th March 2016 and noticed the sign for the closure of Washgates. Would like to be given permission to use the track on event days only. To continue our annual events.</li> <li>Trials bikes are the small lightweight bikes that are the size of a mountain bike and have small engines. They are not the large powerful enduro bikes. The reliance trial only permits classic pre 1965 bikes (BSA, Triumph &amp; Ariel type bikes). The average age of the riders are 60. Not the type of bikes or riders that cause trouble.</li> <li>Am 66 and have been riding a motorcycle trials competition since the age of 16 in fact I first became interested in trials at the age of 13 watching the 1962 Bemrose trophy trial which used Washgates as part of its route. Ever since then I have ridden most years in the three trials competitions which use Washgates on a regular basis The Reliance, Bemrose and the Northern Experts or Dave Roland.</li> <li>Trials are not a race but is competition divided into small piece of land where the competitor has to negotiate obstacles. It was the first and original form of off road motorcycle sport. The Bemrose has a long history from before the second world war in fact the Bemrose motorcycle trial goes back as after the first World War. The Reliance and Northern Experts also date from before the second world war.</li> <li>Trial bikes are low speed motorcycles of now very lightweight 60 kilos with a compulsory restricted tyre patterns so as not to damage terrain. Wash Gates is not used as part of the competition that is part of the route.</li> <li>You often mention the importance of heritage so why is the continuation of these historic events of no importance. These trials him to meet all your criteria - low impact, historic, heritage three times a year and no complaints. It's not unreasonable that an exception</li> </ul>	<p>The Authority recognises the heritage value of long-established motor vehicle events.</p> <p>The historic nature of the route and its setting in the landscape as well as the variety of natural and cultural heritage features and the physical characteristics of this route means that it is valued by many different users yet there is evidence of conflict and damage occurring on this area of conservation and amenity interest.</p> <p>Consideration of the use of this route by historical motor cycle trails will be balanced with their impacts on wider amenity and conservation concerns to assess whether these wider concerns can be adequately addressed to achieve the desired outcome.</p>

be made for these organised events which will run under the strict rules of the Auto-Cycle Union.

- The route has been used for decades peacefully, quietly and successfully as part of the route for certain trials events such as the Bemrose, Dave Rowland and Northern Experts Trials. There has been no problem of any sort at anytime with any of these events using the route. Locals are happy with us and welcome us.
- The loss of this route would have a heavy impact on motorcycle trials in the area that have used the route as early as the 1920's, which could result in the downfall of local organised ACU approved clubs, which in turn would inevitably result in off road motorcyclist having to travel further afield to compete or turn to riding illegally. Consider the heritage of motorcycle sport in the Peak District before passing any order which would expel motorcycles from using washgate.
- This will affect the Bemrose and Reliance motorcycle trials which would be a great loss for the sport.
- Hollinsclough holds an important position in motorcycle trials history and would be a huge loss to the sport if access were to be denied.
- This area has been used for trials events for over 50 year where all riders respect where they are riding. It is used only twice a year.
- Been involved in the running of the Bemrose trial which took place only a couple of weeks ago. Stopped and chatted to many people out enjoying the countryside and not one person objected to the running of the trial and many were quite enthusiastic towards us which was great to see.
- It will endanger a number of motorcycle trial competitions which I enjoy competing in every year. Eg the Bemrose trial. Reliance trial. Not only are these prestigious national events which have been running for 80 years, but they also bring a lot of tourism to the local area. I make the 400 mile round trip from London to ride in them.
- These trial competitions rely on all the historic roads available.
- The type of events involving classic motorcycles to which I refer have been taking place in the Peak District for well over 100 years with little or no effect on rights of way. The types of motorcycle used are slow, relatively quiet and by nature of their own regulations only use Trials Universal type tyres which restrict damage to soft surfaces.
- It would be so wrong if traditional road trials can no longer be held in the peak district,
- This area has a big history in our sport.
- Washgate has been used in authorised motor cycle trials, such as the recently run

Bemrose Trial, for many many years and it is, together with other green lanes, an integral part of motor cycle sport.

- The route has been included in motorcycle Reliability Trials since before the Second World War.(Copy of a 1934 Route Card attached). Trials motorcycles are relatively low powered and are fitted with "Trials Pattern" tyres which have a smaller tread pattern than other tyres and cause no lasting damage to unsurfaced road surfaces.
- Washgates has been an historical part of of organised competition for many year. It can only be accessed by motorcycles and is not a popular walkers route.
- This implementation of this order will restrict access to the pre 65 motorcycle trials bikes that occasionally use that route. When I've attended trials there all the riders have shown the utmost courtesy other persons .That area has traditionally been used for motorcycle trials. The bikes themselves have very little impact on the environment as they are small,low powered and infrequently use the route. The pre 65 motorcycle trials are well organised and attended by mature well mannered individuals.
- The sporting and social aspects of these events alone should see them able to continue (especially as one off annual events), but to ban these events due to the reasons given appears to me to be without consideration to the pleasure given to hundreds of people to whom these events still mean so much.
- As a classic motor cycle trials rider am aware that Washgate has been used for several years since before the second world war for recreational, local need and Motor Cycle Trials use. Two national motorcycle trials, the Reliance and the Bemrose are particularly important to riders. Your Appendix 1states that - No claims for recording motorised vehicle rights have been submitted to Derbyshire County Council or Staffordshire County Council. How can this have been necessary with known continuous MPV use since at least the 1920s on a highway maintained at public expense.
- The events pass along the road once on the days of the events and all those involved pass by in less than two hours.
- The use of these historic pack tracks and lanes for motorcycle trials pre dates the setting up of the Peak district national park and the closure to satisfy your reasons of increased enjoyment for some may be a decision of our times and not a reasoned decision for all.
- Ridden in the m/c reliability trial that uses Washgate for the past 31 years and on some occasions have been an official observer No damage to Washgate or the path is caused by the motorcycle passing by. The packhorse bridge is not used by the motorcycles and

the river crossing is downstream so no support damage can be caused.

- For many years, the route has been used for Reliability Trials such as the Bemrose and Reliance trials which assess the balance and dexterity of the rider, they are not speed events or involve racing and as such, cause no lasting damage to the land.
- Ridden this route as a trials rider since the 1980's for over twenty years. For the past ten years have been an event marshall here. Have not seen any damage carried out by the trials motorcycles. At the end of each trial have always checked the area for any forgotten /discarded items, and left it as found. The event organisers were always mindful of preserving the countryside's flora and fauna, to the effect of excluding the riders from using the right hand side of the bank. In my experience the ramblers frequently spectate from the bridge and have never had one word of dissent or complaint. It would be detrimental to the surrounding areas to exclude these events as it would reduce the number of visitors to the area, thereby denying them possible income.
- There are 2 specific events, The Reliance and The Bemrose Trials, which use this road and in the World of Motorcycle Trials they are extremely prestigious, attracting entries from all over the UK and have to be limited in numbers because of this. Both these events have their roots in Reliability Trials from the early days of motor cycling and hence their prestige. With the advancement of competition motorcycles over the years the average weight of these machines is 70 to 100kg, which is considerably less than their forebears which weighed in at 150kg plus. Their suspension is completely different and tyres used are lightweight, soft walled rubber with special tread pattern. The effect of all these changes makes the bike a much more gentle user of the road and it is unlikely that you will see any deterioration where the bikes have passed. Because Washgate is used in transit only once in the events, all competitors will have passed through in a very short period of time, around 2 hours. This, in time, equates to less than 0.1 per cent of the total life of the countryside when any disruption might take place. Motorcycle Trials are run by professionally organised Clubs affiliated to the Autocycle Union (ACU) and/or Amateur Motorcycle Association (AMCA). The clubs ensure that all their members are aware and follow instructions relating to their events. The Clubs are closely involved with many landowners, who are happy to allow use of their land on a regular basis for events taking place over a long number of years. Care is taken by the Clubs to ensure that riders only use designated routes to ensure there is no lasting damage caused by each event. Final instructions make all entrants aware of this and particularly in road events where other road users are involved, horse riders, walkers or quiet areas for example. Any abuse is reported and action taken for future events. I am

<p>sure that the Organising Club will be happy to discuss with you any particular issues that you require addressing. Many of the competitors are retired and take advantage of this when visiting different areas in the country to stay and explore, so bringing revenue to those areas. Many of the competitors are retired and take advantage of this when visiting different areas in the country to stay and explore, so bringing revenue to those areas. Hope that in the above you can recognise that a professionally run event will not cause the sort of damage to the area that you refer to in your submission and you can agree to retaining the exemption</p> <ul style="list-style-type: none"> <li>• The banning of vehicle rights of way on Washgate on a perfectly legal unsurfaced lane will destroy motorcycle competition in the area, and is a profound waste of taxpayers money</li> <li>• The landowners are happy to allow the trials to pass their way and some actually encourage it.</li> </ul>	
<p><b>Natural Beauty</b></p> <ul style="list-style-type: none"> <li>• Used the lanes for the past 40 years and don't think there has been any lasting environmental damage. The lane has been blocked to prevent 4x4 damaging the lane as agreed with Peak Park previously</li> <li>• Vehicles using this UCR does very little damage to the natural beauty of the area and has been used for many years.</li> <li>• This road is the last green road with an outstanding view.</li> <li>• Around 5 bikes a day cannot be said to be detrimental to natural beauty and wildlife</li> <li>• By putting a TRO on this route, it takes away the accessibility to such beautiful areas.</li> <li>• Walked the route as a keen fell walker &amp; cannot see that the amount of MVPs encountered spoil the tranquility of the area.</li> <li>• The suggestion that signage detracts on the visual setting not really a reasonable statement, as any human activity, say people enjoying this road by whatever form they choose detracts from the visual setting.</li> <li>• Do not believe the claimed intrusions and effects on the wildlife have any effect at all. Am a motorcyclist, and also a nature lover, and believe the two can co-exist especially for the limited amount of traffic being considered here. Wildlife is almost over zealously protected, but yet when the council and government pass plans for major roads, motorways and development, neither wildlife or indeed the local human population seem to be considered for too long. Local farming does in reality have a much more harmful</li> </ul>	<p>National Parks were designated on grounds of their scenic value and recreational opportunities.</p> <p>The route is not only a means to access special qualities but also a valued part of those special qualities. The historic nature of the route and its setting in the landscape as well as the variety of natural and cultural heritage features adds to the experience of using the route. The route also gives the opportunity for quiet enjoyment and to experience tranquillity, one of the special qualities that people value most about the Peak District National Park. Noise from motorbikes in particular can carry over large distances.</p> <p>Evidence is available to show that environmental damage is occurring as a result of motor vehicle recreation, both directly and indirectly. The impacts on the natural beauty of the National Park, and on its special qualities, are not just confined to the linear</p>

<p>effect on wildlife than the issues being raised here. However farmers must farm, and with sensible approaches to environmental issues, farming (and other rural activities) can and should continue.</p> <ul style="list-style-type: none"> <li>• Use of the landscape by man always has an effect.</li> <li>• While this area is no doubt of great environmental beauty, there are countless other such locations where walkers and ramblers can enjoy these benefits without the need to censure the enjoyment of other users whose occasional and fleeting passage creates no major disturbance</li> <li>• Closure will not improve the amenities or enhance the beauty.</li> <li>• Any wildlife that is there now is well used to every form of user, including vehicles which have been using the route for the best part of 100 years.</li> <li>• Visual impact is negligible to the point of irrelevance partly because of the geography and terrain and partly because of the incredibly low volume of vehicular traffic. The complaint is about around 5 vehicles a day in a deep valley most of which can't be seen by anyone other than someone standing close by.</li> <li>• Have never heard of this route being used by motorcycles at night</li> <li>• Any special interest sites by the side or adjacent to the road will not be affected by legal use by motor cycles.</li> <li>• As for the noise issue and providing a quiet route, how can this work when you have high edge raceway</li> <li>• There is a trials practice ground towards the north side, which always have trials bike on it when have ridden the lane, so I can't see why any noise from the byway would affect it more than the trails.</li> <li>• You raise the concern that fording the river could cause silt disturbance and pollution to the river possibly endangering the aquatic life. As motorcycles have been fording the bridge for almost 100 years and the species are surviving, this surely indicates that crossing the river causes no problems.</li> <li>• The suggested damage to the ecological, archaeological and landscape interests, the natural beauty, amenity and recreational value of the area, and the special characteristics of the route is highly exaggerated.</li> </ul>	<p>routes, but also affect the wider environment. This impact and the anticipation of the presence of motorised users can detract from the experience and enjoyment by other users. The reference in section 5 of the National Parks and Access to the Countryside Act 1949 to the purpose of understanding and enjoyment of the special qualities of National Parks suggests a focus on quiet outdoor countryside recreation associated with the wide open spaces, wildness and tranquility to be found within the National Park. (Defra 2007)</p> <p>Natural beauty should not be confused with wilderness. The definition of natural beauty recognizes that England has a landscape that is formed through the interaction of man-made and natural processes. It includes the wildlife and cultural heritage of an area as well as its natural features.</p> <p>Tranquillity is more than simply noise; it includes the landscape setting, natural sounds and visual intrusion.</p>
<p><b>Damage</b></p> <ul style="list-style-type: none"> <li>• The Authority claims to be concerned about damage to the road and other users being forced from the route by vehicles or the `expectation' of meeting vehicles. There is no</li> </ul>	<p>The order is not being made on the grounds of preventing damage to the route but instead relating to</p>



evidence to show that trail bikes cause damage to green roads and objections to use by trail bikes are based on anecdotes. Am also unaware of any data log evidence on the volume of use by trail bikes.

- Motorcycles are relative light in weight and cause little wear to the surface in comparison to other vehicles. The report acknowledges that previous problems have been associated with 4-wheel drive vehicles. Surrey and Hampshire County Councils have acknowledged in a report from their Rights of Way department that "The recent assessment has indicated that motorcycles have not been the cause of erosion or damage to unsurfaced roads". This is evidenced by the fact that green roads that have been closed to vehicles with more than 3 wheels show no surface wear. Indeed sharp horse shoes cause more surface damage than soft motorcycle tyres and the weight of a trail bike is considerably less than an average horse.
- Peak Park has a responsibility to manage the lanes, but in my opinion is failing to do that, and blaming motorbike users for any erosion caused with is not the case.
- Please tell me that we are not being blamed yet again for the wear of tracks when we all know that the forces of nature ie rain is the main problem
- The damage to the road was done by 4x4s a few years ago and also when groups of horses use the road they also damage the setts/stone pitching
- Over a prolonged period very little repair work has been done to Washgate Lane by anyone PDNPA included despite being a responsible highways authority. Some but not enough. That alone is the primary reason for decline in ongoing the surface quality. Any route of any size and usage will inevitably deteriorate if not maintained. To effectively blame wear and tear exclusively on motor vehicles is both factually wrong and less than fair. All users contribute to wear which is then compounded by nature. The most significant surface damage was done by 4x4s and not motorcycles which do no more damage than horses.
- It's a road with a surface that gets direct contact with all user types. That means that it is going to wear. It should be appropriately repaired to the best contemporary standards relative to all legal users. That's what they would have done throughout history.
- Bikes have soft rubber tyres with excellent suspension taking out much of the pressure and use a rolling action leading to virtually no vertical impact.
- If a road surface is damaged, it is legally incumbent on the relevant Highway Authorities to repair it – that's what they're there for. Why has this not been done? Why is PDNPA trying to shift the blame onto vehicles when they haven't fully done their own job.

amenity and conservation. The NPA is not making the TRO to obviate the duty by the Highway Authority to maintain the route. The NPA is not the Highway Authority with its attendant responsibilities for maintenance.

Maintenance is a separate matter to the reasons for making the order although the state of disrepair of the route is a factor for the NPA to take into account when considering the impact on natural beauty and amenity. The natural beauty and amenity of the area and of other users is affected by motorised vehicle use on this route. Vehicle use contributes to the route deterioration and the state of disrepair can detract from the amenity of the route and area.

In the event of damage to a highway and which may or may not be caused by a lack of maintenance, TROs will be made if it is necessary to protect the natural beauty or amenities of the area

Evidence is available to show that environmental damage is occurring as a result of motor vehicle recreation, both directly and indirectly. 4-wheeled use has been physically restricted from a section of this route since 2009.

- In engineering terms it is possible to create a route and surface suitable for use by all the currently legal forms of use. That it consistently hasn't been done by not one but two Highway Authorities into whose remit this lane falls, raises serious questions about their readiness and willingness to do so.
- There would be no wheel ruts if the route had been properly maintained by the Authorities, in pursuance of their legal duties
- Part of the route is cobbles/setts or base rock, perfectly capable of prolonged use by lightweight motorcycles with soft suspension and rubber tyres run at lower pressures than for tarmac use.
- The lake district NPA's survey found that 97% of damage was done by agricultural vehicle, the most of the rest was done by walkers and horse riders. Motorised traffic counts for 1% of the damage and less than 0.5% of usage.
- Apart from the width restriction been added a few years ago the nature and condition has not changed in all the years have used the road.
- This is a route used on my trail motorcycle for over 30 years. It has always had the stone steps and therefore has never actually had a good surface.
- The claims of surface damage are misrepresented and recent inspection has shown good surface integrity
- Vehicular use such as motor cycle trials on an occasional basis do very little damage to the countryside and the geological strata recuperates within weeks, indeed a lot more damage is done through natural causes such as flood damage from heavy rainfall.
- The damage to this and all other Green Lanes is a consequences of the weather where heavy rain causes continual erosion and any impact from motorcycles in comparison is negligible
- Part of the reasoning for closure is based on the damage caused by wide vehicles, however from your own statistics wide vehicles have not used this road for several years. Motorcycles can easily pass on this road.
- Motorcycle trials bikes are very light weight, and have the ability to get over very rough ground causing very little damage.
- Agree that some damage is caused by traffic but it's not a lot and is more than manageable, far more damage is caused by farming implements, tractors and nature eg heavy rain.
- Off-road bikes don't do as much damage as you think, and can help to manage the roads appropriately.

- Can't see the problem with bikes up there because the track is mainly stone anyway so they are causing no damage to the track.
- The very limited amount of any possible damage caused by the passage of your claimed figure of 3.4 motorcycles per day has been greatly exaggerated. Any damage to the walls and cobbled surface is caused solely by the natural effects of nature and weather erosion exaggerated by the lack of routine maintenance. The route surface is still basically the same rock structure base that have ridden over for the past 40 years. It has always been partially covered by small rock fragments broken by the action of water and ice erosion. Have always been prepared to assist with maintenance and route improvements to such routes and given the opportunity would be very pleased to do so in the future.
- Appendix 4 refers to damage caused by use - of course this could happen. It is unreasonable to use this a justification
- Been using this lane for the past 20 years or so and in this time there has been little change to lane as of use by vehicles.
- Have never crossed the bridge on a motorcycle, the water is passable even when high and is the obvious route. Find the assumption that the wall damage was done by motorcyclists a claim made with no valid basis
- This is a popular cyclist route and, purely from a scientific standpoint, cyclists and pedestrians cause equivalent levels of damage (equestrians much more).
- Some users of these can cause a nuisance and prior to the large rocks being put at the end of this route, had encountered 4x4 vehicles causing damage to the walls, since they were put there, very few people use it, in fact have only seen one person during recent visits.
- The extremely low volume of motorcycles currently using the lane will cause very little if any damage to the surface and surroundings. Indeed it will flatten down loose rocks and horse hoof prints and make the lane more pleasant to the majority of those who also use the lane. Much of the lane is on bedrock and not therefore susceptible to damage. River Dove Crossing The floor of the river ford is by its nature on bed rock and not liable to damage by the fording of the Dove by motorcycles. The superb pack horse bridge is very narrow and to my knowledge not ridden over by motorcycles. Furthermore, motorcycles are unlikely to touch the bridge and therefore not liable to cause damage to it.
- Use the track probably 3 times each year and since the width restriction has been in

<p>place I have seen no further deterioration in the path or the general area. I am quite happy and wish that the bridleway be left open to motorcycles as it is at present. They create no damage to the surroundings as you claim.</p> <ul style="list-style-type: none"> <li>• Have observed erosion of the path caused by storms and wintery weather</li> <li>• The argument that the environment and paths are damaged by bikes is rubbish, the huge number of walkers cause far more problems, as do the hooves of horses. Note that some time after a TRO was placed on Chaplegate there were calls for it to be repaired yet again. And just look at the routes around Kinder to see the muddy quagmires caused by walkers.</li> <li>• The erosion suffered in recent years has been due to the irresponsible use by 4 x 4 vehicles, which I agree should be banned or pay for the damage they have done. But motorcycles are only as guilty as pedestrians and horses when it comes to erosion and disturbance.</li> <li>• The route is used not abused</li> <li>• Motorcycles will keep Washgate clear of excessive overgrowth</li> <li>• This is a historic lane that has been driven and ridden for many years, closing it to MPVs would see it descend into a condition that would mean no one could use it - just like many lanes that have been lost before. Once you remove vehicles you remove the only people willing to put effort into maintaining lanes.</li> <li>• Am a 46 year old man that has ridden responsibly along Washgate many times on my motorcycle never causing any damage or creating any loud noise or dropping litter.</li> <li>• As with other trails that have been sanitised, it has ruined the use for many and achieved nothing.</li> <li>• There's no reason to apply a TRO to this road, it cannot be accessed by 4x4 anymore and the ground has sustained no damage at all in recent years. Have used this lane over the past 25 +years, furthermore in all this time have only ever seen 5 people walking on it.</li> <li>• The damage was done years ago &amp; can't see that there is anything left to preserve</li> </ul>	
<p><b>Discrimination</b></p> <ul style="list-style-type: none"> <li>• The PDNPA is openly prejudiced and biased against vehicle users, with members of the Authority taking public positions and being members of pressure groups opposed to recreational drivers and riders this is a conflict of interest and should be declared</li> <li>• This is directly against the Park's own strategy of welcoming "all" users to enjoy</li> </ul>	<p>The National Park is for everyone and use of recreational motor vehicles on routes with proven rights is a legitimate activity. The Authority does not have a policy of banning use of these green lanes as</p>

"diverse" recreational activity.

- If we are not careful the national parks are going to become like theme parks totally controlled for sectional minorities which seem to me to be the ramblers. Everybody applauded the mass trespass on Kinder Scout. Right to roam has been introduced and as a landowner this has been a burden. However the proposed restriction for the use of a rough track three times a year which has been used continuously since before the second world war seems to me a decision outside rational logic would appear to be pandering to preferred sectional interests.
- By restricting this road to foot traffic there will be an act of discrimination against the disabled who can only access this road by motorised means. Equality Act 2010 calls this 'discrimination by association'. Although there are vehicles designed to operate on uneven ground, these are expensive and by forcing the less able to use these when they cannot afford such device is a form of discrimination against the poor.
- By restricting this road you are ignoring the original purpose of the national park in that is dedicated to the use by all individuals no mention was made in the original dedication as a means of enjoyment.
- This road is being used by motor vehicles for many years and has given access by a sector of the community that would not otherwise visit and enjoy this area. A restriction would therefore exclude this portion of the demographic consequentially taking away this amenity from a segment of society. This is against the ethos of the PDNP in encouraging visitors.
- Many of the so-called reasons for closure seem to be based on nebulous presumptions and generalities, pre-conceived ideas about 'vehicle users' as a whole.
- Motorcyclists who has access to far less than any other user group are not trying to ban others.
- Prior presumption of general fault of one party or group alone based on supposition alleging 'they may all be dangerous' rather than specific cases of actual danger.
- This lane should be available to any vehicle or person
- Being a disabled driver of a 4x4 , cant walk and driving these ancient byways is the only way get to enjoy the countryside.
- Idea of closure to MVPs to be undemocratic
- Removing the legal status of green roads will create problems for disabled users, who presently can use them, with the excellent 'off road' motorised wheelchairs now available: As stated above, the green roads will fall into disrepair, making them unusable

a matter of principle, and there are opportunities for recreational motor vehicle users to enjoy the area on other routes by their chosen mode of transport.

The Authority will promote opportunities for everyone to understand and enjoy the National Parks' special qualities in a responsible way but where there is a conflict with the conservation of these special qualities then action will be taken including the use of TROs where appropriate.

It is the Authority's view that recreational motor vehicle use needs to be managed on some 'green lanes', and that this may include restrictions on use using the powers granted to NPAs. This is assessed on a case by case basis. Where there is a need to preserve the amenity and conserve the natural beauty of the route this may outweigh the needs of mechanically propelled vehicular users of the route notwithstanding that such a restriction will affect the expeditious and convenient use of the route by mechanically propelled vehicles.

The route will still be available for non-motorised use and the proposed TRO will not prevent those with limited mobility using tramper style vehicles. Reasonable access can also be provided for disabled users.

There are also users with other kinds of disability such as hearing or visual impairment, or learning difficulties that might be affected by motorised users on the route. The damage and associated loss of amenity also affects users of this route.

for the disabled users, or at the very least dangerous, as 4x4 cars and such would not be able to support them, nor help should something go wrong. My son is confined to a motorised wheelchair, which has the ability to be used on well maintained green roads, his access to, and enjoyment of, the countryside would be severely limited, along with his sense of freedom and equality!

- It appears far too easy for due process and hence, use of publicly funded resources to be hijacked by special interest groups seeking to exclude legitimate activities.
- The proposal an unnecessary infringement on the increasingly limited opportunities available to people driving agricultural / historical and recreational vehicles in the UK.
- These lanes are for everyone, not just walkers whom I am sure will be able to continue to use this and other lanes despite the damage they cause and the litter they leave.
- Gradually shutting down every route available to this user group is unfair - the park should be encouraging users to come to the Peak District, to enjoy themselves and spend money in local businesses. Announcing to a user group that they are not welcome is not helpful.
- Have a disability with my hip this greatly reduces the distance I can walk, the PDNP look to give no thought to disabled people ,yes you may have a centre or two with disabled facility's but that's it .All national parks are the same sadly lacking in thought to the needs of disabled persons .
- There are areas of natural beauty in Derbyshire that have huge amounts of use which have become damaged and are never targeted for restriction or closure. The damaged caused by excessive numbers of walkers and horses, is never highlighted. The river Dove has numerous ford and pedestrian crossings that will effect aquatic species, but these are not highlighted as issues. Large amounts of money have been and continue to be used to repair bridleways and footpaths. This is seen as the upkeep of the countryside.
- When will you think about the local businesses and an inclusive society - just because our interests are different to yours it does not mean that we should be discounted.
- The total mileage of off road routes open to motorcyclists is a very small percentage of the total available to ramblers, horse riders and mountain bikers. Ramblers in particular have virtually unrestricted access to the Countryside under the Right to Roam legislation.
- Motorcyclists are being openly persecuted by Peak District Council. We are a minority user group. My group has a code of conduct (do not exceed 20mph, stop for horses,

The Authority operates a democratic process via the consultation and the consideration at committee. Decisions are made in an open and transparent way and Members consider all relevant arguments and evidence put before them before making a final decision.

The register of members interests are recorded at [www.peakdistrict.gov.uk/register-of-members-interests](http://www.peakdistrict.gov.uk/register-of-members-interests). Members may have personal interests which may not be prejudicial to the decisions taken.

<p>etc). We do no harm. This is our chosen recreation and you are persecuting us. Stanage, The Roych, Chapel Gate etc etc. You pick and choose lanes to close in an obsessive effort to stop motorcyclists.</p> <ul style="list-style-type: none"> <li>• Please take into account the views of the minority who travel long distances to ride responsibly and who do not have the same clout as the walkers who also, in their great numbers, cause environmental wear and tear to much of our expensively maintained beauty spots but have greater influence by virtue of their numbers.</li> <li>• Reasons for the Order are exaggerated, coloured by the previous damage by 4 x 4 vehicles and influenced to a high degree by the unwillingness of Ramblers to share the countryside and their aim to exclude all motor vehicles from unsurfaced vehicular rights of way throughout the country.</li> <li>• It tends to be incomers who object to the 4x4s and motorbikes.</li> <li>• The park management are discriminating against vehicle users, the amount of the public right of way network that vehicles can use is minute, around 2% of the total public right of way network.</li> <li>• There has little consideration for other management alternatives for the route.</li> <li>• The authority has a duty to protect the rights of all users. The order further reduces the small minority of routes open to vehicular users. The order appears to be on the same grounds as all the other TRO's with very few issues listed specific to this particular route.</li> <li>• Proposal is biased and a misrepresentation of the facts.</li> </ul>	
<p><b>Displacement</b></p> <ul style="list-style-type: none"> <li>• Closing yet another lane to vehicle users will only increase pressure on the remaining open lanes.</li> <li>• PDNPA seems to have an agenda at play to remove all recreational vehicle users from unsurfaced roads, doing so will only push legal users to other areas damaging local businesses that rely on trail riders and 4x4 drivers or worse still increase the illegal use.</li> <li>• It will put further pressure on the remaining BOATs and UCRs still open to vehicles, damage local businesses that rely on trade from trail riders and 4x4 drivers and push users to illegal activity as the demand for such routes will not just disappear because you put TROs on them all.</li> <li>• Closing the remaining lanes will only encourage illegal riding of protected areas as there won't be anywhere left to ride legally When they say go use a proper enduro most of the</li> </ul>	<p>The Authority recognises that the closure to vehicles is likely to place additional pressure on other routes. However the matter required a specific response within the context of the work on other routes. Monitoring to determine the amount of displacement onto other routes will be undertaken.</p> <p>It is accepted that a TRO will affect legitimate recreational motor vehicle users. Monitoring will be undertaken and any illegal use would be addressed with the Highway Authority with regards to the</p>

<p>casual riders won't be able to get round them there way to demanding,</p> <ul style="list-style-type: none"> <li>• This will cause further upset as it's likely riders will just ride anywhere then, rather than in the majority trying to stay legal avoiding upsetting other users where at all possible.</li> <li>• They will likely move to even more sensitive areas and this impact has not been considered. Banning this group results in complete disengagement with the community who uses green lanes. With little obvious justification for a TRO, users will assume TROs are illogical and will simply all regulations and go where-ever they please.</li> </ul>	<p>appropriate selection of barriers and the police in relation to enforcement.</p>
<p><b>User conflict</b></p> <ul style="list-style-type: none"> <li>• As a regular visitor to the area it is my experience that the vast majority of motorcycle Green Road users are careful and considerate knowing full well there is significant unjust and illogical discrimination against them. Also contribute to the local economy both in terms of accommodation and general leisure spending.</li> <li>• Am a member of the Trail Riders Fellowship and we ride responsibly, causing very little damage and are considerate to other users.</li> <li>• Have lived in the vicinity of Wash Gate all my life, and have never had an issue with people using the lane.</li> <li>• There is equal danger to the motorcyclist from other users and arguably more so. There is no danger if everyone is careful and sensible as they should be and no-one is selfish or silly. It's a multiple use route - anyone who doesn't expect other users and act accordingly is a danger to themselves and everyone else if someone is ignorant of that or negligent, that it not the fault of anyone else.</li> <li>• It's effectively a country lane used by different groups.</li> <li>• Vehicles can move through slightly faster than other users. This doesn't mean they are universally using inappropriate speed – for their own safety, no sensible bike rider does that. It means they're gone in a relatively short space of time consequently reducing any spurious impact they may have.</li> <li>• Act and drive responsibly respecting and sharing with other users</li> <li>• This is a road, other users should reasonably expect to meet vehicles on a road. by your own logging figures, 6 motor cycles per day surely is not high volume, and unless statistics of recorded accidents or incidents to prove otherwise, conflict is only perceived by other users.</li> <li>• Used this road on a motor bike without a problem since 1982, can count on one hand the number of other users other than motor vehicles encountered. it does not get used.</li> </ul>	<p>Washgate is an important recreational asset for all users. All users need to act responsibly in order to reduce the potential for conflict</p> <p>Mechanically propelled vehicles are visually and aurally intrusive and there are difficulties in passing and avoiding other users. Government guidance suggests that 'a level of recreational vehicular use that may be acceptable in other areas will be inappropriate in National Parks and incompatible with their purposes.' (Ref: Guidance for National Park Authorities making Traffic Regulation Orders under section 22BB Road Traffic Regulation Act 1984, Defra, 2007).</p> <p>The Authority does not accept that it is reasonable to expect non-motorised users to go elsewhere to avoid conflict. There are also alternatives for motorised vehicle users where they do not come into conflict with others to the same extent and, for those seeking to use the affected route as a through-road, there are alternative routes on sealed metalled roads in the area.</p>



It is to steep and rocky for horses and mountain bikes.

- A group of us that used this regularly and seldom do we encounter any other user.
- Joined the Trail Riders Fellowship, and uphold the codes of conduct when riding. Have seem many other users, be it on horse, foot or cycle, that do not. However, understand that the majority of all users probably respect the countryside.
- Used this road regularly on my motorcycle since 1999. Have never seen anyone walking, horse riding or cycling on this road. Therefore any evidence supplied by these users must be viewed with suspicion. Have only ever seen people walking on the footpath that crosses Washgate next to the river.
- The use of TRO seems to imply this road is a highly trafficked and a busy route, your survey figures indicatng 3.6 motorcycles and no cars could hardly be construed to be a highly used road. It would be logical to suggest that actually meeting a motorcycle on this route would be unlikely, and even on a sunday minimal. Do not recall meeting any other users when have travelled along this road.
- Rridden this lane on a motorbike probably 25 times over the last 15 years and have only met walkers once on the lane, did also once meet some volunteers repairing a section of stone work. A friend had a similar experience, the lane is very little used by anyone other than motorcycles as it is very isolated and the views are very limited.
- Respect any person I meet on the roads and will help anybody I come across
- Used this road regularly on my motorcycle since 1999, Never seen anyone walking, horse riding or cycling on this road.
- It is inevitable that motorcycles, horses and walkers will meet during their use of the road. However, the majority of motorcyclists are very respectful of both horses and walkers. Most walkers and riders acknowledge this respect as we always give way to horses and pass walkers with care. Would much rather meet a motorcycle than a horse on a narrow pathway when we too go out and enjoy walking in the countryside. Those walkers that object do not seem to realise that there is room for everyone in the Peak District if only there was a bit of give and take.
- seen first hand, verbal and physical abuse by members of the walking fraternity when doing nothing more than riding slowly on a country road, which not's let forget, these green lanes are.
- The majority of the public who drive such routes are respectful to livestock, by leaving gates as found; respectful to other users of the area, such as walkers, horse riders, etc. And respectful to the environment by only driving the designated path.

<ul style="list-style-type: none"> <li>• The route will still be open to use by Carriage drivers, horse riders and mountain bikers which will continue to affect the “quiet enjoyment” of others using the route. ·</li> <li>• 4x4 Groups actively pursue the legal and responsible use of our lanes, make sure any illegal activity we see is reported to the police, along with photo and video evidence: will not be able to do this, if cannot legally access the lanes. Also carry out voluntary lane maintenance, either on roads needing repair, or supporting other groups, including the walking and horse riding clubs. Ability to carry equipment and materials to areas needing repair is greatly appreciated by the latter. Another issue that is often overlooked is the access the green roads provide for Emergency Services, especially Mountain Rescue, who need the roads to drive their 4x4 vehicles to help walkers and suchlike who have got into difficulty.</li> </ul>	
<p><b>Economic Impact</b></p> <ul style="list-style-type: none"> <li>• The impact is not only on motorbike users if its closed but on local businesses as well, such as Flash Bar Stores, who has a large proportion of trade from bikers, and is in favour of keeping the lane open, and also lives in the area.</li> <li>• Keeping the lane open has very little impact on local people, and the environment locally, but shutting the lane has a massive impact on locals and businesses alike, and should be prevented in this rural area</li> <li>• Barring it to motor vehicles would deter my wife and I from visiting PDNP and hence the local community would not have the benefit of income in hotels and restaurants etc</li> <li>• 4x4 drivers also provide a boost to the local businesses around the green roads. We need to buy fuel, food and sundry supplies, often spend an entire weekend at local B&amp;B's and campsites, and use the cafes, snack bars, camping shops, and also gift shops and any tourist attractions.</li> <li>• Extra income for the National park and local business is generated by these events and jobs would be lost and businesses may have to close through lack of trade from loss of these events.</li> <li>• Considering the claims of nuisance caused by vehicles, based the low daily average usage, and that fact that two properly organised events account for nearly all the usage on this road, any nuisance is restricted to a few hours per year. Consideration should be given to the revenue these events bring to the area, participants travel to the area using hotels, restaurants, cafes, and petrol stations etc.</li> <li>• You will affect local business too as we always stop on route for a brew and breakfast</li> </ul>	<p>All recreational users are important to the local economy. Closing routes to motor vehicles can have beneficial as well as negative effects on the local economy.</p>

<ul style="list-style-type: none"> <li>You will affect local business too as always stop on route for a brew and breakfast</li> <li>The cafe shop at flash will be severely affected by its closure especially in the winter months.</li> <li>Trail riding brings a large amount of money into the park, more so in the winter months when we make up a large percentage of visitors. Fuel stations and cafe's would suffer</li> <li>The two motorcycle trials referred to attract visitors from all over the UK to take part and the long distance travellers will invariably stay overnight locally. I cannot imagine that anyone wanting to visit the area will change their minds at the prospect of a chance meeting with a motorcycle. Very few would even be aware of our presence.</li> <li>Derbyshire has had a good reputation for the number of un-surfaced roads and visiting motorcyclists using them have contributed enormous amounts to the local economy. Not only that, but it seems incongruous to me to leave them open to walkers and horse riders when it's the motorcyclists that contribute to the maintenance with road fund licences and other taxes such as fuel &amp; VAT.</li> <li></li> </ul>	
<p><b>Alternatives</b></p> <ul style="list-style-type: none"> <li>Urge you to make an exception for these historic events of course would like the restriction which are currently in place to remain as a vehicle width restriction</li> <li>Continued use by motorcycle should be allowed both for private leisure purposes and particularly for these very special historic events.</li> <li>Rather than total restriction should implement seasonal winter closures and a permit system allowing sensible drivers to continue and enjoy the countryside.</li> <li>This is a lane have used often over a number of years. Would be happy to participate in its renovation.</li> <li>Reconsider their application for a permanent closure and perhaps even embrace the history of organised events and the interest they bring to the area.</li> <li>Liaise with user groups such as the TRF, to set up working groups to police and repair the lane where needed.</li> <li>Feel there is an argument for continued access of motorcycles in conjunction with a sympathetic view on the needs of the area.</li> <li>Time and money could / should be better spent on other issues</li> <li>If this trail is being damaged, then identify the time of year it is being damaged and close it during that time, but allow access when it is in a good condition.</li> <li>Ask that the Bemrose and Reliance trials be allowed to continue even if you choose to</li> </ul>	<p>The management of recreational motorised vehicles within the National Park is a high priority work area for the Authority. Members of vehicle user groups are on the Peak District Local Access Forum and inform and advise the NPA.</p> <p>Members are aware that a variety of measures can be used to resolve issues around recreational vehicular use. The consultations undertaken offer the opportunity to suggest alternatives and for them to be considered by Members. All consultation responses have been given due regard. The decision to pursue a different course of action after having regard to all relevant considerations doesn't negate this.</p> <p>Where a least restrictive option achieves the desired outcome then this may be considered to the recommended approach.</p>

restrict vehicular access to recreational motorists in general. Various landowners and tenant farmers in the surrounding area currently continue to allow and indeed encourage Observed Sections for the Trials to be located on their land, they recognise that our sporting activity causes absolutely no lasting damage to their land. May also wish to take into account that our organised events attract both National and International visitors to the Peak District and that they make a positive contribution to the local economy

- All effort should be made with riders/drivers to come to the 'table' and consultation between stakeholders to agree on a maintenance regime to keep this route in good condition through voluntary repair days. Would be interested in helping out if the route remains open to road legal machines.
- The current width restriction on this road is sufficient. It allows motorcycles to use the road, but not cars. No more needs to be done, it is fine as it is. It is safe the way it is. It is sustainable the way it is. Your authority's time & resources spent on this is needless, especially in times of austerity and cutbacks in budgets. Your time and money must not be squandered on trying to stop all recreational vehicle use. None of your proposals, reasons or appendices are justifiable.
- For those who cannot tolerate any occasional motorised vehicle there are many more routes to walk where all motorised vehicles are entirely prohibited.
- The proposal makes no allowance for electric powered motorcycles which do not fall foul of your noise or physical pollution objections, I appreciate that this is not much of a current issue but these machines are under rapid development and could be the way forward in my opinion and laws being made now could soon look draconian
- Request that the order was changed from "mechanically propelled vehicles" to "motorised vehicles" - as it's motorised vehicles that cause the vast majority of damage.
- The current width restriction has been sufficient to stop heavy vehicles. Do not think any further action is needed.
- The current width restriction on this road is sufficient. It allows motorcycles to use the road, but not cars. No more needs to be done, it is fine as it is. It is safe the way it is. It is sustainable the way it is. Your authority's time & resources spent on this is needless, especially in times of austerity and cutbacks in budgets. Your time and money must not be squandered on trying to stop all recreational vehicle use.
- The alternative put forward around limited access for organised events would be a reasonable justified and proportionate compromise that should suit all interested parties

Priority routes remain priority routes even where a restriction may be in place. The monitoring, management and review of measures adopted will continue to take place.

4-wheeled vehicles have an impact on the route surface and adjacent land by virtue of their width and weight. At certain times on certain sections of the route there may be less impact by motorcycles used in a responsible manner.

The NPA is not the Highway Authority and does not have responsibility for maintenance. The NPA adopts a range of measures in reducing the impact of motorised use. This includes the use of volunteers where the works are of a nature suitable for volunteering.

- Find a solution that allows perhaps seasonal, weight restricted access so that this lane is not lost to our use forever..
- Request that the reliability trials be allowed continued access to this route
- The National Park was created, among other reasons , to provide an area where the public could enjoy the facilities that the countryside can offer and pursue their chosen leisure pursuit providing that it does not cause damage or diminish the enjoyment of the Park for other users. In the case of Washgate, this is an established UCR that is used responsibly by the motorcycling fraternity to pursue their chosen hobby and the Peak Authority should be using its resources to work responsibly with the national organisations representing these users rather than actively pursuing an agenda to close these routes down. Such an approach is adopted in the Lake District National Park and forms an effective partnership where all parties are able to work together sensibly and avoid unnecessary confrontation.
- A number of councils that restrict motor vehicle use of unsurfaced routes by seasonal bans, one way use etc and this sort of regulation could be applied on Washgate. For instance would consider it reasonable to ban all motorcycle use during "summer" when there are more other users about but allow it during the winter months of March and November say. I gather there are two traditional historic one day motorcycle trials held on specific dates using Washgate as part of their route and it would seem reasonable to allow these to be run providing they met all the legal requirements for running competitive motor events on public roads.
- Two wheel traffic should be allowed to continue along this route
- It will be unenforceable and legal challenges are excessively expensive. Other TROs e.g. the Roych remain regularly used by motorised vehicles despite expensive bans. The money used to enforce these bans could be much better spent.
- Agree that the route is, in places, too narrow for a 4x4 but not for a motorcycle. If a horse can safely use it then so can a motorcycle and with no more risk of damage. And there are possibly more horses do use it than motorcycles.
- Although today's machines are mostly petrol driven, alternative power sources are increasingly being developed and introduced such as electric and hydrogen: these emit no exhaust noise.
- Whilst a 4x4 owner, this closure affects everyone. If it's closed to motorbikes, soon, it will be closed to push bikes and horses.
- It is thin so should only be for motorcycles, I have never seen any 4x4's on the trail but

<p>this doesn't mean they don't use it.</p> <ul style="list-style-type: none"> <li>The silent majority of pedestrians &amp; horse riders prefer motorcycles to use these un-surfaced roads because they control the vegetation which has prevented the use of other routes when they have become overgrown.</li> </ul>	
<p><b>Information</b></p> <ul style="list-style-type: none"> <li>Proof and extent of damage to watercourses and noise and disturbance to wildlife.</li> <li>What assets? What impact? How are around 5 motorcycles a day supposed to affect the designated heritage assets. What is an undesignated heritage asset?</li> <li>Some of the erected signage may be of questionable legality</li> <li>What does visual envelope mean?</li> <li>If PDNPA are proposing to exclude vehicles as a result of excessive noise, are they then going to allow them again when progress makes them quieter.</li> <li>Appendix 4 refers to the use of the river as a turning point - has any real research been done to prove beyond doubt, rather than hearsay, that 3.6 motorcycles per day rather than horses, pedestrians, dogs etc are the main cause of damage. Would ask that it is proven that this comment refers to motorcycles and not historic reference to four wheel vehicles, prior to it being considered a fact for consideration.</li> <li>Appendix 4 states " the impact from the passage of vehicles during the day or night is affected by the visual envelope of the route, the popularity of the route and the special characteristics of the area" Cannot find anyone who understands what this sentence means or is trying to say, therefore fail to see its relevance in justifying a TRO.</li> <li>Has any work been undertaken to prove wheel ruts are wholly due to vehicle use rather weathering or other usage.</li> <li>There are several references to a voluntary code of conduct not being adhered to - who is aware of this voluntary code of conduct and how are users requested to voluntarily comply. The inference is that all and sundry know of this and ignore this</li> <li>The use of vehicles by your own logging data is low. Not enough consideration appears to have been given to making the route No motor vehicles except solo motorcycles. Not enough consideration appears to have been given to No vehicles over maximum width. No consideration appears to have been given to restricting usage to certain times of the day or days of the week.</li> <li>Is the 2 wheel use all motor or does it include push bikes?</li> </ul>	<p>The statement of reasons and the route management reports set out the different components of natural beauty and impacts and are there to provide relevant factual information; they do not seek to make a judgment on the final decision to be made.</p> <p>The legislation allows for TROs to be made on grounds of natural beauty and amenity and the NPA is the appropriate authority to make the decision on whether this outcome would be met by a restriction.</p> <p>TROs will be considered where appropriate having regard to all relevant considerations at the time including comments provided in response to the consultation undertaken and by undertaking the balancing exercise provided by s122 of the RTRA 1984. If a TRO is made on a route it does not change the status of the route.</p> <p>Members of vehicle user groups are on the Peak District Local Access Forum and together with the Green Lanes Forum contributed to the code of conduct at <a href="http://www.peakdistrict.gov.uk/greenlanecode">www.peakdistrict.gov.uk/greenlanecode</a>.</p>

**Support**

<u>Representation</u>	<u>Comment</u>
<p><b>Importance of the Route and Area</b></p> <ul style="list-style-type: none"> <li>• Am absolutely certain that this is the right way forward for this beautiful, unique area.</li> <li>• The area is too beautiful, historic and quite unique to be allowed to be annihilated by motorcycles.</li> <li>• As a riding and trekking centre we have been using this route since 1976, although it is quite steep it was, in those days, a very safe route for horses and riders of all abilities as the surface was specifically designed and constructed for use by animals and horse drawn vehicles and the horses rarely slipped on the old surface.</li> <li>• Unbelievable that, when so much is spent on the preservation of listed buildings and the strict planning laws associated, ancient routes such as this are afforded so little protection.</li> <li>• It is not just about the amenities for tourists and the quiet enjoyment of the countryside this is a part of our rural heritage that is in danger of being lost.</li> <li>• As one of the few true trekking centres left in the Peak Park we offer a very special experience for riders of all abilities who want to explore this wonderful area from horseback without being confronted by noisy, fume belching vehicles.</li> <li>• Washgate lane is a beautiful and historic packhorse lane which been badly damaged by vehicle used in recent years. The stone pitching and lovely old packhorse bridge are a very important part of our heritage and need protecting. The lane runs through countryside which is important ecologically as are the banks of the lane and again they need protection. The area around the bridge is very peaceful and tranquil and is ideal for people to relax without noise and pollution from motor vehicles.</li> <li>• The use of Washgate by motorbikes spoils the peaceful nature of this beautiful, historic setting. Enjoy, as do my B&amp;B guests, a walk along Washgate and this is spoilt and is in fact dangerous if motorbikes are encountered.</li> <li>• An ancient right-of-way, originally established for transit on foot or by non-mechanically propelled vehicles. Its original purpose as a packhorse route is now obsolete and commercial traffic in the modern era has no need for it, and does not make use of it. The route has become a heritage feature in a National Park, on which mechanically propelled</li> </ul>	<p>National Park designation offers opportunities for understanding and enjoyment of the special qualities of the area for all users. National Park designation does not preclude use of such routes by recreational motor vehicles as a matter of principle. The natural beauty of this area and its amenity value is recognised.</p> <p>There is no duty on NPA's to promote quiet enjoyment. The NPA will however promote activities in keeping with the special qualities of the Peak District. The NPA will also have regard to whether there is a conflict between recreational use and the conservation of the area in order to meet its statutory purposes.</p>

vehicles have no rightful place. Over the last thirty years the use of the Washgate route by such vehicles has destroyed much of the heritage value.

- Firstly it is very beautiful. The setting is stunning and idyllic. The day I walked it there was only the sounds of birdsong and the River Dove chortleing along. The Grade 2 Packhorse bridge puts you immediately back into the 18th century when the main tradelinks were via the long and winding tracks and trails across our countryside. Probably not as romantic as it sounds but definitely part of our culture and history that future generations should be able to appreciate. The narrow and steep ascent up the Derbyshire side of the bridge is quite treacherous but not impossible. The Packhorses were also metal shod and the way the stones are laid out means the horses can get a toe hold. A sign had been nailed to a tree by the bridge, threatening to take the bridge down if the lane were to be closed to bikers.
- This is an area of the Peak District that is remote, wild and scenic, allowing vehicles to use it would ruin that environment.
- Preserve the natural beauty of the area and the peace and tranquility of a wild place
- Washgate lane runs through beautiful countryside which is very important ecologically. The stone pitching and wonderful packhorse bridge are an important part of our heritage. The area around the bridge is one of the most beautiful and tranquil places in the National Park.
- There are so few safe off road routes already, we need all we can get
- This area between Hollinsclough and Axe Edge is generally a relatively quiet part of the Peak District where one can escape the "madding crowd" even on busy weekends - we need to keep it that way for our children.
- Ban motor traffic to preserve the route's tranquillity and natural beauty for the benefit of the whole community, rather than just for a small part of that community who might use the route for recreational motor vehicles.
- The Peak District NP came out of people's desire to find fresh air, peace and tranquillity and to enjoy healthy recreation away from the pollution, noise and buildings of a city. That has not changed. People still need somewhere to go which is quiet, clean and beautiful to enable them to cope with the rigours of daily life.
- Horses create no environmental damage and the bridlepaths offer horse riders an important safe alternative to riding on our increasingly busy roads.
- The environmental and social impacts are of great significance.
- It is a beautiful historic route and one of the few routes in the Peak District that has



cobbles or setts to make the steep downhill and uphill climbs easier for horses.

- Have a good understanding of how the countryside and beautiful, tranquil areas have positive outcomes on peoples' health and mental well being when getting out and walking and getting away from detrimental effects of everyday modern life. I am also very much in favour of preserving historic sites. It is important not to lose touch with knowledge of how our forefathers lived and worked in order to compare and assess our lives today.
- Lived in the locality for approximately 40 years. Washgate was once a quiet place of natural beauty where walking was a safe and pleasureable activity. Then, the river carried a number of trout.
- Find the area to be timeless, peaceful and restorative.
- Love the wild beauty of the Upper Dove Valley
- This area is away from the more popular visitor places of Derbyshire and the Peak District, and so the wonderful scenery of the area is appreciated by those of us who love the more wild and remote places where we can enjoy the peace and quiet of the countryside. The ancient route is of historic significance
- This is a remote, wild, tranquil area.
- Help users to quietly enjoy this charming secluded area
- Washgate Lane is a beautiful old pack horse route with historic stone pitching and a lovely old pack horse bridge. It is rich in wild life and plant life and is a wonderful place to study nature. It is very peaceful and quiet and ideal for relaxing.
- This route is attractive and forms part of a natural circuit from Hollinsclough for walkers, but is becoming badly damaged by vehicles.
- Allow this route to return to its natural attractive state, and allow people with a love of nature and quiet enjoyment of the landscape to rediscover the peace and tranquility that it affords.
- Health authorities give the same advice to the public to avoid obesity as well as heart disease and stroke. That means more people, more elderly and more disabled people, walking or riding green lanes and byways. The government is calling on the countryside to make a greater contribution to the UK's economy. That means more tourists using green lanes and byways such as the Washgate. The damage and erosion caused by motor vehicles including trail bikes, put walkers and horse riders at risk.
- The Peak District is food for the soul and a place for restoration of the mind after busy times elsewhere.
- Walking in peaceful countryside is incredibly important to huge numbers of people in the

UK. Millions must partake in the activity. Yet the tranquillity they seek can be ruined by a minority of people who take motorised vehicles into the depths of the countryside. In addition, the tracks themselves can become impassable, even on foot. Wildlife is also adversely affected.

- The area surrounding the historic Washgate Bridge is a magical place, redolent of a time when packhorse trains were one of the main means of transport for goods. Its natural beauty lies in its tranquility which is being destroyed by motorised vehicles roaring through it and causing damage to the track, bridge and surrounding area.
- As a Mountain Biker have enjoyed these challenging trails
- To have the noise and disruption caused by these vehicles in a village is bad enough, but to visit such a remote and quiet area as Washgate for relaxation, only to encounter noisy motorised traffic is just not acceptable.
- It is generally a serene and beautiful route to walk and requires desperately to be preserved in a natural condition.
- The Upper Dove generally is a quiet, secluded area and should not have its peace and fresh air destroyed by the passage of motorised vehicles.
- Washgate was a favourite walk and the grass area by the bridge a picnic spot of choice. It had a unique quality of remoteness and tranquility shared only with sheep and wildlife. During the 1980s and 90s we walked and rode the Washgate route many times. Again, it was a delightful, tranquil place - magical really. At that time the whole route was easily, and enjoyably, walked and ridden. To see it today is so sad, especially as it means that our children will be denied the experiences that we have always enjoyed.
- Historic interest of the route as a packhorse route with a listed bridge
- The route of Washgate lane is through an area of great beauty and this is best appreciated by those who can pause and enjoy the tranquility of the area, its rich flora and fauna and far reaching views.
- It is in one of the more remote and quiet parts of the Peak District and therefore particularly attractive to the many people who, like me, visit the area for quiet recreation.
- It is a beautiful area with wide views and peaceful countryside when the bikes and 4x4s are not spoiling the location.
- Live in an exceptionally beautiful, peaceful part of the Peak District and while there are many public footpaths in the area for people to enjoy this wonderful part of the Peak District on foot, motor vehicles, 4x4s and motorbikes are ruining the area and destroying surfaces of footpaths, bridlepaths and particularly the old cobbled road to Washgate.

<ul style="list-style-type: none"> <li>• Value the route for the feeling of remoteness and timelessness. Find the presence of vehicles simply jarring and incongruous in such a setting. The setting of the packhorse bridge is delightful and the replication of the historic pitching on its approach from the Derbyshire side should be protected.</li> <li>• Many people who seek to enjoy the National Park within the wider area, including the highly popular Chrome Hill and Hollins.</li> </ul>	
<p><b>Route Condition</b></p> <ul style="list-style-type: none"> <li>• Am a local resident and have been walking on this route for many years. Observe how the path and track ways are being damaged by the motorcycles - sometimes quite drastically. After a weekend, when there is more motorcycle activity, the whole contour of the routes can be changed with stones being churned up and sometimes smashed. The vegetation is sometimes severely disturbed as a consequence.</li> <li>• As these are important historical tracks, I have been extremely disturbed to see the damage being caused and am absolutely certain that this is an important and necessary step to be taking - and not a moment too soon.</li> <li>• Over the years due to the use by trial bikes the stones became loosened with the resulting water erosion doing the rest and in some areas washing the surface down into the stream below. In more recent years 4x4 vehicles have also started using this totally unsuitable route.</li> <li>• The route we follow goes through the river with a choice of paths on the Staffordshire side, however, the direct route up the hill is now so bad that we cannot use it so we turn left after the river onto the bridleway where the horses have to negotiate a large slab of stone usually by jumping onto the track above – not an ideal situation for riders who are unfamiliar with this route. Due to this obstacle the bridleway is virtually unusable travelling in the opposite direction.</li> <li>• The poor surfaces also have a bearing on our horse's health in that we are now experiencing more cases of lameness due to wear and tear on their joints as a result of poor surfaces.</li> <li>• The surface of this track has been damaged by motorised vehicles in such a way as it makes it difficult, unpleasant and dangerous for walkers, pedal bikes and horses, this is unfair to those users.</li> <li>• Very sad to see the damage caused by the cobbled track by the use of motorbikes.</li> <li>• As regards the damage to the track and bridge. It seems obvious from the number of</li> </ul>	<p>The monitoring of condition over the years shows that there has been a discernible deterioration of sections of the route.</p> <p>The legislation dealing with the clarification of status and vehicle use does not have regard to suitability for such use. Where use is considered inappropriate or excessive, powers to make TROs are available to Highway Authorities and also to NPAs for unsurfaced routes.</p>

times it has to be repaired that the weather and the bikers are doing very little good to the area.

- These byways were constructed for pack horse traffic and local horse drawn carts. The surface is completely unsuited to the demands of today's motor vehicles. The surfaces have survived 100's years and have been destroyed in the last decade or two.
- Washgate is very vulnerable to damage by motor vehicles; it was never designed for such use: its traditional soft surface has already been substantially undermined; the future of the packhorse bridge must surely be a cause of concern.
- There are plenty of roads and avenues where motor vehicles can drive; getting a balance between the wishes of all Peak Park users cannot be easy but these traditional lane should be reserved for "lighter" users.
- Exclude motor vehicles, that have caused enormous damage to it.
- The surface of Washgate has been badly damaged by vehicles making it impassable for horses so in effect horses are by default excluded from using it.
- The cobbles have been trashed by off roaders and this cannot be allowed to continue.
- The footpath has become a playground for uncaring people on motor-cycles who have damaged the structure of the path; making it unsafe underfoot and in walking unhindered.
- Over the years have seen the damage to the structure and wildlife inflicted by motorised 2 and 4 wheel vehicles. I can think of no other historic structure that would allowed to suffer such damage.
- Such routes were never intended to suffer the erosion of high-powered mechanically propelled vehicles.
- Once saw two motorbikes revving and wheel spinning in order to get up the Washgate and could see the immediate damage.
- Help prevent further damage to the paved section of the old packhorse track on the Derbyshire side.
- Significant damage to the route particularly to the section from Tenterhill to the River Dove where the route is particularly narrow in places.
- Require more maintenance and associated expense because of the damage caused
- The destruction that vehicles cause to tracks such as Washgate is well documented and undeniable. Attempts made by motoring/motorbike organisations to carry out repairs have been short-lived.
- The documents you provide confirm what have seen as a walker on Washgate from time

to time: that motor vehicles have caused considerable damage to the surface of the trail. I have also seen volunteers at work repairing the damage so as to restore the original form. The book by AE and EM Dodd on Peakland Roads and Trackways illustrates the damage to Washgate on pp 86-7 (2000 edition).

- Presently the Derbyshire side of the route is in pretty good condition where the paving has been repaired, the Staffordshire approach to the Packhorse Bridge is and has been for sometime in deplorable condition.
- Seen the damage caused on the Staffordshire side of the River Dove and the damage caused at the ford on the River Dove. Seen the excellent repair work done by the volunteers and heard that at times they have to repair previous work because of damage by motor cycles.
- Motorcycles are totally unsuited to this old and fragile bridge
- Serious erosion along most of the route caused by 4 wheel and 2 wheel vehicles, in particular the portion either side of the River Dove. Remembered walking this route in the early 1980's up to the late 1980's and there was nothing like this type of damage to the route or indeed to other routes in Derbyshire. The increase in car ownership and motorcycle riders searching for 'so called' challenges has meant that they will ride anywhere they can gain access to.
- Remember walking there in the 1980's when the old cobbled surface leading up to the east side of the bridge was still relatively intact, before it started to get worn down to the bedrock by off-roaders. The condition of the paths in more recent years has become quite dangerous for walkers and horses. The blocking off of the lower part of the path on the east side has helped to stop further damage in the short term.
- Unsealed tracks are not designed to take heavy levels of recreational vehicle usage and such usage also detracts from the enjoyment of other users.
- Seen how the surface and the verges of the route have been seriously damaged by vehicle use. One of the interesting features is the stone pitching which has suffered greatly. This type of route was never intended for use by modern road vehicles and cannot stand up to repeated vehicle use.
- Both 4x4 vehicle and motorbike use has seriously damaged the old cobbled surface along substantial sections of the route near the packhorse bridge in the years since 2008 when I first walked the trackway. It was hoped the damage would be minimised when 4x4 vehicles were prevented from using the route, but it has clearly continued due to motorbike use. The verges are being eroded and increasing areas of the surface between

<p>the enclosing walls are now heavily rutted.</p> <ul style="list-style-type: none"> <li>Over the years the perfect packhorse bridge has deteriorated as have the path and walls through the use of the area by mechanised vehicles.</li> </ul>	
<p><b>Conflict &amp; Impacts</b></p> <ul style="list-style-type: none"> <li>On one occasion the ride had to turn back due to a 4x4 having been abandoned on the track (Staffordshire side) making it impassable.</li> <li>Due to the surface of the track can now only use this route for more experienced riders.</li> <li>Horse riders and walkers are deterred from using the lane because of the danger of meeting vehicles on the steep and narrow sections.</li> <li>The noise and disruption by motorised vehicles is disturbing to the countryside, its wildlife and those wanting to enjoy peace and quiet. Tracks free of vehicles are very important to horse riders to ensure safety.</li> <li>Before trail bikes and 4X4 had become recreational vehicles no one foresaw the terrible damage done to unmetalled byways, trails, and bridleways by these mechanical vehicles and Washgate is no different. Continued use by the motorised brigade will degrade it to the point where even they can no longer navigate the route, their response then will be to wreak other routes or increasingly widen the existing byway. Mechanical vehicles, when not used on metalled roads, are incompatible with the National Park founding principles. We need central government legislation but until then a permanent TRO for Washgate.</li> <li>Walked this route several times and more recently the noise / traffic by the bikes has ruined our day to the point that feel shouldn't be able to walk that the route and am trespassing. With friends walked two weeks ago - bikes came up behind up and were "pushed" out of the way. The smell of the petrol and my friends dog being scared really made us feel like trespassers.</li> <li>As a horse rider am primarily concerned with the increasing number of accidents involving horses and riders in collisions with motorised vehicles. But am also worried about other user groups e.g. walkers with children, dogs etc in this situation being upset or injured by trailbikes when confronted with bikers who may be in the throes of the adrenalin rush (zone) of competing over rough ground. Can empathise with their desire to stay on board their bikes and navigate these challenging routes. It is the same on horseback or on foot but the level of difficulty keeping a plunging, frightened horse on its metal shod feet without coming off it and losing control of a large, now dangerous animal I believe is quite a lot more severe then coming off a bike. Bikes usually just fall over and lie there</li> </ul>	<p>Not all vehicle users are irresponsible, however, the type and level of use and nature of the route and the in parts limited opportunities to avoid vehicles can exacerbate conflict and safety concerns leading to deterrence of use by non-vehicle users.</p> <p>Where issues of safety exist, these will normally be dealt with by the Highway Authority acting in co-operation with the police, with the National Park Authority providing any support we reasonably can. However fears for safety may be a contributory factor impacting on the amenity of users. Where the NPA are considering making a TRO on amenity grounds, safety reasons may be an additional consideration in support of this ground.</p> <p>Minimising impact is a key concern. Some impacts may only be temporary but when taken cumulatively are of more significance.</p>

helplessly, they don't get up and run off. Individual bikers seem to be more considerate, group behaviour can be a different story. Once a horse has been badly frightened by motorised bad behaviour it may take many months of retraining to gain their confidence in traffic and loud noise situations, if it ever does. That can mean the horse may never be safe to ride again which could end in retirement or being humanely put down. Bikers probably may not have such problems, although I'm sure they do suffer from falls and broken bones. Their bikes, for the most part, can be repaired. Their egos may take a bit longer. Horse riders have a different relationship with their horses. Walkers also value their children and dogs.

- The holloway of the lower part of the track means that if a bike were coming down or up there would be no easy escape for walkers or riders. Helmeted bikers would be unlikely to see or hear in time. presume the oncoming bikes would be audible to people at the bottom or top of the track, necessitating their waiting. Traffic light system would disturb the ambience of the area also expensive to maintain.
- From reading the blogs and websites of the trail bikers, they seem to want to make the routes as difficult as possible for their own purposes. Therefore disrupting the paving, troughing the edges and polluting the air with noise and fumes could be part of their plan to put other people off.
- The use of motor vehicles seriously disturbs enjoyment of the countryside in this remote and very wild spot.
- It is inappropriate to allow motor vehicles to access this remote part of the National Park. The obvious reasons are noise and damage to the land, disturbing wildlife and the natural beauty of the Park
- Vehicle use is very damaging and prevents walkers, horseriders and cyclists from using the lane safely and enjoyably
- A National Park is for quiet appreciation of its surroundings. It is not for noisy, polluting and dangerous off road vehicles that destroy the environment for everybody else.
- Walkers and horse riders should also be accommodated and in places where they can be assured there will be no motor vehicles
- The extent of damage by off road vehicles is such as to render Washgate unusable to other users.
- Have been disgusted to see the environmental damage done to this route as a result of "off-roaders", such activities are incompatible with my understanding of what a National Park is meant to be.

- Essential to protect the delicate ecology of the area. Essential to protect the route surface itself, including the negative impact motor vehicle would have on it and its archaeology
- One of the main functions of a National Park is to create an environment of peace and tranquility wherever possible and to protect the natural landscape. By permitting so-called 'recreational vehicles' (i.e. 4x4 vehicles and trail bikes) on to green lanes and similar minor routes, they are allowed to create noise and environmental damage. This runs totally counter to the above functions.
- Used to love walking in the Peak District but over the last few years my pleasure in the wonderful scenery and peace and tranquillity have been ruined by the presence of ever increasing numbers of off-road vehicles.
- They introduce unwanted noise and pollution into some of the few places where we can escape them.
- As a horse rider it is at best unpleasant and at worse very dangerous to encounter motorised vehicles on off road routes. Due to the terrain there is difficulty in passing, the driving is unpredictable as opposed to driving nice and straight on a tarmac surface. They come upon you when you least expect it and the damage they cause to the surface makes for difficult crossing for horses and people. We need to preserve off road routes for non motorised vehicles because we have fewer options as horse riders
- Vehicles are wrecking the surface and the enjoyment of other users.
- Vehicle use is inappropriate in this remote area of the National Park due to its scenic and historical significance, and motor vehicles would cause damage to the structure of the route, the bridge and the ford.
- The river no longer seems to support the numbers of fish it once did and seen an oily sheen on the water that can only have come from these machines.
- Witnessed the disruption that the volume of motor-cycles cause as they pass through the farm yard of Leycotes. Their determination to exercise what they consider their right in using this route is very worrying and does not lend itself to reason. Only by firm and forceful intervention have prevented these motor-cyclists using my own private farm lane as a further adjunct to the Washgate route. That, however, has not prevented the illegal use by them of some of my land which is not within view of the farm.
- This area is not suitable for motor vehicles which cause damage to the ground, bridges, etc.
- Upsetting to see how many tracks have been tarmaced over to accommodate motorised vehicles over the years.



- Recreational motor vehicles makes it unsafe for non-motorised users and spoils their experience of the natural beauty and special qualities of this part of the National Park
- Motor vehicles should not be permitted as this would lead to damage to the environment including the wildlife and vegetation as well through the noise and pollution.
- Vehicles should be permanently excluded to protect the bridge and track and to preserve the route from further damage.
- The erosion and the noise pollution caused are a menace.
- This activity has a massive impact on the landscape and causes deep ruts that make it difficult for my wife and I to walk on, particularly as we both suffer from arthritis .
- There is also the disturbance to wildlife and flora
- It's particularly bad when one gets stuck and then has to try to get going again. When they come along, walkers have to stand aside and if there is a group of us there is a lot of jostling for a safe position. It can spoil a great day out enjoying the countryside.
- The route is historically an important one for horse riders but riders are no longer able to use it due to the damage which has been done to the surface and the risk of oncoming motor vehicles causing an accident. The upshot is that an amenity which should be afforded to horse riders is no longer available to them.
- Even walking on it has become hazardous.
- Washgate is in an area of great natural beauty which is being degraded by the presence of revving and roaring motor vehicles as they force their way up the lane
- It is also dangerous to walkers and cyclists as the narrowness of the route makes it impossible for them to move out of the way of the vehicles when they tear down the track with no regard to other users.
- It is ironic that trails originally used by horses are now impassable to them.
- Living in a village with an ancient lane which, after two Public Inquiries is now classified as bridleway, have seen the damage that "green laners" can do
- The route is currently unusable by horseriders and disabled users, and is extremely difficult for pedestrians particularly in wet conditions.
- The noise created by motor vehicles on the way to such packhorse routes is an extremely unpleasant side effect of living in a village in the national park.
- Concerned about the damage to flora and fauna of the use of recreational vehicles here, particularly where it crosses the river. River banks are extremely important ecological sites, as is the river itself. The erosion of the banks and the churning up of the water is bound to damage fragile ecosystems.

- Unsafe for other users, particularly horse riders, to share a track which in places is narrow and does not allow sufficient room for non-motorised users to get out of the way of motorbikes and 4 x 4s, who sometimes pass at speed.
- Those using motorbikes and four wheel drive vehicles on the route do not notice what they are driving through, they are focused on the track in front and the 'obstacles' they are trying to overcome. The attitude of these vehicle drivers negates the pleasant experience of all others out to enjoy the national park. The selfishness of the noisy few spoils the enjoyment of the majority who come to enjoy the area for its true countryside features.
- As well as causing physical damage vehicles destroy the peace and quiet of the countryside by the noise and fumes they produce.
- The enjoyment of solitude relaxing walking in some instances has been ruined by aggressive driving and attitudes by some off road drivers towards walkers.
- Noise from the vehicles radiates across a wide area disturbing the peace and tranquillity of residents and visitors using the many footpaths and areas of open access in the surrounding countryside.
- Pedestrians walking the track are in danger as some parts of the route include sharp, blind bends where the track width is narrow and the verges steep. Whilst a walker may hear a vehicle coming there is almost no room to escape, and little time as, in particular, the motorbikes that use the route travel at relatively high speed. If this proposal is not accepted, damage, noise and disturbance from continued motorised use of the route will restrict opportunities to experience tranquillity and quiet enjoyment in the area.
- The natural beauty, natural heritage, landscape character and diversity of the landscape will continue to be damaged. There will be an ongoing loss of the sense of wildness and remoteness of the area, and consequently a loss of opportunities to improve physical and emotional well-being. The proposed order contributes to managing the National Park in a way that conserves and enhances the very essence of its character, in order to pass it on in a healthy state, valued by future generations, - the duty stated in 3.10 of The Peak District National Park Local Development Framework Core Strategy. It will also assist in furthering the two purposes of the National Park.
- The damage that has been done to this route by recreational vehicles is all the evidence that is needed to show that vehicles have no place in such a sensitive landscape.
- The recreational vehicle users are a minority group and yet they spoil the peace, tranquility and safety of the Park for the vast majority of the Park's users; walkers, cyclists and horse riders.

<ul style="list-style-type: none"> <li>• Government proposals to create a healthier nation are at odds when unsustainable transport methods are allowed to co-exist alongside sustainable ones together with the pollution they bring.</li> <li>• As a minority group, the cost to the public purse in repairing routes, makes the recreational vehicle users a huge financial burden on the PDNPA budget.</li> <li>• keep our wild places free of urbanisation</li> <li>• The boulders currently prevent access by 4x4s, but the damage to the setts (and consequent work for National Park volunteers in repairing them) by motorbikes continues. The current possibility of meeting motorbikes spoils the enjoyment of the route for non-motorised users.</li> <li>• Used to ride in the Peak a lot for exercise and to enjoy the peace and quiet of the countryside. I rarely come to the Peak any more because the motorbikes and 4x4s have ruined it for me.</li> </ul>	
<p><b>Alternatives</b></p> <ul style="list-style-type: none"> <li>• Hope that this proposed TRO is successful and that if competitions are allowed that they make some contribution to any damage caused</li> <li>• Your own evidence shows that voluntary restrictions do not work although I thank the responsible organisations for supporting and trying to police them</li> <li>• Should they not make more appropriate tracks and obstacles available for their bikers and 4wd's</li> <li>• Voluntary codes of conduct have little effect on these users and prohibition and prosecution is unfortunately necessary.</li> <li>• Do not believe that any other form of management other than a full TRO will protect the route. I understand the desire to allow historic vehicle trials to continue (and do not oppose it in principle) but do not wish to see numbers taking part in these trials substantially increasing (as they might if motor cyclists decide taking part in the trials is the only way they can ride the route legally.) PDNPA should restrict numbers and monitor the effect that these trials have on the condition of the route.</li> </ul>	<p>Partial TROs are considered in the report.</p> <p>Any sites proposed for motor vehicle use would require planning permission.</p>
<p><b>Others</b></p> <ul style="list-style-type: none"> <li>• These are routes which were originally never intended to be used by anything other than slow horse drawn traffic</li> <li>• The National Park Authority has a statutory duty to preserve the natural beauty of the</li> </ul>	<p>The NPA has proposed this action at this time on the Washgate route after careful consideration of the evidence available and alternative options. This has</p>

<p>Park and it is to be congratulated on its intention to protect Washgate</p> <ul style="list-style-type: none"> <li>• Photograph of an unofficial note attached to the official notification at the River Dove. If this note reflects "off-Roaders" reaction to the notice it is unlikely that any compromise arrangement will be adhered to</li> <li>• Would like to drive my 4x4 over green lanes but cost benefit analysis shows the greater cost benefit clearly lies with pedestrian use. It is time off-roaders recognised their need to make greater provision for their sport, and their own safety, away from green lanes and byways.</li> <li>• There has long been a keen interest in local history in the area, and, to the best of anyone's knowledge, the former packhorse trails have never been used for wheeled vehicles, carts included. The only use other than for packhorses known is droving cattle to pasture, years ago. It follows that the claim by trail bikers and 4X4 users today that trails like Washgate are legally highways for all vehicles, including motorised ones. is utterly spurious.</li> <li>• The 'walks' writer in the Peak Advertiser of 15.12.2016 - Sally Mosley - featured Washgate and also Limer in a walk. She was struck by the poor condition of Limer. This came not long after a trail biker came off his bike when going up Limer. The machine, but fortunately not the rider, fell down the steep slope. Have long warned the Staffordshire Hlghways Authority about the dangers use of Limer and Swan by vehicles poses. The dangers are to the vehicles and their owners, but also to walkers and to livestock. Not least, walls are often damaged, allowing livestock to escape. Insurers have covered some £3000 worth of rebuilding of walls. One claim was levied on one of the culprit's insurers. Since them use by 4X4s has abated a little, but some evade detection by using the trails at night. No doubt a similar consultation will follow in due course upon Limer and Swan trails.</li> <li>• One thing puzzles me. Why is a stretch in Staffordshire called 'a footpath'? As the route passes over a packhorse bridge - it was never other than a bridleway surely?</li> <li>• While I appreciate that the Highways Act and other legislation has designated certain routes as being "open to all traffic" I am sure that it was never intended to allow the type of use that goes on at present by four-wheel drivers and motorcyclists.</li> <li>• One of the original intentions of creating National Parks was to enable people living in urban areas to enjoy the peace and quiet of the countryside away from the blight of traffic. This intention has been literally ridden over in the name of "extreme sports" practised by relatively few Park visitors who have little care about the wellbeing of walkers and also of</li> </ul>	<p>included preparing route information in consultation with the Peak District Local Access Forum - an advisory body to the NPA and its constituent Highway Authorities.</p> <p>It is for Staffordshire County Council as the Highway Authority to decide how to discharge its duties to repair. The NPA is not making the TRO to obviate the duty by the Highway Authority to maintain that route.</p> <p>Determination of status of a route is based on fact not suitability and is undertaken by the Surveying (Highway) Authority.</p>
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<p>the people living within the Park boundaries.</p> <ul style="list-style-type: none"><li>• important for the achievement of national park purposes.</li></ul>	
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TRO Procedure Checklist – Washgate

<b>Issue</b>	<b>Relevant Paragraph in the report</b>
The desired outcome of any Order	13, 32-37 Appendix 6
Can this objective be achieved in any other viable way?	30, 31, 41-47
The amenity or conservation value of the route in respect of our statutory purposes and the special qualities of the National Park.	8-12, 32-35 Appendix 6
The enforcement implications of any proposed Order.	39, 41
What are the private access needs and how can they be protected?	38 Appendix 4
The expeditious, convenient and safe movement of vehicular and other traffic including pedestrians.	16, 17, 43, 44 Appendix 7
Can appropriate public rights be maintained?	16, 17, 43, 44
What conservation or heritage issues are there?	9, 12, 32, 35 Appendix 6
Will the character of the route be affected by continued use?	35 Appendix 6
Will the character of the route be adversely affected by the TRO and associated furniture?	39 Appendix 6
Are there concerns as to the displacement or knock-on effects of the closure of a route?	23, 41
Are the necessary resources available?	48, 49

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Washgate – Motorcycle Events

<b>Event</b>	<b>Date &amp; Duration</b>	<b>Frequency</b>	<b>Last held as a trial section</b>
<b>Bemrose Trial</b> Commenced 1921	March – 1 day	Annually	2016
<b>Reliance Cup Trail</b> For motorcycles manufactured pre 1965 Commenced 1916	June – 1 day	Annually	2016
<b>Dave Rowland Trial</b> Renamed 1979; commenced 1930's	July – 1 day	Occasionally	15 years ago
<b>Northern Experts</b> Commenced 1950's	March or November – 1 day	Occasionally	2016

Timing - months vary to suit the weather conditions and any requests from landowners

Use – Washgate is either used as a means of access or as a section of the trial. Events are non-speed related and are designed to test the individual rider's skill. Solo riders pass through each section only once. No practicing of the sections is allowed. Events usually limited to a maximum entry of 125 riders.

Conduct - The trials are self-regulated. All riders are required to conform to all of the appropriate road regulations and insurances. Riders must observe a code of conduct during the trial. Each motorcycle uses less aggressive trials tyres. Marshals/observers are stationed to observe riders in the sections.

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7. **2016/17 QUARTER 1 CORPORATE PERFORMANCE AND RISK MANAGEMENT REPORT ( A91941/WA)**

1. **Purpose of the report**

This report provides Members with monitoring information at the end of Quarter 1 (Apr - Jun 2016) for review of performance against the first year of our Corporate Plan (comprising 4 directional shifts and 4 cornerstones); monitoring of the corporate risk register; monitoring of Freedom of Information Requests and monitoring of complaints.

2. **Key Issues**

- The format of the report provided has changed to respond to provide a clearer view of our performance against both our priority actions and our indicators.
- **Corporate Performance** at the end of Quarter 1:
  - None of our priority actions have significant performance issues, 20 actions require more planned work and 8 actions are on target;
  - A number of our indicators have yet to be developed and some are reported only 6 monthly or less often. Of those reported quarterly (10), 9 are on target and 1 is below target.
- **Corporate Risk** status at the end of Quarter 1:
  - 1 risk is to be removed from the register as it has been managed down:
    - a. Failure to gain support for, and agree investment proposals in a timely way.
  - 4 other risks have also lowered in their risk rating:
    - a. Failure to create a common understanding of what we want to achieve in the White Peak
    - b. Failure to submit a quality, funded bid for the South West Peak project
    - c. Adverse exchange rate movements for Moorlife 2020 European funding
    - d. Failure to engage in a way that increases ownership and understanding of our policies amongst communities and decision makers
  - 2 risks are proposed to be added to the register:
    - a. Failure to effectively manage the impact of changes resulting from the EU exit vote in terms of:
      - Euro funding for Moorlife 2020
      - UK government funding
      - Policy and legislation changes
      - Partnership funding position
    - b. Failure to deliver against our Performance and Business Plan in a time of structural change
  - 1 risk remain as high risk:
    - a. Failure to inspire people to give to a National Park Authority
- Only 2 complaints were registered in the first quarter, 9 Freedom of Information requests were made and 15 Environmental Impact Requests were made.

### Recommendations

3.
  1. **That the reporting format used in this report is approved for future reporting.**
  2. **That the Quarter 1 Corporate Performance Return, given in Appendix 1, is reviewed and any actions to address issues agreed.**
  3. **That the corporate risk register summary given in Appendix 2 be reviewed and status of risks, including the addition of 2 new risks, accepted.**
  4. **That the status of complaints and Freedom of Information Requests, given in Appendix 3, be noted.**

### How does this contribute to our policies and legal obligations?

4. Performance and Risk Management contributes to Cornerstone 3 Our organisation: develop key business processes underpinning the Corporate Strategy – have an organisation-wide understanding that information is an asset to be valued, used and shared. Monitoring the Corporate Indicators and Corporate Priority Actions against our Corporate Objectives is part of our approach to ensuring mitigating action can be taken to maintain and improve performance or to reprioritise work in consultation with staff and Members.

### Background

5. The format of performance reporting to this committee has not been changed since January 2013 (minute 7/13). It is proposed that, in line with the introduction of a new Corporate Plan, an amended reporting system is adopted to give clarity of performance information against both our priority actions and our corporate indicators.
6. The visual representation for performance data remains on a traffic light system, using:
  - green indicating the action or indicator is on target,
  - amber indicating that some remedial work required to get on target, and
  - red indicating a wider variance from being on target and that there may be some significant issues to be addressed.
7. In addition, a commentary is provided for each Directional Shift and Cornerstone, including any issues and action being taken to address the issues.
8. The Authority's risk management policy and supporting documentation was approved by Authority on 25 March 2011 (minute 21/11), and is reviewed annually as part of the Authority's review of the Code of Corporate Governance. In line with these arrangements, Appendix 2 shows the status of the Corporate Risks and an update for red risks, risks that have changed in risk rating and new risks proposed for incorporation.
9. Appendix 3 shows the status of the 2 complaints received in this quarter and the report on Freedom of Information and Environmental Impact Requests. All remain at a low level compared with the same time last year.

10. Information is given so that Members of Audit, Resources and Performance Committee, in accordance with the scrutiny and performance management brief of the Committee, can review the performance of the Authority and the risks being managed corporately.
11. Reporting is dependent on the accuracy of data provided by the Heads of Service, Assistant Directors and indicator lead officers, as agreed with Directors and Chief Executive.

### **Proposals**

12. Members are asked to approve the reporting format as given in Appendix 1.
13. Members are asked to review and agree the Quarter 1 Corporate Performance Return as detailed in Appendix 1.
14. Members are further asked to review and agree the proposed changes to the Corporate Risk Register in Appendix 2.
15. That the status of complaints, Freedom of Information (FOI), and Environmental Information Regulations (EIR) Enquiries in Appendix 3 be noted.

### **Are there any corporate implications members should be concerned about?**

16. This report gives Members an overview of the achievement of targets in the past quarter and includes ICT, financial, risk management and sustainability considerations where appropriate. There are no additional implications in, for example, Health and Safety.
17. **Background papers** (not previously published) – None

### **Appendices**

1. Quarter 1, 2016-17 Corporate Performance Return
2. Quarter 1, Corporate Risk Register status
3. Quarter 1, Complaints, Freedom of Information (FOI), and Environmental Information Regulations (EIR) Enquiries

### **Report Author, Job Title and Publication Date**

Wendy Amis, Senior Performance Officer, 8 September 2016

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### Directional Shift 1: The Place and the Park, on a Landscape Scale

Our Focus:	2016-17 priority actions	Progress (RAG)
1. The Dark Peak	We will define, and have support for, our strategic direction for Stanage North Lees within the wider landscape.	GREEN
2. The SW Peak	We will have secured HLF funding and match funding to start the SW Peak Landscape Partnership Scheme delivery phase plus HLF agreement to a phased approach to future match funding requirements.	AMBER
3. The White Peak	We will know what the opportunities are for the NPA to develop an integrated management project in the public sector across the White Peak.	AMBER
4. The Whole Park	We will be offering an integrated conservation service to land managers.	AMBER

Corporate Indicator	Target 2016-17	Status
<b>1. Stage of development of Landscape scale partnership programmes</b> a) Moors for the Future b) South West Peak Partnership c) White Peak Delivery Partnership d) Sheffield Moors Partnership	<b>Stage of development</b> a) Mature Partnership b) Strategic Plan c) Vision d) Vision	a) achieved b) achieved c) on target d) on target

#### Overview:

The EU referendum result has led to questions about the future funding of MOORLIFE 2020 EU LIFE scheme, but payment of the outstanding MOORLIFE funding has been promised, with advice that the MOORLIFE 2020 programme is a signed contract. South West Peak Stage 2 development is on target for submission in July 2016. Early discussions on new major landscape proposals/programmes for Longdendale and the White Peak. Engaged with Sheffield Wildlife Trust and offered support on a bid for "Sheffield Lakeland" HLF bid.

#### Progress against priority actions/indicator targets:

- The South West Peak HLF funded Landscape Partnership Development Phase 2 is currently on target. The Programme Board has been meeting to monitor and review progress on individual projects. Some match-funding gaps have been identified requiring further work/commitment before submission;
- The MoorLIFE 2020 EU LIFE bid was successful and we are now recruiting personnel and working up implementation of schemes with partners;
- The Moorlife project has been successfully audited and was short-listed for the "Best of the best" awards, at a ceremony held in Brussels on 31 May;
- The area of moorland undergoing restoration is currently 1047ha;
- Birds of Prey Initiative group meeting took place with all partners;
- The Historic Landscape Characterisation publication for Historic England is underway for completion in 2016/17; work continued the Farmstead Characterisation project;
- Assisted farmers and landowners with applications for the new Countryside Stewardship scheme;
- Partners continue to deliver the actions in the Sheffield Moors Partnership Masterplan; Stanage/North Lees was at the core of a suite of initiatives funded by Natural England to deliver conservation benefits for ring ouzels including data collection/analysis and awareness raising;

- The National Grid scheme for funding to underground a key section of high voltage electricity line and remove pylons at Dunford Bridge is progressing to the detailed scheme stage;
- The Authority responded to the Transport and Works Act Order for the Hope Valley Capacity Improvement Scheme – initial objection withdrawn following progress on the justification for the scheme and its details. A Public Inquiry was held in May 2016, with Authority representation on the first 2 days;
- Officers have been involved in further discussions and workshops with Highways England and the Department for Transport on Trans-Pennine road proposals, including A628 works and a possible tunnel.

**Issues arising and action to address:**

- a) Uncertainty over future funding for MOORLIFE 2020 following EU referendum – seeking security from government that they will underwrite the debt should it be required.
- b) The new national agri-environment scheme, Countryside Stewardship, has completed the first round of applications which were significantly fewer nationally than anticipated. We are proactively approaching agreement expirees to encourage their continued engagement with conservation. Support and one to one advice to farmers and land managers has continued during this difficult transitional period.
- c) There is ongoing debate about the sustainability some aspects of grouse moor management including burning on deep peat, birds of prey and moorland tracks. Discussions continue with key stakeholders on moorland issues and a draft guide on planning requirements for moorland tracks was produced by the Authority and circulated to stakeholders.
- d) Targets for key Bird of Prey populations agreed by the Bird of Prey Initiative have not been met and a press statement was released. A revised action plan is being produced with a more robust approach to Birds of Prey.

**Risk implications:** None



**Directional Shift 2: Connect people to the place, the park**

Our Focus:	2016-17 priority actions	Progress (RAG)
1. Build support for the Park through a range of approaches to enable people to give time, money or valued intellectual support	We will have specified systems, skills and resources required to build a compelling platform to attract support.	AMBER
2. Improve access to the National Park for less represented audiences, in particular young people under 25	We will have identified the best channels through which to engage young people.	GREEN
3. Improve access to the National Park for less represented audiences, in particular people with health inequality	We will have identified the best channels through which to engage people living with health inequality and identified funding sources.	AMBER
4. Improve our volunteering opportunities and processes to nurture and build National Park volunteer supporters	We will have specified the systems, skills and resources required to develop and manage volunteer opportunities.	AMBER

Corporate Indicator	Target 2016-17	Status
<b>2. Number of people experiencing the benefits of the Peak District National Park from our target audiences of:</b> a) young people under 25 b) people living with health inequality (particularly mental wellbeing) c) volunteers (expressed as volunteer days) d) supporters (donors)	a) 5% increase over 2015-16 b) Baseline c) 5% increase over 2015-16 d) baseline	Not reported at Q1

**Overview:**

Volunteer engagement continues to be a strong element of our engagement work while outreach programmes for the key target group of people with mental health issues needs more development. We are still at the very early stages of developing a donor strategy – individual, major, corporate or legacy – this will be picked up in the section on growing income.

**Progress against priority actions/indicator targets:**

- Successfully piloted, in partnership with Thornbridge Outdoors, a range of outreach/volunteering activities, including climbing for teenage refugees/asylum seekers and school children, at Stanage;
- Piloted use of individual volunteers at Stanage for conservation monitoring and run corporate conservation volunteering programmes with teams from National Grid, Brother, Rab and Nikwax;
- An approach to exploring and recommending service interventions that can provide health outcomes, in particular mental well-being, targeting young people and funded from external sources, has been agreed; a project team has been established to progress;
- Volunteering partnerships with Fit for Work and Tarmac continue to work well with regular sessions for both being delivered;
- Annual litter pick event with Peak Mountaineering was attended by 80 volunteers;
- Longdendale learning facility ready to reopen for summer wild play events (closed since Q3 2015);
- Strong secondary summer term: full take up of new grassland ecology programme involving 277 pupils and generating over £3k income;

- Initial work started on developing our informal youth offer including consolidating the Junior Ranger groups and building a youth voice platform for the PDNP;
- YHA potential partnership meeting with initial agreement secured to cross promote education programmes;
- National Citizen Service initial meeting - potential opportunity to provide volunteering programme.

**Issues arising and action to address:**

Structures, skills and systems to create integrated plan are unlikely to be in place until Q3. Mitigation is the current organisational redesign programme.

**Risk implications:**

There is a risk that appropriate resources and skills will not be in place both in strategy and performance and commercial development and outreach in time to achieve the priority action on identifying the best channels through which to engage people living with health inequality and funding sources – there will be pressure on quarter 4 to catch up following the restructuring work.

Data will not be collected through the Service User Survey until Q3, providing only a half year of data.

**Directional shift 3: Visitor experiences that inspire and move**

Our Focus:	2016-17 priority actions	Progress (RAG)
1. Look after the whole Park as a public asset in a way that encourages access and responsible behaviour	We will have identified key audiences and the behaviours that sustain the special qualities of the National Park, and developed a campaign to promote understanding of their value.	AMBER
2. Provide a quality experience for anybody who visits our property or uses our visitor services that people are willing to pay for	We will have identified experiences our customers demand and mapped the ability of our portfolio to deliver them.	AMBER
3. Provide quality new experiences that will generate new income to fund the place	We will have identified the experiences our customers demand and mapped our ability to deliver them.	AMBER

Corporate Indicator	Target 2015-16	Status
<b>3. Brand awareness and understanding among potential supporters</b> a) % who know about the PDNP b) % who understand PDNP potential benefits/ services c) % who feel positive towards the PDNP d) % who are willing to support the PDNP	a) Baseline b) Baseline c) Baseline d) Baseline	Surveys to be set up
<b>4. Customer satisfaction with the PDNP experience</b>	➤ 90%	Survey to be set up

**Overview:**

Work on key visitor destinations/experiences continues although the focus remains on maintenance versus development. Significant plans for visitor centre improvements, a better offer on the Trails and more services in Cycle Hire will pay dividends in the long-term, but their impact on this year’s numbers will be limited. Lack of overt marketing and slow roll out of the brand has also hindered our ability to reap maximum benefit from our assets. A change in how we manage resources and develop our business planning is required which is being partly addressed through the organisation redesign.

**Progress against priority actions/indicator targets:**

- Developments at North Lees campsite included the introduction on-line booking. Plans being developed for further camping pods and a campsite shelter;
- Two events, attracting good audiences and positive feedback, were run at Stanage-North Lees. This included a Heritage Open Weekend at North Lees Hall which has led plans for a wider Heritage Open Weekend in Q2;
- Over 42k people have paid to use the refurbished washroom facilities at Dovedale. Complaint levels have been in single figures;
- Trails Rangers completed work (on top of their normal programme) identified in the ‘Structures General Inspection Report’ to a value of c£24k delivering a significant capital saving;
- Mass-participation fundraising event, Walk in the Park, was cancelled due to insufficient booking and marketing investment. Limited initial spend was covered from the trails revenue budget;
- Contractors appointed to deliver Peak District National park element of the BMC’s Mend our Mountains initiative (see income section for fundraising total);
- PDNPA input into British Cycling campaign for improved mountain-biking opportunities agreed;
- Two public consultations on possible Traffic Regulation Orders closed; dates identified with ARP for reporting results/next steps;

- Bradwell Edge bridleway development – partnership of landowner, community and user groups – currently held up by Derbyshire County Council financial uncertainty;
- Plans are well advanced to progress work on improved access for people with disabilities, as part of our Miles Without Stiles work, in Q2;
- A car parks review will be completed in Q2 with the aim of increasing charges; enforcement will take effect in Q1 2017-18;
- A near-term term plan for Miller’s Dale Station buildings will be developed (see Income section for details);
- The Trails Structures Management document will be finalised and a tender issued for the operation of our abseiling facility at Bridge 75 in the Monsal Trail.

**Issues arising and action to address:**

Structures, skills and systems to create integrated plan will unlikely to be in place until Q3. Mitigation is the current organisational redesign programme.

**Risk implications:** None

**Directional shift 4: Grow income and supporters**

Our Focus:	2016-17 priority actions	Progress (RAG)
1. Increase our income from giving	We will have specified the systems, skills and resources required to build a compelling platform to attract support.	AMBER
2. Achieve our commercial programme income targets	We will deliver the income targets.	AMBER
3. Develop/ establish sponsorship relationships	We will have decided the balance between the level of local and national efforts to secure commercial sponsorship.	GREEN
4. Secure external funding for major programme and partnership delivery	We will have identified the funding opportunities for Millers Dale and put in place a funding strategy for the South West Peak Landscape project.	AMBER

Corporate Indicator	Baseline	Target 206-17	Status
<b>5. Amount and proportion of income by source</b> a) Commercial b) Donations c) External funding* d) Defra grant* e) Total income	£2162,294 (17.8%) £40,255 (0.3%) £3,584,952 (29.5%) £6,364,744 (53.4%) £12,152,345 (100%)	Overall increase of 5%	£ 572,290 (11.3%) £28,836 (0.6%) £2,401,850 (47.4%) £2,059,255 (40.7%) £5,062,231 (100.0%)

\*Some distortions will appear on a quarterly basis for the proportions of Defra Grant and external funding due to the accounting process.

**Overview:**

The core commercial activities are continuing to be managed against an increasingly uncertain and challenging economic backdrop and limited outbound marketing. Fundraising is still in the very early stages of development and is unlikely to deliver significant numbers the next two quarters. It should be noted, however, that partner fundraising – where a third party leads on the proposition and platform – has delivered nearly 50% of last year’s total donations and a serendipitous legacy could provide significant investment funds for this area of work. Our digital reach is impressive indicating the need to invest resource in this channel which is currently under-utilised to drive behaviour change, increase understanding and ultimately generate income. This will be addressed in future commercial development and outreach planning.

**Progress against priority actions/indicator targets:**

- Launched new Special Qualities product range with Chatsworth on BBC TV, managed Birds of Prey negative coverage on social media, and held BBC listeners’ walks on the Trails with a 4-hour live radio show. The five-year £100k Tarmac partnership was launched with good media coverage;
- Digital reach is increasing significantly. Twitter tag @PeakDistrict (only) achieved a 4.5m potential reach and 2,191 new followers. Top three tweets were: 18 April 2016 “Stanage Pole was replaced yesterday as part of our 65th anniversary; learn more about this ancient boundary marker” (13 likes, 26 retweets, 96,935 total reach); 24 May 2016 “Eroded path below Ringing Roger on Kinder Scout is to be repaired; thanks for your support” (22 likes, 19 retweets, 92,394 total reach) key influencers @Team\_BMC @HighPeakRadio @BMC\_Walk); and 22 June 2016 “Visit #GreatPeakWeekender 1-3 July feat. ranger-led walks on the wild side” (17 likes, 22 retweets, 88,419 total reach). Other popular

topics included Tissington Trails 45th anniversary (86,831 total reach), Peak Chief fundraiser (88,709 total reach) and Bike Hire during National Bikes Week (72,635 total reach);

- Cycle Hire income on track in terms of phasing but -4.7% vs. last year. Focused efforts on bike servicing and sales of ex-hire bikes resulted in this element of income stream being +66% vs. last year;
- Too early to report on impact of no Easter in this year's numbers plus variables such as weather and widely anticipated downturn in consumer spending (although footfall is -16.3% vs. last year) so the team are focusing on elements we can control;
- Online bike rental booking system will go live in Q2, enabling us to secure bookings and payments before the day of hire;
- Concessions on properties (exc. Castleton Visitor Centre which is managed by under separate budget) re-let with new licences which will deliver £67.5k gross (+19.9% vs. 2015-16);
- Stanage-North Lees car park sticker scheme generated over £3k. How we make this approach sustainable will be pulled into the wider car park review and commercial plan;
- Unsuccessful in two partnership learning-focused HLF bids – Play Wild (with Derbyshire Wildlife Trust) and Landscape Literacy (with Derbyshire County Council). Feedback from both funder and potential partners will be fed in to future funding approaches;
- Millers Dale: developing a short-term plan to create a small visitor information centre and café. This will generate income, provide customer insight and help with the larger development plans for better provision at this under-utilised site. A brief will be produced for Property Support for their input. In parallel with this proposal, partnership options are being investigated for a larger scale development and external funding bid. Target to complete the first stage – expressions of interest from potential partners – in Q2;
- Visitor Services income was £116.3k (-5% vs. last year). Margin, however, was -3.8% vs. last year reflecting better stock, pricing, and supplier deals. This is particularly pleasing given the -11% vs. last year position in footfall. As with Cycle Hire it is too early to assess the full impact of non-controllable variables, but efforts are focused areas of the business we can control such as merchandise display and new product ranges;
- Planning applications for Castleton Visitor Centre improvements and Bakewell Visitor Centre signage go to 12 August Planning Committee;
- Fundraising: Corporate Partnerships – working with the British Mountaineering Council on its Mend our Mountains campaign generated £17k.

### **Issues arising and action to address:**

- North Lees Hall still not ready for residential letting so risk to income targets. The property support team are managing this (see report under Cornerstone 1 – Our Assets).
- Structures, skills and systems to create integrated plan are unlikely to be in place until Q3. Mitigation is the current organisational redesign programme.

**Risk implications:** see above

**Cornerstone 1: Our assets**

Our Focus:	2016-17 priority actions	Progress (RAG)
1. Reduce the size of our property portfolio and retain what we need	We will be on target for our programme of disposals.	GREEN
2. Ensure that the Trails, Stange, North Lees and Warslow Estate are well-managed assets able to support the delivery of our directional shifts	We will have a clear plan for the standards needed for our assets for maintenance, environmental performance and visitor experience.	AMBER
3. Get the basics right on the visitor infrastructure we own and operate, from both a local and visitor perspective	We will have a clear plan for the standards needed for our visitor infrastructure for maintenance, environmental performance and visitor experience.	AMBER
4. Increase the value of our brand and its reach	We will have a compelling brand to underpin the outreach and income plans.	AMBER

Corporate Indicator	Target 2015-16	Status
5. Percentage of assets that meet the standards set for: a) Maintenance b) Environmental performance	a) Baseline b) tbc	Indicators being developed

**Overview:**

Progress is being made in all key areas; the proposed Head of Visitor Experience and Head of Marketing and Income Development posts alongside the Corporate Property Officer are key leads in this area working with Property Support team as we move forward; resource issues in property support team are being addressed.

**Progress against priority actions/indicator targets:**

- Development of the Edale site is on target with completion of phase 1 relocating the Moors For the Future team into 'fit for purpose' accommodation; planned improvements to signage and interpretation in phase 2 and the campsite in phase three will enhance visitor experience;
- Action to improve the visitor experience at Castleton and Bakewell visitor centres is also on target with the refurbishment project at Castleton and planned improvements to signage and interpretation at both sites;
- Completion of Knowle House Farmhouse refurbishment and extension plus improved fencing/walling and introduction of cattle grazing on Warslow Brook Moor and Middlehills Moor (with the aim of improving SSSI condition status) are key milestones for the Warslow Moors Estate;
- Disposal targets for 2016-17 are: 12 woodlands plus 3 minor properties. Three woods (Blore Pastures, Lamb Quarry and Long Gallery) have been sold in Q1 and plans are in place to meet the annual target. In terms of minor properties, Fire Station Field has been sold, and plans are in place to complete on the sale of two other fields by Q4;
- A planning application for Brosterfield caravan site has been progressed and is due to be submitted in Q2;

- A branded minibus for conservation volunteers (involving corporate partner Tarmac) was completed plus limited refurbishment of Aldern House reception area to better reflect the brand. A total of 19 pay-and-display car park signs carrying the new branding and donation messages were completed. These will be installed during Q2. A programme of redesigning interpretation panels is underway alongside work to renew brand liveries for pool cars and the litter van. Initial investigations of the potential for a branded/income generation platform at the 2017 RHS Chatsworth show have begun;
- A programme of condition surveys has been agreed as the preferred way forward to set a standard for maintenance of the built fabric of the Authority's property portfolio;
- The 2015/16 environmental management performance report considered by Committee in July sets the context for updating the carbon management plan to ensure continuing progress in reducing our carbon footprint and setting a standard for our property portfolio.

**Issues arising and action to address:**

There have been delays in bringing North Lees Hall up to a satisfactory standard to let a tenancy which will have an impact on the income for the Estate; the maintenance and development programme for Warslow Moors is not as far progressed as planned. A new Building Surveyor is being appointed and an external contract let to support the heavy work load in Property Support Team.

**Risk implications:** None



**Cornerstone 2: Our services**

Our Focus:	2016-17 priority actions	Progress (RAG)
4. Deliver our services in a customer focused way	We will have an extended paid-for advice service for conservation.	AMBER
5. Ensure clear policies are in place through facilitated and effective engagement and communication	We will have partners indicating their commitment to Special Qualities.	AMBER
6. Ensure appropriate regulatory action	We will be communicating the clear value of our performance on enforcement.	GREEN

Corporate Indicator	Target 2015-16	Status
<b>7. Proportion of planning appeals allowed</b>	<30%	0%
<b>8. Proportion of planning applications determined in a timely way</b> a) 13 weeks – major b) 8 weeks – minor c) 8 weeks – other d) 13 weeks – county matters	a) >70% b) >70% c) >80% d) >70%	a) 100% b) 76% c) 79% d) #
<b>9a Number of enforcement cases resolved</b>	30 per quarter	37
<b>9b % of enforcement enquiries (excluding minerals and waste) investigated (and reach a conclusion on whether there is a breach of planning control) within 30 working days</b>	80%	84%
<b>10 Customer satisfaction with Planning Service:</b> a) Applicants/ agents b) Parish councils c) Residents d) Pre-application advice	a) >75% b) >70% c) Baseline d) >75%	Not reported Q1
<b>11a Number of complaints received</b>	<20	2
<b>11b % complaints dealt with in accordance with agreed deadlines</b>	90%	50%*
<b>11c Satisfaction with first and second lines of enquiry (planning)</b>	baseline	To be set up

# no applications determined

\* note: small numbers – only 2 complaints received

**Overview:**

Work on Development Management policies has progressed, following the agreement of the draft policies by Authority last October, and further work with a member group following this. The Authority’s influencing role has included ongoing dialogue with Constituent Authorities, particularly on housing and wind turbine issues, and input to the national debates on the Housing and Planning Bill and fracking.

**Progress against priority actions/indicator targets:**

- Performance on planning application determination has been maintained during the last quarter. To date, 77% of the 155 Planning Applications decided were within the statutory period. A further 245 applications for listed building consent were determined this quarter;
- Performance on major applications was 100% (two out of two) in Q1, exceeding the Government target of 40%;

- Of the 191 Planning Enquiries completed year to date, 78% were completed within 15 working days;
- 37 enforcement cases were resolved in the quarter, above the target of 30 for the quarter;
- Planning appeals: Of 7 Appeals determined in the quarter all 7 were dismissed, clearly exceeding the target of less than 30% being allowed);
- The number of formal complaints relating to the Planning Service remains low, with no complaints progressing to stage 2 or the Ombudsman in the quarter;
- Feedback on the performance of the Planning Service is now being collected from applicants and agents on an on-going basis following the determination of applications. The feedback is generally positive, with those cases where an issue is raised being followed up. This is proving be more productive than carrying out formal surveys on an annual or bi-annual basis. Parish Councils are also being surveyed on an on-going basis;
- Two Planning Enforcement Training events for Parish Councils took place in May and June 2016 and were well received by the attendees;
- The focus on Community Planning has continued, with further work on the Leekfrith NP and Bakewell NP;
- Work on Development Management policies has progressed further, with draft policies being finalised and a workshop planned for Parish Councils in September, prior to formal consultation commencing;
- On-going work with the constituent authorities on Local Plan housing allocations, specifically SMDC and DDDC (see below);
- Work also progressing Transport Design Guidance (using consultants ARCUS);
- An approach and project plan for updating the National Park Management Plan has been agreed focusing on simplifying the structure to help understanding and on a revised delivery plan; this includes obtaining partners' commitment to developing our ambitions for the special qualities of the National Park as we move forward beyond the update period;
- Greater resilience is being achieved in providing a second line planning enquiry service following the integration of the new customer and business support team without the additional support from the planning service that would have been required previously.

**Issues arising and action to address:**

- a. Derbyshire Dales DC housing targets have required the Authority to provide estimates for how many houses may be delivered in the National Park during the DDDC Local Plan period. Officers have worked closely with DDDC officers to support an approach which protects the National Park whilst assisting DDDC.
- b. A rising number of new enforcement enquiries, leading to a build-up in outstanding cases, despite the target for dealing with cases being met. An Action Plan was agreed and adopted by the Monitoring and Enforcement team, in consultation with the Legal team, in 2015-16, placing a greater focus on prioritising cases and then dealing with higher priority cases more quickly
- c. Work on streamlining and review of our framework of policies and strategies to be led by the new Head of Strategy and Performance will not begin until quarter 4 due to priority being given to the NPMP update and putting in place a new team structure and resources.

Risks associated with this objective: None

**Cornerstone 3: Our organisation**

Our Focus:	2016-17 priority actions	Progress (RAG)
1. Develop and maintain appropriate standards of corporate governance	We will be ready to implement the new governance framework requirements as a public body (CIPFA SOLACE* framework).	GREEN
2. Implement our medium term financial plan	We will have identified and agreed the areas we are going to invest in.	GREEN
3. Develop key business processes underpinning the Corporate Strategy	We will have an organisation-wide understanding that information is an asset to be valued, used and shared.	AMBER

Corporate Indicator	Target 2015-16	Status
12. Audit conclusions showing satisfactory governance arrangements in place	Achieve	Not reported at Q1

**Overview:**

Good progress is being made in both achieving the focus for 2016/17 and the indicator.

**Progress against priority actions/indicator targets:**

- The 2015/16 final Statement of Accounts and Annual Governance Statement were completed and published to an earlier timetable of the end of May in preparation for future years’ requirements; the external auditor’s opinion will be available in Q2;
- A supplier has been identified for moving our ICT infrastructure to an ‘infrastructure as a service model’ and contract due diligence processes are being progressed to timetable;
- We have identified a solution to achieving greater connectivity to support services at our Edale site;
- An initial assessment has been made against the new governance framework which is required to be in place for the 2016/17 year end assessment of governance performance; a timetable has been agreed for bringing a new Code of Corporate Governance to the Authority early in 2017;
- Our approach to investment decisions to support the new Corporate Strategy has been agreed by the Authority in May 2016; proposals for our investment programme are now being implemented and developed in accordance with the report to Members;
- Information Asset Owners are being identified in parallel with the proposals for the new design of the organisation. This is a key step in progressing our focus on an organisation -wide understanding that information is an asset;
- New Independent Members have been appointed to support our standards framework and 2 new councillor Members have been through the induction process;
- The Authority has now signed an agreement to be part of the National Park Partnerships (Limited Liability Partnership) as a fundraising entity of National Parks UK;
- Following a period of learning from experience the process and procedure note on the role and decision making of the Due Diligence Panel in support of our Policy on Working with Business,

Organisations, Individuals and Groups of Individuals on Sponsorship, Philanthropy and Legacies have been reviewed and updated.

**Issues arising and action to address:**

Not all Corporate Indicators have been developed sufficiently to start gathering data. A revised target will be agreed with the Performance Team.

**Risk implications:** None

**Cornerstone 4: Our people**

Our Focus:	2016-17 priority actions	Progress (RAG)
1. Ensure the Authority shape is fit for the future	We will have a structure in place that fits our organisational design principles and supports our ability to deliver the Corporate Strategy.	GREEN
2. Retain, develop and recruit the right people in the right place at the right time, with the right resources	We will have gathered the appropriate information to produce a workforce plan in 2017-18.	AMBER
3. Embed, in the way we work, our organisational values of people matter, performance matters, communities matter and every day matters	We will use the staff survey feedback to monitor how the leadership team is describing and living the way we want to work.	AMBER

Corporate Indicator	Target 2016 – 17	Status
13. Employee engagement (to be defined)	Baseline	Indicator to be developed
14. Implement recommendations of the 2016-17 Investors in People assessment	Agree prioritised 3 year action plan	Not reported in Q1
15. Sickness levels: a) % total time lost due to sickness (expressed as hours) b) hours per fte c) average number of times absent per employee d) value of total time lost (expressed as pay cost)	a) Tbc b) Tbc c) Tbc d) tbc	a) 2.53% b) 12.92 c) 28.60% d) £30,827
16. Staff turnover	tbc	4%

**Overview:**

Although the work programme in HR is being dominated by the redesign of the organisation progress is being made in other key areas too as highlighted below; a resource plan is now in place and being implemented to ensure the team can support managers and staff in achieving our 2016/17 focus and indicator targets.

**Progress against priority actions/indicator targets:**

- We have successfully retained the Investors in People standard and are considering the assessors’ recommendations; this is the first step to developing a three year action plan to improve further;
- To support achievement of the corporate strategy, proposals have been developed and are now out for consultation on the structure for the new leadership group with new Heads of Service roles and for the new Strategy and Performance team; this is underpinned by an agreed set of design principles and proposals for reviewing our managing change policy in 2 key areas relating to redeployment periods and pay protection;
- A programme of the ‘way we work around here’ workshops are being delivered to managers to reinforce and build on existing skills/knowledge and to start to embed our values in the following areas: selection and recruitment, staff working time management, sickness absence management, health & safety (in support of rolling out the new Policy), performance management;

- Briefings on the new safeguarding policy and guidance including adopting 'safe' recruitment practices by all teams including volunteers have been completed;
- The staff survey was originally planned for Autumn 2016 - this will now be conducted in January 2017 but is still in time to agree a baseline for employee engagement to inform action in 2017/18.

**Issues arising and action to address:** None

**Risk implications:** None

Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

<b>IMPACT</b>	<b>High</b>	<p>4. Insufficient capacity to deliver Moorlife 2020</p> <p>5. Debt from final Moorlife claim not met</p> <p>NEW: 11. Impact of EU exit vote</p>	<p>1. No common understanding of aims for White Peak</p> <p>2. Not submitting bid for SW Peak</p> <p>8. Fail to develop integrated strategic commercial plan</p> <p>12. Fail to design organisation with skills and capability to deliver</p> <p>13. Not support staff through change</p>	<p>7. Fail to inspire people to give to a NPA</p>
	<b>Medium</b>	<p>9. Fail to increase ownership and understanding of our policies among stakeholders</p>	<p>14. NEW: Fail to deliver against performance and business plan</p>	<p>6. Reduced area of land in agri-environment schemes</p>
	<b>Low</b>	<p>3. Adverse exchange rate Moorlife 2020 funding</p> <p>10. Fail to gain support for and agree investment proposals (REMOVE)</p>		
		<b>Low</b>	<b>Medium</b>	<b>High</b>
<b>LIKELIHOOD</b>				

## Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

### Corporate Risk Register: list of risks

1. Failure to create a common understanding of what we want to achieve in the White Peak
2. Failure to submit a quality, funded bid for the South West Peak project
3. Adverse exchange rate movements for Moorlife 2020 European funding
4. Insufficient capacity to deliver Moorlife 2020 programme
5. Outstanding debt from final Moorlife claim is not met
6. Area of NP land safeguarded in agri-environment schemes reduces because of new Rural Development Programme for England (RDPE) implications
7. Failure to inspire people to give to a National Park Authority
8. Failure to develop an integrated strategic commercial plan
9. Failure to engage in a way that increases ownership and understanding of our policies amongst communities and decision makers
10. Failure to gain support for and agree investment proposals in a timely way (REMOVE from register)
11. NEW: Failure to effectively manage the impact of changes resulting from the EU exit vote in terms of:
  - a. Euro funding for Moorlife 2020
  - b. UK government funding
  - c. Policy and legislation changes
  - d. Partnership funding position
12. Failure to design the organisation so it has the skills and capability to deliver
13. Failure to support staff going through a time of change
14. NEW: Failure to deliver against our Performance and Business Plan in a time of structural change.



Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

Impact	High	<b>AMBER</b> (closely monitor)	<b>AMBER</b> (manage and monitor)	<b>RED</b> (significant focus and attention)
	Med	<b>GREEN</b> (accept but monitor)	<b>AMBER</b> (management effort worthwhile)	<b>AMBER</b> (manage and monitor)
	Low	<b>GREEN</b> (accept)	<b>GREEN</b> (accept/ review periodically)	<b>GREEN</b> (accept but monitor)
		Low	Med	High

**Likelihood**

Corp. Strat. Ref.	Risk Description	Existing controls	Risk rating before mitigation L x I	Mitigating action	Risk rating with mitigating action L x I ( Green, Amber or Red)						Timeframe of mitigating actions	Lead officer	How monitor/ indicator	Quarterly update
						Start	Q1	Q2	Q3	Q4				
S1 The Place and the Park on a Landscape scale	1. Failure to create a common understanding of what we want to achieve in the White Peak	Have Local nature partnership as a high priority	H x H  RED	a) Senior level engagement with Natural England, NFU and the Environment Agency to consider potential for collaboration to secure the best outcome from agri-environment schemes in the White Peak.	<b>Impact</b>	High	High				End Mar '17	SF (Chief Executive)	Progress with partnership bid led by Derbyshire Wildlife Trust  LNP setting out strategic intent for the White Peak.	Derbyshire Wildlife Trust, working through the LNP, are developing a grasslands project.  Chief Executive has had discussions with the Chairs of NE and the EA regarding strategically working together in the White Peak.
					<b>Likelihood</b>	High	Medium							
					<b>Rating</b>	<b>RED</b>	<b>AMBER</b>							

Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

Impact	High	<b>AMBER</b> (closely monitor)	<b>AMBER</b> (manage and monitor)	<b>RED</b> (significant focus and attention)
	Med	<b>GREEN</b> (accept but monitor)	<b>AMBER</b> (management effort worthwhile)	<b>AMBER</b> (manage and monitor)
	Low	<b>GREEN</b> (accept)	<b>GREEN</b> (accept/ review periodically)	<b>GREEN</b> (accept but monitor)
		Low	Med	High
<b>Likelihood</b>				

Corp. Strat. Ref.	Risk Description	Existing controls	Risk rating before mitigation L x I	Mitigating action	Risk rating with mitigating action L x I ( Green, Amber or Red)						Timeframe of mitigating actions	Lead officer	How monitor/ indicator	Quarterly update
						Start	Q1	Q2	Q3	Q4				
S1 The Place and the Park on a Landscape scale	2. Failure to submit a quality, funded bid for South West Peak project	Programme Board monitoring progress	H x H  RED	a. Funding strategy being developed.  b. Internal project team established.	Impact	High	High				a. End June 2016  b. End May 2016	JRS (Director of Conservation and Planning)	RMT	On track for submission on 22 <sup>nd</sup> July
					Likelihood	High	Medium							
					Rating	RED	AMBER							

Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

<b>Impact</b>	High	<b>AMBER</b> (closely monitor)	<b>AMBER</b> (manage and monitor)	<b>RED</b> (significant focus and attention)
	Med	<b>GREEN</b> (accept but monitor)	<b>AMBER</b> (management effort worthwhile)	<b>AMBER</b> (manage and monitor)
	Low	<b>GREEN</b> (accept)	<b>GREEN</b> (accept/ review periodically)	<b>GREEN</b> (accept but monitor)
		Low	Med	High
<b>Likelihood</b>				

Corp. Strat. Ref.	Risk Description	Existing controls	Risk rating before mitigation L x I	Mitigating action	Risk rating with mitigating action L x I ( Green, Amber or Red)						Timeframe of mitigating actions	Lead officer	How monitor/ indicator	Quarterly update
					Start	Q1	Q2	Q3	Q4					
S1 The Place and the Park on a Landscape scale	3. Adverse exchange rate movements for Moorlife 2020 European funding	None	H x H  RED	a. Hedging arrangement to be put in place if we can.  b. Cap on sterling budget with appropriate output adjustments agreed.	<b>Impact</b>	High	Low				a. Continuous assessment  b. End Q2 detailed budget breakdown	PN (Chief Finance Officer )	Chief Finance Officer  Budget monitoring Group  ARP	Request for detailed budget made to budget manager.  Full sterling cap confirmed to budget manager as necessary.  Received 30% up-front funding.  Hedging arrangement under consideration.
					<b>Likelihood</b>	Medium	Low							
					<b>Rating</b>	<b>AMBER</b>	<b>GREEN</b>							

## Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

Impact	High	<b>AMBER</b> (closely monitor)	<b>AMBER</b> (manage and monitor)	<b>RED</b> (significant focus and attention)
	Med	<b>GREEN</b> (accept but monitor)	<b>AMBER</b> (management effort worthwhile)	<b>AMBER</b> (manage and monitor)
	Low	<b>GREEN</b> (accept)	<b>GREEN</b> (accept/ review periodically)	<b>GREEN</b> (accept but monitor)
		Low	Med	High
<b>Likelihood</b>				

Corp. Strat. Ref.	Risk Description	Existing controls	Risk rating before mitigation L x I	Mitigating action	Risk rating with mitigating action L x I ( Green, Amber or Red)					Timeframe of mitigating actions	Lead officer	How monitor/ indicator	Quarterly update	
					Start	Q1	Q2	Q3	Q4					
S2 Connecting people to the place	7. Failure to inspire people to give to a National Park Authority	Approach to giving approved by the Authority.	H x H  RED	a. Organisation design to provide appropriate capabilities underway	Impact	High	High				a. Dec '16	SM (Direct or of Commercial Development and Outreach)	RMT	Key roles and resource implications have been identified and initial analysis of skills gap of current team undertaken.
					Likelihood	High	High							
					Rating	RED	RED							

Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

<b>Impact</b>	High	<b>AMBER</b> (closely monitor)	<b>AMBER</b> (manage and monitor)	<b>RED</b> (significant focus and attention)
	Med	<b>GREEN</b> (accept but monitor)	<b>AMBER</b> (management effort worthwhile)	<b>AMBER</b> (manage and monitor)
	Low	<b>GREEN</b> (accept)	<b>GREEN</b> (accept/ review periodically)	<b>GREEN</b> (accept but monitor)
		Low	Med	High
<b>Likelihood</b>				

Corp. Strat. Ref.	Risk Description	Existing controls	Risk rating before mitigation L x I	Mitigating action	Risk rating with mitigating action L x I ( Green, Amber or Red)						Timeframe of mitigating actions	Lead officer	How monitor/ indicator	Quarterly update
					Start	Q1	Q2	Q3	Q4					
C2 Our services	9. Failure to engage in a way that increases ownership and understanding of our policies amongst communities and decision makers	a. Community engagement through Peak Parish Forum. b. Development of development management policies with Members and public consultation.	M x M  AMBER: management effort worthwhile	6 x training sessions with parish councils on enforcement and general planning	<b>Impact</b>	Medium	Medium				a. End Mar '17	JRS (Director of Conservation and Planning)	Satisfaction survey among parish councils	2 sessions have been held – attended by 26 parishes.
					<b>Likelihood</b>	Medium	Low							
					<b>Rating</b>	<b>AMBER</b>	<b>GREEN</b>							

## Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

Impact	High	<b>AMBER</b> (closely monitor)	<b>AMBER</b> (manage and monitor)	<b>RED</b> (significant focus and attention)
	Med	<b>GREEN</b> (accept but monitor)	<b>AMBER</b> (management effort worthwhile)	<b>AMBER</b> (manage and monitor)
	Low	<b>GREEN</b> (accept)	<b>GREEN</b> (accept/ review periodically)	<b>GREEN</b> (accept but monitor)
		Low	Med	High

**Likelihood**

Corp. Strat. Ref.	Risk Description	Existing controls	Risk rating before mitigation L x I	Mitigating action	Risk rating with mitigating action L x I ( Green, Amber or Red)					Timeframe of mitigating actions	Lead officer	How monitor/ indicator	Quarterly update	
						Start	Q1	Q2	Q3					Q4
C3 Our organisation	10. Failure to gain support for and agree investment proposals in a timely way.	Timetable for discussions agreed	M x H  AMBER: manage and monitor	a. SAG, Staff Committee and UNISON discussions in hand.  b. Staff roadshows to present to staff.  c. Authority meeting planned for 19 <sup>th</sup> May.	<b>Impact</b>	High	Low				a. End April '16  b. End April 2016  c. 19 <sup>th</sup> May 2016	SF (Chief Executive)	SLT Authority	Authority paper approved.  Phasing detail delegated to SLT  <b>REMOVE FROM REGISTER</b>
					<b>Likelihood</b>	Low	Low							
					<b>Rating</b>	<b>AMBER</b>	<b>GREEN</b>							

Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

Impact	High	<b>AMBER</b> (closely monitor)	<b>AMBER</b> (manage and monitor)	<b>RED</b> (significant focus and attention)
	Med	<b>GREEN</b> (accept but monitor)	<b>AMBER</b> (management effort worthwhile)	<b>AMBER</b> (manage and monitor)
	Low	<b>GREEN</b> (accept)	<b>GREEN</b> (accept/ review periodically)	<b>GREEN</b> (accept but monitor)
		Low	Med	High
<b>Likelihood</b>				

Corp. Strat. Ref.	Risk Description	Existing controls	Risk rating before mitigation L x I	Mitigating action	Risk rating with mitigating action L x I ( Green, Amber or Red)					Timeframe of mitigating actions	Lead officer	How monitor/ indicator	Quarterly update	
					Start	Q1	Q2	Q3	Q4					
C3 Our organisation	11. Failure to effectively manage the impact of changes resulting from the EU exit vote in terms of: a. Euro funding for Moorlife 2020 b. UK government funding c. Policy and legislation changes d. partnership funding position.	a. Contract signed Oct '15  Upfront 30% payment.  b. 4 year grant settlement letter from Defra	L x H  AMBER: closely monitor	a. i. NP England discussions with Defra. ii. Monitoring commitments beyond 2 years.  b. NP England are coordinating input into government to minimise risks to policy and funding and maximise opportunities for NPs  c. Monitor implications as more information becomes available.  d. Identify with staff what the issues may be.	<b>Impact</b>	NEW RISK AT Q1	High				a.i. ongoing  a. ii. Ongoing  b. End Sept '16	SF (Chief Executive)	a. Through MFF operations plan and budget setting for 2017.  b. NPE board meetings	Added risk to risk register.  Specialist groups across NPs are collecting their views and those of service heads on the potential impact.
					<b>Likelihood</b>		Low							
					<b>Rating</b>		AMBER							

Appendix 2: Corporate Risk Register 2016/17, Q1 (Summary)

Impact	High	<b>AMBER</b> (closely monitor)	<b>AMBER</b> (manage and monitor)	<b>RED</b> (significant focus and attention)
	Med	<b>GREEN</b> (accept but monitor)	<b>AMBER</b> (management effort worthwhile)	<b>AMBER</b> (manage and monitor)
	Low	<b>GREEN</b> (accept)	<b>GREEN</b> (accept/ review periodically)	<b>GREEN</b> (accept but monitor)
		Low	Med	High

Corp. Strat. Ref.	Risk Description	Existing controls	Risk rating before mitigation L x I	Mitigating action	Risk rating with mitigating action L x I ( Green, Amber or Red)					Timeframe of mitigating actions	Lead officer	How monitor/ indicator	Quarterly update			
					Impact	Likelihood	Rating	Start	Q1					Q2	Q3	Q4
C4 Our people	14. Failure to deliver against our Performance and Business Plan in a time of structural change	Tier 2 management in place. 1/4ly performance monitoring. Timetable for delivery of structural change/ max opp. For input/ feedback	Likelihood: Medium  Impact: High	Review service level risks to highlight where performance may be affected. Add question in 1/4ly monitoring to understand areas requiring focus or support. Review of new PIs at end of Q2. Continue staff engagement and support them.	Impact	Likelihood	Rating	NEW RISK AT Q1	Medium				End Mar '17	SF (Chief Executive)	1/4ly performance monitoring process	NEW RISK



**Quarter 1 Report on Complaints and Freedom of Information (FOI) and Environmental Information Regulations (EIR) Enquiries  
(1 April to 30 June 2016)**

Number of Complaints Received in Quarter: 2	Number of Complaints in Quarter regarding an Authority Member: 0
Total Number of Complaints Received April 2016 – June 2016: 2	Percentage of complaints dealt with in accordance with agreed deadlines: 50% (Number of complaints 1 out of 2)

<b>Complaint Ref, Date Made and Stage</b>	<b>Service and Reason for Complaint</b>	<b>Date Response Sent</b>	<b>Outcome</b>	<b>Any Change in Processes/Practices as a Result of Complaint Investigation</b>
C.417 11/05/16 Stage One	Planning  Complaint regarding the conduct of an officer.	24/06/16  18 working days over deadline	This was found to be a legitimate complaint about the conduct of an officer. The officer had become unnecessarily defensive during a discussion with a planning consultant and made their point in a way that was perceived to be aggressive and threatening in the face of a legitimate alternative point of view. The officer has been told that this behaviour is not acceptable, even if unintended. The officer has been advised where they went wrong and is being coached to consistently achieve the standards expected of the Planning Service.	The officer will be more closely supervised by the Line Manager and given targeted training that will be monitored and reviewed regularly.

<b>Complaint Ref, Date Made and Stage</b>	<b>Service and Reason for Complaint</b>	<b>Date Response Sent</b>	<b>Outcome</b>	<b>Any Change in Processes/Practices as a Result of Complaint Investigation</b>
C.418 01/06/16 Stage One	Commercial Development and Outreach  Complaint regarding the attitude and behaviour of an officer.	Stage One: 17/06/16  Within 15 working day deadline	Stage One: Apologised that customer found officer abrasive and explained management of area and difficult balancing act of nature and visitors.	Issues arising from complaint discussed with officer and a more tempered approach in responding to customers agreed.
20/06/16 Stage Two	Complaint escalated to Stage Two.	Stage Two: 22/06/16  Within 20 working day deadline	Stage Two: Apologised unreservedly for any offence caused by officer and apologised for not responding satisfactorily at Stage One. Emphasised the Authority is committed to improving standards of visitor engagement.	

**Quarter 1 Report on Freedom of Information (FOI) and Environment Information Regulation Enquiries (EIR).**

<b>No of FOI Enquiries received</b>	<b>No of EIR Enquiries received</b>	<b>No of Enquiries dealt with in time (20 days)</b>	<b>No of late Enquiry responses</b>	<b>No. of Enquiries still being processed</b>	<b>No of referrals to the Information Commissioner</b>
9	15	23	1	3	0

## 8. **EXTERNAL AUDIT 2015/16 ANNUAL REPORT (A1362/ RMM)**

### **Purpose of the report**

- 1 This report asks Members to consider the external auditors' (KPMG) 2015/16 annual report. John Cornett, Director of KPMG will be at the meeting to present his report. The related reports on the statement of accounts and annual governance statement follow.

### **Key Issues:**

Key issues include:

- The External Auditor expects to give an unqualified audit opinion on the 2015/16 financial statements
- The External Auditor will also report that the Annual Governance Statement for 2015/16 complies with the guidance issued by CIPFA/SOLACE (Chartered Institute of Public Finance and Accountancy/Society of Local Authority Chief Executives) and anticipates issuing an unqualified Value For Money (VFM) conclusion
- The External Auditor requires a signed copy of the management representation letter at Annex B prior to issuing his audit opinion

### **Recommendations**

- 2 1. **That Members:**
- a) **Consider and note the External Auditor's report at Annex A**
  - b) **Note the letter of management representation at Annex B to be signed by the Chair of Audit Resources and Performance Committee and the Chief Finance officer**

### **How does this contribute to our policies and legal obligations?**

- 3 The work of the external auditors is a key part of our governance arrangements and helps us to monitor and improve performance to ensure the Authority has a solid foundation supporting achievement of our four cornerstones and four directional shifts as detailed in our 2016/17 performance and business plan. Achieving an unqualified opinion on the financial statements and satisfying the Auditor that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources are corporate performance indicators.

### **Background**

- 4 The duties and powers of auditors are set out in the Local Audit and Accountability Act 2014, the Local Government Act 1999, the Statement of Responsibilities of Auditors and Audited Bodies and the Code of Audit Practice. Considering the Auditor's report is part of the agreed Audit Resources and Performance Committee work programme.

### **Proposals**

- 5 The full report for consideration is given at Annex A.

- 
- 6 The Auditor plans to issue an audit report that includes an unqualified opinion on the financial statements subject to this Committee considering this report, approving the financial statements and receiving the letter of management representations at Annex B.
- 7 The Auditor plans to issue an unqualified VFM conclusion and has concluded that the Authority has made proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people
- 8 The Chief Finance Officer has responded to a number of issues raised by the auditors as given in his report that follows.

**Are there any corporate implications members should be concerned about?**

- 11 **Financial:** The fees for external audit are funded from the existing Finance Services budget.
- 12 **Risk Management:** The scrutiny and advice provided by external audit is part of our governance framework. The Auditor's work is based on an assessment of audit risk. Annex A describes the Auditor's conclusions against the risks identified in the 2015/16 audit plan.
- 13 **Sustainability:** There are no issues to highlight.
- 14 **Background papers** (not previously published) – None

**Appendices –**

Annex A: External Audit (KPMG) 2015/16 Annual Report (including Appendices 1-4)  
Annex B: Letter of management representations

**Report Author, Job Title and Publication Date**

Ruth Marchington, Director of Corporate Strategy and Development, 8 September 2016



# External Audit Report 2015/16

**Peak District National Park Authority**

—  
September 2016



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This report is addressed to the Authority and has been prepared for the sole use of the Authority. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. Public Sector Audit Appointments issued a document entitled Statement of Responsibilities of Auditors and Audited Bodies summarising where the responsibilities of auditors begin and end and what is expected from audited bodies. We draw your attention to this document which is available on Public Sector Audit Appointment's website ([www.psaa.co.uk](http://www.psaa.co.uk)).

External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

We are committed to providing you with a high quality service. If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact John Cornett, the engagement lead to the Authority, who will try to resolve your complaint. If you are dissatisfied with your response please contact the national lead partner for all of KPMG's work under our contract with Public Sector Audit Appointments Limited, Andrew Sayers (on 0207 694 8981, or by email to [andrew.sayers@kpmg.co.uk](mailto:andrew.sayers@kpmg.co.uk)). After this, if you are still dissatisfied with how your complaint has been handled you can access PSAA's complaints procedure by emailing [generalenquiries@psaa.co.uk](mailto:generalenquiries@psaa.co.uk), by telephoning 020 7072 7445 or by writing to Public Sector Audit Appointments Limited, 3rd Floor, Local Government House, Smith Square, London, SW1P 3H.



# Section one: Introduction



**This document summarises:**

- The key issues identified during our audit of the financial statements for the year ended 31 March 2016 for the Authority; and
- Our assessment of the Authority's arrangements to secure value for money.

**Scope of this report**

This report summarises the key findings arising from:

- Our audit work at Peak District National Park ('the Authority') in relation to the Authority's 2015/16 financial statements; and
- The work to support our 2015/16 conclusion on the Authority's arrangements to secure economy, efficiency and effectiveness in its use of resources ('VFM conclusion').

**Financial statements**

Our *External Audit Plan 2015/16*, presented to you in February 2016, set out the four stages of our financial statements audit process.



This report focuses on the third stage of the process: substantive procedures. Our on site work for this took place during July 2015.

We are now in the final phase of the audit, the completion stage. Some aspects of this stage are also discharged through this report.

**VFM Conclusion**

Our External Audit Plan 2015/16 explained our risk-based approach to VFM work. We have now completed the work to support our 2015/16 VFM conclusion. This included:

- assessing the potential VFM risks and identifying the residual audit risks for our VFM conclusion;
- Considering the results of any relevant work by the Authority and other inspectorates and review agencies in relation to these risk areas; and
- Carrying out additional risk-based work.

**Structure of this report**

This report is structured as follows:

- Section 2 summarises the headline messages.
- Section 3 sets out our key findings from our audit work in relation to the 2015/16 financial statements of the Authority and the fund.
- Section 4 outlines our key findings from our work on the VFM conclusion.

We have not raised any recommendations for 2015/16. We have however reviewed your progress in implementing prior recommendations. Findings are included at Appendix 1.

**Acknowledgements**

We would like to take this opportunity to thank officers and Members for their continuing help and co-operation throughout our audit work.





# Section two: Headlines



This table summarises the headline messages for the Authority. Sections three and four of this report provide further details on each area.

This table summarises the headline messages. Sections three and four of this report provide further details on each area.

<b>Proposed audit opinion</b>	We anticipate issuing an unqualified audit opinion on the Authority's financial statements by 30 September 2016. We will also report that your Annual Governance Statement complies with guidance issued by CIPFA/SOLACE in June 2007.
<b>Audit adjustments</b>	We are pleased to report that our audit of your financial statements has not identified any material adjustments. Overall, the quality of the financial statements was good and we would like to thank the finance team for their hard work in producing the accounts.
<b>Key financial statements audit risks</b>	<p>We identified the following key financial statements audit risks in our 15/16 External audit plan issued in February 2016.</p> <p><b>Fixed Asset Register</b></p> <ul style="list-style-type: none"> <li>— Our work in 14/15 identified that the fixed asset register was predominantly spreadsheet based and susceptible to error.</li> <li>— PPE is the largest balance in the Authority's balance sheet and therefore there is a high risk of material misstatement.</li> </ul> <p>We have worked with officers throughout the year to discuss these key risk(s) and our detail findings are reported in section 3 of this report. There are no matters of any significance arising as a result of our audit work in these key risk areas.</p>



This table summarises the headline messages for the Authority. Sections three and four of this report provide further details on each area.

This table summarises the headline messages. The remainder of this report provides further details on each area.

<p><b>Accounts production and audit process</b></p>	<p>We received complete draft accounts by 30 June 2016 in accordance with the DCLG deadline. The accounting policies, accounting estimates and financial statement disclosures are in line with the requirements of the Code.</p> <p>As usual, the quality of the accounts and working papers was high. Officers dealt efficiently with audit queries and the audit process has been completed within the planned timescales.</p> <p>As in previous years, we will debrief with the finance team to share views on the final accounts audit. Hopefully this will lead to further efficiencies in the 2016/17 audit process. In particular we would like to thank Authority Officers who were available throughout the audit visit to answer our queries.</p>
<p><b>VFM conclusion and risk areas</b></p>	<p>We identified no VFM risks in our External audit plan 2015/16 issued in February 2016.</p> <p>We have worked with officers throughout the year to discuss VFM risk and our detailed findings are reported in section 4 of this report. There are no matters of any significance arising as result of our audit work in these VFM risk areas.</p> <p>We have concluded that the Authority has made proper arrangements to secure economy, efficiency and effectiveness in its use of resources.</p> <p>We therefore anticipate issuing an unqualified VFM conclusion by 30 September 2016.</p>



This table summarises the headline messages for the Authority. Sections three and four of this report provide further details on each area.

This table summarises the headline messages. The remainder of this report provides further details on each area.

**Completion**

At the date of this report our audit of the financial statements is substantially complete subject to completion of the following areas:

- Receipt of satisfactory assurances from the Derbyshire LGPS auditor.

You are required to provide us with representations on specific matters such as your going concern assertion and whether the transactions in the accounts are legal and unaffected by fraud. We provided a draft of this representation letter to the Section 151 Officer on 31 August 2016. We draw your attention to the requirement in our representation letter for you to confirm to us that you have disclosed all relevant related parties to us.

We confirm that we have complied with requirements on objectivity and independence in relation to this year's audit of the Authority's financial statements.



# Section three: Financial Statements



We have not identified any issues in the course of the audit that are considered to be material.

We have identified no issues in the course of the audit of the Fund that are considered to be material.

We anticipate issuing an unqualified audit opinion in relation to the Authority's Statement of Accounts by 30 September 2016.

The wording of your Annual Governance Statement complies with guidance issued by CIPFA/SOLACE in June 2007.

### Proposed audit opinion

Subject to all outstanding queries being resolved to our satisfaction, we anticipate issuing an unqualified audit opinion on the Authority's financial statements following approval of the Statement of Accounts by the Audit Committee on 16<sup>th</sup> September 2016.

### Audit differences

In accordance with ISA 260 we are required to report uncorrected audit differences to you. We also report any material misstatements which have been corrected and which we believe should be communicated to you to help you meet your governance responsibilities.

The final materiality (see Appendix two for more information on materiality) level for this year's audit was set at £700,000. Audit differences below £35,000 are not considered significant.

In addition, we identified a small number of presentational adjustments required to ensure that the accounts are compliant with the Code of Practice on Local Authority Accounting in the United Kingdom 2015/16 ('the Code'). We understand that the Authority will be addressing these where significant.

### Annual governance statement

We have reviewed the Annual Governance Statement and confirmed that:

- It complies with Delivering Good Governance in Local Government: A Framework published by CIPFA/SOLACE; and
- It is not misleading or inconsistent with other information we are aware of from our audit of the financial statements.

### Annual report

We have reviewed the Authority's annual report and can confirm it is not inconsistent with the financial information contained in the audited financial statements.

# Significant audit risks



We have worked with the Authority throughout the year to discuss significant risks and key areas of audit focus.

This section sets out our detailed findings on those risks.

In our *External Audit Plan 2015/16*, presented to you in February 2016, we identified the significant risks affecting the Authority's 2015/16 financial statements. We have now completed our testing of these areas and set out our evaluation following our substantive work.

The table below sets out our detailed findings for each of the risks that are specific to the Authority.

### Fixed Asset Register

#### — Risk

Our work in 14/15 identified that the fixed asset register was predominantly spreadsheet based and susceptible to error.

PPE is the largest balance in the Authority's balance sheet and therefore there is a high risk of material misstatement.

#### — Findings

We found that Philip Naylor had worked hard to update the fixed asset register to allow for easier tie back to the financial statement note. No material errors were found within this area.



We have worked with the Authority throughout the year to discuss significant risks and key areas of audit focus.

This section sets out our detailed findings on those risks.

In our *External Audit Plan 2015/16* we reported that we would consider two risk areas that are specifically required by professional standards and report our findings to you. These risk areas were Management override of controls and the Fraud risk of revenue recognition.

The table below sets out the outcome of our audit procedures and assessment on these risk areas.

#### **Fraud risk of revenue recognition**

Professional standards require us to make a rebuttable presumption that the fraud risk from revenue recognition is a significant risk.

In our *External Audit Plan 2015/16* we reported that we do not consider this to be a significant risk for Local Authorities as there is unlikely to be an incentive to fraudulently recognise revenue.

This is still the case. Since we have rebutted this presumed risk, there has been no impact on our audit work.

#### **Management override of controls**

Professional standards require us to communicate the fraud risk from management override of controls as significant because management is typically in a unique position to perpetrate fraud because of its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively.

Our audit methodology incorporates the risk of management override as a default significant risk. We have not identified any specific additional risks of management override relating to this audit.

In line with our methodology, we carried out appropriate controls testing and substantive procedures, including over journal entries, accounting estimates and significant transactions that are outside the normal course of business, or are otherwise unusual.

There are no matters arising from this work that we need to bring to your attention.



# Judgements



We always consider the level of prudence within key judgements in your financial statements. We have summarised our view below using the following range of judgement:



Assessment of subjective areas				
Asset/liability class	15/16	14/15	Balance (£m)	KPMG comment
Property, Plant and Equipment (valuations / asset lives)	4	3	£19.4 million <i>(PY: £18.4 million)</i>	Revaluations in year led to a rise in Net Book Value of Property, Plant and Equipment. KPMG have agreed the revaluations to the valuer's report.
Pensions	4	3	£12.2 million <i>(PY: £15.7 million)</i>	The decrease reflects changes in Discount rate, inflation, discount rate, salary growth, and life expectancy.



As in prior years, the quality of the accounts and the supporting working papers has been high.

Officers dealt efficiently with audit queries and the audit process could be completed within the planned timescales.

The Authority has implemented all of the recommendations in our ISA 260 Report 2014/15.

**Accounts production and audit process**

ISA 260 requires us to communicate to you our views about the significant qualitative aspects of the Authority's accounting practices and financial reporting. We also assessed the Authority's process for preparing the accounts and its support for an efficient audit.

We considered the following criteria:

Element	Commentary
<b>Accounting practices and financial reporting</b>	The Authority has strengthened its financial reporting process through increased efficiency in the closedown timetable. This will be beneficial for future years We consider that accounting practices are appropriate.
<b>Completeness of draft accounts</b>	We received a complete set of draft accounts before the DCLG deadline.
<b>Quality of supporting working papers</b>	Our <i>Accounts Audit Protocol</i> , which we issued in March 2016 set out our working paper requirements for the audit. The quality of working papers provided was high and met the standards specified in our <i>Accounts Audit Protocol</i> .
<b>Response to audit queries</b>	Officers resolved audit queries in a reasonable time.

**Prior year recommendations**

As part of our audit we have specifically followed up the Authority's progress in addressing the recommendations in last years ISA 260 report.

The Authority has implemented all of the recommendations in our *ISA 260 Report 2014/15*. KPMG would like to thank the Head of Finance again for the time spent on this.



We confirm that we have complied with requirements on objectivity and independence in relation to this year's audit of the Authority's financial statements.

Before we can issue our opinion we require a signed management representation letter.

Once we have finalised our opinions and conclusions we will prepare our Annual Audit Letter and close our audit.

### Declaration of independence and objectivity

As part of the finalisation process we are required to provide you with representations concerning our independence.

In relation to the audit of the financial statements of Peak District National Park Authority for the year ending 31 March 2016, we confirm that there were no relationships between KPMG LLP and Peak District National Park Authority, its directors and senior management and its affiliates that we consider may reasonably be thought to bear on the objectivity and independence of the audit engagement lead and audit staff. We also confirm that we have complied with Ethical Standards and the Public Sector Audit Appointments Ltd requirements in relation to independence and objectivity.

We have provided a detailed declaration in Appendix four in accordance with ISA 260.

### Management representations

You are required to provide us with representations on specific matters such as your financial standing and whether the transactions within the accounts are legal and unaffected by fraud. We have provided a template to the Ruth Marchington for presentation to the Audit Resources & Performance. We require a signed copy of your management representations before we issue our audit opinion.

### Other matters

ISA 260 requires us to communicate to you by exception 'audit matters of governance interest that arise from the audit of the financial statements' which include:

- Significant difficulties encountered during the audit;
- Significant matters arising from the audit that were discussed, or subject to correspondence with management;
- Other matters, if arising from the audit that, in the auditor's professional judgment, are significant to the oversight of the financial reporting process; and
- Matters specifically required by other auditing standards to be communicated to those charged with governance (e.g. significant deficiencies in internal control; issues relating to fraud, compliance with laws and regulations, subsequent events, non disclosure, related party, public interest reporting, questions/objections, opening balances etc.).

There are no others matters which we wish to draw to your attention in addition to those highlighted in this report or our previous reports relating to the audit of the Authority's 2015/16 financial statements.



# Section four: Value for Money



Our VFM conclusion considers whether the Authority had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people. We follow a risk based approach to target audit effort on the areas of greatest audit risk. We have concluded that the Authority has made proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.

### Background

The Local Audit and Accountability Act 2014 requires auditors of local government bodies to be satisfied that the authority 'has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources'.

This is supported by the Code of Audit Practice, published by the NAO in April 2015, which requires auditors to 'take into account their knowledge of the relevant local sector as a whole, and the audited body specifically, to identify any risks that, in the auditor's judgement, have the potential to cause the auditor to reach an inappropriate conclusion on the audited body's arrangements.'

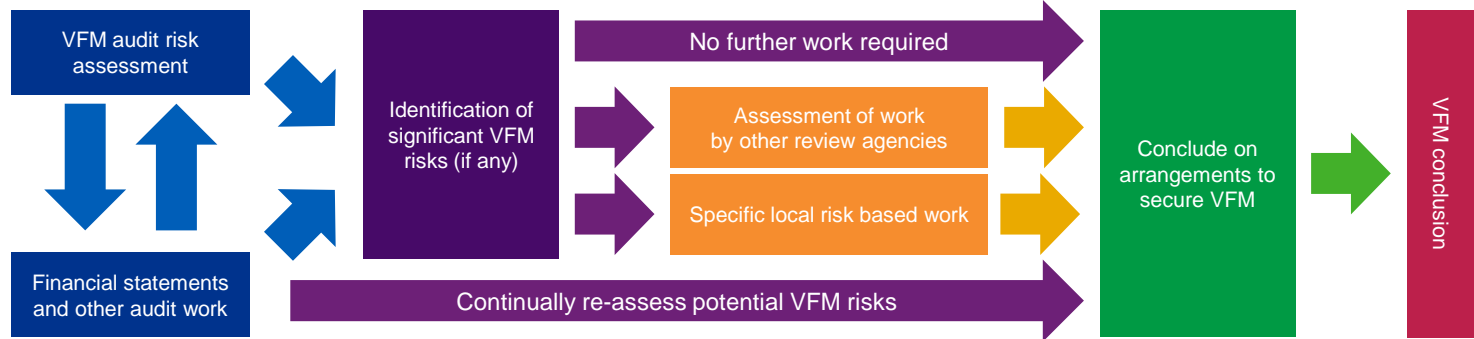
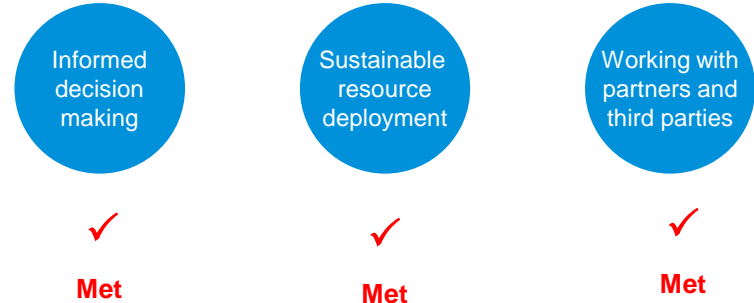
The VFM approach is fundamentally unchanged from that adopted in 2014/2015 and the process is shown in the diagram below. However, the previous two specified reporting criteria (financial resilience and economy, efficiency and effectiveness) have been replaced with a single criteria supported by three sub-criteria.

These sub-criteria provide a focus to our VFM work at the Authority.

### Conclusion

We have concluded that the Authority has made proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.

**Overall criterion**  
In all significant respects, the audited body had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.





We have identified a number of specific VFM risks.

In all cases we are satisfied that external or internal scrutiny provides sufficient assurance that the Authority's current arrangements in relation to these risk areas are adequate.

#### Work completed

In line with the risk-based approach set out on the previous page, and in our *External Audit Plan* we have:

- Assessed the Authority's key business risks which are relevant to our VFM conclusion;
- Identified the residual audit risks for our VFM conclusion, taking account of work undertaken in previous years or as part of our financial statements audit; and
- Considered the results of relevant work by the Authority, inspectorates and review agencies in relation to these risk areas.

#### Key findings

We did not identify any significant audit risks for our VFM conclusion.



# Appendices

**Appendix 1: Key issues and recommendations**

**Appendix 2: Audit differences**

**Appendix 3: Materiality and reporting of audit differences**

**Appendix 4: Independence and objectivity**

# Follow up of prior year recommendations

The Authority has implemented all of the recommendations in our ISA 260 Report 2014/15.

This appendix summarises the progress made to implement the recommendations identified in our ISA 260 Report 2014/15 and re-iterates any recommendations still outstanding.

Number of recommendations that were:	
Included in original report	1
Implemented in year or superseded	1
Remain outstanding (re-iterated below)	-

No.	Risk	Issue and recommendation	Officer responsible and due date	Status as at August 2016
1	1	<p><b>Fixed Asset Register (FAR)</b></p> <p>We have identified several formula errors within the spreadsheet that is used for the FAR. None of these have a material impact on the accounts, but questions the integrity of the system</p> <p><b>Recommendation</b></p> <p>The Authority should consider whether the spreadsheet used for the FAR is still fit for purpose, or whether a FAR software package would be more appropriate. If the spreadsheet is maintained, it requires detailed review to ensure that its formula's are correct</p>	<p>Agreed. A review of the asset spreadsheet will be carried out later in the year (2014) to correct formula errors and enhance reconciliations. This is considered to be the most cost effective way forward before any further consideration of a software package purchase.</p>	<p>The spreadsheet had been improved and formula had been updated.</p> <p>No material errors were found as a result of audit work.</p>



# Audit differences

This appendix sets out the audit differences.

The financial statements have been amended for all of the errors identified through the audit process.

We are required by ISA 260 to report all uncorrected misstatements, other than those that we believe are clearly trivial, to those charged with governance (which in your case is the Audit Committee). We are also required to report all material misstatements that have been corrected but that we believe should be communicated to you to assist you in fulfilling your governance responsibilities.

### Uncorrected audit differences

We are pleased to report that there are no uncorrected audit differences.

### Corrected audit differences

#### Material misstatements

We are pleased to report that there were no material misstatements

#### Non material audit differences

A number of minor amendments focused on presentational improvements have also been made to the draft financial statements. The Finance Department are committed to continuous improvement in the quality of the financial statements submitted for audit in future years.

For 2015/16 our materiality is £350,000 for the Authority's accounts.

We have reported all audit differences over £18,000 for the Authority's accounts.

### Materiality

The assessment of what is material is a matter of professional judgment and includes consideration of three aspects: materiality by value, nature and context.

- Material errors by value are those which are simply of significant numerical size to distort the reader's perception of the financial statements. Our assessment of the threshold for this depends upon the size of key figures in the financial statements, as well as other factors such as the level of public interest in the financial statements.
- Errors which are material by nature may not be large in value, but may concern accounting disclosures of key importance and sensitivity, for example the salaries of senior staff.
- Errors that are material by context are those that would alter key figures in the financial statements from one result to another – for example, errors that change successful performance against a target to failure.

We used the same planning materiality reported in our External Audit Plan 2015/16, presented to you in February 2016.

Materiality for the Authority's accounts was set at £350,000 which equates to around 2.4 percent of gross expenditure. We design our procedures to detect errors in specific accounts at a lower level of precision.

### Reporting to the Audit Resources & Performance

Whilst our audit procedures are designed to identify misstatements which are material to our opinion on the financial statements as a whole, we nevertheless report to Audit Resources & Performance any misstatements of lesser amounts to the extent that these are identified by our audit work.

Under ISA 260, we are obliged to report omissions or misstatements other than those which are 'clearly trivial' to those charged with governance. ISA 260 defines 'clearly trivial' as matters that are clearly inconsequential, whether taken individually or in aggregate and whether judged by any quantitative or qualitative criteria.

ISA 450 requires us to request that uncorrected misstatements are corrected.

In the context of the Authority, we propose that an individual difference could normally be considered to be clearly trivial if it is less than £18,000 for the Authority.

Where management have corrected material misstatements identified during the course of the audit, we will consider whether those corrections should be communicated to the Audit Resources & Performance Committee to assist it in fulfilling its governance responsibilities.

# Declaration of independence and objectivity

Auditors appointed by Public Sector Audit Appointments Ltd must comply with the Code of Audit Practice.

## Requirements

Auditors appointed by Public Sector Audit Appointments Ltd must comply with the Code of Audit Practice (the 'Code') which states that:

*"The auditor should carry out their work with integrity, objectivity and independence, and in accordance with the ethical framework applicable to auditors, including the ethical standards for auditors set by the Financial Reporting Council, and any additional requirements set out by the auditor's recognised supervisory body, or any other body charged with oversight of the auditor's independence. The auditor should be, and should be seen to be, impartial and independent. Accordingly, the auditor should not carry out any other work for an audited body if that work would impair their independence in carrying out any of their statutory duties, or might reasonably be perceived as doing so."*

In considering issues of independence and objectivity we consider relevant professional, regulatory and legal requirements and guidance, including the provisions of the Code, the detailed provisions of the Statement of Independence included within the Public Sector Audit Appointments Ltd *Terms of Appointment* ('Public Sector Audit Appointments Ltd Guidance') and the requirements of APB Ethical Standard 1 *Integrity, Objectivity and Independence* ('Ethical Standards').

The Code states that, in carrying out their audit of the financial statements, auditors should comply with auditing standards currently in force, and as may be amended from time to time. Public Sector Audit Appointments Ltd guidance requires appointed auditors to follow the provisions of ISA (UK&I) 260 *Communication of Audit Matters with Those Charged with Governance* that are applicable to the audit of listed companies. This means that the appointed auditor must disclose in writing:

- Details of all relationships between the auditor and the client, its directors and senior management and its affiliates, including all services provided by the audit firm and its network to the client, its directors and senior management and its affiliates, that the auditor considers may reasonably be thought to bear on the auditor's objectivity and independence.
- The related safeguards that are in place.
- The total amount of fees that the auditor and the auditor's network firms have charged to the client and its affiliates for the provision of services during the reporting period, analysed into appropriate categories, for example, statutory audit services, further audit services, tax advisory services and other non-audit services. For each category, the amounts of any future services which have been contracted or where a written proposal has been submitted are separately disclosed. We do this in our *Annual Audit Letter*.

Appointed auditors are also required to confirm in writing that they have complied with Ethical Standards and that, in the auditor's professional judgement, the auditor is independent and the auditor's objectivity is not compromised, or otherwise declare that the auditor has concerns that the auditor's objectivity and independence may be compromised and explaining the actions which necessarily follow from his. These matters should be discussed with the Audit Resources & Performance Committee.

Ethical Standards require us to communicate to those charged with governance in writing at least annually all significant facts and matters, including those related to the provision of non-audit services and the safeguards put in place that, in our professional judgement, may reasonably be thought to bear on our independence and the objectivity of the Engagement Lead and the audit team.

## Declaration of independence and objectivity (cont.)

We confirm that we have complied with requirements on objectivity and independence in relation to this year's audit of the Authority's financial statements.

#### General procedures to safeguard independence and objectivity

KPMG's reputation is built, in great part, upon the conduct of our professionals and their ability to deliver objective and independent advice and opinions. That integrity and objectivity underpins the work that KPMG performs and is important to the regulatory environments in which we operate. All partners and staff have an obligation to maintain the relevant level of required independence and to identify and evaluate circumstances and relationships that may impair that independence.

Acting as an auditor places specific obligations on the firm, partners and staff in order to demonstrate the firm's required independence. KPMG's policies and procedures regarding independence matters are detailed in the *Ethics and Independence Manual* ('the Manual'). The Manual sets out the overriding principles and summarises the policies and regulations which all partners and staff must adhere to in the area of professional conduct and in dealings with clients and others.

KPMG is committed to ensuring that all partners and staff are aware of these principles. To facilitate this, a hard copy of the Manual is provided to everyone annually. The Manual is divided into two parts. Part 1 sets out KPMG's ethics and independence policies which partners and staff must observe both in relation to their personal dealings and in relation to the professional services they provide. Part 2 of the Manual summarises the key risk management policies which partners and staff are required to follow when providing such services.

All partners and staff must understand the personal responsibilities they have towards complying with the policies outlined in the Manual and follow them at all times. To acknowledge understanding of and adherence to the policies set out in the Manual, all partners and staff are required to submit an annual ethics and independence confirmation. Failure to follow these policies can result in disciplinary action.

#### Auditor declaration

In relation to the audit of the financial statements of Peak District National Park Authority for the financial year ending 31 March 2016, we confirm that there were no relationships between KPMG LLP and Peak District National Park Authority, its directors and senior management and its affiliates that we consider may reasonably be thought to bear on the objectivity and independence of the audit engagement lead and audit staff. We also confirm that we have complied with Ethical Standards and the Public Sector Audit Appointments Ltd requirements in relation to independence and objectivity.

## Appendix four

# Audit Independence

### Audit Fees

Our scale fee for the audit was £13, 259 plus VAT. This fee was in line with that highlighted within our audit plan agreed by the Audit Resources & Performance Committee in February 2016.

### Non-audit services

KPMG LLP provided no non-audit services in the financial year 2015/16



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(Letterhead)

Mr J Cornett  
KPMG LLP  
St Nicholas House  
31 Park Row  
Nottingham  
NG1 6FQ

16 September 2016

Dear John

This representation letter is provided in connection with your audit of the financial statements of Peak District National Park Authority (“the Authority”), for the year ended 31 March 2016, for the purpose of expressing an opinion:

- i. as to whether these financial statements give a true and fair view of the financial position of the Authority as at 31 March 2016 and of the Authority’s expenditure and income for the year then ended; and
- ii. whether the financial statements have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2015/16.

These financial statements comprise the Authority Movement in Reserves Statement, the Authority Comprehensive Income and Expenditure Statement, the Authority Balance Sheet, the Authority Cash Flow Statement and the related notes of the above.

The Authority confirms that the representations it makes in this letter are in accordance with the definitions set out in the Appendix to this letter.

The Authority confirms that, to the best of its knowledge and belief, having made such inquiries as it considered necessary for the purpose of appropriately informing itself:

#### **Financial statements**

1. The Authority has fulfilled its responsibilities, as set out in the Accounts and Audit Regulations 2015, for the preparation of financial statements that:
  - i. give a true and fair view of the financial position of the Authority as at 31 March 2016 and of the Authority’s expenditure and income for the year then ended; and
  - ii. have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2015/16.

The financial statements have been prepared on a going concern basis.

2. Measurement methods and significant assumptions used by the Authority in making accounting estimates, including those measured at fair value, are reasonable.

3. All events subsequent to the date of the financial statements and for which IAS 10 *Events after the reporting period* requires adjustment or disclosure have been adjusted or disclosed.

### Information provided

4. The Authority has provided you with:
  - access to all information of which it is aware, that is relevant to the preparation of the financial statements, such as records, documentation and other matters;
  - additional information that you have requested from the Authority for the purpose of the audit; and
  - unrestricted access to persons within the Authority from whom you determined it necessary to obtain audit evidence.
5. All transactions have been recorded in the accounting records and are reflected in the financial statements.
6. The Authority confirms the following:
  - i) The Authority has disclosed to you the results of its assessment of the risk that the financial statements may be materially misstated as a result of fraud.

Included in the Appendix to this letter are the definitions of fraud, including misstatements arising from fraudulent financial reporting and from misappropriation of assets.

- ii) The Authority has disclosed to you all information in relation to:
  - a) Fraud or suspected fraud that it is aware of and that affects the Authority and involves:
    - management;
    - employees who have significant roles in internal control; or
    - others where the fraud could have a material effect on the financial statements; and
  - b) allegations of fraud, or suspected fraud, affecting the Authority's financial statements communicated by employees, former employees, analysts, regulators or others.

In respect of the above, the Authority acknowledges its responsibility for such internal control as it determines necessary for the preparation of financial statements that are free from material misstatement, whether due to fraud or error. In particular, the Authority acknowledges its responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud and error.

7. The Authority has disclosed to you all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial statements.
8. The Authority has disclosed to you and has appropriately accounted for and/or disclosed in the financial statements, in accordance with IAS 37 *Provisions, Contingent Liabilities and Contingent Assets*, all known actual or possible litigation



and claims whose effects should be considered when preparing the financial statements.

9. The Authority has disclosed to you the identity of the Authority's related parties and all the related party relationships and transactions of which it is aware. All related party relationships and transactions have been appropriately accounted for and disclosed in accordance with IAS 24 *Related Party Disclosures*.
10. The Authority confirms that:
  - a) The financial statements disclose all of the key risk factors, assumptions made and uncertainties surrounding the Authority's ability to continue as a going concern as required to provide a true and fair view.
  - b) Any uncertainties disclosed are not considered to be material and therefore do not cast significant doubt on the ability of the Authority to continue as a going concern.
11. On the basis of the process established by the Authority and having made appropriate enquiries, the Authority is satisfied that the actuarial assumptions underlying the valuation of defined benefit obligations are consistent with its knowledge of the business and are in accordance with the requirements of IAS 19 (revised) *Employee Benefits*.

The Authority further confirms that:

- a) all significant retirement benefits, including any arrangements that are:
  - statutory, contractual or implicit in the employer's actions;
  - arise in the UK and the Republic of Ireland or overseas;
  - funded or unfunded; and
  - approved or unapproved,

have been identified and properly accounted for; and

- b) all plan amendments, curtailments and settlements have been identified and properly accounted for.

This letter was tabled and agreed at the meeting of the Audit Resources & Performance Committee on 16 September 2016.

Yours sincerely,

Chair of the Audit Resources & Performance Committee

Chief Financial Officer

## **Appendix to the Authority Representation Letter of Peak District National Park Authority: Definitions**

### **Financial Statements**

A complete set of financial statements comprises:

- A Comprehensive Income and Expenditure Statement for the period;
- A Balance Sheet as at the end of the period;
- A Movement in Reserves Statement for the period;
- A Cash Flow Statement for the period; and
- Notes, comprising a summary of significant accounting policies and other explanatory information.

A local authority is required to present group accounts in addition to its single entity accounts where required by chapter nine of the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2015/16.

An entity may use titles for the statements other than those used in IAS 1. For example, an entity may use the title 'statement of comprehensive income' instead of 'statement of profit or loss and other comprehensive income'.

### **Material Matters**

Certain representations in this letter are described as being limited to matters that are material.

IAS 1.7 and IAS 8.5 state that:

“Material omissions or misstatements of items are material if they could, individually or collectively, influence the economic decisions that users make on the basis of the financial statements. Materiality depends on the size and nature of the omission or misstatement judged in the surrounding circumstances. The size or nature of the item, or a combination of both, could be the determining factor.”

### **Fraud**

Fraudulent financial reporting involves intentional misstatements including omissions of amounts or disclosures in financial statements to deceive financial statement users.

Misappropriation of assets involves the theft of an entity's assets. It is often accompanied by false or misleading records or documents in order to conceal the fact that the assets are missing or have been pledged without proper authorisation.

### **Error**

An error is an unintentional misstatement in financial statements, including the omission of an amount or a disclosure.

Prior period errors are omissions from, and misstatements in, the entity's financial statements for one or more prior periods arising from a failure to use, or misuse of, reliable information that:

- a) was available when financial statements for those periods were authorised for issue; and
- b) could reasonably be expected to have been obtained and taken into account in the preparation and presentation of those financial statements.

Such errors include the effects of mathematical mistakes, mistakes in applying accounting policies, oversights or misinterpretations of facts, and fraud.

### **Management**

For the purposes of this letter, references to "management" should be read as "management and, where appropriate, those charged with governance".

### **Related Party and Related Party Transaction**

#### **Related party:**

A related party is a person or entity that is related to the entity that is preparing its financial statements (referred to in IAS 24 *Related Party Disclosures* as the "reporting entity").

- a) A person or a close member of that person's family is related to a reporting entity if that person:
  - i. has control or joint control over the reporting entity;
  - ii. has significant influence over the reporting entity; or
  - iii. is a member of the key management personnel of the reporting entity or of a parent of the reporting entity.
- b) An entity is related to a reporting entity if any of the following conditions applies:
  - i. The entity and the reporting entity are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).
  - ii. One entity is an associate or joint venture of the other entity (or an associate or joint venture of a member of a group of which the other entity is a member).
  - iii. Both entities are joint ventures of the same third party.
  - iv. One entity is a joint venture of a third entity and the other entity is an associate of the third entity.
  - v. The entity is a post-employment benefit plan for the benefit of employees of either the reporting entity or an entity related to the reporting entity. If the reporting entity is itself such a plan, the sponsoring employers are also related to the reporting entity.
  - vi. The entity is controlled, or jointly controlled by a person identified in (a).
  - vii. A person identified in (a)(i) has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity).

Key management personnel in a local authority context are all chief officers (or equivalent), elected members, the chief executive of the authority and other persons having the authority and responsibility for planning, directing and controlling the activities of the authority, including the oversight of these activities.

A reporting entity is exempt from the disclosure requirements of IAS 24.18 in relation to related party transactions and outstanding balances, including commitments, with:

- a) a government that has control, joint control or significant influence over the reporting entity; and
- b) another entity that is a related party because the same government has control, joint control or significant influence over both the reporting entity and the other entity.

**Related party transaction:**

A transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

**9. STATEMENT OF ACCOUNTS 2015-16 (A.137/21/PN)**

**Purpose of the Report**

1. To seek approval for the audited Statement of Accounts for 2015-16.

**Recommendations**

2. **1. That the audited Statement of Accounts for 2015-16 as attached at Appendix 1 be approved and that the amendments made to the draft accounts itemised in Appendix 2 be noted.**

**How does this contribute to our policies and legal obligations?**

3. The Accounts and Audit Regulations Section 9 2015 requires the Statement of Accounts to be approved by Members by 30 September of each year. Members have had access to a copy of the draft accounts which were signed and authorised for issue, as required by the Regulations, by the Chief Finance Officer on the 27<sup>th</sup> May.
4. Section 9 (3) a of the Accounts and Audit Regulations 2015 also requires “that the responsible financial officer for a Category 1 authority must re-confirm on behalf of that Authority that they are satisfied that the statement of accounts presents a true and fair view of—  
(a) the financial position of the authority at the end of the financial year to which it relates; and  
(b) that authority’s income and expenditure for that financial year.”

The Chief Finance Officer re-confirms that the Statement of Accounts in Appendix 1 meets the above requirement.

**Proposals**

5. The position on over and underspending was reported to the Audit, Resource and Performance Committee on 20<sup>th</sup> May, and the final audited accounts reflect that position, with a number of changes following final reserve, revenue and capital financing adjustments.

Reserve	June Outturn	Final Accounts	Variance plus (minus)	Comments
General Fund	873,241	622,439	(250,802)	Principally the transfer of surplus of £150,000 to matched funding reserve; the £18,452 adjustment between capital reserve; and a £60,000 provision for possible grant repayment vs asset sale proceeds; £26,906 slippage correction
Capital Reserve	993,869	1,012,321	18,452	adjustment upwards in sum required to be appropriated to the Capital reserve from capital receipts
Specific Reserves	2,774,460	2,870,332	95,872	Matched funding reserve surplus of £150,000 added as above; prior approval of use of matched funding reserve (correction to App E) of £49,545; reduction in North Lees

				specific reserve of £4,583 loan charge adjustment
Restricted Funds	198,617	198,644	27	Adjustment - interest credited to Restoration Bond
<b>Total</b>	<b>4,840,187</b>	<b>4,703,736</b>	<b>(136,451)</b>	The £60,000 provision and £26,906 correction = general reserve reduction of £86,906; plus the correction of £49,545 from the Matched funding reserve for prior approvals not shown in App E outturn report.

### Audit of the Accounts

6. The audit has been completed and the audit opinion is included in the Statement of Accounts. The audit report is a separate agenda item. Appendix 2 of this report lists the amendments made to the draft Accounts following audit recommendations, and these amendments are all incorporated into the final version.

### Are there any corporate implications members should be concerned about?

7. **Financial:**

The financial position was explained in the outturn report to Audit Resources and Performance Committee on the 20<sup>th</sup> May and the Statement of Accounts contains explanations and commentary as required by the Code of Accounting Practice. The final adjustments to reserves do not affect any of the advice or conclusions reached in the outturn report.

8. **Risk Management:** Not applicable
9. **Sustainability:** Not applicable
10. **Background Papers** (not previously published) - None

### Appendices

Appendix 1 – Statement of Accounts for Financial Year 1 April 2015 – 31 March 2016

Appendix 2 – Amendments to Draft Accounts

11. **Report Author, Job Title and Publication Date**

Philip Naylor, Chief Finance Officer, 8 September 2016



## Statement of Accounts for the Financial Year

1<sup>st</sup> April 2015 to 31<sup>st</sup> March 2016

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**Signed:**

**Date:**

**Chair of the Audit, Resources & Performance Committee**

In accordance with the requirements of the Accounts & Audit Regulations 2015 paragraph 9 (2) c

# Peak District National Park Authority Annual Accounts for the Year Ended 31<sup>st</sup> March 2016

## Statement of Responsibilities for the Statement of Accounts

### The Authority's responsibilities

The Authority is required:

- to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of those affairs. In this Authority, that person is the Chief Finance Officer.
- to manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets;
- to approve the statement of accounts.

### The Chief Finance Officer's responsibilities

The Chief Finance Officer is responsible for the preparation of the Authority's Statement of Accounts in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in The United Kingdom ('the Code').

In preparing this statement of accounts, the Chief Finance Officer has:

- selected suitable accounting policies and then applied them consistently;
- made judgements and estimates that were reasonable and prudent;
- complied with the Code.

The Chief Finance Officer has also:

- kept proper accounting records which were up to date;
- taken reasonable steps for the prevention and detection of fraud and other irregularities.

### Authorisation for Issue and Certificate of Chief Finance Officer

I certify that the accounts gives a true and fair view of the financial position of the National Park Authority as at 31<sup>st</sup> March 2016 and its income and expenditure for the year ended 31<sup>st</sup> March 2016.

Philip Naylor  
Chief Finance Officer to the Authority  
27th May 2016



# Peak District National Park Authority

## Annual Accounts for the Year Ended 31<sup>st</sup> March 2016

### 1. Narrative Report

1.1 These Accounts contain all the information required by the Accounts & Audit Regulations 2015 and the Code of Practice on Local Authority Accounting, with accounts prepared in accordance with International Financial Reporting Standards (IFRS). As the Authority does not have any interests in subsidiaries, associates or jointly controlled entities, these Accounts represent the accounts of a single entity and no consolidated Group Accounts are required.

1.2 Accompanying notes, cross referenced from the statements, explain in greater detail some of the calculations and reasoning behind the figures; these notes, on pages 26 – 59, form part of the financial statements. The figures are rounded up to the nearest pound. The accounts comprise the following principal statements:-

#### Movement in Reserves

This statement shows the movement in the year on the different reserves held by the Authority, analysed into “usable” reserves (i.e. those that can be applied to fund expenditure) and other reserves. The “Surplus (Deficit) on the provision of services” line shows the true economic cost of providing the Authority’s services, more details of which are shown in the Comprehensive Income and Expenditure Statement. These are different from the statutory amounts required to be charged to the General Fund Balance for National Park Grant expenditure purposes. The “Net Increase (Decrease) before transfers to Earmarked Reserves” line shows the statutory General Fund Balance before any discretionary transfers to or from earmarked reserves undertaken by the Authority.

#### Comprehensive Income & Expenditure Account

This statement shows the accounting cost in the year of providing services in accordance with generally accepted accounting practices; the actual expenditure figure funded from National Park Grant may be different as the Authority is required to account for expenditure in accordance with Local Authority financial regulations, which may be different from the accounting cost.

#### Balance Sheet

The Balance Sheet shows the value as at the Balance Sheet date of the assets and liabilities recognised by the Authority. The net assets (assets less liabilities) of the Authority are matched by the reserves held by the Authority, which are reported in two categories. The first category of reserves are usable reserves i.e. those reserves that the Authority may use to provide services, subject to the need to maintain a prudent level of reserves and any statutory limitations on their use (e.g. the Capital Receipts Reserve may only be used to fund capital expenditure or repay debt). The second category of reserves comprises those that the Authority is not able to use to provide services. This category of reserves includes reserves that hold unrealised gains and losses - e.g. the Revaluation Reserve, where amounts would only become available to provide services if the assets are sold - and reserves that hold timing differences shown in the Movement in Reserves Statement line “Adjustments between accounting basis and funding basis under regulations”.

#### Cash Flow Statement

The Cash Flow statement shows the changes in cash and cash equivalents of the Authority during the reporting period. The statement shows how the Authority generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flows arising from operating activities is a key indicator of the extent to which the operations of the Authority are funded by way of National Park Grant, other grant income, or from the recipients of services provided by the Authority. Investing activities represent the extent to which cash outflows have been made for resources which are intended

to contribute to the Authority's future service delivery. Cash flows arising from financing activities are useful in predicting claims on future cash flows by providers of capital (i.e. borrowing) to the Authority.

1.3 Each year the Department for Food and Rural Affairs (Defra) sets the level of funding for the National Park Authority. In 2015-16 the funding was set at £6,257,122 (£6,367,867 in 2014-15). An annual balanced budget is set by the Authority based on the National Park Grant, income from sales, fees and charges and internal financing measures such as interest on cash flow and use of reserves.

1.4 Overall, the Authority's usable reserves increased by £1,191,400, with a £405,683 net transfer into specific reserves, and the sale of a number of assets during the year contributed to a £677,014 increase in the Capital Reserve, required to finance the forward Capital Programme. The General reserve was reduced by £35,772 whilst the Restricted reserves were increased by £144,475, primarily because of the transfer of Section 106 funds for a quarry restoration from a dormant joint escrow account to a secure account within the Authority's reserves.

1.5 The Service Expenditure Analysis common to all National Park Authorities has been complied with; income and expenditure being allocated across 8 mandatory functional headings. Note 37 highlights the possible future impact on the Authority's accounts of any accounting changes required by accounting standards which have been issued, but not yet adopted.

1.6 The Authority continued its rolling programme of asset re-valuations, concentrating on woodland properties.

1.7 In accordance with accounting practice, the Authority must show the present value surplus or deficit position on its share of the Pension Fund on the Balance Sheet. The net position as at 31<sup>st</sup> March 2016 shows a liability of £12.190m, a decrease of £3.559m compared to the liability of £15.749m for the preceding year (representing a pension liability which is considered to be covered by pension scheme assets up to 78% rather than 73% the previous year). The liability is assessed on an actuarial basis using a present value estimate of the pensions that will be payable in future years, over and above the assets within the Fund retained for this purpose. The level of employer and employee contributions into the Fund are assessed every three years with a view to ensuring that the assets within the Fund are capable of financing in full future pension commitments. Fluctuations often occur as the valuations made for the purpose of the accounts are based on prevailing economic conditions (e.g. bond yields, stock market values, inflation rates etc) at balance sheet date. Full details are explained in Note 33.

1.8 For the 2015-16 financial year the Authority set a borrowing limit (the "authorised" limit) of £1.8m. The Authority's borrowing as at 31<sup>st</sup> March 2016 was £559,170. The Authority's Capital Financing Requirement, i.e. its underlying need to borrow for capital purposes, was £770,299. The Authority did not enter into any financing transactions during the year, and relied upon internal cash resources.

#### 1.9 Analysis of amounts recognised in the financial statements.

On February 6th 2015 the Authority approved the 2015/16 Budget and the variances from the previous year were mainly in line with budget expectation and allocations. A more detailed financial commentary on the 2015/16 results can be found in the outturn report which was reported to Audit, Resources and Performance Committee on the 20<sup>th</sup> May 2016; obtainable from the Authority's website ([www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk) - under Committee meetings) or by request to the Head of Finance, Aldern House, Baslow Rd, Bakewell, Derbyshire tel 01629 816366. Many of the changes shown in the Comprehensive Income and Expenditure Statement arise from normal business and project related fluctuations; the main differences (above £50,000 and 10% of the previous year's net expenditure) are outlined below.

	<b>Difference £,000</b>	<b>Comment</b>
<b>Comprehensive Income and Expenditure Statement (CIES)</b>		
Estate Management	+69	Property repairs and staff recharges to Warslow Estate
Countryside & Economy Service	-179	Mainly arising from merging of conservation support staff into a central support team
Campsites, Hostels & Barns	+120	The one off effect of an (unrealised) impairment of a caravan site charged to the CIES following downwards revaluation arising from changes to the proposed planning consent
Area Projects	-60	Reduction in project expenditure on recreation strategy projects
Car Park & Concessions	-63	Increased car park receipts
Toilets	+56	Staff cleaning costs, refurbishment of Dovedale Toilets and the benefit in 14/15 of a one off revaluation reversal not repeated in 15/16
Property Team	-101	More accurate allocation of staff to estates and reductions in consultancy surveyor support
Development Control	+104	Ombudsman compensation payment and increase in support service recharges
Policy Planning	-114	The one-off S106 funds returning to the Authority from dormant escrow accounts for quarry restoration.
Corporate Mgt & Core	+211	An increase in employee termination (redundancy and superannuation shortfall) costs in 2015/16
<b>Balance Sheet</b>		
Long Term Assets	+1,042	Capital additions of some £268k (mainly enhancement of tenanted farms, boiler and headquarters alterations, and IT expenditure); asset valuation increases (woodlands) of £1,659k; disposals of £138k and depreciation of £747k;
Current Assets	+2,195	Debtors' levels have decreased by £53k. Cash balances have increased by £3,124k mainly through advance payment of Moorlife 2020 Life grant and asset disposals of £901k; stock levels at visitor centres increased by £25k at year end.
Current Liabilities	-464	The level of creditors normally fluctuates between years because of one-off project expenditure variations; there were less outstanding invoices for these projects at year end, and the accounting system's bank account "overdraft" was reduced.
Long Term Liabilities	-1,213	the impact of the actuarial estimates used to provide notional figures to comply with International Accounting Standard 19 – Retirement Benefits - (see Note 33) is the principal reason for the decrease (£3,559k); there is also a large increase in grants receipts in advance (£2,408k) as mentioned above (Moorlife 2020 advance grant payment). £62k of long term borrowing was also repaid during the year.
Useable Reserves	+1,191	The Authority's useable reserves increased by £1,191k, with a £406k net transfer into specific reserves; the sale of a number of assets increased the Capital Reserve by £677k, required to finance the forward Capital Programme; the General reserve was reduced by £36k whilst the Restricted reserves were increased by £144k, because of the transfer of Section 106 quarry restoration funds.

Economic Impact		The Authority's income sources largely continue to achieve their budget estimates, despite difficult economic times and stretched estimates required as part of the programme to achieve balanced budgets with a significantly reduced central grant figure. Note 34 highlights the Authority's exposure to interest rate risk, which is now minimised in revenue budgets. The Authority welcomed the government announcement to protect National Park Grant funding for the next Spending Review period up to 2019/20, giving a degree of financial planning certainty not previously possible, albeit at much lower levels than in the recent past, as a result of the significant funding cuts in the last Spending Review period.
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Other significant movements are sufficiently explained in the accompanying Notes to the Accounts.

### The Development and Performance of the Authority in the 2015-16 Financial Year

1.10 The Authority has two significant operational plan documents relevant to the financial year reported on in this Statement of Accounts:-

- The Annual Governance Statement
- The Performance and Business Plan 2015-16, with the Authority's Audit, Resources and Performance Committee receiving a quarterly performance monitoring report on progress in achieving year end performance targets, based on this plan.

Both documents are to be found on the Authority's website (see paragraph 1.9 above) under the Finance and operational policies section. The quarterly monitoring reports are available under the committee section of the website.

The quarterly performance monitoring report summarises progress into three categories:- on track to achieve year end targets; not completely on track to achieve year end targets, and not on track to achieve year end targets.

The Chief Finance Officer has reviewed the above documents with a view to reporting any additional explanations which may help users of these accounts to understand what impact any significant departure from planned expectations has had on the reported financial statements.

Where items are identified as not on track, an explanation will be provided if this has a material financial impact on the Statement of Accounts. In relation to the 2015/16 year, the quarter 4 and final outturn monitoring report does not raise any such performance concerns in this category.

The Annual Governance Statement reviews the Authority's governance arrangements and identifies any issues relevant during the year which may have an affect on effectiveness. The Annual Governance Statement for 2015/16 identifies 9 issues for improvement action. The Chief Finance Officer has reviewed the statements on governance for the 2015/16 year, and these issues, alongside their impact on the reported financial statements. There are no issues identified which require separate disclosure in this Narrative Report.

### The Authority's Cashflow

1.11 The Cashflow statement shows how cash resources were expended or received during the year. The main factors affecting the Authority's cashflows are

- The timing of grant monies, usually claimed after funds are expended
- The timing of drawdown of National Park Grant from the Department of Environment, Food and Rural Affairs (Defra)

- Any significant capital expenditure and the timing of any borrowing to support this expenditure
- The availability of reserve monies.

The Authority estimates cashflow expenditure and draws down National Park grant in advance on a quarterly basis; because of the variability of grant funding and the significant amount of external grant funding the Authority receives, a large margin of safety is built into the drawdown of National Park Grant so that the Authority does not have to borrow monies temporarily for cashflow purposes.

The only additional explanation relating to cashflow in 2015/16 is that the Authority is awaiting the final European grant payment for the Moorlife project, of £891,307. This payment is expected to be received in the early part of the 2016/17 year. The impact of this debt however is mitigated by the significant payment of the first tranche of European grant for the new Moorlife 2020 project, which is paid in advance of expenditure. This was £2,497,905, and explains the increase in cash holdings shown in the differences table above. Note 34 also helps to explain these amounts.

### Capital Expenditure and Commitments

1.12 The Authority approved a revised Capital Strategy in December 2015 which set out a forward Capital Programme up to 2019/20. The strategy estimated potential capital expenditure in support of the corporate strategy of up to £3.59m, financed by borrowing of up to £2.49m and allocations from the Authority's Capital Fund of up to £1.1m. Business cases have not yet been approved, so none of this commitment has been made as of the date of these accounts, and all Capital expenditure is governed by the key principles and working assumptions outlined in the Capital Strategy which can be found on the Authority's website under the agenda and reports section of the Authority meeting for December 2015. The Capital fund reported in the Balance Sheet will be supplemented by a programme of future asset sales. The Capital Financing Requirement is estimated to increase based on the additional borrowing and this will be covered by a higher Authorised Limit as approved in the March 2016 Authority report, rising from £2m in 2016/17 to £3m in 2018/19. Debt repayments for the additional borrowing are either found within current revenue budgets (e.g. vehicle replacements) or are deemed to be prudent based on income generating proposals, with the risk covered by a combination of strong interest cover ratios and increased asset values, rather than underwritten by reliance on National Park Grant.

### Major Changes in Statutory Functions or delivery, and Reduction in Services

1.13 There are no major changes in statutory functions. In 2015/16 a revised Leadership Team structure was implemented based on the model of a Chief Executive supported by three Directors. For the period up to 2019/20 the Authority has approved a new Strategic Framework and may make changes to its third tier officer structure in 2016/17, and some of its operations, to ensure it is best placed to achieve the outcomes set out in the new Strategic Framework. Members and Management Team are formulating in 2016/17 revenue investment proposals to achieve this, within the constraints of current resources and the National Park Grant figures confirmed up to the 2019/20 financial year. The investment proposals to be developed are focussed on four programmes of work as below:-

<b>Programme</b>	<b>Focus for investment</b>
<b>Develop the knowledge and expertise of organisation</b>	The knowledge and expertise of third tier managers (managers that report to a Director) and professional experts
<b>Develop the commercial programme</b>	To give us confidence that our commercial approach focusses on those areas giving the best returns and in a way that more than pays for itself
<b>Develop and enhance the way we work with communities and</b>	To improve how we work with and enable communities to support the special qualities: how we plan with them, advise them and support them

<b>partners</b>	through grants
<b>Ensure our asset portfolio is at a standard that is fit for the Corporate Strategy</b>	To support our work on properties we own and operate: maintenance; environmental performance; development to enhance the visitor experiences

The budget for the 2015/16 year was approved on the basis of reductions in expenditure and income proposals totalling £342,000. The Authority meeting in September 2015 approved further expenditure reductions, in five review areas, of £464,000 and income proposals of £138,000 to achieve a balanced budget for the 2016/17 year. The five review areas were the leadership team, ranger resources, conservation influencing & advisory roles, plan making and strategy work, and support services. These reductions were required to achieve balanced budgets largely as a result of significant reductions in National Park Grant in the Spending Review period of 2010/11 to 2015/16.

### National Park Grant

1.14 On the 21<sup>st</sup> January 2016 DEFRA confirmed National Park Grant figures for the next Spending Review period from 2016/17 to 2019/20, following an announcement by the Chancellor of the Exchequer that the funding for National Parks and Areas of Outstanding Natural Beauty would be protected in real terms. This was in contrast to the previous Spending Review period from 2010-11 to 2015/16 which comprised year on year cash reductions with a cumulative reduction by 2015-16 of 24.6% from its 2010/11 level, representing approximately a 37% decrease in real terms of National Park Grant after taking account of inflationary cost pressures. Meeting the challenge up to 2015/16 required the Authority to find ongoing revenue savings totalling £2.4m, in order to balance to the 2015-16 National Park Grant figure of £6,257,122 (2009-10 National Park Grant = £8,309,049). The announcement of funding for the next Spending Review period brings a degree of medium term financial stability.

### The European Union Referendum

1.15 On Thursday 23 June 2016 the EU referendum took place and the people of the United Kingdom voted to leave the European Union. A preliminary assessment of the implications for this Authority was undertaken by senior managers, and it was agreed that the new risk of 'implications of the European Union exit vote' should be added at quarter 1 to the corporate risk register in order to manage any implications for the Authority as exit from the Union progresses. In respect of the Authority's financial position, there were two main possible impacts identified, Euro funding for the Moorlife 2020 project, and UK government funding for National Parks:-

<b>Risk Aspect</b>	<b>Detail</b>	<b>Mitigating Action</b>
European grant funding for Moorlife 2020 project	<ul style="list-style-type: none"> <li>Termination conditions – termination risk on grounds of not being an EU body</li> <li>If contract not terminated, risks in carrying significant European debt in excess of Authority resources</li> </ul>	<ul style="list-style-type: none"> <li>Further legal advice will be sought if needed</li> <li>The Local Government Association is mounting a campaign for UK government to underwrite EU funded contracts if necessary over the transition period</li> <li>National Park Chief Executive and Chairs group and National Parks England will join this discussion direct with Defra asking for National Park euro funded projects to be underwritten</li> </ul>

		<ul style="list-style-type: none"> <li>• Already received 30% of total grant as pre-payment that will provide initial financing cover for up to 2 years (2016/17 and 2017/18) subject to confirmation of budget profile by project manager Sept 2016</li> </ul>
UK government funding	<ul style="list-style-type: none"> <li>• National Park Grant – risk of 4 year settlement letter not being honoured</li> <li>• Risk to progressing investment decisions</li> </ul>	<ul style="list-style-type: none"> <li>• National Park Chief Executive and Chairs group and National Parks England to discuss direct with Defra</li> <li>• Continue with baseline investment into the design of the leadership group</li> <li>• Make decisions on allocations for investments after the Autumn budget statement</li> </ul>

### Conclusion

1.16 The Authority has maintained a satisfactory financial position in 2015/16, and this strength stems from the operation of four principal aspects of our financial strategy. The first is achieving a balance between maximising funding sources, and ensuring that agreed budgets do not include speculative or imprudent assumptions. The second follows on as a consequence, ensuring that our budgetary control procedures remain robust, particularly in early monitoring of the risks implicit in our provision of demand-led services. The third is the need to ensure that the Authority's fixed asset base is sustainable, with an approved Asset Management Plan in place and a matching capital strategy approved, with rationalisation of the Authority's property portfolio reducing maintenance liabilities and providing possible capital receipts. The fourth concerns a cautious approach to longer term commitments, ensuring the Authority is able to maintain a degree of flexibility in responding to future settlements, whilst retaining sufficient contingency reserves.

## **2. Summary of Significant Accounting Policies**

### **2.1 General Principles**

2.1.1 The Statement of Accounts summarises the Authority's transactions for the 2015/16 financial year and its position at the year-end of March 2016. The Authority is required to prepare an annual Statement of Accounts by the Accounts and Audit Regulations 2011, which require preparation in accordance with proper accounting practices. These practices comprise the Code of Practice on Local Authority Accounting in the UK ( 2015/16) and the Service Reporting Code of Practice (2015/16), supported by International Financial Reporting Standards (IFRS).

2.1.2 The accounting convention adopted in the Statement of Accounts is principally historic cost, modified by the revaluation of certain categories of non-current assets and financial instruments.

2.1.3 The analysis of expenditure used in the Comprehensive Income and Expenditure Statement is based on the requirements contained in the Grant Memorandum issued by the Department for Environment, Food and Rural Affairs (DEFRA), which complies with CIPFA guidance on Accounting for Overheads in Local Government, and the National Parks' Service Expenditure Analysis.

### **2.2 Accruals of Income and Expenditure**

2.2.1 Activity is accounted for in the year in which it takes place, not when cash payments are made or received. In particular:-

- Revenue from the sales of goods is recognised when the Authority transfers the significant risks and rewards of ownership to the purchaser and it is probable that economic benefits or service potential associated with the transaction will flow to the Authority.
- Revenue from the provision of services is recognised when the Authority can measure reliably the percentage of completion of a transaction and it is probable that economic benefits or service potential associated with the transaction will flow to the Authority.
- Supplies are recorded as expenditure when they are consumed; where there is a gap between the date supplies are received and their consumption, they are carried as inventories on the Balance Sheet.
- Expenses in relation to services received (including employees) are recorded as expenditure when the services are received rather than when payments are made.
- Interest receivable on investments and payable on borrowings is accounted for as income and expenditure respectively on the basis of the effective interest rate for the relevant financial instrument, rather than the cash flows fixed or agreed by the contract, which may be different.
- When revenue and expenditure have been recognised but cash has not been received or paid, a debtor or creditor for the relevant amount is recorded in the Balance Sheet. Where debts may not be settled, the amount which might not be collected is written down from the debtors' balance and charged to the Comprehensive Income and Expenditure Statement (CIES).

### **2.3 Acquisitions and Discontinued Operations**

2.3.1 Any income or expenditure directly related to the acquisition of operating services, or discontinued operations, is shown in a separate disclosure note to the accounts (Note 22), together with any outstanding liabilities arising from closure of a service.



## **2.4 Cash and Cash Equivalents**

2.4.1 Cash is represented by cash in hand and deposits with financial institutions repayable without penalty on notice of not more than 24 hours. Cash equivalents are investments that mature within 3 months or less from the date of acquisition and are readily convertible to known amounts of cash with no significant risk of a change in value.

2.4.2 In the Cashflow Statement, cash and cash equivalents are shown net of bank overdrafts that are repayable on demand.

## **2.5 Exceptional Items**

2.5.1 When items of income and expenditure are material, their amount is disclosed separately in a note to the accounts.

## **2.6 Prior Period Adjustments, Changes in Accounting policies and estimates and errors**

2.6.1 Prior period adjustments may arise as a result of a change in accounting policies or to correct a material error. Changes in accounting estimates are accounted for in the year affected by the change and do not give rise to a prior period adjustment.

2.6.2 Changes in accounting policies are only made when required by proper accounting practices or the change provides more reliable or relevant information. Material errors discovered in prior period figures are corrected. Where a change is made it is applied retrospectively by adjusting opening balances and comparative amounts for the prior period as if the new policy had always been applied, or as if the error had not been made.

## **2.7 Charges to Revenue for Non-Current Assets**

2.7.1 Services, support services and trading accounts are debited with the following amounts to record the cost of holding non-current assets during the year:

- depreciation attributable to the assets used by the relevant service
- revaluation and impairment losses on assets used by the service where there are no accumulated gains in the Revaluation Reserve against which the losses can be written off
- amortisation of intangible assets attributable to the service

2.7.2 The Authority is not required to charge the National Park Grant with the amount required to fund depreciation, revaluation and impairment losses or amortisations. It is however required to make an annual contribution from revenue to the reduction in its overall borrowing requirement, which is derived from an amount prudently determined by the Authority in accordance with its Treasury Management Policy. This contribution is known as the Minimum Revenue Provision and any difference between the two amounts is adjusted for between the capital adjustment account and the General Fund balance.

## **2.8 Employee Benefits**

2.8.1 Short-term employee benefits are those due to be settled within 12 months of the year end. They include such benefits as wages and salaries, paid annual leave and paid sick leave, and are recognised as an expense for services in the year in which employees render service to the Authority. An accrual is made for the cost of holiday entitlements (or any form of leave, eg time off in lieu) earned by employees but not taken before the year-end which employees can carry forward into the next financial year. The accrual is made at the salary rate applicable in the following accounting year, being the period in which the employee takes the benefit. The accrual is charged to the Surplus or Deficit on the Provision of Services in the CIES, but is then reversed out through the Movement in Reserves Statement so that holiday benefits are actually charged to revenue in the financial year in which the holiday absence occurs.

2.8.2 Termination benefits are amounts payable as a result of a decision by the Authority to terminate an officer's employment before the normal retirement date or an officer's decision to accept voluntary redundancy, and are charged on an accruals basis to the appropriate service in the CIES when the Authority is committed to the termination. Where termination before retirement involves additional cost to the pension fund, statutory provisions require the General Fund Balance to be charged with the amount payable by the Authority to the pension fund or pensioner in the year, not the amount calculated according to the relevant accounting standards. In the Movement in Reserves Statement, appropriations are therefore required to and from the Pensions Reserve to remove the notional debits and credits for pension enhancement termination benefits and replace them with debits for the cash paid to the pension fund and pensioners and any such amounts payable but unpaid at the year-end.

## **2.9 Post - Employment Benefits**

2.9.1 Employees of the Authority can choose to be a member of the Local Government Pensions Scheme, administered by Derbyshire County Council, which provides defined benefits (retirement lump sums and pensions) to members earned as employees working for the Authority. The cost of providing pensions for employees in this scheme is funded in accordance with the statutory requirements governing the scheme, and is accounted for in accordance with the requirements of IAS 19, as interpreted by the Code of Practice.

2.9.2 The liabilities of the pension fund attributable to the Authority are included in the Balance Sheet on an actuarial basis using the projected unit method – i.e. an assessment of the future payments that will be made in relation to retirement benefits earned to date by employees, based on assumptions about mortality rates, employee turnover rates, etc and projections of earnings for current employees. Liabilities are discounted to their value at current prices, using a discount rate of 3.5%.

2.9.3 The assets of Derbyshire County Council's pension fund attributable to the Authority are included in the Balance Sheet at their fair value – at current bid price for quoted securities; professional estimate for unquoted securities; and market value for property.

2.9.4 The change in the net pensions liability is analysed into seven components:-

- current service cost – the increase in liabilities as a result of years of service earned this year – allocated in the CIES to the services for which the employee worked.
- past service cost – the increase in liabilities arising from current year decisions whose effect relates to years of service earned in earlier years –debited to the Surplus or Deficit on the Provision of Services in the CIES as part of Non-Distributed Costs.
- Net interest cost – the change during the period in the scheme's net liability arising from the passage of time - debited to the Financing and Investment Income & Expenditure line in the CIES.
- Re-measurements: – the return on scheme assets attributable to the Authority, excluding amounts included in the net interest cost above, charged to the Pensions Reserve as Other Comprehensive Income and Expenditure.
- Re-measurements:- actuarial gains and losses – changes in the net pensions liability that arise because events have not coincided with assumptions made at the last actuarial valuation or because the actuaries have updated their assumptions, charged to the Pensions' Reserve as Other Comprehensive Income and Expenditure.
- contributions paid to the pension fund – cash paid as employer's contributions to the pension fund in settlement of liabilities, not accounted for as an expense.

2.9.5 Statutory provisions require the General Fund Balance to be charged with the amount payable by the Authority to the pension fund or directly to pensioners in the year, not the amount calculated according to the relevant accounting standards. In the Movement in Reserves Statement, this means that there are movements to and from the Pensions' Reserve to remove the notional debits and credits for retirement benefits and replace them

with debits for the cash paid or payable to the pension fund. The negative balance that arises on the Pensions' Reserve therefore measures the beneficial impact to the General Fund of being required to account for retirement benefits on the basis of cash flows rather than when benefits are earned by employees.

## **2.10 Events After the Balance Sheet Date**

2.10.1 Events after the Balance Sheet date are those events that occur between the end of the reporting period and the date when the Statement of Accounts is authorised for issue. Two types of events can be identified:

- those which provide evidence of conditions that existed at the end of the reporting period, in which case the Statement of Accounts is adjusted to reflect such events.
- those which are indicative of conditions that arose after the reporting period, in which case the Statement of Accounts is not adjusted to reflect these events, but where a category of events would have a material effect, disclosure is made in the notes of the nature of the events and their estimated financial effect.

2.10.2 Events taking place after the date of authorisation for issue are not reflected in the Statement of Accounts.

## **2.11 Financial Instruments**

2.11.1 Financial Liabilities are recognised on the Balance Sheet when the Authority becomes a party to the contractual provisions of a financial instrument and are initially measured at fair value and carried at their amortised cost. Annual charges to the Financing and Investment Income & Expenditure line in the CIES for interest payable are based on the carrying amount of the liability, multiplied by the effective rate of interest for the instrument. The effective interest rate is the rate that exactly discounts estimated future cash payments over the life of the instrument to the amount at which it was originally recognised.

2.11.2 For most of the Authority's borrowings this means that the amount presented in the Balance Sheet is the outstanding principal repayable, and interest charged to the CIES is the amount payable for the year according to the loan agreement.

2.11.3 Gains and losses on the re-purchase or early settlement of borrowing are credited and debited to the Financing and Investment Income & Expenditure line in the CIES in the year of re-purchase / settlement. Where re-purchase has taken place as part of restructuring the loan portfolio, and involves modification or exchange of existing instruments, the premium or discount is respectively deducted from or added to the amortised cost of the new or modified loan and the write-down to the CIES is spread over the life of the loan by an adjustment to the effective interest rate.

2.11.4 Financial Assets are classified into two types – loans and receivables, which are assets which have fixed or known payments but are not quoted in an active market; and available-for-sale assets, which have a quoted market price and may or may not also have fixed or known payments.

2.11.5 Loans and receivables are recognised on the Balance Sheet when the Authority becomes a party to the contractual provisions of a financial instrument and are initially measured at fair value. They are subsequently measured at their amortised cost. Annual credits to the Financing and Investment Income & Expenditure line in the CIES for interest receivable are based on the carrying amount of the asset multiplied by the effective rate of interest for the instrument.

2.11.6 Where assets are identified as impaired because of a likelihood arising from a past event that payments due under the contract will not be made, the asset is written down and a charge made to the relevant service, or to the Financing and Investment Income &

Expenditure line in the CIES if not attributable. The impairment loss is measured as the difference between the carrying amount and the present value of the revised future cash flows discounted at the asset's original effective interest rate.

2.11.7 Any gains and losses that arise on the de-recognition of an asset are credited or debited to the Financing and Investment Income & Expenditure line in the CIES.

2.11.8 Where fair value cannot be measured reliably, the instrument is carried at cost (less any impairment losses).

## **2.12 Foreign Currency Translation**

2.12.1 Where the Authority has entered into a transaction denominated in a foreign currency, the transaction is converted into sterling at the exchange rate applicable on the date the transaction was effective. Where amounts are outstanding at the year-end, they are re-converted at the spot exchange rate at 31<sup>st</sup> March. Resulting gains or losses are recognised in the Financing and Investment Income & Expenditure line in the CIES.

## **2.13 Government Grants and Contributions**

2.13.1 Whether paid on account, by instalments or in arrears, government grants and third party contributions and donations are recognised as due to the Authority when there is reasonable assurance that the Authority will comply with the conditions attached to the payments and that the grants or contributions will be received.

2.13.2 Amounts recognised as due to the Authority are not credited to the CIES until conditions attached to the grant or contribution have been satisfied. Conditions are stipulations that specify that the future economic benefits or service potential embodied in the asset acquired using the grant or contribution, are required to be consumed by the recipient as specified, otherwise the future economic benefits or service potential must be returned to the transferor.

2.13.3 Monies advanced as grants and contributions for which conditions have not been satisfied are carried in the Balance Sheet as creditors. When conditions are satisfied, the grant or contribution is credited to the relevant service line, if attributable, or to Taxation and non-specific Grant Income in the CIES if not ring-fenced or if they are capital grants.

2.13.4 Where capital grants are credited to the CIES, they are reversed out of the General Fund Balance in the Movement in Reserves Statement. Where the grant has yet to be used to finance capital expenditure, it is posted to the Capital Grants Unapplied Reserve. Where it has been applied, it is posted to the Capital Adjustment Account. Amounts in the Capital Grants Unapplied reserve are transferred to the Capital Adjustment Account once they have been applied to fund capital expenditure.

## **2.14 Heritage Assets**

2.14.1 Heritage assets are assets with historical, artistic, scientific, technological, geophysical or environmental qualities which are held and maintained principally for their contribution to knowledge and culture. The accounting standard has been introduced in order to move these assets onto a valuation basis on the Balance Sheet, rather than as previously, a historic cost basis; the predominant reason for the introduction of the change is to ensure that items held within Local Authority museum and gallery collections are properly reflected in valuation terms on the Balance Sheet.

The standard also allows a Local Authority to move other Community Assets, which are currently accounted for on the same historic cost basis, onto a valuation basis.

Notwithstanding its historical or other heritage qualities, any asset used by an organisation in its operations is still accounted for as an operational asset, and not as a heritage asset. It is therefore accounted for as set out in the Summary of Accounting policies note paragraph 2.19. The current approach to Heritage assets in this Statement of Accounts is summarised in Note 32.

## **2.15 Intangible Assets**

2.15.1 Expenditure on non-monetary assets that do not have physical substance but are controlled by the Authority as a result of past events (e.g. software licences) is capitalised when it is expected that future economic benefits or service potential will flow from the intangible asset to the Authority.

2.15.2 Intangible assets are measured initially at cost, and are carried on the Balance Sheet at their amortised cost. The depreciable amount of an intangible asset is amortised over its useful life to the relevant service line in the CIES, as are any losses arising from impairment of the asset. Any gain or loss arising on the disposal of an intangible asset is posted to the Other Operating Expenditure line in the CIES.

2.15.3 Where expenditure on intangible assets qualifies as capital expenditure for statutory purposes, amortisation, impairment losses and disposal gains and losses are not permitted to have an impact on the General Fund Balance. The gains and losses are therefore reversed out of the General Fund Balance in the Movement in Reserves Statement and posted to the Capital Adjustment Account and, if it is a sale over £10,000, the Capital Receipts Reserve.

## **2.16 Inventories and Long Term Contracts**

2.16.1 Inventories are included in the Balance Sheet at the lower of cost and net realisable value. The cost of inventories is assigned using the average costing formula.

2.16.2 Long Term Contracts are accounted for on the basis of charging the Surplus or Deficit on the Provision of Services with the value of works and services received under the contract during the financial year.

## **2.17 Leases**

2.17.1 Leases are classified as finance leases where the terms of the lease transfer substantially all the risks and rewards of ownership of the property, plant or equipment from the lessor to the lessee. All other leases are classified as operating leases. Where a lease covers both land and buildings, the land and buildings elements are considered separately for classification. If an arrangement does not have the legal status of a lease but in substance conveys a right to use an asset in return for payment, and fulfilment of the arrangement is dependent on the use of specific assets, they are also accounted for under this policy.

2.17.2 The Authority as Lessee, Finance Leases: property, plant and equipment held under finance leases is recognised on the Balance Sheet at the start of the lease at either its fair value measured at the lease's inception or if lower, the present value of the minimum lease payments. The asset recognised is matched by a liability for the obligation to pay the lessor. Initial direct costs of the Authority are added to the carrying amount of the asset, and any premia paid on entry into a lease are applied to writing down the lease liability. Contingent rents are charged as expenses in the periods in which they are incurred. The lease payments are apportioned between a charge for the acquisition of the interest in the asset – which is used to write down the lease liability, and a finance charge which is debited to the Financing and Investment Income & Expenditure line in the CIES. Property, plant & equipment recognised under finance leases is accounted for using the policies applied generally to such assets, subject to depreciation being charged over the lease term if this is shorter than the asset's estimated useful life, assuming ownership of the asset does not

transfer to the Authority at the end of the lease period. The Authority is not required to account for depreciation or revaluation and impairment losses arising on leased assets. Instead, a prudent annual contribution is made from revenue funds towards the deemed capital investment in accordance with the Authority's Treasury Mgt Policy. Depreciation, revaluation and impairment losses are therefore substituted by a revenue contribution in the General Fund Balance, by way of an adjusting transaction with the Capital Adjustment Account in the Movement in Reserves Statement for the difference between the two.

**2.17.3 The Authority as Lessee, Operating Leases:** rentals paid under operating leases are charged to the CIES as an expense of the services benefitting from use of the leased property, plant and equipment. Charges are made on a straight-line basis over the life of the lease, even if this does not match the pattern of payments.

**2.17.4 The Authority as Lessor, Finance Leases:** where the Authority grants a finance lease over a property or an item of plant or equipment, the relevant asset is written out of the Balance Sheet as a disposal. At the start of the lease, the carrying amount of the asset in the Balance Sheet (whether Property, Plant & Equipment or Assets held for sale) is written off to the Other Operating Expenditure line in the CIES as part of the gain or loss on disposal. A gain, representing the Authority's net investment in the lease, is credited to the same line in the CIES also as part of the gain or loss on disposal (i.e. netted off against the carrying value of the asset at the time of disposal), matched by a lease (long-term debtor) asset in the Balance Sheet. Lease rentals receivable are apportioned between a charge for the acquisition of the interest in the asset – which is used to write down the lease debtor, and finance income which is debited to the Financing and Investment Income & Expenditure line in the CIES. The gain credited to the CIES on disposal is not permitted by statute to increase the General Fund Balance and is required to be treated as a capital receipt. Where a premium has been received, this is posted out of the General Fund Balance to the Capital Receipts Reserve in the Movement in Reserves Statement. Where the amount due in relation to the lease asset is to be settled by the payment of rentals in future financial years, this is posted out of the General Fund Balance to the Deferred Capital Receipts Reserve in the Movement in Reserves Statement. When the future rentals are received, the element for the capital receipt for the disposal of the asset is used to write down the lease debtor. At this point, the deferred capital receipts are transferred to the Capital Receipts Reserve. The written off value of disposals is not a charge against National Park Grant, as the cost of non-current assets is fully provided for under separate arrangements for capital financing. Amounts are therefore appropriated to the Capital Adjustment Account from the General Fund Balance in the Movement in Reserves Statement.

**2.17.5 The Authority as Lessor, Operating Leases** where the Authority grants an operating lease over a property or an item of plant or equipment, the asset is retained in the Balance Sheet. Rental income is credited to the Other Operating Expenditure line in the CIES. Credits are made on a straight-line basis over the life of the lease, even if this does not match the pattern of payments. Initial direct costs incurred in negotiating and arranging the lease are added to the carrying amount of the asset and charged as an expense over the lease term on the same basis as the rental income.

## **2.18 Overheads and Support Services**

2.18.1 The costs of overheads and support services are charged to those that benefit from the supply or service in accordance with the costing principles of the CIPFA Service Accounting Code of Practice 2015/16 (SERCOP). The total absorption costing principle is used – the full cost of overheads and support services are shared between users in proportion to the benefits received, with the exception of:-

- Corporate and Democratic Core – costs relating to the Authority's servicing of its democratic mandate (i.e. the Membership)
- Non-Distributed Costs – the cost of discretionary benefits awarded to employees retiring early and impairment losses chargeable on Assets held for sale.

- These two cost categories are defined in SERCOP and are accounted for as separate headings in the CIES, as part of Total Cost of Services.

## 2.19 Property, Plant & Equipment

2.19.1 Assets that have physical substance, are held for use in the production or supply of goods or services, for rental to others, or for administrative purposes, and that are expected to be used for more than one financial year, are classified as Property, Plant & Equipment. Assets below the de minimis value of £10,000 are not introduced into the balance sheet unless they are part of a pooled system of assets.

2.19.2 Recognition: expenditure on the acquisition, creation or enhancement of Property, Plant & Equipment is capitalised on an accruals basis, provided that it is probable that the future economic benefits or service potential associated with the item will flow to the Authority and the cost of the item can be measured reliably. Expenditure which maintains but does not add to an asset's potential to deliver future economic benefits or service potential (i.e. repairs and maintenance) is charged as an expense when it is incurred.

2.19.3 Measurement: Assets are initially measured at cost, comprising the purchase price, and any costs attributable to bringing the asset to the location and condition necessary for it to be capable of operating in the manner intended by management. The Authority does not capitalise borrowing costs incurred whilst assets are under construction. The cost of assets acquired other than by purchase is deemed to be fair value, unless the acquisition has no impact on cash flow, in which case, where an asset is exchanged, the cost of the acquisition is deemed to be the carrying amount of the asset given up in exchange. Donated assets are measured initially at fair value. The difference between fair value and any consideration paid is credited to the Taxation and Non-Specific Grant Income line of the CIES, unless the donation has been made conditionally, in which case until conditions are satisfied the gain is held in the Donated Assets Account. Where gains are credited to the CIES, they are reversed out of the General Fund Balance to the Capital Adjustment Account in the Movement in Reserves statement. Assets are carried into the Balance Sheet using the following measurement bases:-

- infrastructure, community assets and assets under construction – depreciated historic cost.
- Surplus assets – the current value measurement base is fair value, estimated at highest and best use from a market participant's perspective.
- other assets – fair value, determined as the amount that would be paid for the asset in its existing use (existing use value = EUV).

Where there is no market based evidence of fair value because of the specialist nature of an asset, depreciated replacement cost (DRC) is used as an estimate of fair value.

2.19.4 Revaluation: Assets included in the Balance Sheet at fair value are revalued sufficiently regularly to ensure that their carrying amount is not materially different from their fair value at the year-end, but as a minimum every five years. Increases in valuations are matched by credits to the Revaluation Reserve to recognise unrealised gains. Exceptionally, gains might be credited to the CIES where they arise from the reversal of a loss previously charged to a service. Where decreases in value are identified, and there is a balance of revaluation gains for the asset in the Revaluation Reserve, they are accounted for by writing down the carrying amount of the asset against that balance, up to the amount of the accumulated gains. Where decreases in value are identified, and there is no balance, or an insufficient balance, of revaluation gains for the asset in the Revaluation Reserve, they are accounted for by writing down the carrying amount of the asset against the relevant service line in the CIES. The Revaluation Reserve contains revaluation gains recognised since 1<sup>st</sup> April 2007 only, the date of its formal implementation. Gains arising before that date were consolidated into the Capital Adjustment Account.

2.19.5 Impairment: Assets are assessed at each year-end as to whether there is any indication that an asset may be impaired. Where indications exist and any possible differences are estimated to be material, the recoverable amount of the asset is estimated and, where this is less than the carrying amount of the asset, an impairment loss is recognised for this shortfall. Where decreases in value are identified, and there is a balance of revaluation gains for the asset in the Revaluation Reserve, they are accounted for by writing down the carrying amount of the asset against that balance, up to the amount of the accumulated gains. Where impairment losses are identified, and there is no balance, or an insufficient balance, of revaluation gains for the asset in the Revaluation Reserve, they are accounted for by writing down the carrying amount of the asset against the relevant service line in the CIES. Where an impairment loss is reversed subsequently, the reversal is credited to the relevant service line in the CIES, up to the amount of the original loss, adjusted for depreciation that would have been charged if the loss had not been recognised.

2.19.6 Depreciation: Depreciation is provided for on all Property, Plant & Equipment assets by the systematic allocation of their depreciable amounts over their useful lives. An exception is made for assets without a determinable finite useful life (i.e. freehold land and certain Community Assets) and assets which are not yet available for use (i.e. assets under construction). Depreciation is calculated on a reducing balance basis as follows:-

Type of Fixed Asset	Depreciation Period
Land & Community assets	Nil
Furniture & Equipment	over the life of the asset – 5-10 years ; computer hardware 3 years
Vehicles	over the life of the asset - 6-20 years
Car Parks	over the life of the asset - 15-20 years
Buildings	over the life of the asset - 60 years
Intangible Assets	over the life of the asset – 5 years
Surplus Assets	Surplus assets are usually Buildings, so they share the same 60 year asset life.
Infrastructure Assets	over the life of the asset - 60 years, unless a shorter asset life is warranted as a result of applying a component accounting approach

Where an item of Property, Plant & Equipment has major components whose cost is significant in relation to the total cost of the item, the components are depreciated separately. Revaluation gains are also depreciated, with an amount equal to the difference between current value depreciation charged on assets and the depreciation that would have been chargeable based on their historic cost being transferred each year from the Revaluation Reserve to the Capital Adjustment Account.

2.19.7 Disposals and Non-current Assets Held for Sale: When it becomes probable that the carrying amount of an asset will be recovered principally through a sale transaction rather than through its continuing use, it is re-classified as an Asset Held for Sale. The asset is re-valued immediately before re-classification and then carried at the lower of this amount and fair value less costs to sell. Where there is a subsequent decrease to fair value less costs to sell, the loss is posted to the Other Operating Expenditure line in the CIES. Gains in fair value are recognised only up to the amount of any previous losses in the Surplus or Deficit on Provision of Services. Depreciation is not charged on Assets Held for Sale. If assets no longer meet the criteria to be classified as Assets Held for Sale, they are re-classified back to non-current assets and valued at the lower of their carrying amount before they were classified as held for sale (adjusted for depreciation, amortisation or revaluations that would have been recognised had they not been classified as Held for Sale) and their recoverable amount at the date of the decision that the criteria were not met. Assets that are to be scrapped are not re-classified as Assets Held for Sale.



2.19.8 Where an asset is disposed of or decommissioned, the carrying amount of the asset in the Balance Sheet is written off to the Other Operating Expenditure line in the CIES as part of the gain or loss on disposal. Receipts from disposals are credited to the same line in the CIES (i.e. netted off). Any revaluation gains accumulated for the asset in the Revaluation Reserve are transferred to the Capital Adjustment Account. The written off value of disposals is not a charge against National Park Grant, as the cost of fixed assets is fully provided for under separate Local Authority arrangements for capital financing. Amounts are appropriated to the Capital Adjustment Account from the General Fund Balance in the Movement in Reserves Statement.

2.19.9 Amounts received for a disposal in excess of £10,000, or where the asset has been previously capitalised, are categorised as capital receipts and are credited to the Capital Receipts Reserve, available only for new capital investment or set aside to reduce the Authority's underlying need to borrow (the capital financing requirement). Receipts are appropriated to the Reserve from the General Fund Balance in the Movement in Reserves Statement.

## **2.20 Provisions, Contingent Liabilities and Contingent Assets**

2.20.1 Provisions are made where an event has taken place that gives the Authority a legal or constructive obligation that probably requires settlement by a transfer of economic benefits or service potential, and a reliable estimate can be made of the amount of the obligation. Provisions are charged as an expense to the appropriate service line in the CIES in the year that the Authority becomes aware of the obligation, and are measured at the best estimate at the balance sheet date of the expenditure required to settle the obligation. When payments are eventually made they are charged to the provision carried in the Balance Sheet. If the provision proves not to be required, the provision is reversed and credited back to the CIES. Income potentially recoverable from a third party which would offset the provision is only recognised if it is virtually certain to be received.

2.20.2 A contingent liability arises where an event has taken place that gives the Authority a possible obligation whose existence will only be confirmed by the occurrence or otherwise of uncertain future events not wholly within the control of the Authority. Contingent liabilities are not recognised in the Balance Sheet but are disclosed in a note to the acmcounts. Where the event might give rise to an asset (i.e. a contingent asset) these are not recognised in the Balance Sheet but are disclosed in a note to the accounts only where it is probably that there will be an inflow of economic benefits or service potential.

## **2.21 Reserves**

2.21.1 The Authority sets aside specific amounts as reserves for future National Park purposes or to cover contingencies. Reserves are created by transferring amounts out of the General Fund Balance in the Movement in Reserves statement. When expenditure to be financed from a reserve is incurred, it is charged to the appropriate service in that year against the Surplus or Deficit on the Provision of Services in the CIES. The reserve is then transferred back in to the General Fund Balance in the Movement in Reserves Statement so that there is no net charge against National Park Grant for the expenditure. Certain reserves are kept to manage the accounting processes for non-current assets, financial instruments, retirement and employee benefits and do not represent usable resources for the Authority.

## **2.22 Revenue Expenditure Funded from Capital Under Statute**

2.22.1 Expenditure incurred during the year that may be capitalised under statutory provisions but that does not result in the creation of a non-current asset has been charged as expenditure to the relevant service in the CIES. Where the Authority has determined to meet the cost of this expenditure from existing capital resources or by borrowing, a transfer in the Movement in Reserves Statement from the General Fund Balance to the Capital Adjustment Account then reverses out the amounts charged so that there is no impact on the National Park Grant.

## **2.23 VAT**

2.23.1 VAT payable is included as an expense only to the extent that it is not recoverable from Her Majesty's Revenue and Customs. VAT receivable is excluded from income.

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### 3. Movement in Reserves Statement 2015/16

	General Fund	Earmarked Reserves	Capital Receipts Reserve	<u>Total Usable Reserves</u>	Un-usable Reserves	<u>Total Authority Reserves</u>
	£	£	£	£	£	£
<b>Balance at 31<sup>st</sup> March 2015</b>	<b>658,211</b>	<b>2,518,818</b>	<b>335,307</b>	<b>3,512,336</b>	<b>2,835,152</b>	<b>6,347,488</b>
Surplus (Deficit) on provision of services (accounting basis)	(1,486,230)	0	0	(1,486,230)	0	(1,486,230)
Other Comprehensive (Expenditure) & Income (Note 5)	0	0	0	0	6,399,338	6,399,338
<b>Total Comprehensive (Expenditure) &amp; Income</b>	<b>(1,486,230)</b>	<b>0</b>	<b>0</b>	<b>(1,486,230)</b>	<b>6,399,338</b>	<b>4,913,108</b>
Adjustments between accounting basis & funding basis under regulations (Note 6)	2,000,616	0	677,014	2,677,630	(2,677,630)	0
<b>Net Increase (Decrease) before Transfers to Earmarked Reserves</b>	<b>514,386</b>	<b>0</b>	<b>677,014</b>	<b>1,191,400</b>	<b>3,721,708</b>	<b>4,913,108</b>
Transfers (to) from earmarked Reserves (Note 7)	(550,158)	550,158	0	0	0	0
<b>Increase (Decrease) in Year</b>	<b>(35,772)</b>	<b>550,158</b>	<b>677,014</b>	<b>1,191,400</b>	<b>3,721,708</b>	<b>4,913,108</b>
<b>Balance as at 31st March 2016</b>	<b>622,439</b>	<b>3,068,976</b>	<b>1,012,321</b>	<b>4,703,736</b>	<b>6,556,860</b>	<b>11,260,596</b>

## 3. cont. Movement in Reserves Statement 2014/15

	General Fund	Earmarked Reserves	Capital Receipts Reserve	<u>Total Usable Reserves</u>	Un-usable Reserves	<u>Total Authority Reserves</u>
	£	£	£	£	£	£
<b>Balance at 31<sup>st</sup> March 2014</b>	<b>730,452</b>	<b>2,360,446</b>	<b>425,597</b>	<b>3,516,495</b>	<b>7,421,901</b>	<b>10,938,396</b>
Surplus (Deficit) on provision of services (accounting basis)	(1,159,638)	0	0	(1,159,638)	0	(1,159,638)
Other Comprehensive (Expenditure) & Income (Note 5)	0	0	0	0	(3,431,270)	(3,431,270)
<b>Total Comprehensive (Expenditure) &amp; Income</b>	<b>(1,159,638)</b>	<b>0</b>	<b>0</b>	<b>(1,159,638)</b>	<b>(3,431,270)</b>	<b>(4,590,908)</b>
Adjustments between accounting basis & funding basis under regulations (Note 6)	1,245,769	0	(90,290)	1,155,479	(1,155,479)	0
<b>Net Increase (Decrease) before Transfers to Earmarked Reserves</b>	<b>86,131</b>	<b>0</b>	<b>(90,290)</b>	<b>(4,159)</b>	<b>(4,586,749)</b>	<b>(4,590,908)</b>
Transfers (to) from earmarked Reserves (Note 7)	(158,372)	158,372	0	0	0	0
<b>Increase (Decrease) in Year</b>	<b>(72,241)</b>	<b>158,372</b>	<b>(90,290)</b>	<b>(4,159)</b>	<b>(4,586,749)</b>	<b>(4,590,908)</b>
<b>Balance as at 31st March 2015</b>	<b>658,211</b>	<b>2,518,818</b>	<b>335,307</b>	<b>3,512,336</b>	<b>2,835,152</b>	<b>6,347,488</b>

#### 4. Comprehensive Income and Expenditure Statement

2014/15			2015/16		
Gross Expenditure	Income	Net Expenditure	Gross Expenditure	Income	Net Expenditure
£	£	£	£	£	£
<b>Conservation of the Natural Environment</b>					
63,448	(13,587)	49,861	80,676	(5,526)	75,150
545,978	(417,579)	128,399	610,020	(412,929)	197,091
793,919	(48,935)	744,984	588,787	(22,686)	566,101
3,779,464	(3,432,930)	346,534	2,841,150	(2,452,762)	388,388
293,597	(800)	292,797	333,935	(32,495)	301,440
5,476,406	(3,913,831)	1,562,575	4,454,568	(2,926,398)	1,528,170
<b>Conservation of Cultural Heritage</b>					
101,138	(0)	101,138	63,506	(0)	63,506
135,997	(1,141)	134,856	141,990	(782)	141,208
129,603	(37,130)	92,473	133,660	(39,844)	93,816
0	(0)	0	0	(0)	0
366,738	(38,271)	328,467	339,156	(40,626)	298,530
<b>Recreation Management &amp; Transport</b>					
70,173	(62,231)	7,942	211,547	(83,647)	127,900
1,045,661	(201,885)	843,776	1,059,540	(261,702)	797,838
411,384	(283,968)	127,416	443,057	(376,147)	66,910
339,586	(350,304)	(10,718)	309,079	(383,532)	(74,453)
347,795	(282,456)	65,339	323,429	(299,917)	23,512
182,167	(14,035)	168,132	237,367	(13,632)	223,735
168,245	(5,952)	162,293	146,519	(12,150)	134,369
2,565,011	(1,200,831)	1,364,180	2,730,538	(1,430,727)	1,299,811
<b>Promoting Understanding</b>					
830,460	(461,231)	369,229	839,243	(479,219)	360,024
223,126	(6,881)	216,245	231,373	(7,390)	223,983
284,984	(65,829)	219,155	266,114	(71,436)	194,678
302,796	(102,891)	199,905	317,563	(100,351)	217,212
93	(0)	93	26,421	(5,514)	20,907
1,641,459	(636,832)	1,004,627	1,680,714	(663,910)	1,016,804

2014/15			Comprehensive Income & Expenditure Account (Continued)	2015/16		
Gross Expenditure	Income	Net Expenditure		Gross Expenditure	Income	Net Expenditure
409,893	(69,911)	339,982	<b>Rangers, Estates Service &amp; Volunteers</b>	371,506	(69,708)	301,798
74,973	(20,595)	54,378	Rangers	79,085	(23,063)	56,022
287,790	(64)	287,726	Countryside Volunteers	187,485	(58)	187,427
43,792	(2,522)	41,270	Property Team	41,583	(3,285)	38,298
816,448	(93,092)	723,356	Estates Workers	679,659	(96,114)	583,545
			<b>Development Control</b>			
1,338,226	(318,333)	1,019,893	Development Control	1,483,669	(359,947)	1,123,722
1,338,226	(318,333)	1,019,893		1,483,669	(359,947)	1,123,722
			<b>Forward Planning &amp; Communities</b>			
539,890	(34,644)	505,246	Policy Planning	546,166	(155,405)	390,761
164,001	(31,829)	132,172	Community Development	164,909	(38,500)	126,409
703,891	(66,473)	637,418		711,075	(193,905)	517,170
			<b>Service Management &amp; Support Services</b>			
1,781,554	(79,560)	1,701,994	Corporate Management	2,502,172	(584,051)	1,918,121
441,197	(0)	441,197	Corporate & Democratic Core	459,205	(0)	459,205
28,865	(0)	28,865	Non-Distributed Costs	178,111	(0)	178,111
0	(0)	0	Past Service Cost (Gain)	0	(0)	0
(1,746,254)	(0)	(1,746,254)	Less Recharged Support Service Costs	(1,918,121)	(0)	(1,918,121)
505,362	(79,560)	425,802		1,221,367	(584,051)	637,316
<b>13,413,541</b>	<b>(6,347,223)</b>	<b>7,066,318</b>	<b>Total Cost of Services</b>	<b>13,300,746</b>	<b>(6,295,678)</b>	<b>7,005,068</b>
0	(0)	0	Other Operating Expenditure (Note 8)	234,256	(0)	234,256
492,114	(30,063)	462,051	Financing and Investment Income (Note 9)	542,420	(35,974)	506,446
0	(0)	0	Surplus or deficit on discontinued operations (Note 22)	0	(0)	0
0	(6,368,731)	(6,368,731)	National Park Grant, non-specific grant and capital income (Note 10)	0	(6,259,540)	(6,259,540)
<b>13,905,655</b>	<b>(12,746,017)</b>	<b>1,159,638</b>	<b>(Surplus) or Deficit on Provision of Services</b>	<b>14,077,422</b>	<b>(12,591,192)</b>	<b>1,486,230</b>
0	(856,701)	(856,701)	(Surplus) or deficit on revaluation of Property, Plant & Equipment assets	0	(1,674,533)	(1,674,533)
4,287,971	(0)	4,287,971	Actuarial (gains) losses on pension assets / liabilities	0	(4,724,805)	(4,724,805)
<b>4,287,971</b>	<b>(856,701)</b>	<b>3,431,270</b>	<b>Other Comprehensive (Income) Expenditure (Note 5)</b>	<b>0</b>	<b>(6,399,338)</b>	<b>(6,399,338)</b>
<b>18,193,626</b>	<b>(13,602,718)</b>	<b>4,590,908</b>	<b>Total Comprehensive (Income) Expenditure</b>	<b>14,077,422</b>	<b>(18,990,530)</b>	<b>(4,913,108)</b>

## 5. Balance Sheet as at 31<sup>st</sup> March 2016

2014-15 £		Notes	2015-16 £
	Property, Plant & Equipment		
17,276,076	- Land & Buildings	11	18,460,782
1,105,000	- Vehicles, Plant & Equipment	11	973,274
209,733	Intangible Assets	12	198,911
0	Long Term Investments		0
0	Long Term Debtors	14	0
<u>18,590,809</u>	<b>Total Long Term Assets</b>		<u>19,632,967</u>
156,902	Inventories	13	181,884
2,734,431	Short Term Debtors	14	2,681,862
1,029,383	Assets held for Sale	16	128,100
3,089,193	Cash & Cash Equivalents	15	6,212,724
<u>7,009,909</u>	<b>Total Current Assets</b>		<u>9,204,570</u>
(66,353)	Cash & Cash Equivalents	15	(278)
(97,897)	Short Term Borrowing	35 & 36	(61,864)
(1,819,841)	Short Term Creditors	17	(1,420,810)
(206,401)	Accruals	20	(243,907)
<u>(2,190,492)</u>	<b>Total Current Liabilities</b>		<u>(1,726,859)</u>
(559,170)	Long Term Borrowing	35 & 36	(497,306)
(15,749,000)	Other Long Term Liabilities	33	(12,190,000)
(754,568)	Grants Receipt in Advance	27	(3,162,776)
<u>(17,062,738)</u>	<b>Total Long Term Liabilities</b>		<u>(15,850,082)</u>
<u>6,347,488</u>	<b>TOTAL NET ASSETS</b>		<u>11,260,596</u>
<b>Financed by:</b>			
<u>Usable Reserves</u>			
658,211	General Reserve	See p.17	622,439
335,307	Capital Receipts Reserve	19	1,012,321
2,464,649	Specific Reserves	7	2,870,332
54,169	Restricted Funds	7	198,644
<u>3,512,336</u>			<u>4,703,736</u>
<u>Unusable Reserves</u>			
7,210,325	Revaluation Reserve	20	8,026,950
11,580,228	Capital Adjustment Account	20	10,963,817
(15,749,000)	Pensions' Reserve	20	(12,190,000)
(206,401)	Accumulated Absences Account	20	(243,907)
<u>2,835,152</u>			<u>6,556,860</u>
<u>6,347,488</u>	<b>Total Reserves</b>		<u>11,260,596</u>

## 6. Cashflow Statement

2014-15		2015-16
£		£
<b><u>Operating Activities</u></b>		
(252,745)	Rents	(273,599)
(1,507,489)	Charges for Goods and Services	(3,066,940)
(3,326,598)	Grants and Partnership Income	(5,429,515)
(6,367,867)	National Park Grant and Levies	(6,257,122)
(30,063)	Interest Received	(35,974)
(0)	Discontinued Operations	(0)
<b>(11,484,762)</b>	<b>Cash Inflows</b>	<b>(15,063,150)</b>
6,918,808	Employment Costs	6,810,542
5,351,705	Payments for Goods and Services	4,952,847
370,850	Other Costs	535,504
30,114	Interest Paid	27,420
0	Discontinued Operations	0
<b>12,671,477</b>	<b>Cash Outflows</b>	<b>12,326,313</b>
<b>1,186,715</b>	<b>Operating Activities Net Cash Flow</b>	<b>(2,736,837)</b>
<b><u>Investing Activities</u></b>		
227,056	Purchase of Property, plant and equipment and intangible assets	256,545
0	Purchase of Investments	0
(0)	Sale of Property, plant and equipment and intangible assets	(804,793)
(864)	Capital Grants received	(2,418)
0	Discontinued Operations	0
<b>226,192</b>	<b>Investing Activities Net Cash Flow</b>	<b>(550,666)</b>
<b><u>Financing Activities</u></b>		
95,202	Repayments of amounts borrowed	97,897
0	New Loans	0
0	Discontinued Operations	0
<b>95,202</b>	<b>Financing Activities Net Cash Flow</b>	<b>97,897</b>
<b>1,508,109</b>	<b>Net (Increase) Decrease in Cash and Cash equivalents</b>	<b>(3,189,606)</b>
4,530,949	Cash and Cash Equivalents at the beginning of the Reporting Period (Note 15)	3,022,840
(1,508,109)	Net Increase (Decrease) in Cash and Cash equivalents as above	3,189,606
<b>3,022,840</b>	<b>Cash and Cash Equivalents at the end of the Reporting Period (Note 15)</b>	<b>6,212,446</b>



## 7. Notes to the Accounts

### **Note 1 Critical Judgements in applying Accounting Policies**

In applying the accounting policies set out in Section 2, the Authority has to make certain judgements about complex transactions or those involving uncertainty about future events, and their potential impact on the amounts recognised in the financial statements. The Authority believes there are no judgements made arising from its application of accounting policies which require disclosure.

### **Note 2 Assumptions made about the future and other major sources of estimation uncertainty**

The National Park Grant, the principal funding source for the Authority, has been confirmed for the next Spending Review period up to 2019/20, and the allocations allow for inflationary increases of 1.72% each year, allowing for financial stability during this period; the assumption made is that this is binding on the government as a statement of public investment intent. The Authority's net liability to pay pensions depends on a number of complex judgements, e.g. the discount rate used, the rate of wages' inflation, changes in retirement ages, mortality rates and the return on pension fund assets. These judgements are made by the actuaries engaged by Derbyshire County Council to advise on the Pension Fund, within statutory guidelines. Note 33 contains more information on the assumptions made and the impact on the accounts. The estimated pensions liability as at 31/03/16 is £12,190,000, and estimates of the liability in the last five years have ranged between £10,551,000 and £15,749,000.

The Land & Buildings figure (within the Property, Plant & Equipment heading on the Balance Sheet) is determined by the accounting policies outlined in paragraph 2.193 and 2.19.4., and as such, any revaluations of assets within this category may be subject to variations arising from the nature of the valuation process. The carrying amount as at 31/03/2016 was £18,460,782.

There are no other significant estimations or assumptions which require disclosure.

### **Note 3 Material Items of Income and Expenditure**

Within the items of income and expenditure contained within the Comprehensive Income and Expenditure Statement there is an outstanding debt from the Life European fund of £891,307, relating to the Moorlife project, denominated in euros. The final claim has been subject to external audit (by George Hay Partnership LLP) and is now being considered by the European grant team for payment. Payment is expected in the first half of the 2016/17 financial year, and the sum is contained within Debtors figures in Note 14. The Narrative Report helps to explain a number of variances from the previous year where the figures are materially different.

### **Note 4 Events after the Balance Sheet Date**

The Chief Finance Officer authorised the Statement of Accounts for issue on 27th May 2016 and the audited accounts were reported to the Audit, Resources and Performance Committee for approval on the 16<sup>th</sup> September 2016. Events taking place after this date will not be reflected in the financial statements or notes. Events which have occurred since the Balance Sheet date (31/03/16) and up to the authorisation of the accounts (27th May 2016) by the Chief Finance Officer have been considered. These events are of two kinds:- either "adjusting events" (events arising relating to conditions which existed at the Balance Sheet date which materially affect the amounts included in the accounts) or "non-adjusting events" (events arising relating to conditions which arose after the Balance Sheet which are material, and for which disclosure is required for the purposes of fair presentation).

On June 23<sup>rd</sup> the results of a referendum on Britain's membership of the European Union resulted in a majority vote to leave the Union. Although the vote occurred after the date of authorisation of the accounts above, the result is a significant national decision. The immediate implications were discussed by the Authority's senior management on 28<sup>th</sup> June with a preliminary list of potential consequences considered, and the implications of the decision were added to the Authority's risk register. The financial implications of the decision are covered in the Narrative Report.

## Note 5 Other Comprehensive Expenditure & Income

2014-15		2015-16
£		£
856,701	Surplus (Deficit) arising on revaluation of non-current assets	1,674,533
(4,318,000)	Actuarial Gain (Loss) on pension fund assets and liabilities	4,791,000
30,029	Other – difference between actuarial and actual charge against government grant	(66,195)
<u>(3,431,270)</u>	<b>Total</b>	<u>(6,399,338)</u>

## Note 6 Adjustments between Accounting Basis and Funding Basis under Regulations

This note details the adjustments made for items included or not included in the Statement of Comprehensive Income and Expenditure required by accounting standards, in order to understand the total Income and Expenditure which is required to be reported by Local Authorities as required by statute.

<u>2015/16</u>	General Fund	Capital Receipts Reserve	Un-usable Reserves
	£	£	£
<b>Adjustments to Revenue Resources</b>			
Pension costs – removal of accrual of full pension costs as reported on an actuarial basis under IAS19	(2,174,000)		2,174,000
Pension costs - replacement by employers actual paid contributions in year	1,008,195		(1,008,195)
Holiday Pay – removal of accrual for holiday pay costs leaving actual pay costs paid in year	(37,506)		37,506
Reversal of entries in relation to depreciation and impairment of non-current assets	(705,026)		705,026
Reversal of entries - revaluation gain (loss) on Property, Plant & Equipment	(15,276)		15,276
Reversal of entries - amortisation of Intangible assets	(41,947)		41,947
Reversal of entries for carrying value of non-current assets as part of gain / loss no disposal	(1,039,049)		1,039,049
<b>Total Adjustments to Revenue Resources</b>	<b>(3,004,609)</b>		<b>3,004,609</b>
<b>Adjustments between Revenue &amp; Capital Resources</b>			
Transfer of non-current asset sale proceeds to the Capital Receipts Reserve	804,793	(804,793)	0
Statutory provision for the repayment of debt	117,225		(117,225)
Capital Expenditure financed from revenue balances	79,557		(79,557)
<b>Total Adjustments between Revenue &amp; Capital Resources</b>	<b>1,001,575</b>	<b>(804,793)</b>	<b>(196,782)</b>

<b>Adjustments to Capital Resources</b>			
Use of the Capital Receipts Reserve to finance capital expenditure		127,779	(127,779)
Application of capital grants to finance capital expenditure	2,418		(2,418)
<b>Total Adjustments to Capital Resources</b>	<b>2,418</b>	<b>127,779</b>	<b>(130,197)</b>
<b>Total Adjustments</b>	<b>(2,000,616)</b>	<b>(677,014)</b>	<b>2,677,630</b>

The corresponding comparatives for the previous year are shown as follows:-

<b>2014/15</b>	<b>General Fund</b>	<b>Capital Receipts Reserve</b>	<b>Un-usable Reserves</b>
	<b>£</b>	<b>£</b>	<b>£</b>
<b>Adjustments to Revenue Resources</b>			
Pension costs – removal of accrual of full pension costs as reported on an actuarial basis under IAS19	(1,832,000)		1,832,000
Pension costs - replacement by employers actual paid contributions in year	921,970		(921,970)
Holiday Pay – removal of accrual for holiday pay costs leaving actual pay costs paid in year	20,327		(20,327)
Reversal of entries in relation to depreciation and impairment of non-current assets	(595,507)		595,507
Reversal of entries in relation to a revaluation gain (loss) on Property, Plant & Equipment	33,499		(33,499)
Reversal of entries in relation to amortisation of Intangible assets	(44,164)		44,164
<b>Total Adjustments to Revenue Resources</b>	<b>(1,495,875)</b>		<b>1,495,875</b>
<b>Adjustments between Revenue &amp; Capital Resources</b>			
Transfer of non-current asset sale proceeds to the Capital Receipts Reserve	0	(0)	0
Statutory provision for the repayment of debt	108,152		(108,152)
Capital Expenditure financed from revenue balances	141,090		(141,090)
<b>Total Adjustments between Revenue &amp; Capital Resources</b>	<b>249,242</b>	<b>(0)</b>	<b>(249,242)</b>
<b>Adjustments to Capital Resources</b>			
Use of the Capital Receipts Reserve to finance capital expenditure		90,290	(90,290)
Application of capital grants to finance capital expenditure	864		(864)
<b>Total Adjustments to Capital Resources</b>	<b>864</b>	<b>90,290</b>	<b>(91,154)</b>
<b>Total Adjustments</b>	<b>(1,245,769)</b>	<b>90,290</b>	<b>1,155,479</b>

## Note 7 Earmarked Reserves and Transfers to and from the Reserves

This note sets out the amount set aside from, and allocated to, the General Reserve in earmarked reserves to provide financing for future expenditure plans. The Authority also administers Restricted Funds made up of donations or bequests, expended according to the wishes of the donor, or funds which have a legal restriction on their use.

	£ Balance at 1 <sup>st</sup> April 2014	Transfers Out 2014/15	Transfers In 2014/15	Balance at 31 <sup>st</sup> March 2015	Transfers Out 2015/16	Transfers In 2015/16	Balance at 31 <sup>st</sup> March 2016
Minerals Reserve	353,459		70,000	423,459		12,500	435,959
Reducing Resources / Restructuring Reserve	154,657		244,399	399,056	(156,896)		242,160
ICT Reserve	50,000		69,000	119,000		77,816	196,816
Warslow Reserve	15,966			15,966			15,966
North Lees Reserve	10,000			10,000		30,329	40,329
Minor Properties Reserve	10,000			10,000			10,000
Conservation Acquisitions Reserve	19,000			19,000			19,000
Visitor Centre Reserve	111,146			111,146		18,000	129,146
Aldern House Reserve	10,000		7,000	17,000		4,000	21,000
Design Reserve	25,882		7,500	33,382		6,000	39,382
Forestry Reserve	18,140			18,140			18,140
Trail Reserve	55,704		19,000	74,704		99,900	174,604
Vehicle Maintenance Reserve	18,009			18,009			18,009
Planned Maintenance Reserve	18,845			18,845			18,845
Car Park Reserve	45,504		16,500	62,004	(23,730)		38,274
Cycle Hire Reserve	20,000	(10,702)		9,298		38,000	47,298
Matched Funding Reserve	599,887	(131,123)		468,764	(95,719)	150,000	523,045
Slippage Reserve	804,729	(686,837)	518,984	636,876	(518,984)	764,467	882,359
<b>Total Earmarked Reserves</b>	<b>2,340,928</b>	<b>(828,662)</b>	<b>952,383</b>	<b>2,464,649</b>	<b>(795,329)</b>	<b>1,201,012</b>	<b>2,870,332</b>
<u>Restricted Funds</u>							
Cyril Bennett Bequest	9,270			9,270			9,270
Graham Attridge Bequest	2,046			2,046			2,046
Sheila Streek Bequest	0		30,000	30,000		6,020	36,020
Margaret Nicholls Bequest	0		3,000	3,000			3,000
Memorial Landscape Fund	1,532		1,623	3,155		1,099	4,254
Restoration Bond	4,170		28	4,198		27	4,225
Friends of Losehill Hall	2,500			2,500			2,500
Moss Rake East Restoration Bond	0			0		137,329	137,329
<b>Total Restricted Funds</b>	<b>19,518</b>	<b>0</b>	<b>34,651</b>	<b>54,169</b>	<b>0</b>	<b>144,475</b>	<b>198,644</b>
<b>Total Transfers</b>							
		(828,662)	987,034		(795,329)	1,345,487	
<b>Net Transfer as per Movement in Reserves Statement</b>			<b>158,372</b>			<b>550,158</b>	

**Note 8 Other Operating Expenditure**

2014-15		2015-16
£		£
0	Write Down of carrying amount of asset to fair value as a result of transfer to asset held for sale category	0
0	(Gains) Losses - disposal of non-current assets	234,256
<b>0</b>	<b>Total</b>	<b>234,256</b>

The loss on disposal of £234,256 in 2015-16 relates primarily to the requirement to repay a proportion of the disposal proceeds for one property which was sold, to the National Heritage Memorial Fund. The accounting loss (of £321,941) arose because the carrying value of the asset was included, as required by the accounting code, in the balance sheet at its full open market value, rather than the Authority's actual share of the asset value; the figure of £234,256 is lower because the figure includes a number of woodlands and vehicles which were sold at a net accounting gain of £87,685.

**Note 9 Financing and Investment Income and expenditure**

2014-15		2015-16
£		£
30,114	Interest payable and similar charges	27,420
462,000	Pensions' interest cost and expected return on pensions' assets	515,000
(30,063)	Interest receivable and similar income	(35,974)
<b>462,051</b>	<b>Total</b>	<b>506,446</b>

**Note 10 National Park Grant, non-specific and capital grant income**

2014-15		2015-16
£		£
<b>6,367,867</b>	National Park Grant (DEFRA)	<b>6,257,122</b>
<b>0</b>	Non-specific grant income	<b>0</b>
	<i>Capital Grants</i>	
0	Defra – Catchment Sensitive Farming Grant	0
0	SITA Landfill Grant, Species Rich Grasslands	0
864	Other Capital Grants each under £10,000	2,418
<b>864</b>	<b>Total Capital Grants</b>	<b>2,418</b>
<b>6,368,731</b>	<b>Total</b>	<b>6,259,540</b>

## Note 11 Property, plant & Equipment – Movements on Balances

The Authority is a major landowner and its principal assets comprise woodlands, tenanted farms, car parks, toilets, cycle hire centres, Visitor Centres and a headquarters building. The Authority has an Asset Management Plan, which helps to guide its future asset strategy and ownership of assets. The Authority's Intangible assets comprise only purchased software. The Authority's network of trails along disused railway lines are regarded as infrastructure assets.

2015/16	Land & Buildings	Vehicles, plant, equipment	Community Assets	Infra-structure Assets	Surplus Assets	Total
Cost or Valuation	£	£	£		£	£
Gross Book Value at 1 <sup>st</sup> April 2015	15,091,186	2,656,355	1,380,969	1,641,432	862,351	21,632,293
Additions	131,741	40,330	64,445	0	0	236,516
Donations	0	0	0	0	0	0
Revaluation increases (decreases) recognised in the Revaluation Reserve	1,626,221	0	0	0	55,000	1,681,221
Revaluation increases (decreases) recognised in the Surplus/Deficit on the Provision of Services	(15,276)	0	0	0	0	(15,276)
De-recognition: disposals	(0)	(35,264)	(0)	(0)	(0)	(35,264)
De-recognition: other	(0)	(0)	(0)	(0)	(0)	(0)
Assets re-classified (to) from Held for Sale / surplus assets	(125,100)	0	0	0	0	(125,100)
Other Movements – accumulated depreciation w/o on revaluation	(4,594)	0	0	0	(167,500)	(172,094)
<b>Gross Book Value at 31<sup>st</sup> March 2016</b>	<b>16,704,178</b>	<b>2,661,421</b>	<b>1,445,414</b>	<b>1,641,432</b>	<b>749,851</b>	<b>23,202,296</b>
<b>Accumulated depreciation and impairment</b>						
At 1 <sup>st</sup> April 2015	(1,047,532)	(1,551,355)	(65,975)	(395,005)	(191,350)	(3,251,217)
Depreciation Charge	(296,247)	(159,390)	(11,459)	(81,070)	(9,767)	(557,933)
Impairment Charge	0	0	0	0	(153,782)	(153,782)
Depreciation written out to the Revaluation Reserve	0	0	0	0	229	229
Depreciation written out to the Surplus/deficit on the Provision of Services	4,594	0	0	0	13,489	18,083
Impairments recognised in the Revaluation Reserve	0	0	0	0	6,688	6,688
Impairments recognised in the Surplus/deficit on the Provision of Services	0	0	0	0	147,094	147,094
Re-classifications	0	0	0	0	0	0
De-recognition - disposals	0	22,598	0	0	0	22,598
<b>Accumulated depreciation &amp; impairment at 31<sup>st</sup> March 2016</b>	<b>(1,339,185)</b>	<b>(1,688,147)</b>	<b>(77,434)</b>	<b>(476,075)</b>	<b>(187,399)</b>	<b>(3,768,240)</b>
<i>Net Book Value 31 March 2015</i>	<i>14,043,654</i>	<i>1,105,000</i>	<i>1,314,994</i>	<i>1,246,427</i>	<i>671,001</i>	<i>18,381,076</i>
<b>Net Book Value at 31<sup>st</sup> March 2016</b>	<b>15,364,993</b>	<b>973,274</b>	<b>1,367,980</b>	<b>1,165,357</b>	<b>562,452</b>	<b>19,434,056</b>
<b>At Historical Cost</b>						
As at 31/03/2016	7,724,817	-	-	-	412,938	
Fair Value Movement 2015/16	1,391,475	-	-	-	46,417	
Fair Value Movement 2014/15	699,539	-	-	-	(617,869)	
Fair Value Movement 2013/14	451,453	-	-	-	610,398	
Fair Value Movement 2012/13	1,169,922	-	-	-	93,305	
Fair Value - up to 2011/12	3,927,787	-	-	-	17,263	
<b>Net Book Value at 31/03/2016</b>	<b>15,364,993</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>562,452</b>	

**Note 11 continued**

<b>2014/15</b>	<b>Land &amp; Buildings</b>	<b>Vehicles, plant, equipment</b>	<b>Community Assets</b>	<b>Infra-structure Assets</b>	<b>Surplus Assets</b>	<b>Total</b>
<b>Cost or Valuation</b>	<b>£</b>	<b>£</b>	<b>£</b>		<b>£</b>	<b>£</b>
Gross Book Value at 1 <sup>st</sup> April 2014	14,764,719	2,585,999	1,352,949	1,641,432	1,855,176	<b>22,200,275</b>
Additions	100,789	70,356	28,020	0	0	<b>199,165</b>
Donations	0	0	0	0	0	<b>0</b>
Revaluation increases (decreases) recognised in the Revaluation Reserve	804,901	0	0	0	0	<b>804,901</b>
Revaluation increases (decreases) recognised in the Surplus/Deficit on the Provision of Services	28,999	0	0	0	0	<b>28,999</b>
De-recognition: disposals	(0)	(0)	(0)	(0)	(0)	<b>(0)</b>
De-recognition: other	(1)	(0)	(0)	(0)	(0)	<b>(1)</b>
Assets re-classified (to) from Held for Sale / surplus assets	(14,670)	0	0	0	(992,825)	<b>(1,007,495)</b>
Other Movements – accumulated depreciation w/o on revaluation	(593,551)	0	0	0	(0)	<b>(593,551)</b>
<b>Gross Book Value at 31<sup>st</sup> March 2015</b>	<b>15,091,186</b>	<b>2,656,355</b>	<b>1,380,969</b>	<b>1,641,432</b>	<b>862,351</b>	<b>21,632,293</b>
<b>Accumulated depreciation and impairment</b>						
At 1 <sup>st</sup> April 2014	(1,343,295)	(1,379,150)	(54,510)	(307,476)	(199,243)	<b>(3,283,674)</b>
Depreciation Charge	(299,258)	(172,205)	(11,465)	(87,529)	(25,049)	<b>(595,506)</b>
Depreciation written out to the Revaluation Reserve	36,856	0	0	0	0	<b>36,856</b>
Depreciation written out to the Surplus/deficit on the Provision of Services	232,824	0	0	0	0	<b>232,824</b>
Impairments recognised in the Revaluation Reserve	0	0	0	0	0	<b>0</b>
Impairments recognised in the Surplus/deficit on the Provision of Services	323,871	0	0	0	0	<b>323,871</b>
Re-classifications	1,470	0	0	0	32,942	<b>34,412</b>
De-recognition - disposals	0	0	0	0	0	<b>0</b>
<b>Accumulated depreciation &amp; impairment as at 31<sup>st</sup> March 2015</b>	<b>(1,047,532)</b>	<b>(1,551,355)</b>	<b>(65,975)</b>	<b>(395,005)</b>	<b>(191,350)</b>	<b>(3,251,217)</b>
<i>Net Book Value at 31<sup>st</sup> March 2014</i>	<i>13,421,424</i>	<i>1,206,849</i>	<i>1,298,439</i>	<i>1,333,956</i>	<i>1,655,933</i>	<i><b>18,916,601</b></i>
<b>Net Book Value at 31<sup>st</sup> March 2015</b>	<b>14,043,654</b>	<b>1,105,000</b>	<b>1,314,994</b>	<b>1,246,427</b>	<b>671,001</b>	<b>18,381,076</b>

**Capital Commitments**

An update to the Authority's Capital Strategy was approved by the Authority in December 2015. Potential projects in a Capital Programme up to 2019-20 were identified, totalling £3.6m, financed partly from borrowing proposals of £2.49m and partly from anticipated capital receipts of £1.1m. As part of the original strategy capital expenditure of £213,000 was approved for minor and urgent improvement works and £250,000 was approved for environmental improvements on the Authority's property; £263,035 of this expenditure has been accounted for, financed from the Capital Reserve, with the remainder (£199,965) to be financed from the reserve in future years.

**Effects of Changes in Estimates**

There are no material effects arising from changes in accounting estimates for residual values, useful lives or depreciation methods.

## Revaluations

The Authority's property shown in the Land & Buildings column has been valued as at 31<sup>st</sup> March 2016 by the Authority's Property Manager Michael Ingham MRICS. The valuations are in accordance with the CIPFA Code of Practice and the relevant sections of the Royal Institute of Chartered Surveyors Appraisal and Valuation Manual. The Authority values these assets over a five-year rolling programme, concentrating this year on woodlands.

## Impairments

During 2015/16 the Authority approved a revised approach to planning for Brosterfield caravan site following community consultations and has recognised as a result an impairment loss of £153,782, based on the fact that a reduction in the number of overall pitches in a revised planning application will have a potential impact on the capital value of the site.

## **Note 12 Intangible Assets**

The Authority accounts for its software as intangible assets, at their historic purchase cost. The Authority does not capitalise internally generated assets. All software is given a finite useful life, based on assessments of the period that the software is expected to be of use to the Authority. The useful life in all cases is 5 years unless a shorter asset life is more appropriate. The carrying amount of intangible assets is amortised on a reducing balance basis. The amortisation charge forms part of the charge to the Information Technology Support Service and is then absorbed as an overhead across all the service headings in the Net Expenditure of Services. It is not possible to quantify exactly how much of the amortisation is attributable to each service heading.

<b>2014/15</b>		<b>2015/16</b>
<b>£</b>		<b>£</b>
546,069	Gross carrying amounts at Start of Year	579,148
(325,251)	Accumulated amortisation to date	(369,415)
<b>220,818</b>	<b>Net Carrying Amount at Start of Year</b>	<b>209,733</b>
33,079	Additions	31,124
0	Assets reclassified as Held for Sale	0
0	Other disposals	0
0	Impairment losses recognised in the Surplus / Deficit on the Provision of Services	0
0	Reversals of past impairment losses written back to the Surplus / Deficit on the Provision of Services	0
(44,164)	Amortisation for the period	(41,947)
0	Other changes	1
<b>209,733</b>	<b>Net carrying amount at end of year</b>	<b>198,911</b>
	<u>Comprising:</u>	
579,148	Gross carrying amounts	610,273
(369,415)	Accumulated amortisation	(411,362)
<b>209,733</b>		<b>198,911</b>

There are no intangible assets which are material to the financial statements requiring individual disclosure in this note. There are no contractual commitments for the acquisition of intangible assets which require individual disclosure in this note.

## **Note 13 Inventories**

There is no work in progress. Stocks of publications & other items for resale are:-



<b>31 March 2015</b>		<b>31 March 2016</b>
£		£
<b>138,409</b>	<b>Balance o/s at start of year</b>	<b>156,902</b>
251,348	Purchases	246,392
(238,229)	Recognised as an expense in the year	(239,939)
5,374	Written off balances / Reversals of write offs in previous years	18,529
<b><u>156,902</u></b>	<b>Balance o/s at year end</b>	<b><u>181,884</u></b>

#### **Note 14 Debtors**

Debtors can be analysed as follows:

<b>31 March 2015</b>		<b>31 March 2016</b>
£		£
1,039,908	Central Government Bodies	935,770
39,730	Other Local Authorities	38,784
0	NHS Bodies	0
9,000	Public Corporations and Trading Funds	2,664
1,669,285	Bodies external to general government	1,732,416
(23,492)	Less: Provision for Bad Debts	(27,772)
<b><u>2,734,431</u></b>	<b>Total</b>	<b><u>2,681,862</u></b>

#### **Note 15 Cash and Cash Equivalents**

Cash and Bank can be analysed as follows:

<b>31 March 2015</b>		<b>31 March 2016</b>
£		£
(67,656)	Bank current accounts	(1,847)
1,303	Cash held by the Authority	1,569
3,089,193	Deposits with North Yorks. County Council	6,212,724
<b><u>3,022,840</u></b>	<b>Total</b>	<b><u>6,212,446</u></b>

The above bank figures represent the value of the bank accounts on the accounting system. The bank statements show a different amount owing to timing differences, which are reconciled in the bank reconciliation process. At the end of each working day a transfer is made to and from the investment account, ensuring the bank accounts overall remain in credit by a small amount. The investment account represents deposits invested with North Yorkshire County Council on which interest is received. The amounts are invested daily, with surplus funds from the Authority's pooled bank accounts being transferred and invested in accordance with the Authority's Treasury Management Policy, leaving a small surplus balance in current accounts. The Authority's Short Term investments are all cash resources.

#### **Note 16 Assets Held for Sale**

An analysis of the Assets Held for Sale category within current assets is shown below.

<b>2014/15</b>		<b>2015/16</b>
£		£
<b>0</b>	<b>Balance outstanding at start of year</b>	<b>1,029,383</b>
973,083	Property, Plant & Equipment newly identified	125,100
56,300	Revaluation (losses) gains	0
0	Impairment losses	0
0	Property, Plant & Equipment declassified as held for sale	0

0	Assets sold	(1,026,383)
<b>1,029,383</b>	<b>Balance outstanding at year end</b>	<b>128,100</b>

Warren Lodge and Losehill Hall Bungalow were sold in the year, together with a number of small woodlands. Additions for 2015/16 to this category are a number of further woodlands and one minor landholding, which are expected to be sold in the first quarter of 2016/17.

#### Note 17 Creditors due within 12 months

Creditors can be analysed as follows:

<b>31 March 2015</b>		<b>31 March 2016</b>
£		£
101,685	Central Government Bodies	181,090
314,266	Other Local Authorities	209,633
0	NHS Bodies	0
0	Public Corporations and Trading Funds	0
1,399,395	Bodies external to general government	1,025,592
4,495	Provision for unpaid cheques	4,495
<b>1,819,841</b>	<b>Total</b>	<b>1,420,810</b>

#### Note 18 Provisions and Contingent Liabilities

No provisions or contingent liabilities have been disclosed in the 2015/16 accounts in accordance with the Code of Accounting Practice, however the Authority considers that it has made sufficient financial arrangements to cover estimates of potential liabilities which may arise not covered by the accounting definition. Financing for these potential liabilities is achieved within the usable earmarked reserves (Note 7).

#### Note 19 Usable Reserves

Movements in the Authority's usable reserves are detailed in the Movement in Reserves Statement and Note 7. The Capital Receipts Reserve, built up from the proceeds of the sale of fixed assets and available for use to finance capital expenditure, is as follows:-

<b>2014-15</b>		<b>2015-16</b>
£		£
<b>425,597</b>	Balance at 1 April	<b>335,307</b>
0	Receipts received in year	804,793
(90,290)	Receipts used to finance Capital Expenditure	(127,779)
<b>335,307</b>	<b>Balance at 31 March</b>	<b>1,012,321</b>

#### Note 20 Unusable Reserves

The Authority's unusable reserves are shown in full in the Balance Sheet.

The Revaluation Reserve records the accumulated gains on the Property, Plant & Equipment assets held by the Authority arising from increases in value, as a result of inflation or other factors, less any subsequent downward movements in value – impairments and/or depreciation. The balance on the reserve therefore represents the amount by which the current value of fixed assets carried in the Balance Sheet has been revalued above their

depreciated historic cost. It is the Authority's policy to revalue 20% of total assets each year as a rolling programme over a five-year period and the account includes these changes, together with any written down value of assets which have been disposed of in the year.

<b>2014-15</b>	<b>Revaluation Reserve</b>	<b>2015-16</b>
<b>£</b>		<b>£</b>
<b>6,502,000</b>	<b>Balance at 1 April</b>	<b>7,210,325</b>
866,223	Upward revaluation of assets	1,681,221
(9,522)	Downward revaluation of assets & impairment losses not charged to the Surplus/Deficit on the Provision of Services	(6,688)
<b>7,358,701</b>	Surplus or deficit on revaluation of non-current assets not posted to the Surplus/Deficit on the Provision of Services	<b>8,884,858</b>
(148,375)	Difference between fair value depreciation and historical cost depreciation	(139,725)
(1)	Accumulated gains on assets sold or scrapped / Other	(718,183)
<b>(148,376)</b>	Amount written off to the Capital Adjustment Account	<b>(857,908)</b>
<b>7,210,325</b>	<b>Balance at 31 March</b>	<b>8,026,950</b>

The Capital Adjustment Account absorbs the timing differences arising from the different arrangements on the one hand, for accounting for the consumption of non-current assets, and on the other hand, for the financing of the acquisition, construction or enhancement of those assets as required by statute. The Capital Adjustment Account is credited with the amount of capital expenditure financed from revenue, capital receipts and capital grants, together with the Minimum Revenue provision (the amount charged to the Income and Expenditure account to ensure that an appropriate level of financing is set aside for the repayment of the principal element of any borrowing outstanding). As assets are consumed, either by depreciation, impairment or disposal, the charge is made to this account as a debit.

<b>2014-15</b>	<b>Capital Adjustment Account</b>	<b>2015-16</b>
<b>£</b>		<b>£</b>
<b>11,697,629</b>	<b>Balance at 1 April</b>	<b>11,580,228</b>
	<u>Reversal of items relating to capital expenditure debited or credited to the Comprehensive Income &amp; Expenditure Statement (CIES)</u>	
(595,507)	Charges for depreciation of non-current assets	(557,932)
0	Charges for impairment of non-current assets	(147,094)
33,499	Revaluation (losses) gains on Property, Plant & Equipment	(15,276)
(44,164)	Amortisation of intangible assets	(41,947)
0	Revenue expenditure funded from capital under statute	0
(0)	Amounts of non-current assets written off on disposal or sale as part of the gain/loss on disposal to the CIES	(1,039,049)
(606,172)		(1,801,298)
148,375	Adjusting amounts written out of the Revaluation Reserve	857,908
<b>(457,797)</b>	<b>Net written out amount of the cost of non-current assets consumed in the year</b>	<b>(943,390)</b>
	<u>Capital financing applied in the year:-</u>	
90,290	Use of the Capital Receipts Reserve to finance new capital expenditure	127,779
864	Capital grants and contributions credited to the CIES that have been applied to capital financing	2,418
108,152	Statutory provision for the financing of capital investment charged against the General Fund	117,225

141,090	Capital expenditure charged against the General Fund	79,557
<b>340,396</b>	<b>Total Capital Financing applied in year</b>	<b>326,979</b>
<b>11,580,228</b>	<b>Balance at 31 March</b>	<b>10,963,817</b>

The Pensions' Reserve absorbs the timing differences arising from the different arrangements, on the one hand for post-employment benefits, and on the other hand, for funding benefits in accordance with statute. The Authority accounts for post employment benefits in the Comprehensive Income & Expenditure Statement as the benefits are earned by employees accruing years of service, with the liabilities recognised updated to reflect inflation, changing assumptions and investment returns on any resources set aside to meet the costs. Statutory arrangements however require benefits to be financed at the rate the Authority makes employer's contributions to pension funds or eventually pays any pensions for which it is directly responsible. The debit balance on the Pensions' Reserve therefore shows a substantial shortfall in the benefits earned by past and current employees and the resources the Authority has set aside to meet them. The statutory arrangements will ensure that funding will have been set aside by the time the benefits come to be paid.

2014-15	Pensions' Reserve	2015-16
£		£
<b>(10,551,000)</b>	<b>Balance at 1 April</b>	<b>(15,749,000)</b>
(4,318,000)	Actuarial gains or (losses) on pensions assets and liabilities	4,791,000
(1,801,970)	Reversal of items relating to retirement benefits debited or credited to the Surplus or Deficit on the Provision of Services in the CIES	(2,240,195)
921,970	Employer's pension contributions and direct payments to pensioners payable in the year	1,008,195
<b>(15,749,000)</b>	<b>Balance at 31<sup>st</sup> March</b>	<b>(12,190,000)</b>

The Accumulated Absences Account absorbs the differences that would otherwise arise on the General Fund Balance from accruing for compensated absences earned but not taken in the year eg annual leave entitlement carried forward at 31<sup>st</sup> March. Statutory arrangements require that the impact on the General Fund Balance is neutralised by transfers to or from the Account.

2014-15	Accumulated Absences Account	2015-16
£		£
<b>(226,728)</b>	<b>Balance at 1 April</b>	<b>(206,401)</b>
226,728	Settlement or cancellation of accrual made at the end of the preceding year	206,401
(206,401)	Amounts accrued at the end of the current year	(243,907)
20,327	Amounts by which officer remuneration charged to the CIES on an accruals basis is different from remuneration chargeable on a salary basis in accordance with statutory requirements	(37,506)
<b>(206,401)</b>	<b>Balance at 31<sup>st</sup> March</b>	<b>(243,907)</b>

## Note 21 Amounts Reported for Resource Allocation Decisions (the Budget Reporting Analysis)

The analysis of income and expenditure by service on the face of the Comprehensive Income & Expenditure Statement is that specified by the Best Value Accounting Code of Practice. Decisions about resource allocation are taken by the Authority on the basis of budget reports analysed across the same headings, although these reports are prepared on a different basis from the accounting policies used in the financial statements, and monitoring of budgets is organised on a divisional basis for purposes of accountability. In particular:-

- No charges are made in relation to capital expenditure (whereas in the financial statements depreciation, revaluation and impairments are charged to the CIES)
- The cost of retirement benefits is based on cash flows (payment of employers' pension contributions) rather than the current service cost of benefits accrued in the year
- Expenditure on some support services is budgeted for centrally and is not charged to services

The income and expenditure of the Authority as recorded in the budget reports for the year is as follows:-

<b>2015-16 £</b>	Employee expenses	Service Expenses	<b>Total Expenditure</b>	Fees, charges and other income	Grants	<b>Total Income</b>	<b>Net Expenditure</b>
Conservation of the Natural Environment	1,459,998	2,369,208	<b>3,829,206</b>	(323,080)	(2,675,960)	<b>(2,999,040)</b>	<b>830,166</b>
Conservation of the Cultural Heritage	192,004	63,475	<b>255,479</b>	(2,661)	(37,966)	<b>(40,627)</b>	<b>214,852</b>
Recreation Mgt & Transport	984,789	969,890	<b>1,954,679</b>	(815,686)	(620,746)	<b>(1,436,432)</b>	<b>518,247</b>
Promoting Understanding	829,459	466,299	<b>1,295,758</b>	(971,683)	(97,050)	<b>(1,068,733)</b>	<b>227,025</b>
Rangers, Estates Services & Volunteers	474,145	95,356	<b>569,501</b>	(26,422)	(73,875)	<b>(100,297)</b>	<b>469,204</b>
Development Control	721,920	135,557	<b>857,477</b>	(359,947)	(0)	<b>(359,947)</b>	<b>497,530</b>
Forward Planning & Communities	428,674	102,289	<b>530,963</b>	(153,142)	(40,763)	<b>(193,905)</b>	<b>337,058</b>
Support Services	1,719,555	1,249,855	<b>2,969,410</b>	(865,318)	(38,593)	<b>(903,911)</b>	<b>2,065,499</b>
<b>Total</b>	<b>6,810,544</b>	<b>5,451,929</b>	<b>12,262,473</b>	<b>(3,517,939)</b>	<b>(3,584,953)</b>	<b>(7,102,892)</b>	<b>5,159,581</b>

<b>2014-15 £</b>	Employee expenses	Service Expenses	<b>Total Expenditure</b>	Fees, charges and other income	Grants	<b>Total Income</b>	<b>Net Expenditure</b>
Conservation of the Natural Environment	1,636,062	3,254,951	<b>4,891,013</b>	(296,137)	(3,617,694)	<b>(3,913,831)</b>	<b>977,182</b>
Conservation of the Cultural Heritage	240,195	49,464	<b>289,659</b>	(3,906)	(34,365)	<b>(38,271)</b>	<b>251,388</b>
Recreation Mgt & Transport	1,070,633	857,514	<b>1,928,147</b>	(716,853)	(483,978)	<b>(1,200,831)</b>	<b>727,316</b>
Promoting Understanding	836,980	470,265	<b>1,307,245</b>	(533,153)	(103,680)	<b>(636,833)</b>	<b>670,412</b>
Rangers, Estates Services & Volunteers	561,551	163,532	<b>725,083</b>	(23,642)	(69,450)	<b>(93,092)</b>	<b>631,991</b>
Development Control	716,816	92,423	<b>809,239</b>	(316,398)	(1,936)	<b>(318,334)</b>	<b>490,905</b>
Forward Planning & Communities	443,145	106,658	<b>549,803</b>	(33,490)	(32,983)	<b>(66,473)</b>	<b>483,330</b>
Support Services	1,413,425	836,565	<b>2,249,990</b>	(41,271)	(39,153)	<b>(80,424)</b>	<b>2,169,566</b>
<b>Total</b>	<b>6,918,807</b>	<b>5,831,372</b>	<b>12,750,179</b>	<b>(1,964,850)</b>	<b>(4,383,239)</b>	<b>(6,348,089)</b>	<b>6,402,090</b>

## Note 21 Continued

### Reconciliation of Budget reporting Income & Expenditure to Cost of Services in the Comprehensive Income & Expenditure Statement

This reconciliation shows how the figures in the above analysis relate to the amounts included in the Comprehensive Income & Expenditure Statement.

2014-15		2015-16
£		£
<b>6,402,090</b>	<b>Net Expenditure in the Budget Reporting Analysis</b>	<b>5,159,581</b>
(232,244)	Remove capital expenditure capitalised in the financial statements but included in the budget reporting	(267,640)
(921,970)	Remove employers' cash pension contributions included in budget reporting but removed from the financial statements	(1,008,195)
(30,114)	Remove interest charges included in the budget reporting but excluded from the Cost of Services in the CIES (interest charges as shown as part of the Surplus or Deficit on Provision of Services in the CIES instead)	(27,420)
(108,152)	Remove Statutory provision for the financing of capital investment included in the budget reporting but excluded from the Cost of Services in the CIES (provision is shown in the Movement in Reserves Statement instead)	(117,225)
864	Remove capital income included in the budget reporting but capitalised in the financial statements	807,211
0	Remove deficit or surplus on discontinued operations	0
1,370,000	Add employers' cash pension contributions included as an accrual in the financial statements but excluded from budget reporting	1,659,000
(20,327)	Add (subtract) impact of employee accrual for leave	37,506
639,671	Add depreciation charges included in the CIES but excluded in the budget reporting	599,879
(33,499)	Add impairment charges (reversals) included in the CIES but excluded in the budget reporting	162,370
(1)	Other Adjustment	1
<b>7,066,318</b>	<b>Cost of Services in Comprehensive Income &amp; Expenditure Statement</b>	<b>7,005,068</b>

## Note 21 Continued

### Reconciliation to Subjective Analysis

This reconciliation shows how the figures in the budget reporting analysis relate to a subjective analysis of the Surplus or Deficit on the Provision of Services included in the Comprehensive Income & Expenditure Statement.

<b>2015-16 £</b>	Budget Reporting Analysis	Amounts included in the Analysis but not in the Total Cost of Services in the CIES	Amounts included in the Total Cost of Services in the CIES but not in the Analysis	Allocation of Support Service Recharges	Amounts reported below the Total cost of Services in the CIES	<b>Total</b>
Fees, charges & other service income	(3,517,939)	804,793	-	-	-	<b>(2,713,146)</b>
Interest & Investment Income	-	-	-	-	(35,974)	<b>(35,974)</b>
National Park Grant	-	-	-	-	(6,257,122)	<b>(6,257,122)</b>
Discontinued operations	-	-	-	-	-	<b>0</b>
Government Grants and contributions	(3,584,953)	2,418	-	-	(2,418)	<b>(3,584,953)</b>
Gain on the disposal of fixed asset	-	-	-	-	-	<b>0</b>
<b>Total Income</b>	<b>(7,102,892)</b>	<b>807,211</b>	<b>0</b>	<b>0</b>	<b>(6,295,514)</b>	<b>(12,591,195)</b>
Employee Expenses	6,810,544	(1,008,195)	1,696,506	(1,473,157)	515,000	<b>6,540,698</b>
Other Service Expenses	5,424,509	(384,865)	1	(444,964)	-	<b>4,594,681</b>
Support Service Recharges	-	-	-	1,918,121	-	<b>1,918,121</b>
Depreciation, amortisation & impairment	-	-	762,249	-	-	<b>762,249</b>
Interest Payments	27,420	(27,420)	-	-	27,420	<b>27,420</b>
Discontinued operations	-	-	-	-	-	<b>0</b>
Loss on Disposal of Fixed Assets	-	-	-	-	234,256	<b>234,256</b>
<b>Total Expenditure</b>	<b>12,262,473</b>	<b>(1,420,480)</b>	<b>2,458,756</b>	<b>0</b>	<b>776,676</b>	<b>14,077,425</b>
		-	-	-	-	<b>-</b>
<b>(Surplus) Deficit on the Provision of Services</b>	<b>5,159,581</b>	<b>(613,269)</b>	<b>2,458,756</b>	<b>0</b>	<b>(5,518,838)</b>	<b>1,486,230</b>

## Note 21 Continued

### Reconciliation to Subjective Analysis

2014-15 £	Budget Reporting Analysis	Amounts included in the Analysis but not in the Total Cost of Services in the CIES	Amounts included in the Total Cost of Services in the CIES but not in the Analysis	Allocation of Support Service Recharges	Amounts reported below the Total cost of Services in the CIES	Total
Fees, charges & other service income	(1,964,850)	2	-	-	-	<b>(1,964,848)</b>
Interest & Investment Income	-	-	-	-	(30,063)	<b>(30,063)</b>
National Park Grant	-	-	-	-	(6,367,867)	<b>(6,367,867)</b>
Discontinued operations	-	-	-	-	-	<b>0</b>
Government Grants and contributions	(4,383,239)	864	-	-	(864)	<b>(4,383,239)</b>
Gain on the disposal of fixed asset	-	-	-	-	-	<b>0</b>
<b>Total Income</b>	<b>(6,348,089)</b>	<b>866</b>	<b>0</b>	<b>0</b>	<b>(6,398,794)</b>	<b>(12,746,017)</b>
Employee Expenses	6,918,807	(921,970)	1,349,673	(1,256,563)	462,000	<b>6,551,947</b>
Other Service Expenses	5,801,258	(340,399)	-	(489,691)	-	<b>4,971,168</b>
Support Service Recharges	-	-	-	1,746,254	-	<b>1,746,254</b>
Depreciation, amortisation & impairment	-	-	606,172	-	-	<b>606,172</b>
Interest Payments	30,114	(30,114)	-	-	30,114	<b>30,114</b>
Discontinued operations	-	-	-	-	-	<b>0</b>
Loss on Disposal of Fixed Assets	-	-	-	-	-	<b>0</b>
<b>Total Expenditure</b>	<b>12,750,179</b>	<b>(1,292,483)</b>	<b>1,955,845</b>	<b>0</b>	<b>492,114</b>	<b>13,905,655</b>
		-	-	-	-	-
<b>(Surplus) Deficit on the Provision of Services</b>	<b>6,402,090</b>	<b>(1,291,617)</b>	<b>1,955,845</b>	<b>0</b>	<b>(5,906,680)</b>	<b>1,159,638</b>



## Note 22 Acquired and Discontinued Operations

There were no acquisitions or discontinuation of operations during the year, requiring disclosure in this note.

## Note 23 Trading Operations

The Authority has two trading operations:-

2014-15		Nature of Operation	2015-16	
Turnover	(Surplus)/ Deficit £		Turnover £	(Surplus)/ Deficit £
(461,231)	369,229	Visitor Centres	(479,219)	360,024
(282,456)	65,339	Cycle Hire Centres	(299,917)	23,512

The deficit represents the full cost, including all support service recharges and depreciation of assets used. A financial objective for each operation is set in the budget and was met by Visitor and Cycle Hire centres.

## Note 24 Members' Allowances

The following amounts were paid to the 30 Members of the Peak District National Park Authority as allowances in the year ended 31<sup>st</sup> March 2016.

2014-15		2015-16
£		£
49,759	Basic Allowance	50,830
16,858	Special Responsibility Allowance	20,050
16,114	Travel and Subsistence	10,408
<b>82,731</b>		<b>81,288</b>

Further information on Members' Allowances and payments to individual Members is published annually on our website, or can be obtained upon request from Democratic Services, Aldern House, Baslow Rd, Bakewell, DE45 1AE (Telephone 01629 816200).

## Note 25 Employee Remuneration

The number of employees whose remuneration in the year, excluding employer pension contributions, was £50,000 or more in bands of £5,000 were as follows:

Payment Range	Number of Employees	
	2014-15	2015-16
£50,000 - £54,999	3	1
£55,000 - £59,999	0	1
£60,000 - £64,999	0	0
£64,999 - £69,999	0	0
£70,000 - £74,999	0	0
£75,000 - £79,999	0	0
£80,000 - £84,999	0	1

The structure changed in 2015/16 from a senior management team comprising the Chief Executive, two directors and three assistant directors, to a Chief Executive and three directors. The table above reflects the fact that the departing Chief Executive left midyear and the new Chief Executive started just before the year end, hence the earning for 2015-16 were not above the salary threshold, with the two directors and departing Chief Executive sharing the same payment range. In 2015-16 the table reflects full year salaries for the new Chief Executive and the two directors already in post.

Following disestablishment of the assistant director posts a new director post was established - a Director of Commercial Development and Outreach - who was appointed in February 2016, whose part year salary therefore was below the reporting threshold. The position was established to generate more income for supporting the Park, to improve marketing and communications, and to enhance visitor and community experiences.

The remuneration for individual senior employees in this category is shown in the table below – with 2014-15 comparator payments shown in brackets alongside. All posts are 1 Full Time Equivalent (FTE):-

Job Title	Salary	Benefits in Kind	Subtotal	Employers Pension contributions	Total Remuneration
Chief Executive	£84,150 (£53,088)	£0 (£0)	<b>£84,150</b> (£53,088)	£14,995 (£9,460)	<b>£99,145</b> (£62,548)
Director of Commercial Development & Outreach	£6,432 (£0)	£0 (£0)	<b>£6,432</b> (£0)	£1,146 (£0)	<b>£7,578</b> (£0)
Director of Conservation & Planning	£53,668 (£50,830)	£0	<b>£53,668</b> (£50,830)	£9,564 (£9,058)	<b>£63,232</b> (£59,888)
Director of Corporate Strategy & Development	£56,012 (£53,917)	£0 (£0)	<b>£56,012</b> (£53,917)	£9,981 (£9,608)	<b>£65,993</b> (£63,525)

During the year decisions relating to the termination of contracts of staff were as follows:-

Exit package cost band	Number of compulsory redundancies		Number of other departures agreed		Total number of exit packages by cost band		Total cost of exit packages in each band £	
	2014/15	2015/16	2014/15	2015/16	2014/15	2015/16	2014/15	2015/16
£0-£20,000	0	1	1	2	1	3	7,527	37,962
£20,001-£40,000	0	0	0	5	0	5	0	152,228
£40,001 - £60,000	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>8</b>	<b>7,527</b>	<b>190,190</b>

A business case was prepared for each approval, and approvals were based on the Authority's Managing Change policy and the requirement that these costs were recoverable within three years through the disestablishment of the redundant or linked cascade post, resulting in the long term revenue savings required by the Authority in order to meet the challenges faced by the significant reductions in National Park Grant announced in Spending Reviews. All payments were calculated according to the statutory requirement with no enhancements.

**Note 26 External Audit Cost**

Fees paid to KPMG LLP for audit services were as follows:-

	<b>2014-15</b>	<b>2015-16</b>
	<b>£</b>	<b>£</b>
External audit services as appointed auditor (Section 5 Audit Commission Act 1998)	15,259	14,275
Fees in respect of statutory inspection (Section 10 LGA Act 1999)	0	0
Fees payable for certification of grant claims and returns (Section 28 Audit Commission Act 1998)	0	0
Fees payable in respect of any other services provided by the appointed auditor	0	0
<b>Total</b>	<b>15,259</b>	<b>14,275</b>

**Note 27 Grant Income**

The Authority credited the following grants, contributions and donated assets to the Comprehensive Income & Expenditure Statement in 2015/16, with amounts over £10,000 only shown:-

<b>2014-15</b>		<b>2015-16</b>
<b>£</b>		<b>£</b>
	<u>Revenue Grants Credited to Services</u>	
161,617	DEFRA – Environmental Stewardships	190,329
	DCLG – Neighbourhood Planning Grants	30,000
18,114	Forestry Commission – Higher Minnend Fm	0
35,536	English Heritage – Archaeology Projects	33,172
221,955	Environment Agency – Moors for the Future / MoorLIFE Project	143,300
35,399	Natural England - Pennine Way Ranger	40,338
868,261	Natural England – Moors for the Future / MoorLIFE work	1,162,851
0	Natural England – Pennine Bridleway	42,000
0	Natural England – Ash Die Back	11,100
232,783	Dept of Transport – Pedal Peak 2	326,147
58,138	Heritage Lottery Fund – MFF Moor Memories /Community Science Projects	138,508
0	Heritage Lottery Fund – South West Peak Project	87,414
22,983	Heritage Lottery Fund – Dane Valley Woodlands	0
26,648	Derbys County Council – Rights of Way	22,275
11,947	Staffs County Council – Rights of Way	0
10,000	High Peak BC - Operating Costs at Castleton Visitor Centre	0
11,000	Staffs Moorlands DC – Village and Communities Officer	0
0	Kirklees MBC -- Moors for the Future / MoorLIFE work	10,000

13,384	Rural Enabling Project	0
23,714	SITA – Dane Valley Woodlands Project	0
42,218	RSPB – Nature Improvement Area	10,836
20,532	RSPB - Moors for the Future / MoorLIFE work	26,256
0	The Woodland Trust – Clough Woodlands	29,190
251,434	Private Landowners - Moors for the Future / MoorLIFE work	264,842
101,014	United Utilities – Joint Ranger Costs	101,340
141,419	United Utilities – Moors for the Future / MoorLIFE Project	62,990
47,200	Severn Trent Water - Joint Ranger Costs	47,793
35,192	Severn Trent Water – MFF/MoorLIFE Project	36,678
50,000	Severn Trent Water – Car Park	50,000
13,831	Severn Trent Water - Operating Costs at Upper Derwent Visitor Centre	15,186
34,915	Yorkshire Water - Joint Ranger Costs	36,000
295,371	Yorkshire Water - Moors for the Future / MoorLIFE Project	62,699
15,054	National Trust – Moorland Discovery Project	19,611
616,100	National Trust - Moors for the Future / MoorLIFE Project	440,316
791,377	European Life Funding – MoorLIFE Project	0
23,303	OFGEM – Aldern House / North Lees Farmhouse Biomass Boilers	25,928
151,324	Other Revenue Grants each under £10,000	115,435
<b>4,381,763</b>	<b>Total</b>	<b>3,582,534</b>

The Authority may receive a number of grants, contributions and donations that are not yet recognised as income as they might have conditions attached to them that will require the monies or property to be returned to the giver. The items at year end are:-

<b>2014-15</b>		<b>2015-16</b>
£		£
	<u>Grants Received in Advance</u>	
66,730	English Heritage – Ecton Mine Project	39,367
18,884	English Heritage – Peak Farmsteads Project	18,884
179,118	National Trust – Moors for the Future Project / MoorLIFE Project	37,889
64,609	Environment Agency – Moors for the Future Project / MoorLIFE Project	25,927
0	Heritage Lottery Fund – Moors for the Future Project / MoorLIFE Project	0
89,642	Natural England - Moors for the Future Project / MoorLIFE Project	96,598
22,394	Yorkshire Wildlife Trust - Moors for the Future Project / MoorLIFE Project	21,458
27,857	Sheffield City Council - Moors for the	27,857

	Future Project / MoorLIFE Project	
0	Staffs County Council – Better Outside Project	17,760
12,934	Severn Trent Water - Moors for the Future Project / MoorLIFE Project	248,464
79,805	Yorkshire Water - Moors for the Future Project / MoorLIFE Project	31,345
54,072	United Utilities – Moors for the Future / MoorLIFE Project	0
0	European Life Grant – Moorlife 2020	2,497,905
138,523	Other Revenue Grants received in advance each under £10,000	99,322
<b>754,568</b>	<b>Total</b>	<b>3,162,776</b>

## Note 28 Related Party Transactions

The Authority is required to disclose any material transactions with related parties that are not disclosed elsewhere in the accounts. The UK government, operating through the Department for the Environment, Food and Rural Affairs (DEFRA) and the Department of Communities & Local Government (DCLG) has significant influence over the general operations of the Authority and is responsible for providing the statutory framework within which the Authority operates, provides the majority of funding in the form of grants, and prescribes the terms of many of the transactions that the Authority has with other parties.

The Authority engages in a variety of formal and informal partnerships, and may contribute to those organisations financially to help further National Park purposes. It does not have control of those bodies, nor does it have any material interest in other separate legally constituted bodies; there are therefore no related parties with joint control or significant influence, subsidiaries, associates, or joint ventures in which the Authority is a venturer.

All Members and Chief Officers of the Authority are deemed to be key management personnel and are required to disclose any financial transactions with the Authority, other than those received as part of normal conditions of employment or approved duties, in the Members' Register of Financial and Other Interests which is open to public inspection; this disclosure also applies to their involvement with entities which they may have significant influence over. The current Chief Executive is a board member of Derbyshire Wildlife Trust, with which body the Authority charged £453 for goods and services provided during the year.

In summary during the normal course of business the following significant transactions were made between the Authority and other related parties:

	Income	<i>Outstanding</i>	Expenditure	<i>Outstanding</i>
	£	£	£	£
Government Bodies – other	1,694,678	826,373	6,000	-
Dept of Transport	326,147	-	-	-
Other Local Authorities	92,081	14,873	377,463	48,743
Other National Parks	13,293	7,527	7,893	-
Associations of National Park Authorities	4,500	-	38,132	-
European Funds	3,471,106	891,307	-	-
Water companies	576,856	141,964	195,790	187,581

Lottery	226,222	59,054	479,809	-
Landfill Tax	2,359	-	-	-
OFGEM	25,928	10,570	-	-
RSPB	48,120	24,182	-	-
National Trust	473,163	72,885	9,812	175
<b>Total</b>	<b>6,954,453</b>	<b>2,048,735</b>	<b>1,114,899</b>	<b>236,499</b>

## Note 29 Capital Expenditure

The total amount of capital expenditure incurred in the year is shown in the table below (including the value of assets acquired under finance leases), together with the resources that have been used to finance it. Where capital expenditure is to be financed in future years by charges to revenue as assets are used by the Authority, the expenditure results in an increase in the Capital Financing Requirement (CFR), a measure of the capital expenditure incurred historically by the Authority that has yet to be financed. The CFR is analysed in the second part of this note.

<b>2014-15</b>		<b>2015-16</b>
<b>£</b>		<b>£</b>
<b>937,790</b>	<b>Opening Capital Financing Requirement</b>	<b>829,638</b>
	<u>Capital Investment</u>	
100,789	Land & Buildings	131,741
70,356	Vehicles, Plant & Equipment	40,330
28,020	Community Assets	64,445
0	Infrastructure Assets	0
33,079	Intangible Assets	31,124
0	Revenue Expenditure Funded from Capital under Statute	0
<b>232,244</b>	<b>Total</b>	<b>267,640</b>
	<u>Sources of Finance</u>	
(90,290)	Capital Receipts	(127,779)
(864)	Government Grants and other contributions	(2,418)
	<u>Sums set aside from Revenue</u>	
(141,090)	Direct Revenue Contributions	(79,557)
(108,152)	Minimum Revenue Provision for repayment of principal	(117,225)
<b>829,638</b>	<b>Closing Capital Financing Requirement</b>	<b>770,299</b>
	<b>Explanation of Movements in year</b>	
0	Increase in underlying need to borrow (supported by government financial assistance)	0
0	Expenditure financed from new external borrowing (not supported by government financial assistance)	0
0	Expenditure not supported by government financial assistance financed from internal funds	57,886
0	Use of Capital Receipts to reduce CFR	0
(108,152)	Minimum Revenue Provision	(117,225)
0	Assets acquired under finance leases	0
<b>(108,152)</b>	<b>Increase (Decrease) in Capital Financing Requirement</b>	<b>(59,339)</b>

## Note 30 Statement of Capital Charges charged to Revenue

The following statement shows the amount of capital charges calculated and charged to services, comprising depreciation and/or impairment of the Authority's fixed assets.

2014-15 £		£	2015-16 £
	<b>Conservation of the Natural Environment</b>		
1,314	Forestry & Tree Mgt	26,333	
13,147	Moors Project	13,345	
42,766	Estates Management	24,639	
<u>57,227</u>			<u>64,317</u>
	<b>Recreation Management</b>		
10,747	Campsites, Hostels & Barns	157,966	
104,863	Access, Walking and Riding Routes	102,219	
197,430	Car Parks & Concessions	188,299	
4,999	Cycle Hire	7,246	
7,508	Toilets	20,864	
<u>325,547</u>			<u>476,594</u>
	<b>Promoting Understanding</b>		
30,469	Visitor Centres	28,351	
12,995	Environmental Education	10,311	
<u>43,464</u>			<u>38,662</u>
	<b>Rangers, Estate Service &amp; Volunteers</b>		
11,045	District Rangers	14,010	
12,406	Conservation Volunteers	13,702	
340	Estate Workers	323	
<u>23,791</u>			<u>28,035</u>
	<b>Development Control</b>		
772	Development Control	617	
			617
	<b>Service Management and Support Services</b>		
3,698	Vehicles	3,249	
44,266	Headquarters Premises	46,214	
107,407	Capitalised IT Expenditure	104,561	
<u>155,371</u>			<u>154,024</u>
<b><u>606,172</u></b>	<b>Total</b>		<b><u>762,249</u></b>

## Note 31 Leases

The Authority does not have any finance leases so the notes below refer only to operating leases. As such the liability for future rentals, or any asset value, is not shown in the balance sheet.

During the year ended 31<sup>st</sup> March 2016 the Authority made the following payments for operating leases, as lessee, which were charged to revenue:

	2014-15 £	2015-16 £
Vehicles	0	0
Premises	27,336	27,779
<b>Total</b>	<b><u>27,336</u></b>	<b><u>27,779</u></b>

Future rental obligations are as follows:-

	2016-17	2 <sup>nd</sup> – 5 <sup>th</sup> year	6 <sup>th</sup> year onwards	Total
	£	£	£	£
Vehicles	0	0	0	0
Premises	23,557	96,607	24,758	144,922
<b>Total</b>	<b>23,557</b>	<b>96,607</b>	<b>24,758</b>	<b>144,922</b>

Vehicles –The Authority continued in 2015-16 with the fleet management policy and again had no vehicle leases in operation.

The impact of a reducing budget meant there were no additions to the fleet in 2015-16 and the Authority reduced the fleet by selling vehicles and associated equipment which had become surplus to operational requirements.

Premises - The revenue charge reports the total lease payments (excluding arrears payments), with future rental obligations reflecting anticipated changes within the years reported. The future charges also include a nominal increase year on year to accommodate rent reviews.

The lease income includes changes arising from completed agreements within the property portfolio as per the asset management strategy.

The Authority collected the following rentals in 2015/16 from its assets as lessor:-

	2014-15	2015-16
	£	£
General Rents	4,358	5,447
Agricultural	108,616	106,188
Residential	59,196	61,285
Rents		
Business Rents	52,630	58,841
Agricultural	15,020	14,221
Licences		
Business	12,925	27,617
Licences		
<b>Total</b>	<b>252,745</b>	<b>273,599</b>

The table below shows in aggregate the minimum expected lease payments for non-cancellable operating leases. Residential rents and agricultural licences have been excluded from these disclosures because they do not fit a non-cancellable operating lease as defined in the Code of Practice on Local Authority Accounting.

As last year the projected lease income excludes possible changes to the property portfolio as per the asset management strategy, nor does it include any changes expected from any new initiatives under the Authority's enterprise policy.

The year on year increases have been calculated according to expected returns as advised by the Authority's Property Service. There have been no changes to the method of calculation.



	<b>1<sup>st</sup> Year 2016-17</b>	<b>2nd to 5<sup>th</sup> year 2016-2020</b>	<b>5+yrs 2021+</b>	<b>Total</b>
General Rents	5,502	22,564	5,783	<b>33,849</b>
Agricultural Rents	107,249	439,831	112,720	<b>659,800</b>
Residential Rents	N/A	N/A	N/A	<b>N/A</b>
Business Rents	58,841	235,363	58,841	<b>353,045</b>
Agricultural Licences	N/A	N/A	N/A	<b>N/A</b>
Business Licences	27,617	110,466	27,617	<b>165,700</b>
<b>Total</b>	<b>199,209</b>	<b>808,224</b>	<b>204,961</b>	<b>1,212,394</b>

### **Note 32 Heritage Assets**

Heritage assets are assets with historical, artistic, scientific, technological, geophysical or environmental qualities which are held and maintained principally for their contribution to knowledge and culture. The accounting standard (FRS 30) has been introduced in order to move these assets onto a valuation basis on the Balance Sheet, rather than as currently, a historic cost basis; the predominant reason for the introduction of the change is to ensure that items held within Local Authority museum and gallery collections are properly reflected in valuation terms on the Balance Sheet. The standard also allows a Local Authority to move other Community Assets, which are currently accounted for on the same historic cost basis, onto a valuation basis. Notwithstanding its historical or other heritage qualities, any asset used by an organisation in its operations is still required to be accounted for as an operational asset, and not as a heritage asset; it is therefore accounted for as set out in the Summary of Accounting policies note paragraph 2.19.

Whilst some of the Authority's properties may contain historical, geophysical or environmental qualities which could meet some of the criteria relating to heritage assets, it is considered that they are owned primarily to achieve the Authority's operational purposes (the conservation and enhancement of the natural environment and cultural heritage) and these assets are accounted for as operational assets and valued and depreciated accordingly. Where the assets meet the definition of Community Assets they remain within this asset category. The Authority therefore is not recognising any of its assets within the Heritage asset category. The Authority's Community assets are property holdings - predominantly the Warslow Moors Estate – and the Authority does not intend to take the option of valuing these assets and they are expected to remain within the Balance Sheet at their historic cost.

### **Note 33 Defined Benefit Pension Scheme**

All entries made in the Comprehensive Income & Expenditure Account and Balance Sheet relating to pensions are shown together in this note. As part of the terms and conditions of employment the Authority offers retirement benefits. Although these benefits will not actually be payable until the employees retire, the Authority has a commitment to make these payments, which needs to be disclosed at the time that the employees earn this entitlement. The Authority operates only one pension scheme, the Local Government Pension Scheme administered by Derbyshire County Council; this is a funded scheme, with the Authority and employees paying contributions calculated at a level intended to balance the pensions' liabilities with investment assets.

The principal risks to the Authority of the scheme are the longevity assumptions of members, statutory or structural changes to the scheme, changes to inflation, bond yields (used to measure the value of future liabilities) and the performance of investments held by the scheme (predominantly equity based.)

### **Comprehensive Income and Expenditure Account**

The cost of retirement benefits is recognised in the Total Cost of Services when they are earned by employees, rather than when the Authority makes its statutory payments to the Pension Fund, which are determined by the Scheme's Actuary. The charge which needs to be accounted for against government grant however is the actual cash paid to the Pension Fund during the year, so the real cost of retirement benefits is reversed out of the General Fund via the Movement in Reserves Statement. The following transactions have been made in the CIES and the General Fund Balance via the Movement in Reserves Statement during the year:-

<b>2014-15</b>			<b>2015-16</b>
£			£
	<u>Cost of Services</u>		
1,357,000	Current Service cost		1,637,000
0	Curtailments / Settlements		0
13,000	Past Service cost (gain)		22,000
<u>1,370,000</u>			<u>1,659,000</u>
	<u>Financing &amp; Investment Income &amp; Expenditure</u>		
462,000	Net Interest Expense	Note 9	515,000
<u>1,832,000</u>	Total Chargeable to Surplus or Deficit on the Provision of Services		<u>2,174,000</u>
	<u>Other amount chargeable to the CIES (Re-measurement of plan liabilities)</u>	Note 5	
(2,919,000)	Return on plan assets excluding amount included in net interest expense above		1,317,000
0	Actuarial (gains) and losses arising on changes in demographic assumptions		0
7,650,000	Actuarial (gains) and losses arising on changes in financial assumptions		(5,392,000)
(413,000)	Other Experience		(716,000)
<u>4,318,000</u>	Total Re-measurements		<u>(4,791,000)</u>
<u><b>4,318,000</b></u>	<b>Total Charged to the Comprehensive Income &amp; Expenditure Account</b>		<u><b>(4,791,000)</b></u>
	<u>Movement in Reserves Statement</u>		
(1,832,000)	Reversal of net charges made to the Surplus or Deficit for the Provision of Services		(2,174,000)
	<u>Employers' Contributions payable</u>		
921,970	Actual amount charged against the General Fund balance for pensions in the year		1,008,195

## **Balance Sheet**

The underlying assets and liabilities for retirement benefits attributable to the Authority as at 31<sup>st</sup> March 2016 are as follows:

2011-12	2012-13	2013-14	2014-15		2015-16
£	£	£	£		£
(43,368,000)	(50,900,000)	(49,002,000)	(58,268,000)	Estimated Liabilities in scheme	(54,366,000)
32,759,000	36,973,000	38,451,000	42,519,000	Estimated Assets in scheme	42,176,000
<b>(10,609,000)</b>	<b>(13,927,000)</b>	<b>(10,551,000)</b>	<b>(15,749,000)</b>	<b>Net Asset (Liability)</b>	<b>(12,190,000)</b>
76%	73%	78%	73%	% Funded	78%

The liabilities show the underlying commitments that the Authority has in the long-run to pay retirement benefits. The total liability of £12.190m has a substantial impact on the net worth of the Authority as recorded in the balance sheet. However, statutory arrangements for funding the deficit mean that the financial position of the Authority remains sound as the deficit on the local government scheme will be made good by increased contributions over the remaining working life of employees, as assessed by the scheme actuary in triennial valuations of the scheme. Liabilities have been assessed on an actuarial basis using the projected unit credit method, an estimate of the pensions that will be payable in future years dependent on assumptions about mortality rates, salary levels etc.

### **Analysis of Present Value of Scheme Liabilities**

	£
<b>Opening Balance 1<sup>st</sup> April 2015</b>	<b>58,268,000</b>
Current Service cost	1,637,000
Interest Cost	1,870,000
Contributions from scheme participants	335,000
<u>Re-measurement (Gains) and losses:-</u>	
-changes in demographic assumptions	0
-changes in financial assumptions	(5,392,000)
-Other	(716,000)
Past Service Cost	22,000
Curtailment (gains) losses	0
Benefits paid	(1,658,000)
<b>Closing Balance 31<sup>st</sup> March 2016</b>	<b>54,366,000</b>

### **Analysis of Value of Scheme Assets**

	£
<b>Opening fair value 1<sup>st</sup> April 2015</b>	<b>42,519,000</b>
Interest income	1,355,000
Re-measurement gain (loss):-	
Return on plan assets excluding amount in net interest expense charged to CIES	(1,317,000)
Other	0
Contributions from employer	942,000
Contributions from employees into the scheme	335,000
Benefits paid	(1,658,000)
<b>Closing fair value 31<sup>st</sup> March 2016</b>	<b>42,176,000</b>

## Analysis of Pension Fund Assets

Asset Category	Period Ended 31 <sup>st</sup> March 2016				Period Ended 31 <sup>st</sup> March 2015			
	Quoted in active markets £,000	Not Quoted in active markets £,000	Total £,000	% of Total Assets	Quoted in active markets £,000	Not Quoted in active markets £,000	Total £,000	% of Total Assets
<b>Equity Securities:</b>								
Consumer	3,468.0	0	3,468.0	8	3,367.3	0	3,367.3	8
Manufacturing	3,933.9	0	3,933.9	9	4,261.3	0	4,261.3	10
Energy/Utilities	2,403.6	0	2,403.6	6	3,104.2	0	3,104.2	7
Financial institutions	3,306.9	0	3,306.9	8	3,303.8	0	3,303.8	8
Health & Care	1,829.6	0	1,829.6	4	1,901.5	0	1,901.5	4
Information Technology	1,177.7	0	1,177.7	3	855.1	0	855.1	2
Other	4,314.8	0	4,314.8	10	4,253.6	0	4,253.6	10
<b>Debt Securities:</b>								
Corporate Bonds (Investment Grade)	0	2,335.0	2,335.0	6	0	2,053.7	2,053.7	5
Corporate Bonds (non-Investment Grade)	0	0	0	0	0	0	0	0
UK Government	4,724.5	0	4,724.5	11	5,187.5	0	5,187.5	12
Other	841.8	0	841.8	2	1,125.7	0	1,125.7	3
<b>Private Equity:</b>								
All	572.2	172.9	745.1	2	207.7	108.4	316.1	1
<b>Real Estate:</b>								
UK property	-	2,514.6	2,514.6	6	-	2,062.3	2,062.3	5
Overseas Property	0	0	0	0	0	0	0	0
<b>Investment Funds &amp; Unit Trusts:</b>								
Equities	8,012.7	113.9	8,126.6	19	7,431.5	257.4	7,688.9	18
Bonds	0	0	0	0	0	0	0	0
Hedge Funds	0	0	0	0	0	0	0	0
Commodities	0	0	0	0	0	0	0	0
Infrastructure	481.0	243.5	724.5	2	118.1	222.0	340.1	1
Other	0	0	0	0	0	0	0	0
<b>Derivatives:</b>								
Inflation	0	0	0	0	0	0	0	0
Interest Rate	0	0	0	0	0	0	0	0
Foreign Exchange	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Cash &amp; Cash Equivalents:</b>								
All	0	1,729.4	1,729.4	4	0	2,697.9	2,697.9	6
<b>Totals</b>	<b>35,067</b>	<b>7,109</b>	<b>42,176</b>	<b>100</b>	<b>35,117</b>	<b>7,402</b>	<b>42,519</b>	<b>100</b>

The Authority's scheme has been assessed by Hymans Robertson LLP, using the methodology required by IAS 19, based on the current valuation which was based on information as at 31<sup>st</sup> March 2016. The actuaries have relied upon mortality assumptions based on a bespoke set of "VitaCurves" specifically tailored to fit the membership profile of the Fund, in line with the 2010 model published by the Continuous Mortality Investigation (CMI):-

	<b>Illustrative example: life expectancy currently aged 65</b>	<b>April 2015 assumption</b>	<b>March 2016 assumption</b>
<u>Current Pensioners</u>	Males normal health	22.0	22.0
	Females normal health	24.2	24.2
<u>Future Pensioners</u>	Males normal health	24.1	24.1
	Females normal health	26.6	26.6

The main assumptions used in their calculations have been

<b>2014-15</b>			<b>2015-16</b>	
	%			%
3.3		Rate of increase in salaries	3.2	
2.4		Rate of increase in pensions	2.2	
3.2		Discount rate for scheme liabilities	3.5	

The expected rate of return on all the scheme assets is based on market expectations, at the beginning of the period, for investment returns over the entire life of the related obligation:-

<b>Expected Rate of Return – Beginning of Year (%)</b>	<b>Expected Rate of Return – End of Year (%)</b>
11.9	0.1

### **Impact on the Authority's Cash Flows**

The objectives of the scheme are to keep employers' contributions at as constant a rate as possible, with a view to achieving a funding level of 100%, and the scheme is valued formally every three years. The employer's contributions for 2016/17 are expected to be in the region of £874,000. The projected current service cost for 2016/17 is estimated to be £1,411,000.

The estimation of the scheme obligations is sensitive to the actuarial assumptions set out above. The sensitivity analysis below has been determined based on reasonably possible changes of the assumptions occurring at the end of the reporting period and assumes for each change that the assumption analysed changes, while all other assumptions remain constant. In practice some of the assumptions may be inter-related.

<b>Change in assumption at March 2016</b>	<b>Approximate % increase to Employer liability</b>	<b>Approximate monetary amount £,000</b>
0.5% decrease in Real Discount Rate	10	5,689
1 year increase in member life expectancy	3	1,631
0.5% increase in the Salary increase Rate	3	1,551
0.5% increase in the Pension increase Rate	8	4,078

## Note 34 Risks Arising from Financial Instruments

The Authority has a number of exposures to risks arising from financial instruments.

£	Long Term			Current		
	31 <sup>st</sup> March 2014	31 <sup>st</sup> March 2015	31 <sup>st</sup> March 2016	31 <sup>st</sup> March 2014	31 <sup>st</sup> March 2015	31 <sup>st</sup> March 2016
<b>Investments</b>						
Loans and receivables	0	0	0	4,530,949	3,022,840	6,212,446
<b>Debtors</b>						
Financial assets carried at contract amounts	0	0	0	1,384,246	2,638,067	2,621,478
<b>Total Debtors &amp; Investments</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,915,195</b>	<b>5,660,907</b>	<b>8,833,924</b>
<b>Borrowings</b>						
Financial liabilities at amortised cost	(657,067)	(559,170)	(497,306)	(95,202)	(97,897)	(61,864)
<b>Total Borrowings</b>	<b>(657,067)</b>	<b>(559,170)</b>	<b>(497,306)</b>	<b>(95,202)</b>	<b>(97,897)</b>	<b>(61,864)</b>
<b>Creditors</b>						
Financial liabilities at amortised cost	0	0	0	(1,798,743)	(1,573,345)	(1,099,146)
<b>Total Creditors</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(1,798,743)</b>	<b>(1,573,345)</b>	<b>(1,099,146)</b>

Financial liabilities, financial assets represented by loans and receivables and long-term debtors and creditors are carried in the Balance Sheet at amortised cost. Their fair value can be assessed by calculating the present value of the cash flows that will take place over the remaining term of the instruments. The fair values of loans, provided by PWLB, are reported in Note 36. Short term debtors and creditors are carried at cost as this is a fair approximation of their value. The risks and mitigating actions are described below.

### Credit Risk

This is defined as the possibility that one party to a financial instrument will fail to meet its contractual obligations causing a loss for the other party. The Balance Sheet contains two items of this nature, Debtors (Note 14) and Cash and Cash Equivalents (Note 15). The Debtors figure contains £977,218 of debt from government agencies, Local Authorities and other public bodies. These funds are owed because of projects the Authority undertakes either in partnership or as a result of grant aid. The risks of non payment are assessed as relatively low as project outcomes and eligibility rules are believed to have been met for funds expended during 2015-16. The Debtors figure of £1,732,416 relating to bodies external to government arises from a combination of normal business activity and approximately £1.3m of external funding owed for the Moorlife and Conservation Plans projects at year end. This £1.3m figure includes the £891,307 debt comprising outstanding European grant aid for the Moorlife project, and the risk of non - payment, based on performance reports and feedback from the European grant aid team, is low – the final claim has been audited externally and has been certified, and payment is expected in the first half of 2016/17. The bad debts provision of £27,772 is regarded as sufficient mitigation of the risks of general debts not being paid, representing 30% of debt outstanding over 4 months in age. The provision is reviewed annually and an increase is not considered to be required. All Short Term investments, in accordance with the Authority's Treasury Mgt Policy, are invested with North Yorkshire County Council under a Service Level Agreement. The risk of North Yorkshire County Council failing to meet its contractual obligations under this agreement is judged to be low. The Authority has adopted North Yorkshire County Council's Treasury Management Policy at its March 2016 meeting. The Authority's Treasury Management Policy emphasises that the security of its

cash resources is the primary objective of its Treasury Management, over and above the need to obtain a reasonable investment return.

### Liquidity Risk

This is defined as the possibility that the Authority might not have the funds available to meet its commitment to make payments. The Balance Sheet shows that the Authority has sufficient cash to finance its current liabilities, and the Treasury Mgt Policy allows the Authority to borrow to finance its working capital needs if necessary. In practice this has not been needed as Defra allow National Park Grant to be drawn down quarterly based on cashflow forecasts, and these forecasts include prudent contingencies for working capital. For its capital resources the Authority is able to draw on long term loans from the Public Works Loan Board.

### Market Risk

This is defined as exposure to movement in prices arising from market conditions.

The Authority does not have any investment in equity shares.

The Authority has some exposure to exchange rate risk because of its two European funded grant projects, which are paid retrospectively in euros.

The first exposure relates to the final outstanding claim for the Moorlife project which ended in September 2015. The sterling sum outstanding, requiring repayment, is £891,307. The final claim submitted is for €1,263,940, therefore there is only a risk of failure to cover the sterling debt if the sterling exchange rate vs the euro is greater than 1.41 at the date of exchange. The current rate is in the region of 1.31 and consideration will be given to a forward exchange contract to cover the risk if it is considered that sterling appreciation is likely.

The second exposure relates to the new Moorlife 2020 project, which is a further five year project with 75% grant aid from the European Commission of €11,984,887, starting in 2016/17. The project therefore has an element of exchange rate risk depending upon the exchange rate of the euro against sterling, at key points in the five year project. Sterling expenditure on the project is converted monthly by the Commission at the exchange rate on the first working day of the calendar month, which then represents the project expenditure for the year denominated in euros, from which the appropriate % of grant aid is derived in euros. The grant is drawn down in four stages, and the date on which the euro grant is drawn down and paid over determines the value of sterling income received. The first tranche (40%) of the grant, €3,595,466, was paid in advance in October 2015.

A financial risk to the Authority is identified if sterling strengthens significantly against the euro during the project, considered to be in the region of £1.5m at its maximum. The risk will therefore be mitigated by adjusting the overall sterling budget of the project (downwards by up to £1.5m), and considering how forward exchange contracts might be used to give greater certainty over future transaction exchange rates.

In terms of interest rate risk, the unprecedented reduction in variable interest rates during the 2008-09 year and continuing very low base rates has had a large impact on the rate of interest earned on surplus funds during the year. Budgetary assumptions have been adjusted assuming these low variable interest rates would prevail. There is not therefore considered to be a significant risk in the Authority's financial position arising from changes in variable interest rates, other than continuing pressure on budgets because of the depressed receipts. The Authority's long term borrowings are at a fixed rate of interest, and it is the Authority's policy to manage these risks by monitoring prevailing long term interest rates, ensuring that exposure to uncompetitive interest rate payments is minimised where possible. The timing of capital investment and raising of loan finance is also reviewed and forecast, in order to take advantage of interest rates which compare

favourably against long term averages; the Capital Financing Requirement (CFR) is also managed in the short term with internal use of funds. Of the £770,299 CFR £559,170 is financed from external fixed rate debt, with only £211,129 at risk of interest rate fluctuations, and it is considered that there is little risk in continuing to finance this from internal funds while the markets are still pricing medium term interest rates at low levels.

### Note 35 Prior Year Adjustments

There are no prior year adjustments.

### Note 36 Long Term Loans

The Authority's short-term borrowing is as follows:-

31 March 2015	Analysis by Type of Loan	31 March 2016
£		£
97,897	Public Works Loan Board	61,864
<b>97,897</b>	<b>Total</b>	<b>61,864</b>

The Authority's Long-term borrowing is as follows:-

31 March 2015	Analysis by Type of Loan	31 March 2016	Ave. Interest Rate
£		£	%
559,170	Public Works Loan Board	497,306	4.7
<b>559,170</b>	<b>Total</b>	<b>497,306</b>	

Analysis by maturity			
61,864	Between 1 and 2 years	24,600	4.7
77,364	Between 2 and 5 years	81,043	4.7
155,494	Between 5 and 10 years	162,888	4.7
196,152	Between 10 and 15 years	205,479	4.7
68,296	Between 15 and 20 years	23,296	4.7
0	Between 20 and 25 years	0	-
<b>559,170</b>		<b>497,306</b>	<b>4.7</b>

The Code requires disclosure of the fair value of the loan, which is calculated by the PWLB based on the repayment rates prevailing on the dates below. This value is compared against the carrying value in the Balance Sheet, including debt repayments due within one year.

31 March 2015	PWLB Fair Value	31 March 2016
<b>816,050</b>		<b>715,592</b>
Balance Sheet Carrying Value		
97,897	Under 1 year	61,864
559,170	Between 1 and 30 years	497,306
<b>657,067</b>		<b>559,170</b>

The Fair Value is more than the carrying amount at 31<sup>st</sup> March 2016 because the fixed rate loan interest payable on existing loans is higher than the rates available for similar loans at that date. This Fair Value is derived by discounting the current fixed repayments remaining on the loan using the interest rates available at Balance Sheet date, with the result that if the Authority requested an early repayment of the loan, the lower interest



rates prevailing at Balance Sheet date would result in the PWLB requesting a higher current value for the repayment than the amount outstanding shown in the Balance Sheet. The Authority has two long term loans only:-

1) a 25 year PWLB loan, repayable using the annuity method of repayment, with fixed half-yearly payments including principal and interest. The loan was taken out on 30/10/06 at a fixed rate of 4.7% with a final payment 30/09/2031.

2) a 7 year PWLB loan, repayable using the annuity method of repayment, with fixed half-yearly payments including principal and interest. The loan was taken out on 19/10/09 at a fixed rate of 2.26% with a final payment 30/09/2016.

### **Note 37      Impact of Accounting Changes**

Disclosure of the impact of accounting changes arising from new accounting standards is required for standards which have been issued but not yet adopted by the Code. The following changes are anticipated, listing only those standards applicable to the Authority:-

- Amendments to IAS 19 Employee Benefits (Defined Benefit Plans: Employee contributions. The objective of the amendment is to simplify accounting where employee pensions are derived more from final salary calculations than for example years' service. The impact is not expected to be material, if they are relevant.
- Annual improvements to IFRS's 201-2012 Cycle. A collection of amendments to IFRS standards collected together, around 8 identified issues. The impact is considered to be minor.
- Amendment to IFRS 11 Joint Arrangements. (Accounting for Acquisition of Interests in Joint Operations. Revised guidance on accounting for an acquisition of a joint operation. This is not considered to be relevant under current operations.
- Amendment to IAS16 Property, Plant & Equipment and iAS 38 Intangible Assets. Clarification of acceptable methods of depreciation and amortisation. This is not considered to be relevant.
- Annual improvements to IFRS's 2012-2014 Cycle. A collection of amendments to IFRS standards collected together, around 5 identified issues. The impact is considered to be minor.
- Amendment to IAS1 Presentation of Financial Statements. Improving presentation and disclosures in financial reports. The impact is considered to be minor.
- Changes to the format of the Comprehensive Income and Expenditure Statement, the Movement in Reserves Statement and the introduction of a new Expenditure and Funding Analysis. This will require some re-presentation of information and prior year financial information comparatives will need to be presented in the new formats, with the objective being to enhance understanding of the figures.
- Following adoption of the CIPFA Code of Practice on Transport Infrastructure Assets (in future to be known as the Code of Practice on the Highways Network Asset), some infrastructure assets from April 2016 are required to be valued at current value rather than historic value as currently. These assets are defined as part of a single national "Highways Network Asset", and the definition is in the course of confirmation, but principal guidance is that the asset is interconnected, inalienable, and should be entered in the S.36 Highways Act 1980 Register. The Authority does not have any assets in this category and its Infrastructure Assets, primarily the Trails network, will continue to be shown in the accounts as an Infrastructure Asset at their historic cost.

**Note 38 Reconciliation of Operating Activities in Cash Flow Statement to Revenue Expenditure**

2014-15		2015-16	
£		£	£
<b>1,159,638</b>	<b>(Surplus) Deficit on Income &amp; Expenditure Account</b>		<b>1,486,230</b>
(1,245,769)	Adjustments between accounting basis and funding basis (Note 6)	(2,000,616)	
158,372	Transfers to (from) earmarked reserves (Note 7)	550,158	(1,450,458)
<b>72,241</b>	<b>(Increase)/Decrease in General Fund Balance for the year</b>		<b>35,772</b>
(108,152)	Minimum / Voluntary Revenue Provision	(117,225)	
(123,721)	Contributions (to)/from Reserves	(405,683)	
(34,650)	Contributions (to)/from Restricted Funds	(144,475)	
243,203	(Increase)/Decrease in Creditors	423,724	
67,891	(Increase)/Decrease in Advance Income	(2,444,271)	
1,192,500	Increase/(Decrease) in Debtors	(30,104)	
18,493	Increase/(Decrease) in Stock	24,982	
(141,090)	Revenue Contribution to Capital Expenditure	(79,557)	
<b>1,114,474</b>			<b>(2,772,609)</b>
<b>1,186,715</b>	<b>Net Cash Flow Operating Activities</b>		<b>(2,736,837)</b>



**Independent auditor's report to the members of Peak District National Park Authority**

The accounts have not yet been audited; when the audit is complete the auditor's certificate will appear here.

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## Amendments to draft Accounts

Amendments made are shown below; where applicable the highlights show the revised figure.

### 1. Accounting Policies 2.19.6 disclosure requires addition of the depreciation policy of infrastructure and surplus assets.

Rows added to table in 2.19.6:-

Surplus Assets	Surplus assets are usually Buildings, so they share the same 60 year asset life.
Infrastructure Assets	over the life of the asset - 60 years, unless a shorter asset life is warranted as a result of applying a component accounting approach

### 2. Assets held for sale should be shown as a current asset not a long term asset

Balance Sheet restated removing from Long Term Assets and showing under current assets, with revised totals

	Property, Plant & Equipment		
17,276,076	- Land & Buildings	11	18,460,782
1,105,000	- Vehicles, Plant & Equipment	11	973,274
209,733	Intangible Assets	12	198,911
0	Long Term Investments		0
0	Long Term Debtors	14	0
<b>18,590,809</b>	<b>Total Long Term Assets</b>		<b>19,632,967</b>
156,902	Inventories	13	181,884
2,734,431	Short Term Debtors	14	2,681,862
<b>1,029,383</b>	<b>Assets held for Sale</b>	<b>16</b>	<b>128,100</b>
3,089,193	Cash & Cash Equivalents	15	6,212,724
<b>7,009,909</b>	<b>Total Current Assets</b>		<b>9,204,570</b>

Narrative Statement amended to reflect changed totals and narrative explanations

Long Term Assets	+1,042	Capital additions of some £268k (mainly enhancement of tenanted farms, boiler and headquarters alterations, and IT expenditure); asset valuation increases (woodlands) of £1,659k; disposals of £138k and depreciation of £747k;
Current Assets	+2,195	Debtors' levels have decreased by £53k. Cash balances have increased by £3,124k mainly through advance payment of Moorlife 2020 Life grant and asset disposals of £901k; stock levels at visitor centres increased by £25k at year end.

Amended Text, Note 16:-

#### Note 16 Assets Held for Sale

An analysis of the Assets Held for Sale category **within current assets** is shown below for non-current assets.

**3. Note 11:- Impairment losses should be disclosed in the note.**

Explanation appended at the bottom of Note 11:-

Impairments

During 2015/16 the Authority approved a revised approach to planning for Brosterfield caravan site following community consultations and has recognised as a result an impairment loss of £153,782, based on the fact that a reduction in the number of overall pitches in a revised planning application will have a potential impact on the capital value of the site.

**4. Errors in totals shown in Note 20 and Note 27.**

Incorrect Totals amended

**Note 20**

2014-15 £	Revaluation Reserve	2015-16 £
<b>6,502,000</b>	<b>Balance at 1 April</b>	<b>7,210,325</b>
866,223	Upward revaluation of assets	1,681,221
(9,522)	Downward revaluation of assets & impairment losses not charged to the Surplus/Deficit on the Provision of Services	(6,688)
<b>7,358,701</b>	Surplus or deficit on revaluation of non-current assets not posted to the Surplus/Deficit on the Provision of Services	<b>8,884,858</b>
(148,375)	Difference between fair value depreciation and historical cost depreciation	(139,725)
(1)	Accumulated gains on assets sold or scrapped / Other	(718,183)
<b>(148,376)</b>	Amount written off to the Capital Adjustment Account	<b>(847,908)</b>
<b>7,210,325</b>	<b>Balance at 31 March</b>	<b>8,026,950</b>

**Note 27 Grant Income**

The Authority credited the following grants, contributions and donated assets to the Comprehensive Income & Expenditure Statement in 2015/16, with amounts over £10,000 only shown:-

2014-15 £		2015-16 £
<b>4,382,375</b>	<b>Total</b>	<b>3,582,534</b>
<b>4,381,763</b>		

**5. Presentational issues; the main statements need to state the pages which form part of the financial statements and the audit firm in Note 26 should say KPMG LLP**

Amendments as below:-

1.2 Accompanying notes, cross referenced from the statements, explain in greater detail some of the calculations and reasoning behind the figures; these notes, on pages 26 – 59, form part of the financial statements.

**Note 26 External Audit Cost**

Fees paid to KPMG LLP for audit services were as follows:-

**6. Additional disclosure on employee remuneration and the new Director role would help explain the figures in the table in Note 25 .**

Additional explanation added:-

The structure changed in 2015/16 from a senior management team comprising the Chief Executive, two directors and three assistant directors, to a Chief Executive and three directors. The table above reflects the fact that the departing Chief Executive left midyear and the new Chief Executive started just before the year end, hence the earning for 2015-16 were not above the salary threshold, with the two directors and departing Chief Executive sharing the same payment range. In 2015-16 the table reflects full year salaries for the new Chief Executive and the two directors already in post.

Following disestablishment of the assistant director posts a new director post was established - a Director of Commercial Development and Outreach - who was appointed in February 2016, whose part year salary therefore was below the reporting threshold. The position was established to generate more income for supporting the Park, to improve marketing and communications, and to enhance visitor and community experiences.

**7. A note on Brexit needs to be added to the Narrative Report and Note 4, and the Narrative Report should reflect on future developments**

Additional words in Note 4:-

On June 23<sup>rd</sup> the results of a referendum on Britain's membership of the European Union resulted in a majority vote to leave the Union. Although the vote occurred after the date of authorisation of the accounts above, the result is a significant national decision. The immediate implications were discussed by the Authority's senior management on 28<sup>th</sup> June with a preliminary list of potential consequences considered, and the implications of the decision were added to the Authority's risk register. The financial implications of the decision are covered in the Narrative Report.

Additional words in Narrative Report added in new section 1.15:-

The European Union Referendum

1.15 On Thursday 23 June 2016 the EU referendum took place and the people of the United Kingdom voted to leave the European Union. A preliminary assessment of the implications for this Authority was undertaken by senior managers, and it was agreed that the new risk of 'implications of the European Union exit vote' should be added at quarter 1 to the corporate risk register in order to manage any implications for the Authority as exit from the Union progresses. In respect of the Authority's financial position, there were two main possible impacts identified, Euro funding for the Moorlife 2020 project, and UK government funding for National Parks:-

<b>Risk Aspect</b>	<b>Detail</b>	<b>Mitigating Action</b>
European grant funding for Moorlife 2020 project	<ul style="list-style-type: none"> <li>Termination conditions – termination risk on grounds of not being an EU body</li> <li>If contract not terminated, risks in carrying significant European debt in excess of Authority resources</li> </ul>	<ul style="list-style-type: none"> <li>Further legal advice will be sought if needed</li> <li>The Local Government Association is mounting a campaign for UK government to underwrite EU funded contracts if necessary over the transition period</li> <li>National Park Chief Executive and Chairs group and National Parks England will join this discussion direct with Defra asking for National Park euro funded projects to be underwritten</li> <li>Already received 30% of total grant as pre-payment that will provide initial financing cover for up to 2 years (2016/17 and 2017/18) subject to confirmation of budget profile by project manager Sept 2016</li> </ul>
UK government funding	<ul style="list-style-type: none"> <li>National Park Grant – risk of 4 year settlement letter not being honoured</li> <li>Risk to progressing investment decisions</li> </ul>	<ul style="list-style-type: none"> <li>National Park Chief Executive and Chairs group and National Parks England to discuss direct with Defra</li> <li>Continue with baseline investment into the design of the leadership group</li> <li>Make decisions on allocations for investments after the Autumn budget statement</li> </ul>

Additional words in Narrative Report appended to section 1.13:-

The investment proposals to be developed are focussed on four programmes of work as below:-

<b>Programme</b>	<b>Focus for investment</b>
<b>Develop the knowledge and expertise of organisation</b>	The knowledge and expertise of third tier managers (managers that report to a Director) and professional experts
<b>Develop the commercial programme</b>	To give us confidence that our commercial approach focusses on those areas giving the best returns and in a way that more than pays for itself
<b>Develop and enhance the way we work with communities and partners</b>	To improve how we work with and enable communities to support the special qualities: how we plan with them, advise them and support them through grants
<b>Ensure our asset portfolio is at a standard that is fit for the Corporate Strategy</b>	To support our work on properties we own and operate: maintenance; environmental performance; development to enhance the visitor experiences



## **10. 2015/16 ANNUAL GOVERNANCE STATEMENT (JS)**

### **1. Purpose of the report**

Members are asked to review and approve the audited Annual Governance Statement for 2015/16.

#### **Key Issues**

- **Each year the Authority reviews its performance against the Code of Corporate Governance and in doing this reviews the effectiveness of its governance arrangements including the system of internal control; the results of this feed into the Authority's Annual Governance Statement at Appendix 1.**
- **This review takes into account 'assurances' received during the year.**
- **The Annual Governance Statement highlights areas for further action in accordance with our approach to achieve continuous performance improvement.**
- **The impact of organisational changes taking place during 2016/17 has been highlighted as a significant issue to be considered during the current financial year.**
- **The External Auditor has given a satisfactory conclusion with no issues highlighted following the auditors' assessment of the Annual Governance Statement.**

### **2. Recommendation(s)**

- 1. To approve the audited Annual Governance Statement for 2015/16 for sign off by the Chief Executive Officer and the Chair of Audit, Resources & Performance Committee.**

### **3. How does this contribute to our policies and legal obligations?**

Regulation 6 of the Accounts and Audit Regulations (2015) requires relevant bodies to conduct a review at least once a year of the effectiveness of its system of internal control and members must approve an annual governance statement, prepared in accordance with proper practices in relation to internal control, at the same time as the statement of accounts is approved under Regulation 12(2). To comply with the regulations the Authority published an unaudited version of the Statement before the required 31 July deadline and in fact published by the earlier deadline of 31 May which is to be introduced in 2017. This report now asks the Committee to approve the audited version before it is published in accordance with the regulations.

The Department for Communities and Local Government has clarified that 'proper practice' in relation to internal control relates to guidance produced by CIPFA (Chartered Institute of Public Finance and Accountancy) and SOLACE (Society of Local Authority Chief Executives). This guidance is found in the CIPFA/SOLACE publication titled 'Delivering Good Governance in Local Government Framework'.

In recent years this guidance has been supplemented and updated by: the CIPFA statement on the Role of the Chief Financial Officer (2010); the CIPFA statement on the Role of the Head of Internal Audit (2010); and the CIPFA delivering good governance addendum (2012). Since 2014/15 we have also been required to include a statement on our assessment of performance against CIPFA's Code of Practice on Managing the

Risk of Fraud and Corruption.

A review of our performance against the Authority's Code of Corporate Governance feeds into this Annual Governance Statement and is part of our work to ensure the Authority has a solid foundation supporting achievement of our four cornerstones and four directional shifts as detailed in our 2015/16 performance and business plan. Obtaining a satisfactory External Audit conclusion on value for money through an assessment of the Annual Governance Statement is a corporate indicator.

#### 4. Background

The review of effectiveness of our governance framework, including the system of internal control, is informed by assurances from staff and Members within the Authority who have responsibility for the development and maintenance of the governance environment (including financial controls, risk management and performance management processes, compliance with advice on legislation and regulations), internal and external audit reports and opinions, comments made by other agencies and inspectorates as well as feedback from customers and stakeholders.

The 2015/16 annual assurance report from the internal auditor states: the overall opinion of the Head of Internal Audit on the framework of governance, risk management and control operating in the Authority is that it provides Substantial Assurance. There are no significant control weaknesses which in the opinion of the Head of Internal Audit need to be considered for inclusion in the Annual Governance Statement.

The review of effectiveness is continual throughout the year as evidenced by some of the action taken during the year but a more formal assessment takes place each year in the preparation for this statement. In accordance with the Authority's Code of Corporate Governance a meeting was held on 25 April 2016 to:

- a) Review our performance against our action statements of commitment in our Code of Corporate Governance and highlight what we have done in the 2015/16 year which contributes to achieving our outcome of 'good governance'
- b) Identify any further action needed for the forthcoming year in accordance with our approach to ensure continuous performance improvement

The meeting involved the Chief Executive, Director of Corporate Strategy and Development, Director of Conservation and Planning, Director of Commercial Development and Outreach, Chair of Audit Resources and Performance Committee, Monitoring Officer and Deputy Monitoring Officer.

It was agreed that the outputs of our review in terms of improvement action for the forthcoming year would be reflected in the 2015-16 Annual Governance Statement. These are recorded in Appendix 1 against the 6 core principles of our Code of Corporate Governance. A full record of the review of action and assurances received indicating maintenance and/or improvement to the effectiveness of elements of the governance framework can be obtained from the Head of Law & Monitoring Officer or can be found at:

<http://www.peakdistrict.gov.uk/publications/operationalpolicies>

The full review has not been included in the Annual Governance Statement in order to provide a briefer document but a detailed review of performance against code of corporate governance has been published on the Authority Website.

## 5. Proposals

The proposed Annual Governance Statement for 2015/16 is given in Appendix 1 for Members' consideration and approval. This statement has been audited by our external auditors from KPMG to inform their conclusions. The External Auditor has given a satisfactory conclusion with no issues highlighted following the auditors' assessment of the Annual Governance Statement.

As part of reviewing performance and assurances received no significant issues have been identified and the arrangements in place continue to be regarded as fit for purpose in accordance with the governance framework. However over the coming year we will take steps to address a number of issues identified during our review of effectiveness to further enhance our governance arrangements these are set out in the table at the end of the Appendix. The impact of organisational changes taking place during 2016/17 has to be considered during 2016/17. It also identifies that there is some work that needs to be carried out in advance of preparing the 2016/17 governance statement to make sure that it meets the requirements of the new guidance issued by CIPFA and Solace earlier this year.

**Are there any corporate implications members should be concerned about?**

## 6. Financial:

There are no additional financial issues to highlight.

## 7. Risk Management:

The system of internal control is a significant part of our governance framework and is designed to manage risk to a reasonable level and not provide absolute assurance of effectiveness so Members need to be aware that problems can still arise. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies and outcomes, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage these risks efficiently, effectively and economically.

## 8. Sustainability:

There are no issues to highlight.

## 9. Equality:

There are no issues to highlight.

## 10. Background papers (not previously published)

An electronic file of documents has been prepared relevant to the Statement consisting of Authority and Committee reports and other supporting records to evidence the review of effectiveness made in the Statement.

## Appendices

Appendix 1: 2015/16 Annual Governance Statement.

## Report Author, Job Title and Publication Date

Jason Spencer, Democratic Services Manager, 08 September 2016

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## **2015/16 Annual Governance Statement**

### **Scope of Responsibility**

The Peak District National Park Authority ('the Authority') is responsible for ensuring that its business is conducted in accordance with the law and proper standards and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively. The Authority also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Authority is responsible for putting in place proper arrangements for the governance of its affairs, and facilitating the effective exercise of its functions, which include arrangements for the management of risk.

The Authority approved and adopted a Code of Corporate Governance in May 2009 which is consistent with the principles of the CIPFA/SOLACE (Chartered Institute of Public Finance and Accountancy/Society of Local Authority Chief Executives) Framework *Delivering Good Governance in Local Government*. This is reviewed annually and updated appropriately including taking into account new guidance such as the CIPFA statement on the Role of the Chief Financial Officer (2010), the CIPFA statement on the Role of the Head of Internal Audit (2010), and the CIPFA delivering good governance addendum (2012). In 2015 the Code was updated to reflect our consideration of the CIPFA code of practice on Managing the Risk of Fraud and Corruption (2014). This year it has been updated to reflect the Authority's new leadership structure and the new Corporate Strategy. A copy of the Authority's Code of Corporate Governance can be obtained from the Monitoring Officer at Aldern House, Baslow Road, Bakewell, DE45 1AE or can be found on our website at <http://www.peakdistrict.gov.uk/publications/operationalpolicies>. The following statement reports on the outcome of the review of the effectiveness of the Authority's governance arrangements, and also meets the requirements of the Accounts and Audit Regulations 2015.

### **The Purpose of the Governance Framework**

The governance framework comprises the systems, processes, culture and values, for the direction and control of the Authority and its activities through which it accounts to, engages with and leads its National Park 'community' (locally, regionally and nationally). It enables the Authority to monitor the achievement of its strategic outcomes and objectives and to consider whether these objectives have led to the delivery of appropriate services and value for money.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies and outcomes, to evaluate the likelihood and potential impact of those risks being realised, and to manage these risks efficiently, effectively and economically.

The elements of the governance framework identified in our Code of Corporate Governance have been in place at the Authority for the year ended 31 March 2016 and up to the date of finalising this statement on 27 May 2016 for publication by the end of May 2016. The statement will be revised prior to reporting to Members of the Audit Resources and Performance Committee in September 2016 to reflect any significant changes which may occur prior to that date. CIPFA/SOLACE published a new governance framework in April 2016 for implementation in 2016/17, which will result in a comprehensive review of the Code of Corporate Governance, the Annual Governance Statement and the review of evidence schedule.

## The Governance Framework

The Authority's corporate governance framework as enshrined in our Code of Corporate Governance helps us to ensure that the principles of good governance are embedded in all aspects of our work. The key aspects of the corporate governance framework include:

(a) The Authority's work, in pursuing its statutory purposes and duty, is governed by a number of key policies and plans including the Defra (Department for Environment, Food and Rural Affairs) circular, the National Park Grant Memorandum and the 8 Point Plan for England's National Parks. The Authority communicates its vision and intended outcomes for the National Park working with partners over a 5-10 year period, through the National Park Management Plan (NPMP). This is reviewed every 5 years and is supplemented by a number of key National Park strategies and action plans also working with partners. We have publicised our fourth annual report (reporting on the 2014/15 year) for the 2012-17 NPMP – this has included progress against our 5 signature programmes to support delivery of the whole plan and to aid communication with stakeholders. A partnership protocol is in place to support our work with partners. Progress against the NPMP is monitored by a stakeholder Advisory Group which is independently chaired.

(b) The Authority's contribution to achieving the NPMP outcomes is described in our corporate objectives. 2015/16 was a transitional year for the Authority as we integrated planning for possible further reductions in our Government grant, implemented a new leadership structure and developed and agreed our new corporate strategy for 2016-2019. In light of a better than expected grant settlement our focus for 2016/17 is to continue our strong record of delivery and to invest in and organise ourselves, so we have a sound platform in place to support a sustained and enhanced delivery in years 2 and 3.

(c) The Performance and Business Plan provides an annual work plan for the Authority showing priorities for action in the forthcoming year, measures of success, targets for performance and allocation of resources. The agreement of this follows a detailed planning process aimed at ensuring the economical, effective and efficient use of resources. For 2016/17 we have simplified our corporate reporting measures, streamlining our indicators from 63 to 17, that are aligned and focussed on achieving our Corporate Strategy. We are in the process of setting realistic, yet ambitious, targets to support our mission to inspire millions of people so together we will protect and care for our National Park for the enjoyment of all.

(d) The Moving Forward in a Time of Change document has previously provided a steer for leading and managing change in light of external pressures on the Authority and has guided our budget planning process. During 2015/16 this strategic document was replaced by the new corporate strategy. While the corporate strategy continues to shift the organisation in accordance with our financial strategy to diversify our sources of funding so that we maximise opportunities for commercialisation, giving, sponsorship and external grant funding whilst reducing costs and reliance on our core Defra grant, a significant focus during 2016/17 will be to embed the new leadership structure and implement the new organisational design principles throughout the Authority.

(e) Following the adoption of the Authority's Core Strategy in October 2011, work has continued to complete both Development Management Policies and detailed guidance on sustainable buildings and renewable energy, and other technical design guidance. Collectively the suite of policies and supplementary guidance will form the Authority's Local Development Plan which will provide a basis for greater clarity and certainty in decision making over the next 10-15 years. A draft set of development management policies have formed the basis of detailed discussions on the full document with members and other stakeholders prior to the formal agreement of this important Development Plan Document (DPD) for publication in the autumn of 2016.

(f) Our People and Park Connected strategy sets our direction over the coming years in terms of how we engage with people, both resident and non-resident and is reflected in the new corporate strategy. It covers our ambitions for people getting to know the park, understanding the park and

supporting the park. The people and park connected strategy and the draft communications and marketing strategy are being implemented to ensure clear channels of communication, consultation and engagement with target audiences and stakeholders.

(g) The Authority's performance management framework ensures that:

- the 'golden thread' is in place with all individual work programmes linked through the service planning process to achieving corporate objectives/priority focus and National Park Management Plan outcomes
- measures of success are identified and targets set for performance
- resources are allocated to priorities
- risks to achieving corporate objectives are considered and mitigating action identified at corporate and service levels
- performance and the changes to risks are monitored regularly throughout the year
- areas for performance improvement are identified and addressed both in the short term and as part of medium term performance improvement planning. This includes addressing issues arising from strategic, value for money and scrutiny reviews, and external/internal audit and inspection reports.

(h) The Authority's Standing Orders, and other procedures describe how the Authority operates and how decisions are made. They also define the terms of reference for committees and the Authority meeting including the role of the Audit Resources and Performance Committee for standards issues. The prime objectives are to operate effectively, efficiently, transparently, accountably and within the law. During 2015/16 our Standing Orders have been updated to reflect organisational changes and our Contract Procedure Rules updated to reflect legislative changes. Our Standing Orders are supplemented by:

- Scheme of Delegation (which is regularly reviewed)
- Codes of Conduct and guidance for Officers and Members
- Policies and Procedures including the Anti-Fraud and Corruption Policy and the Confidential Reporting (whistle blowing) Policy
- Protocols on (i) Member/Officer Relations, (ii) Monitoring Officer and (iii) Development Control and Planning
- Complaints procedures
- Our scrutiny process led by Members

(i) Arrangements are in place to ensure compliance with relevant laws and regulations, internal policies and procedures and that expenditure is lawful. These include:

- requirement in our financial regulations and Standing Orders for technical advice to be sought including legal and financial advice from the Monitoring Officer and Chief Financial Officer
- reports for decisions including reference to relevant policies and procedures
- professional expertise and knowledge of staff employed by the Authority
- professional expertise of contractors and consultants where not available in house
- scrutiny provided by internal and external auditors. The internal auditor has regular and open engagement across the organisation particularly with managers of the Authority and with members through the Audit Resources and Performance Committee
- a risk based internal audit strategy and annual plan
- reports from external bodies like the Local Government Ombudsman, HM Revenue and Customs, Information Commissioner, Planning Inspectorate
- requirement to comply with relevant codes of practice and conduct mandatory for local authorities
- guidance received from time to time from Defra and other government agencies
- allocation of all income and expenditure to approved cost centres by Finance based on approved delegated decisions and business cases by Resource Management Team or Members, either at approval of the budget or during the year

(j) Arrangements are in place for 'whistle blowing' and for receiving and responding to complaints from employees if there are concerns about serious matters that could put the Authority and/or the wider public at risk. These arrangements are described in our 'confidential reporting policy'. This is given to all staff as part of their induction and is publicised through our website section titled 'standards and governance' which can be found at <http://www.peakdistrict.gov.uk>. The Authority's Complaints procedure provides a facility to those not employed by the Authority to raise their concerns. Both policies were reviewed by Internal Audit in 2015/16 and given substantial assurances.

(k) Financial management includes forward planning of expenditure and resources, budget consultation, budget setting and monitoring and final accounts. The aim is to ensure that these are accurate, include information relevant to the user and are completed to agreed timescales. Financial Regulations further support the above by setting out policies and procedures that are to be adhered to. Following a review of the CIPFA statement on The Role of the Chief Financial Officer (CFO) in Local Government (2010) our Code of Corporate Governance has been strengthened to reflect better the role of the CFO. Our reporting arrangements meet the requirements of the Code with the CFO having independent reporting as necessary to the Chief Executive, Resource Management Team and Members even though the post holder sits in the Corporate Strategy and Development Directorate.

(l) Our Code of Corporate Governance has also been strengthened to reflect that the Head of Law post is now designated as Monitoring Officer and to ensure that the Monitoring Officer has independent reporting as necessary to the Chief Executive, Senior Leadership Team and Members even though the post holder sits in the Corporate Strategy and Development Directorate.

(m) Member and staff learning and development needs are identified and met through annual programmes. Our approach to staff development is described in our Learning and Development Policy. Our approach to Member development is described in the document approved by the Authority in October 2007 titled 'Review of Member Training and Development' and a subsequent report in September 2010. Improvements to our approach on Member development, within resources available, are reported annually to the Authority as part of agreeing the annual programme of development and business events.

## **Review of Effectiveness**

The Authority has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by assurances from staff and Members within the Authority who have responsibility for the development and maintenance of the governance environment (including financial controls, risk management and performance management processes, compliance with advice on legislation and regulations), internal and external audit reports and opinions, comments made by other agencies and inspectorates as well as feedback from customers and stakeholders.

The review of effectiveness is continual throughout the year as evidenced by some of the action taken during the year but a more formal assessment takes place each year in the preparation for this statement. In accordance with the Authority's Code of Corporate Governance a meeting was held on 27 April 2016 to:

1. Review our performance against our action statements of commitment in our Code of Corporate Governance and highlight what we have done in the 2015/16 year which contributes to achieving our outcome of 'good governance'
2. Identify any further improvement action needed for the forthcoming year



The meeting involved the Chief Executive, Director of Conservation and Planning, Director of Corporate Strategy and Development, Director of Commercial Development and Outreach, Chair of Audit Resources and Performance Committee and the Monitoring Officer and her Deputy. In carrying out our review we took account of the 'assurances' we have received during the year (and at our meeting) including:

- (a) External Audit Annual Audit Letter and unqualified opinion/satisfactory conclusions
- (b) Internal Audit reports for 2015/16 including the annual report and assurance opinion. Out of a total of 13 recommendations made over the year: none of them were classed as fundamental; 5 were classed as significant and 8 were classed as meriting attention. The 2015/16 annual assurance report from the internal auditor states: the overall opinion of the Head of Internal Audit on the framework of governance, risk management and control operating in the Authority is that it provides Substantial Assurance. There are no significant control weaknesses which in the opinion of the Head of Internal Audit need to be considered for inclusion in the Annual Governance Statement.
- (c) Assurances given from 'those charged with governance' including: members of the Leadership Team, Statutory Officers (Head of Paid Service, Chief Finance Officer, Monitoring Officer), Chair of Audit Resources and Performance Committee
- (d) Progress against action we identified last year as part of our Annual Governance Statement
- (e) The most recent Local Government Ombudsman's statistics
- (f) Our planning appeals performance and feedback from inspectors' reports
- (g) Any feedback from handling complaints, Freedom of Information and Environmental Information enquiries
- (h) Seeking reaccreditation for the Investors in People standard
- (i) Feedback and lessons learnt from legal proceedings
- (j) Confirming, in accordance with CIPFA's Code of Practice on Managing the Risk of Fraud and Corruption that the Peak District National Park Authority has adopted a response that is appropriate for its fraud and corruption risks and commits to maintain its vigilance to tackle fraud.

As part of our continuous improvement approach to our governance arrangements we identified at this meeting further issues to address as recorded below against the 6 core principles of our Code of Corporate Governance. A full record of our review of action and assurances received indicating maintenance and/or improvement to the effectiveness of elements of the governance framework can be obtained from the Monitoring Officer at Aldern House, Baslow Road, Bakewell, DE45 1AE or can be found on our website at

<http://www.peakdistrict.gov.uk/publications/operationalpolicies>

<p><b>(1) Core Principle</b>  <b>Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the area</b></p>
<p><b>Issues identified during review which affect effectiveness:</b></p> <ol style="list-style-type: none"> <li>1. Some Authority Members were concerned that there would be some uncertainty during the early stages of the implementation of the giving strategy programme around the levels of support that could be achieved for the level of proposed investment.</li> <li>2. The Commercial Plan will need to be supported by appropriate governance arrangements, skill sets and new ways of working.</li> <li>3. Consideration is needed on how the available funds (following the more favourable settlement) will be invested to deliver our Corporate Strategy 2016-19.</li> <li>4. Partnership working arrangements and external funding grants may be at risk if there is not a coherent partnership approach to securing match funding.</li> </ol>
<p><b>(2) Core Principle</b>  <b>Members and officers working together to achieve a common purpose with clearly defined functions and roles</b></p>
<p><b>Issues identified during review which affect effectiveness:</b></p> <ol style="list-style-type: none"> <li>5. The Leadership Team is still relatively new and will take some time to bed in as Directors explore how they work together in their new areas of activity. There will also be further uncertainties and a transitional phase as the leadership structure cascades through the Authority and further restructures take place in line with adopted design principles.</li> </ol>
<p><b>(3) Core Principle</b>  <b>Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour</b></p>
<p><b>Issues identified during review which affect effectiveness:</b></p> <ol style="list-style-type: none"> <li>6. The ability to make sure the organisation's culture/mind-set embeds our values on ways of working:- people matter, performance matters, community matters and everyday matters.</li> </ol>
<p><b>(4) Core Principle</b>  <b>Taking informed and transparent decisions which are subject to effective scrutiny and managing risk</b></p>
<p><b>Issues identified during review which affect effectiveness:</b></p> <ol style="list-style-type: none"> <li>7. CIPFA/SOLACE published a new governance framework in April 2016 for implementation in 16/17 which will result in a comprehensive review of the Code of Corporate Governance, the Annual Governance Statement and the Review of Evidence Schedule.</li> <li>8. Monitoring the implications of the European Union exit vote.</li> </ol>
<p><b>(5) Core Principle</b>  <b>Developing the capacity and capability of members and officers to be effective</b></p>
<p><b>Issues identified during review which affect effectiveness:</b></p> <ol style="list-style-type: none"> <li>9. Appointment and development of a wider leadership group and ensuring the organisation has the skills and capacity to deliver the new Corporate Strategy.</li> </ol>

**(6) Core Principle  
Engaging with local people and other stakeholders to ensure robust public accountability**

**Issues identified during review which affect effectiveness:**

- 10. The Corporate Risk Register highlights the need to ensure staff are supported through a time of change.

**Significant Governance Issues:**

There are no significant issues and the arrangements continue to be regarded as fit for purpose in accordance with the governance framework. However over the coming year we will take steps to address the issues identified during our review of effectiveness as detailed above to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that have been identified and will monitor their implementation and operation as part of our next annual review.

Signed on behalf of the Peak District National Park Authority:

..... Chair of Audit, Resources and Performance Committee

..... Chief Executive

**Publication Date: September 2016**

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## 11. TRAILS STRUCTURES CAPITAL EXPENDITURE (PM3511/ES)

### **Purpose of the report**

Capital expenditure is required to fund a backlog of repairs and restoration of bridges, tunnels and viaducts on the Monsal, Tissington and High Peak Trails. ARP Committee approval is required to release £600,000 to complete the high priority work.

### **Key issues**

- **The structures are in the ownership of the Authority. They are a vital part of the trails infrastructure and in some cases the highway network;**
- **In fulfilling the inspection requirements, as an overseeing organisation, a 6 year work programme has been produced covering all 108 structures**
- **High priority work to a value of £631,318 (including contingency) has been identified;**

### 1. **Recommendations**

2. **That approval is granted for £600,000 capital expenditure, as described in Capital Strategy 4 December 2015 (A/13321/PN)**

### **How does this contribute to our policies and legal obligations?**

#### 3. **Contribution to policies:**

Maintenance of these historic former railway lines and their infrastructure fits within the Authority's first purpose, to "conserve and enhance the ..... cultural heritage" of the National Park.

4. Management of the Trails and their infrastructure contributes to the Authority's corporate objectives. The trails are an important part of the Authority's estate and there is a focus on ensuring they, "*are well managed assets able to support the delivery of our directional shifts*".

5. As a key visitor destination experience the trails support high visitor numbers (approx. 800 per day on average) making them one of the most important locations at which the Authority can connect with visitors to the National Park and provide an opportunity to contribute to "*Growing income and supporters*". In order to inspire and engage people it is vital that the Trails are maintained in a safe and welcoming condition. The numbers are not anticipated to decrease and in fact are likely to increase, particularly with the ongoing development of the White Peak Loop as part of the £7.5 million Pedal Peak II project.

6. The Trails also contribute to the Authority's objectives for landscape scale conservation in relation to cultural heritage features and providing quality and connectivity of access for the NP, by sustainable means.

7. **Legal Obligations:** The Tissington and High Peak Trails have both been dedicated as Public Bridleways and as such members of the public have a right to use them in perpetuity. The provisions of the Highway Act 1980 are applicable. A lack of maintenance on our structures could result in legal action under s.56 (by a member of the public) or s.57 (by the highway authority) of the Highways Act 1980. This would result in the PDNPA being compelled to carry out necessary repairs or repay the cost of such repairs as are deemed necessary by the highway authority.

8. The situation differs in relation to the Monsal Trail (not a public right of way) and locations where structures facilitate other private rights of access. In many cases the trails structures provide access over or under private accommodation roads. In these situations the Authority has a duty of care to those exercising private rights of access over its land as well as visitors to the trail.

### **Background**

The current situation results from a lack of investment in planned maintenance of infrastructure over many years. The Monsal Trail in particular has received very little maintenance prior to 2011 due to ongoing investigations into the possibility of reopening it as a railway and uncertainty over future ownership and management of the trails. This situation was recognised by the following studies:

9.
  - The Trails Management Plan (2012) identified a challenging funding climate for the continued maintenance and operation of the trails network, with a potential budget shortfall of circa. £300K p.a to address the backlog of maintenance work.
10.
  - The Trails Master Plan Options Study undertaken for the Authority by Atkins and considered by members at the 4 July 2014 Authority meeting prompted further investigation into the potential for development of two sites (Millers Dale Station and Parsley Hay Centre) with the aim of contributing to the long-term financial sustainability of the trails network including funding the backlog of maintenance work. This work is progressing but potential financial benefits from the proposed developments will not be felt before 2017/18.
11. Following concern that the high priority maintenance work needed to be urgently addressed consideration of a business case, RMT (minute 28/15) set out a new preferred approach to dealing with the issue of safeguarding the integrity of trails structures prior to 2017/18. This included agreement in principle to release £600K from the capital programme.
12. Every 6 years the Authority has commissioned a General Inspection of structures on the trails. The last inspection, carried out in spring 2015, indicated that the Authority is not meeting the recommended standard of condition monitoring, particularly with regard to structures passing over vehicular highways. This prompted the commission of Principal Inspections of six high risk structures on the Monsal Trail. The first four of these were completed in July 2016 and the remaining two will be completed by 31 May 2017.
13. A General Inspection provides information on the physical condition of all visible elements of the structure that can be seen without the need for specialist access equipment.
14. A Principal Inspection provides information on the physical condition of all inspectable parts of the structure from a close examination (within touching distance) of all parts.

15. The previous General Inspection in February 2009, prior to the Monsal Trail tunnels opening to the public, identified work with an estimated cost of £893,250. This work was recommended for completion by February 2015 but £852,050 was still outstanding at that date.
16. The current General Inspection report has recommended works totalling almost £4.3 million over the next 6 years. This comprises masonry repairs, vegetation removal and rock netting to cuttings. As part of the General Inspection, budget costs were provided for netting all cuttings at a cost of just over £3 million but the engineers stressed that this would require further risk assessment to determine the extent of essential work. A separate project is underway to establish a reasonable and practical approach to the assessment of risk from rock cuttings so the estimated cost of that element does not form part of this report. Best practice indicates that each cutting should be risk assessed subjectively with regard to condition and level of use. A programme of monitoring has already been implemented. Since the General Inspection report was received in spring 2015 there has been one reported incident of rock falling onto a trail so, pending further assessment, it is not anticipated that significant rock netting work will be required.
17. The remaining cost of recommended restoration and repair work from 2015-2020 is valued at £1,113,433 (excluding rock netting).
18. The 2016/17 trails revenue budget (excluding staff costs) is £222,000 p.a and cannot accommodate this scale of work.
19. The next tranche of maintenance (2021 - 2026) is unlikely to be as extensive as the 2015 – 2020 estimate, above, providing all of the work identified now is carried out within the recommended timescales.

### Proposals

20. **High Priority Work**  
Utilising the Authority's capital reserves will address the high priority work identified. The capital fund can only be used for capital expenditure and not revenue expenditure. Most routine maintenance work is revenue in nature, but some expenditure on improvements and repairs is capable of being capitalised. The test is whether "future economic benefits or service potential will flow to the Authority" for assets with a service life of greater than one year, and whether the asset's service life is extended. It is considered that the capital fund is able to finance most of the structural work on the trails infrastructure on the basis that the work is extending the service potential of the asset.
21. The level of repairs identified is the result of deterioration over many years that has not been addressed. These works need to be completed to bring the various structures into an adequate condition and arrest that deterioration.

TABLE 1 Work Type	Priority and Costs (£)			Total
	H (Yr 1 & 2)	M (Yr 3 & 4)	L (Yr 5 & 6)	
Repairs/restoration works budget costs	526,098	412,045	143,290	1,113,433

A contingency of at least 20% is appropriate to the scale of work, particularly due to the listed status of several of the affected structures. This brings the total budget cost of high priority works to **£631,318**.

22. A relatively small amount of the high priority work has already been completed in-house within the trails revenue budget. The total value of this work is £29,400 bringing the remaining total to **£601,918** approx.
23. **Medium and Low Priority Work**  
It is anticipated that an equivalent value of work can be accommodated within the trails revenue budget for years 3-6 (£29,400). In addition it is proposed that the annual programme of surface improvements (normally £20,000 p.a) is suspended for 2018/19 and 2019/20 and that proportion of the trails revenue budget is reallocated to contribute to medium priority structures repairs. In 2015/16 and 2016/17 the Authority has been successful in gaining funding from the Pennine National Trails Partnership that has enabled the target for resurfacing to be exceeded in those financial years so despite that expenditure being reallocated for the next two financial years the overall condition of the trails surface, by 2020, will not be diminished.
24. Proposals under development to alter the Authority's approach to car park charging (to be considered by RMT on 4 Oct 2016) could increase revenue income from trails car parks by £23,000 p.a. approx. (£69,000 over all car parks). Planned developments at Millers Dale Station are anticipated to increase trails revenue income by £30,000 p.a in year 4 of the structures work programme. Both of these estimates are conservative so should predictions be exceeded then any additional income will be used to contribute to the repair/restoration costs.
25. Around £90,000 was added to the trails specific reserve in 2015/16. And will be utilised toward the cost of the medium priority work in 2017/18.
26. This would leave a deficit for the medium and low priority work as shown in Table 2:

<b>TABLE 2</b>	<b>Total budget cost (£)</b>	<b>Anticipated contribution from revenue budget (£)</b>	<b>Deficit (£)</b>
<b>Medium Priority</b>	412,045	235,400	176,645
<b>Low Priority</b>	143,290	135,400	7,890

27. As mentioned above, sources of external funding are being investigated, including HLF Heritage Fund. It is anticipated that some additional resources will be generated through fundraising and in March 2016 Members resolved, "To agree that the focus for the first major campaign should be the Trails, with smaller campaigns based around the Authority's other properties and corporate plan." (minute 14/16).
28. If external funding applications and campaigns are unsuccessful or the timescales do not correspond with the structures work programme then additional capital (including the Trails Reserve) will be required to fund the medium and low priority work.
29. The trails revenue budget should be able to accommodate the ongoing maintenance of structures when they have been brought into a reasonable state of repair, post 2020.



**Are there any corporate implications members should be concerned about?**

30. **Financial:** There may be unforeseen costs as a result of the remaining Principal Inspections scheduled for May 2017. Any repairs identified as high priority would need to be included in the work programmes for years 3-4. It is not possible to anticipate what these costs might be. The General Inspection of these structures did not identify and significant defects.
31. The contribution that will be made by external funding bids and fundraising campaigns is largely unknown at the stage, as mentioned in paragraph 14. Table 2 shows the potential additional capital required if no funding is obtained from these sources.
32. **Risk Management:** Future maintenance costs of these assets cannot be accurately predicted beyond 2020 but by bringing them into a good state of repair now the risk of a major defect arising will be minimised.
33. **Sustainability:** A sustainable approach to the long-term financial management of the trails will be developed as part of a wider commercial plan for the Commercial Development and Outreach Directorate.
34. **Background papers** (not previously published) None

**Appendices** - None

**Report Author, Job Title and Publication Date**

Emma Stone, Trails Manager, 8 September 2016

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**12. LOCAL GOVERNMENT OMBUDSMAN ANNUAL REVIEW LETTER 2016 (RC/A.157)**

**Purpose of the report**

1. This report provides details of the Local Government Ombudsman (LGO) Annual Review of complaints for the period 1 April 2015 to 31 March 2016.

**Key issues**

- The LGO annual review has not stated any concerns about the Authority's performance.

**Recommendations**

2. **1. That the Local Government Ombudsman annual review letter in Appendix 1 of the report be noted.**

**How does this contribute to our policies and legal obligations?**

3. Quarterly reports on complaints received are considered by the Audit, Resources and Performance Committee as part of its agreed work programme. This is to give Members the opportunity to discuss lessons learnt and improvements made as a result of this feedback including from complaints which have been referred to the LGO. Learning from complaints received will contribute to one of our four cornerstones: 'Our organisation – develop our organisation so we have a planned and sustained approach to performance at all levels (people, money, outputs)'.

**Background**

4. The change from annual reporting on complaints to quarterly reporting on complaints was made in 2011, however it was agreed that the annual review letter from the LGO would still be reported annually. Appendix 1 shows the LGO's annual review for the Authority covering the period 1 April 2015 to 31 March 2016.
5. The letter shows that the LGO made a total of 4 decisions in relation to the Authority during this period. It is important to note that this figure includes enquiries dealt with by the LGO where they have offered advice on, made initial enquiries with the Authority or referred complainants back to the Authority. In these situations there is not always contact between the LGO and the Authority and therefore we do not hold a record of the complaints. Of the 4 decisions made 3 were Planning and Development related issues, 1 was Corporate and other services. Appendices 2 and 3 show the benchmark figures for complaints and enquiries received and determined by the LGO for National Park Authorities.
6. As can be seen in Appendix 1 during the period 1 April 2015 to 31 March 2016, the LGO took decisions on 4 complaints of these:
  - a. 2 were closed after initial enquiries
  - b. 1 was referred back for local solution
  - c. 1 was upheld
7. All complaints received under the Authority's complaints process are included in the quarterly report on complaints made to the Audit, Resources and Performance Committee along with decisions received from the LGO. Of the decisions closed after initial inquiries 1 was reported in Quarter 2 and 1 was reported in Quarter 4 of 2015-16. The decision referred for local solution was the subject of an initial enquiry by the LGO but following that no further contact was received so it was not recorded as an official

complaint. In these 3 matters it was determined that no changes in processes/practices were required. The decision upheld by the LGO was reported in Quarter 3 of 2015-16 and was also the subject of a separate report to this Committee on 6 November 2015 and the Planning Committee on 11 December 2015. This decision was also the subject of a micro scrutiny review and the recommendations from this were reported to this Committee at its meeting on 4 March 2016.

### **Proposals**

8. It is proposed that the details of the LGO annual review, as set out in Appendix 1 of this report, be noted.

### **Are there any corporate implications members should be concerned about?**

9. **Financial:**

We handle complaints within existing resources. However when a complaint has to be investigated it is often time consuming and distorts planned work programmes.

10. **Risk Management:**

The following risks have been identified at this time:

- a. Failure to ensure action is taken to improve service or address a problem as appropriate in response to complaints received.
- b. Failure to improve the way we handle and respond to customers making complaints.
- c. Unreasonable cost in time and staff resource spent in dealing with complaints.

Action taken as a result of complaints received and our procedure for handling unreasonably persistent complainants help us to mitigate these risks.

11. **Sustainability:**

The Authority's complaints procedure highlights that:

- a. All comments and complaints are treated in confidence and will not disadvantage complainants in any future dealings they might have with the Authority.
- b. Everyone will be treated fairly.

12. **Background papers** (not previously published) – None

### **Appendices -**

Appendix 1: LGO Annual Review Letter 2016

Appendix 2: Benchmark figures for complaints received by the LGO for National Park Authorities

Appendix 3: Benchmark figures for complaints determined by the LGO for National Park Authorities

### **Report Author, Job Title and Publication Date**

Ruth Crowder, Democratic and Legal Support Team Leader, 8 September 2016.

## Local Government OMBUDSMAN

21 July 2016

*By email*

Sarah Fowler  
Chief Executive  
Peak District National Park Authority

Dear Sarah Fowler,

### **Annual Review Letter 2016**

I write to you with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2016.

The enclosed tables present the number of complaints and enquiries received and the decisions we made about your authority during the period. I hope that this information will prove helpful in assessing your authority's performance in handling complaints.

Last year we provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year we are providing additional information to focus the statistics more on the outcome from complaints rather than just the amounts received.

We provide a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us. In addition, we provide a compliance rate for implementing our recommendations to remedy a fault.

I want to emphasise that these statistics comprise the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, but who may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

### **Effective accountability for devolved authorities**

Local government is going through perhaps some of the biggest changes since the LGO was set up more than 40 years ago. The creation of combined authorities and an increase in the number of elected mayors will hugely affect the way local services are held to account. We have already started working with the early combined authorities to help develop principles for effective and accessible complaints systems.

We have also reviewed how we structure our casework teams to provide insight across the emerging combined authority structures. Responding to council feedback, this included reconfirming the Assistant Ombudsman responsible for relationship management with each authority, which we recently communicated to Link Officers through distribution of our manual for working with the LGO.

### **Supporting local scrutiny**

Our corporate strategy is based upon the twin pillars of remedying injustice and improving local public services. The numbers in our annual report demonstrate that we continue to improve the quality of our service in achieving swift redress.

To measure our progress against the objective to improve local services, in March we issued a survey to all councils. I was encouraged to find that 98% of respondents believed that our investigations have had an impact on improving local public services. I am confident that the continued publication of our decisions (alongside an improved facility to browse for them on our website), focus reports on key themes and the data in these annual review letters is helping the sector to learn from its mistakes and support better services for citizens.

The survey also demonstrated a significant proportion of councils are sharing the information we provide with elected members and scrutiny committees. I welcome this approach, and want to take this opportunity to encourage others to do so.

### **Complaint handling training**

We recently refreshed our Effective Complaint Handling courses for local authorities and introduced a new course for independent care providers. We trained over 700 people last year and feedback shows a 96% increase in the number of participants who felt confident in dealing with complaints following the course. To find out more, visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

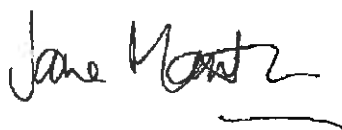
### **Ombudsman reform**

You will no doubt be aware that the government has announced the intention to produce draft legislation for the creation of a single ombudsman for public services in England. This is something we support, as it will provide the public with a clearer route to redress in an increasingly complex environment of public service delivery.

We will continue to support government in the realisation of the public service ombudsman, and are advising on the importance of maintaining our 40 years plus experience of working with local government and our understanding its unique accountability structures.

This will also be the last time I write with your annual review. My seven-year term of office as Local Government Ombudsman comes to an end in January 2017. The LGO has gone through extensive change since I took up post in 2010, becoming a much leaner and more focused organisation, and I am confident that it is well prepared for the challenges ahead.

Yours sincerely



Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

Local Authority Report: Peak District NPA  
For the Period Ending: 31/03/2016

For further information on how to interpret our statistics, please visit our website:  
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

## Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
0	0	1	0	0	0	0	2	0	3

## Decisions made

Detailed Investigations		Complaints Remedied		Total
Incomplete or Invalid	Upheld	Not Upheld	Satisfactorily by Authority before LGO Involvement	Uphold Rate
0	1	0	1	100%
Notes		Compliance Rate		4
Our uphold rate is calculated in relation to the total number of detailed investigations. The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied. The compliance rate is the proportion of remedied complaints where our recommendations are believed to have been implemented.		by LGO	1	100%
			0	

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**LOCAL GOVERNMENT OMBUDSMAN NUMBER OF ENQUIRIES RECEIVED REGARDING NATIONAL PARK AUTHORITIES 2015/16**

<b>National Park Authority</b>	<b>Environmental Services and Public Protection</b>	<b>Corporate &amp; Other Services</b>	<b>Planning &amp; Development</b>	<b>Highways and Transport</b>	<b>Total</b>
Broads Authority	0	2	1	0	3
Dartmoor	0	0	1	0	1
Exmoor	0	0	1	0	1
Lake District	0	1	1	1	3
New Forest	0	2	6	0	8
North York Moors	0	0	3	0	3
Northumberland	0	0	1	0	1
Peak District	0	1	2	0	3
South Downs	0	0	1	1	2
Yorkshire Dales	0	0	2	0	2

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**LOCAL GOVERNMENT OMBUDSMAN NUMBER OF DECISIONS MADE REGARDING NATIONAL PARK AUTHORITIES 2015/16**

<b>National Park Authority</b>	<b>Advice given</b>	<b>Closed after initial enquiries</b>	<b>Incomplete/Invalid</b>	<b>Referred back for local solution</b>	<b>Upheld</b>	<b>Not Upheld</b>	<b>Total</b>
Broads Authority	0	2	0	0	0	0	2
Dartmoor	0	0	1	0	0	0	1
Exmoor	0	0	0	0	0	0	0
Lake District	0	3	0	0	0	0	3
New Forest	1	3	0	1	1	2	8
Northumberland	0	0	0	0	0	0	0
North York Moors	0	1	0	2	0	0	3
Peak District	0	2	0	1	1	0	4
South Downs	0	1	0	0	1	0	2
Yorkshire Dales	0	1	0	0	2	0	3

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### 13.1. **RISK MANAGEMENT POLICY (A91941/WA)**

#### **Purpose of the report**

1. This report asks Members to approve amendments to the Authority's Risk Policy and supporting documentation to respond both to an agreed action from the last Internal Audit on Risk Management and to reflect the change of structure in the Authority (Audit, Resources and Performance Committee, 7 March 2016, ref:13/16).

#### **Key Issues**

2. At inspection in 2016, Internal audit found that:  
*'there is a methodology for scoring risks, which uses a 3x3 grid to plot risks. There is guidance on what constitutes low, medium and high likelihood and impact and risks are given a score by multiplying impact by likelihood in order to create a score between 1 and 9. However, risks are also given a colour coded category (green, amber and red) and risks with the same number score may have a different risk category..... it is confusing for them to have the same score. In order to clarify the priority of risks, consideration could be given to either scoring each risk according to its priority (ie the lowest priority risk scores 1, the highest scores 9) or purely using the colours and not having a score at all in order to remove confusion'*
3. The agreed action was:
  1. The risk policy will be updated as necessary and taken to Audit Resources and Performance for approval (September).
4. Since the last update of the risk policy, the position of Assistant Directors has been disestablished and, additionally, there has been a change of title of the Management Team to that of Senior Leadership Team.
5. As such, the text of the Risk Policy required updating to reflect these changes.

#### **Recommendation**

6. **1. That the updated Risk Management Policy in Appendix 1, and supporting documentation in Appendix 2, are approved**

#### **How does this contribute to our policies and legal obligations?**

7. Risk Management contributes to Cornerstone C3: Our organisation, focus 3 – develop key business processes underpinning the Corporate Strategy.

#### **Background**

8. The Authority approved and adopted a Code of Corporate Governance in May 2009 which is consistent with the CIPFA/ SOLACE (Chartered Institute of Public Finance and Accountancy/ Society of Local Authority Chief Executives) *Framework Delivering Good Governance in Local Government*. A copy of the Authority's Code of Corporate

Governance can be found on our website at [www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk) or can be obtained from the Monitoring Officer at Aldern House, Baslow Road, Bakewell, DE45 1AE.

9. One of the six core principles in the Code of Corporate Governance is *'taking informed and transparent decisions which are subject to effective scrutiny and managing risk'*, which includes the supporting principle of *'ensuring that an effective risk management system is in place'*.

10. The Risk Management Policy represents the Authority's underlying approach to risk management. The Authority's current Risk Management Policy was developed and approved in October 2015 (ref. 69/15).

11. **Proposals**

That the revised Corporate Risk Policy be approved updating the methodology for scoring risks and to reflect the change of structure in the organisation.

**Are there any corporate implications members should be concerned about?**

12. **Financial:** All work covered by the Risk Management Policy is undertaken within existing service budgets.

13. **Risk Management:** The policy forms the foundation of the Authority's approach to risk management.

14. **Sustainability:** No issues have been identified.

15. **Background papers** (not previously published) – None

**Appendices**

Appendix 1: Risk Management Policy

Appendix 2: Supporting Documentation (Key Components of the Authority's Risk Management System, Risk Register, Risk Scoring)

**Report Author, Job Title and Publication Date**

Wendy Amis, Senior Performance Officer, 8 September 2016

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## **Peak District National Park Authority Risk Management Policy (September 2016)**

### **Purpose of This Document**

1. This Risk Management Policy (the policy) supports one of the core principles in the Authority's Code of Corporate Governance (approved at Authority, May 2009) of 'Taking informed and transparent decisions which are subject to effective scrutiny and managing risk'.
2. The policy explains the Authority's underlying approach to risk management, documents the roles and responsibilities of Members, Senior Leadership Team, Chief Finance Officer, Heads of Service, Performance Team and other key parties. It also outlines key aspects of the risk management process, and identifies the main reporting procedures.

### **Underlying Approach to Risk Management**

3. The following key principles outline the Authority's approach to risk management and internal control:
  - a. Members have responsibility for overseeing risk management within the Authority as a whole;
  - b. An open and receptive approach to mitigating risk problems is adopted by Members;
  - c. The Chief Executive and the senior leadership team supports, advises and implements policies approved by Members;
  - d. The Authority makes prudent recognition and disclosure of the financial and non-financial implications of risks in line with its risk appetite;
  - e. The Chief Executive, Directors, Heads of Service, Team Managers, Project Managers and Strategic Partnership Lead Officers are responsible for encouraging good risk management practice within their designated managed area; and
  - f. Key risks will be identified and closely monitored on a regular basis.

### **Statement of the Authority's Risk Appetite**

4. The Authority will use risk management to achieve its objectives through pro-actively managing its exposure to risk. It will seek to recognise risk and mitigate the adverse consequences but recognises that, in pursuit of its vision and objectives, it may choose to accept an increased degree of risk in certain circumstances. It will do so, subject

always to ensuring that the potential benefits and risks are fully understood before developments are authorised, and that sensible measures to mitigate risk are established.

### **Role of Members**

5. Members' role in the management of risk is to:
  - a. Set the tone and influence the culture of risk management within the Authority, including;
    - Determining whether the Authority is 'risk taking' or 'risk averse' as a whole or on any relevant individual issue (the Authority's risk appetite);
    - Determining what levels of risk are acceptable and which are not, on the advice of the Senior Leadership Team, and setting the standards and expectations of staff with respect to conduct and probity.
  - b. Approve major decisions affecting the Authority's risk profile or exposure;
  - c. Monitor quarterly the management of significant risks to reduce the likelihood of unwelcome surprises or impact;
  - d. Satisfy themselves that the less significant risks are being actively managed, with the appropriate controls in place and working effectively;
  - e. Annually review the Authority's approach to risk management and approve changes or improvements to key elements of its processes and procedures as part of the Annual Governance Statement. (This is the annual review of the Code of Corporate Governance (which includes the Chair and Vice Chair of Audit, Resources and Performance Committee and is approved by the Audit, Resources and Performance Committee).

### **Role of the Senior Leadership Team (Chief Executive, Directors and Chief Finance Officer)**

6. Key roles of the Senior Leadership Team are to:
  - a. Set the overall culture of risk management in the Authority;
  - b. Take overall responsibility for the administration and implementation of the risk management process within the Authority;
  - c. Identify and evaluate the significant risks faced by the Authority for review by Members (the corporate risk register);



- d. Provide adequate information in a timely manner to Members and its committees on the status of risks and controls;
- e. Annually review the Authority's approach to risk management as part of the annual review of the Code of Corporate Governance and recommend changes or improvements;
- f. Review and monitor the risks identified in their individual services with their Heads of Service, Team Managers and Lead Officers (the service risk registers) including consideration of risks from working with strategic and major delivery partnerships, and escalate risks to the Corporate Risk Register as considered appropriate;
- g. Annually review the Authority's uninsured and insured risks.

### **Role of the Chief Finance Officer (statutory responsibility)**

- 7. The role of the Chief Finance Officer is to:
  - a. Help ensure the effective governance of the Authority by supporting the development of risk management and reporting frameworks and ensuring risks are fully considered;
  - b. Lead on the implementation and maintenance of a framework of financial controls and procedures for managing financial risks ensuring robust systems of risk management and internal control;
  - c. Help promote arrangements to identify and manage key business risks including safeguarding assets, risk mitigation and insurance.

### **Role of Directors, Heads of Service, Team Managers and Lead Officers of Major Delivery Partnerships (for which we are the accountable body)**

- 8. Key roles are to:
  - a. Take overall responsibility for the administration and implementation of risk management within the Directorate/ Service/ Team/ Partnership;
  - b. Identify and evaluate the significant risks faced in the Directorate/ Service/ Partnership;
  - c. Provide adequate information in a timely manner to Senior Leadership Team on the status of risks and controls;
  - d. Manage significant risks within the policy guidelines;
  - e. Propose escalation of service risks to the Corporate Register as considered appropriate.

### **Role of Lead Officers of Strategic Partnerships or Major Delivery Partnerships where the Authority is not the accountable body**

9. Key roles are to:
  - a. Undertake an initial risk assessment for the partnership and review on an annual basis with the relevant Director or Head of Service the risks to the Authority associated with being involved in the partnership, to enable identified risks to be incorporated into the service risk register.
  - b. Review, on a quarterly basis, with relevant Director or Head of Service any risks that appear on the service risk register relating to the partnership and inform of any risks that should be escalated to the service risk register or the Corporate Risk Register.

### **Role of the Performance Management Team**

10. Key roles of the Performance Management Team are to:
  - a. Take day to day responsibility for the administration and implementation of the risk management process;
  - b. Support Senior Leadership Team, Heads of Service and Lead Officers of Strategic and Major Delivery Partnerships in managing and monitoring risks;
  - c. Facilitate the process of consideration of risks onto the Corporate Risk Register on a quarterly basis;
  - d. Support Senior Leadership Team in the annual review of the Authority's approach to risk management.

### **Monitoring and Evaluation of this Policy**

11. This policy will be monitored and evaluated annually as part of the Authority's annual review of the Code of Corporate Governance and reported to Audit, Resources and Performance Committee with any recommendations for change.

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## **APPENDIX 2: Supporting documentation to the Authority's Risk Management Policy**

### **1. Key Components of the Authority's Risk Management System**

#### A. Identification of Risk

##### *a. The Corporate Risk Register*

The Authority manages risk at a corporate level through the Corporate Risk Register which is compiled by the Senior Leadership Team and approved by Audit, Resources and Performance Committee. It helps to facilitate the identification, assessment and ongoing monitoring of risks significant to the Authority. The document is formally appraised annually but every quarter emerging risks are reviewed and added as required, whilst current risks are assessed to determine whether the level of risk has been managed down sufficiently to remove the risk from the register. Improvement actions are also monitored through Audit, Resources and Performance Committee.

##### *b. Service Risk Registers*

Heads of Service develop and use these registers to ensure that significant risks in their service are identified, assessed and monitored. The document is formally appraised annually by the respective director and Chief Executive as part of the service planning process and allows for significant risks to be escalated to the Corporate Risk Register. Risks are added or removed as appropriate, and improvement actions to address risks are monitored with their Director through the Quarterly Performance Outturn Meeting. This allows any emerging significant risks to be escalated to the Corporate Risk Register during the year.

##### *c. Major project/ partnership risk registers*

A risk register (following the template for the service risk register) is completed for all major projects which are monitored on a quarterly basis by the project team and the respective Head of Service or Director. If there is a significant risk (red) the project will be put on the respective Service Risk Register.

As stated in the Partnership Protocol, the lead officer for each major or strategic partnership will undertake an initial risk assessment of the partnership which is reviewed annually with the respective Director or Head of Service. If there is a significant risk (red) it will be placed on the Service Risk Register.

##### *d. Insurance risks*

The Authority decides on uninsured and insured risks as part of its annual review of insurance arrangements.

## B. Monitoring of Risk

### *a. Quarterly monitoring*

Comprehensive quarterly reporting is designed to monitor key risks and their controls. Decisions to rectify problems, if appropriate, are made at regular meetings of:

- i) the Senior Leadership Team and Audit, Resources and Performance Committee, for corporate risks,
- ii) Heads of Service, and the Senior Leadership Team, for service level risks (at the Quarterly Performance Outturn Meetings),
- iii) Project Managers and Heads of Service/ Director for major project risks. More frequent monitoring may be adopted depending upon the nature of the project.

### *b. Annual review*

An annual review is conducted to:

- i) support the development of the subsequent year's risk registers (both corporate and service levels) and
- ii) review the effectiveness of our risk management strategy as part of the Annual governance Statement.

## C. Reporting

### *a. Audit, Resources and Performance Committee*

The Audit, Resources and Performance Committee receive quarterly reports on risk and respond to any emerging issues. In addition, the committee receives the Annual Governance Statement. The committee is therefore well-placed to monitor and scrutinise the Authority's system for the management of risk.

### *b. Quarterly Performance Outturn Meetings*

Senior Leadership Team, Heads of Service and other staff, as needed, meet every quarter to progress and consider issues relating to risk as part of this meeting and decisions to rectify problems, if appropriate, are made.

## D. Assurance

### *a. Internal Audit Programme*

Internal audit monitors the effectiveness of our internal control systems including our management of risk and reports to Audit, Resources and Performance Committee three times per year.

### *b. External audit*

The External Auditors assess the Authority's arrangements to achieve economy, efficiency and effectiveness in our use of money, time and people against criteria specified by the National Audit Officer. This includes assessing whether the Authority has adequate arrangements in place for risk management and internal control as part of giving their value for money opinion as reported in the annual governance report from the External Auditors.

*c. Other external assessments*

We will consider feedback received (for example through the National Park Authorities Performance Assessment process) as part of our ongoing assessment of risk.

*d. Annual Insurance Report*

Resource Management Team approve annually the insurance arrangements in place to mitigate risks inherent in the Authority's portfolio of property and equipment assets, vehicle operations and potential liabilities arising from officer and member actions.

E. Support

*a. Skills and Training*

Directors and Heads of Service are responsible for ensuring that staff who have responsibility for risk management are familiar with the Authority's risk policy and have the appropriate skills and training to undertake their role.

*b. Toolkit*

A toolkit of documents that support the management of risk are provided and are included as follows:

- i. Risk Register template
- ii. Risk Scoring guide (Defining likelihood and impact levels)

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# Risk Register

# Appendix 2 (part 1)

<p>Likelihood:                  Low = Unlikely to occur/ only in exceptional circumstances                  Medium = Possibly would occur/ may occur                  High = Likely to occur/ Probable</p>
<p>Impact: Refer to Risk Scoring System for guidance</p>

IMPACT	High	AMBER Closely monitor	AMBER Manage and monitor	RED Significant focus and attention
	Med	GREEN Accept but monitor	AMBER Management effort worthwhile	AMBER Manage and monitor
	Low	GREEN Accept risks	GREEN Accept but review periodically	GREEN Accept but monitor
LIKELIHOOD				

Overall Risk Rating
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**201- /1- Risk Register for .....**

Corp. Obj.	Risk Description	Existing controls	Risk rating before mitigation L x I	Additional mitigating action (add to service plan)	Risk rating with mitigating action L x I (expressed as Red, Amber, Green)					Time frame of action	Lead officer	How monitor/ Indicator	Quarterly update
					Start	Q1	Q2	Q3	Q4				
	<i>A risk should be expressed as: If (x were to happen)..... then (the consequence would be) or "failure to ....."</i>	<i>Actions currently taken or controls we have in place that mitigate the risk eg standing orders</i>	<i>This should take into account existing controls</i>	<i>If the rating BEFORE mitigation is green, then no further action is essential. Otherwise, complete what actions you intend to take</i>	<i>The risk level taking into account the mitigating action you are proposing</i>					<i>To complete the mitigating action (s)</i>		<i>Monitoring you intend to use to ensure the action is completed</i>	<b>Against mitigating action and source of assurance</b> <i>To be completed prior to ¼ly meetings</i>





## APPENDIX 2 (part 2): RISK SCORING

### Risk Grid:

<i>Impact</i>	<i>High</i>	<b>AMBER</b>	<b>AMBER</b>	<b>RED</b>
	<i>Medium</i>	<b>GREEN</b>	<b>AMBER</b>	<b>AMBER</b>
	<i>Low</i>	<b>GREEN</b>	<b>GREEN</b>	<b>GREEN</b>
		<i>Low</i>	<i>Medium</i>	<i>High</i>
		<i>Likelihood</i>		

### Guidance on defining likelihood and impact levels:

<u>Likelihood</u>	<u>Description</u>
<b>Low</b>	Unlikely to occur/ only in exceptional circumstances
<b>Medium</b>	Possibly would occur/ may occur
<b>High</b>	Likely to occur/ Probable

<u>Impact</u>	<u>Description</u>
<b>Low</b>	<ul style="list-style-type: none"> <li>• Less than £20k in unplanned cost</li> <li>• Little or no reputational damage</li> <li>• Little or no effect on service delivery</li> <li>• Minor delay or interruption</li> <li>• Little or no effect on the environment</li> <li>• Minor or no legal implications</li> </ul>
<b>Medium</b>	<ul style="list-style-type: none"> <li>• £20k to £100k in unplanned cost</li> <li>• Limited but recoverable reputational damage</li> <li>• Significant reduction in service delivery</li> <li>• Waste of time and/or resources</li> <li>• Significant impact on the environment</li> <li>• Some legal implications (eg legal challenge may be successful)</li> </ul>
<b>High</b>	<ul style="list-style-type: none"> <li>• Over £100k in unplanned cost</li> <li>• Significant reputational damage with key stakeholders</li> <li>• Severe impairment of service delivery</li> <li>• Critical impact on the achievement of objectives and overall performance</li> <li>• Major environmental impact</li> </ul>

**APPENDIX 2 (part 2): RISK SCORING**

	<ul style="list-style-type: none"><li>• Serious legal implications (eg legal challenge likely to be successful)</li></ul>
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