
Derby Lane – Summary of Regulation 7 Consultation Responses – Organisations

Statutory Consultees

Derbyshire County Council – providing comment in remit 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 Derby Lane. In terms of signing a restriction such as this, signs to diagram 619 of the Traffic Signs Regulations and General Directions 2016 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 at the Monyash end 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. Would be happy to advise on the use of highway signage should the TRO progress to be made.

Derbyshire Constabulary - There has been consultation with the local policing section following your earlier e-mail this year. To some extent the nature of the route has a deterrent element, but continuing use and deterioration have necessitated further consideration by PDNPA, following the initial consultation. Compliance will not be achieved by signs alone, but appreciate the difficulties in installing necessary physical supporting measures given the need for legitimate access by wider vehicles and the costs involved. Practically it's very difficult to address the likely enforcement implications in this situation and compliance on other routes where similar restrictions are in place will be a key factor in determining the need for supporting measures either at the outset or following monitoring. It's difficult to support such a restriction without effective measures supporting it and can only emphasise that there should be no reliance on any routine policing presence to support this restriction and other operational demands mean such enforcement cannot be a policing priority.

Monyash Parish Council - the previous representation regarding the proposal to make Derby Lane subject to a TRO has not changed. The use of recreational vehicles should be restricted, restriction should be done by TRO, use should be restricted to only landowners or users with landowner's permission.

Peak District Local Access Forum – a Green Lanes Sub Group meeting on 28th April included a visit to and walk along Derby Lane, following a report to the March meeting of the Audit Resources and Performance Committee where letter of 20 December, 2015 was referred to. The Forum is a statutory body of volunteer members, appointed jointly by the Peak District National Park Authority 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. Believe that present a balanced view based on members knowledge of the area and surveys of routes. Also had from DCC a copy of the BOAT Order and plan. Noted from DCC's report on routes to the meeting, that there had been one objection to the BOAT Order. Gather that the Planning Inspectorate (PINS) will deal with this by written representations. In addition to the above clarification of the BOAT issue, received observations from Richard Entwistle and Sue Weatherley for consideration. Sub Group members present noted the following points:

- The route is about 2.1 km long from Summerhill Farm (Monyash) to meet the Long Rake road at the access to Cales Farm.
- Condition varies according to season and weather conditions. Yesterday, the route was much better than on previous visits. Yesterday in late April, the route benefitted from a fairly dry spell.
- It appeared that the positioning of boulders (done by the owner in 2013) part way along the route which effectively excludes 4 WD's. That could change if the BOAT is confirmed and DCC requires the rocks to be removed.
- Richard Pett reported about 40/50 motor bikes using the route monthly - 3 motor cyclists rode through while we were there.
- Committee paper notes say 2-wheeled usage in2015 and 2016 to date was 1 per day.

- There was evidence of impact of agricultural vehicles and trail bikes (not severe, but motor cyclists ride over a wide area – see width description in the BOAT Order).
- The width issue is significant and is not problematic for trail bikes, albeit a bit more concentrated in some sections.
- The farmer/owner should be consulted about speed of use by bikes.
- In the field at the south western end of the route the right of way is not used by motor bikes or horse riders as a better way used by agricultural vehicles for management is followed.
- We felt if the boulders were removed, the route was most likely to be used by 4WD's and would not be sustainable. A permanent TRO would be related to the need to preserve the character of the route, conserve natural beauty and enjoyment amenity.
- However, a seasonal (winter) restriction by Seasonal TRO, which would cover the legal width, would be sufficient for motor bikes subject to definition of the Season and monitoring.
- Any TRO should be monitored and kept under review re usage and effects.
- The responses received varied and there did not seem to be is a consensus on recommended action. After consultation with Chair, agreed to put down the options which have been suggested and ask for members views before a final reply is sent. Agree that the surface is much better than in recent years and think this is because of the restriction created by the boulders at the gate. If the route is used as at present, ie only 2 wheeled vehicles taking their own line across the field with the dip in it and then following the line of the farm vehicles in the field next to the road, think the route should be sustainable in dry weather; if use is concentrated on the "true line" of the route things may be different. The majority of members do not feel the route is suitable for 4x4's, but some see restricting the use of 4 wheel drive vehicles as being a huge loss of amenity, others feel the possibility of damage to an SSSI should be a significant factor in the decision to be made. There is a lovely picture in "Peakland Roads and Trackways" that shows it in a totally unspoilt state, full of wildflowers. A horse riding colleague does not there being a conflict of use between vehicle and equestrian use as the route is little used by horses. This is because it ends up on a road which is narrow and twisting and heavily used by large quarry lorries.
- Subject to PDLAF members views in response to draft , options below were responded to: Option 1 (6 in favour), Option 2 (8 in favour), leaving 8 not responding with 2 being Peak District NPA & Derbyshire CC members who normally abstain anyway on these issues. 1. Given the BOAT Order, monitor and review before taking further action (6 in favour), or 2. Impose a Traffic Regulation Order (TRO) on 4 WD's at all times and a Seasonal (winter - 1st November - 31 March suggested) TRO restriction on use by motor cycles. Again monitoring is essential to see how effective this is and whether the route is sustainable.(8 in favour).
- There is some concern about the idea of a pre-emptive TRO in case damage occurs. Have been monitoring use of Green Lanes by vehicles for years now and have built up some experience. This leads the majority to conclude that o actually know that unrestricted use of routes that go over fields with no surface or specific used line do deteriorate and once this has happened the damage is permanent. This has happened on Minninglow Lane and is happening on the track at Wetton to name just two. Also know that once damage has happened there is very little that can be done in practical terms to ameliorate this without changing the nature of the route.
- Sustainability is the key word. Spend a lot of time looking at specific routes and see the results of unsustainable use. Trying to work out what level of use is sustainable before damage occurs is difficult, albeit an aspiration. The suggestion of a seasonal TRO with appropriate monitoring might be the best can do to try and achieve this on Derby Lane.
- On the other hand, the views of some of those members who are not supportive of a permanent TRO are set out in Annex A and should be considered. If the status is amended to a BOAT, some members feel it does seem extremely harsh to default straight to a TRO prior to monitoring. Clearly if the BOAT status is confirmed and boulders removed, the situation may change as unrestricted vehicular use could cause damage to vegetation and conflict between users may be a problem. Consider that as it is not a significantly surfaced route and the current surface could be vulnerable.
- It would be helpful to look at the approach by the authority to its Strategy for Managing Recreational Motor Vehicles approved in February, 2012 (attached) in such cases please - perhaps through the Sub Group initially.

British Horse Society (Derbyshire) – wish previous comments to stand and do not have anything to add to them.

Friends of the Peak District – welcome the consultation on making a permanent Traffic Regulation Order (TRO) restricting all recreational motor vehicle use on Derby Lane. Have no further evidence to add to letter of 19 December 2015 in response to the consultation under Regulation 4 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007. Fully support the making of a permanent TRO as described in the notice of the proposal, as this is the most expedient method of protecting the environment and public amenity, and as a preventative measure to future damage, of the lane.

Peak and Northern Footpaths Society – strongly supports the making of a TRO as described in the consultation documents. Agree with all the reasons for making the TRO described in the documents and are very pleased that the PDNPA is taking this step.

Peak Horse Power – a Bridleways Group affiliated to the British Horse Society. Have over 300 individual members and many bridleway groups and riding clubs in and adjacent to the Peak District are affiliated to us (Dark Peak Bridleways Group, Hope Valley Riding Club, Chapel and District Riding Club, MADBAG, SPEED and the recently formed and Barlow-based Access4riders. The total number of riders now represent is approaching 1,000. Took part in the Regulation 4 consultation on the proposed TRO for Derby Lane. Position remains the same, ie Peak Horsepower believes that all motor vehicle traffic (other than for farm and emergency vehicle access) should be permanently prohibited from using Derby Lane at all times. Do not believe that there are any alternative, effective or enforceable means of preventing either the inevitable surface damage or the danger to horse riders which will arise with the increase in motor vehicle traffic which will occur if the route becomes a Byway Open to All Traffic.

- Preventing damage to the road - have noted and welcome PDNPA's willingness to use 'to prevent damage to the road' as one of the grounds for a TRO on Derby Lane. The section of the route beyond the boulders currently preventing use of the lane by 4x4s is grassland. There is clear evidence from the damage which has been done to the routes at Minninglow, Beeston Tor, Wetton and Moscar Cross of what will happen to this section of Derby Lane if there is any significant level of motor vehicle use. Derby Lane is one of the dwindling number of long grassy tracks in the National Park where riders can exercise their horses beyond walk or trot. Riders have already lost the use of many routes in the national park because of surface damage from motor bikes and 4x4s. Do not want to lose use of Derby Lane as well.
- Preserving amenity and natural beauty - value highly the beauty and amenity afforded to riders by the National Park and fully support a full TRO on Derby Lane 'for preserving or improving the amenities of the area' and 'for the purposes of conserving or enhancing the natural beauty of the area'.
- Unsuitable for the character of the road - There is overwhelming evidence in the National Park already that use of a route by motor vehicles is unsuitable wherever the surface is grass, turf or moorland. Would therefore like to see Peak District National Park Authority use 'unsuitable for the character of the road' as a further grounds for a TRO on Derby Lane.
- Avoiding danger - would also like to see 'avoiding danger to persons or other traffic using the road or any other road, or for preventing the likelihood of such danger arising' used as grounds for the TRO. Believe that this applies to the walled section of the route prior to the boulders. This section is already badly rutted and damaged and is a hazard for horses. The same section also has a blind summit which is dangerous as it means motor bike riders, who often drive too fast for safety, do not know what lies ahead of them.

Peak District Green Lanes Alliance – supports the proposed TRO. Have no additions to make to our earlier submission about Derby Lane.

Trail Riders Fellowship – object to the proposed TRO, to the extent that it restricts motorcycle access, on the following grounds:

- Motorcycle access to Derby Lane is a traditional and established pastime that forms part of the heritage of the Peak District area. The activity of motorcycling on green roads brings amenity benefits to all users, including pedestrians, equestrians and cyclists that gladly share Derby Lane with TRF members. The TRO as proposed will reduce amenity for all users by confining motorcycle access to the illegal and irresponsible user.
- The heritage of Derby Lane includes physical evidence of the passing of a wide variety of vehicular traffic, including motorcycles which have been in common use in the Peak District for over a century. Seeking to eliminate that physical evidence also seeks to eliminate the heritage of the road. Retaining an element of legal motorcycle access will have the effect of preserving the amenity, natural beauty and heritage of the road.
- Derby Lane is a road and not a nature reserve. Derby Lane exists primarily to accommodate traffic. The amenity of the road is primarily as an artificial line of communication that is constructed and intended to accommodate the passage of a wide variety of traffic, including motorised vehicles. TRO powers are not available to convert roads into nature reserves. The appropriate power to achieve this would be a stopping up order. Pedestrians, horses, agricultural traffic and bicycles and motorcycles “damage” the grassy surface of the road. This is ordinary and sustainable wear and tear that is intrinsic to the character of the road. The grassy road surface is meant to accommodate traffic. The proposal does not comprehend the purpose of the road or the roads’ surface.
- The reasoning of “quiet enjoyment” relied upon does not mean silent enjoyment. Neither does it mean a degree of quietness unknown to the road in living memory. Motorcyclists have been avid users of green roads in the Peak District for over a century. Motorcycling did not arrive on Derby Lane after the Peak District became a National Park. The TRO report evidences a decrease in motorcycle traffic, which is at a very low level of 3.6 per day. Motorcycles were in greater common use in the years before the Peak District National Park came into being. The likelihood of encountering a motorcycle on Derby Lane is now much reduced since the 1940’s and 1950’s. “Quiet enjoyment” entails enjoying an amenity as you acquire it. The Derby Lane acquired by the National Park in 1949 was most likely to be less quiet than it is now. Modern motorcycles have better silencing than older models. Four wheeled traffic is excluded from the road both motorised and non-motorised, both types are noisy. Noisy pedestrian, equestrian and cycle traffic is encouraged away from the road onto promoted trails, to the effect that it concentrates their impact on those promoted trails and thus saves the remainder of the countryside. Responsible motorcycle use is “quiet enjoyment”, having been an established component of road traffic in the park pre-dating WW1. The reasoning based on “quiet enjoyment” departs from the sensible and adopts an extremist interpretation that is based on silent enjoyment.
- The reasoning misinterprets government guidance: “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).” The guidance does not say that recreational vehicle use is inappropriate and incompatible with the National Park purposes. The guidance refers to levels of use in the context that some levels of use will be inappropriate and incompatible with National Park purposes. The guidance does not require or encourage a total ban on all levels of motorcycle use. Neither does it preclude the fact that motorcycle use on green roads is a traditional fabric of the countryside, especially in the Peak District. It is clear that the guidance allows for the adoption of sensible and proportionate management based on the principles of conservation, as opposed to constraining the Authority to adopt an extremist approach based on principles of preservation that would result in the road losing its rich heritage of motorcycling and all the associated benefits that contribute to National Park purposes
- Inadequate exploration of the effects of displacement of traffic and of disruption to the strategic cohesion of the green road network. The proposed TRO forms part of a package of TRO’s being put forward by PDNPA. To date the Authority has opted for the most draconian restriction for all TRO’s imposed thus far. It appears that the Authority intends to pursue this approach and in doing so will introduce a package of TRO’s that will have a negative effect on national park purposes that is far greater than the sum of the individual orders. By failing to consider the effect of the package of TRO’s, or indeed conduct a consultation on the strategic package of TRO’s, the Authority is failing to adequately consider the impact on National Park purposes and duties to secure access to green roads.

- Inadequate exploration of alternatives. The preliminary consultation process was inadequate to the extent that TRF were not provided with sufficient information to make an informed response. Regrettably, now arrive at this stage with the Authority very much having railroaded itself into making a nonsensical TRO. TRF requests that the Authority carefully consider an alternative to the extreme approach of a total ban on motorcycles. TRF proposes that an exemption is made to allow motorcycle traffic on the road when it is as part of an event, organised by TRF, under the provisions of regulation 5 of the motor vehicles (competitions and trials) regulations 1969. This would introduce a significant and robust regulation of motorcycle traffic on the road, whilst also conserving the traditional amenity of the road. The volume of motorcycle use would be regulated as would the use of the road in sensitive hours. The pressure groups that seek to deny access assert that they do not wish to attack organised motoring events. TRF seeks an exemption for organised events only.

Green Lane Association - draw your attention to the strapline at the foot of your official letters: "Working together for the Peak District National Park". This consultation is an opportunity for the Authority to genuinely "work together" with vehicular users of Derby Lane, which is the old road from Monyash to Derby, now determined by Derbyshire County Council as a Byway open to all Traffic.

- The old 1709 guide stoop on Derby Lane (repositioned by the farmer or landowner, who now uses it as a makeshift gatepost) denoted this road as an important public carriageway. This road has (for longer than anyone can remember) been a route used by persons on foot, by horse, carriage, and what used to be called the "horseless carriage" (what we now have to call an "MPV"). In modern terms, this is a typical byway open to all traffic. This then, is the character of the route – it was a road used for commerce and agriculture, as well as for general traffic such as mail coaches and people going to and from work. It was never intended purely for rambles.
- Regrettably the current landowner or farmer has illegally blocked the road with unsightly boulders such that not even horse-drawn carriages can use the route, and it appears that DCC have colluded with this. Now your Authority has sided with the landowner (and various anti-motorist pressure groups) to close the route to vehicles by use of your power to TRO.
- If you apply a permanent full time TRO, many peoples' chance to experience the beauty and vitality of the Monyash countryside and scenery along Derby Lane will be lost to all except the most able bodied, as most disabled persons cannot afford (or even use) expensive "off-road" wheelchairs. The only way most disabled users have of "discovering" the countryside is being driven in an MPV.
- A full TRO against MPVs will not remove the damaging effects of the farmer's tractor and heavy agricultural machinery, which cause far more wear and tear than the occasional private MPV.
- We would like to suggest that the Authority considers the following: a) In view of the recent BOAT order, delay a full TRO decision and review the sustainability of the route after a period of summer use; b) Work together in a genuine manner with motoring user groups to find a solution to any remaining issues; c) Consider a seasonal TRO if necessary during the winter months, using the model recently proposed by LARA. Only when such options have been tried (in accordance with the government's guide "Making the Best of Byways") should a permanent removal of user rights be considered.

Historic England - supportive of regulatory moves to protect the natural beauty and amenity of the White Peak in particular as historic landscape setting to the various scheduled monuments in vicinity including Arbor Low henge, Cales Dale medieval settlement.

Other Organisations

Derbyshire Caving Association - objection is to the closure of that section of Derby Lane between Summerhill Farm and the entrance to Water Icicle Close Caverns, as this section is used by visiting cavers on a regular basis. As well as its use for purposes of recreation, the cave system is of considerable scientific interest and is still being explored and researched. The Association hopes due consideration will be given to the counter proposals it has set out in its Objection document.

These proposals are intended as a viable resolution of the conflict of interests where Derby Lane is concerned.

- Current use of Derby Lane - At present the lane is used by (1) farm vehicles to access adjacent fields, (2) cavers' vehicles travelling from Monyash to access Water Icicle Close Caverns (entrance shaft located at SK1610 6460), and (3) vehicles using it as a byway linking Monyash with the Long Rake road and vice versa. From Summerhill Farm the lane is separated from fields on both sides by drystone walls as far as SK1600 6460, where it appears to stop at a wall crossing the lane at right angles. This point is where cavers normally park their vehicles whilst visiting Water Icicle Close Caverns. Beyond this point the lane's course SE is not clearly defined either on the ground or on OS maps.
- State of Derby Lane - For a distance of a kilometre or so SE from Summerhill Farm the lane remains relatively narrow and tolerably surfaced between drystone walls. After that the walls widen out and the precise course of the lane becomes problematic. The uneven nature of the ground, combined with the absence of a clearly defined and properly maintained surface, has led to the creation of a series of deep ruts across the width of the lane as far as SK 16006460. Here a farm gate in the wall opening into the next field SE has been partially blocked by several large boulders, and crash barriers have been erected on the south side presumably to protect the wall from being rammed.
- Importance of Water Icicle Close Caverns & Access to Them - This cave system is known to pre-date the present deeply incised valley of the nearby River Lathkill. As such it attracts regular visits from cave scientists as well as from groups of cave explorers, some of whom are in the process of extending buried / blocked sections known to exist of the ancient cave network. The equipment needed for this work is best offloaded from vehicles driven to the point where Derby Lane lies closest to the cave entrance, viz. SK1600 6460. This is also the most sensible rendezvous point for rescue vehicles should there be a callout to the cave.
- A Counter Proposal for Derby Lane - 1. That the lane remain open to vehicular traffic as far as SK 1600 6460 but be closed between this point and the Long Rake road. Such a step would cut off use of the lane by through traffic as well as enable cavers to continue to park their vehicles in close proximity to Water Icicle Close Caverns instead of parking them outside Summerhill Farm and thereby obstructing farm traffic. 2. That the lane be suitably surfaced and its course more clearly defined as far as SK 1600 6460. This would allow damaged sections to recover and would render the lane's use less attractive to any drivers keen to adopt the lane's wider section as an obstacle course for offroaders.

Manchester 17 Motorcycle Club - Formally object to your proposed closure of Derby Lane, Monyash, by imposing a Traffic Regulation Order to cover all recreational motorised vehicles. The route is ridden regularly by motorcyclists enjoying a tranquil ride in the countryside. The vehicle tracking details show very little daily use and even as a general annual figure it is insufficient to warrant the implications of your report which are grossly inflated, misleading; biased and displaying a total contempt to the minority motorised user group. Know from experience that the minor wear or compression from a lightweight motorcycle to the grassland on the day of use recovers very quickly, indeed quicker than that from the much heavier and aggressive agricultural equipment that uses the route. It should be noted that 4X4 and carriage use has been illegally restricted since the autumn of 2013. The wider tracks visible now must only be as a result of farming activities plus the natural footprints caused by heavy livestock that has been kept and grazed on the fields located between the two operational farm gates. Summary of Grounds for Objection:

- Statement Of Reason; Sect. 6; - A) you state that there are habitats of national importance but just as in your Washgate submission you do not state; what they are; exactly where they are nor why they are important; B) the northern route section is hidden from wide angle views as it passes between the tree lined and stone wall enclosures, looking at the limited views north from the southern section one can not trace where motorcycles have traversed the field edges; (C) what can be seen is the area around the drinking trough where beasts have trodden in the wet ground. The only wheel tracks visible are from agricultural vehicles since recreational 4X4 vehicles have illegally been blocked from using the route since autumn 2013; D) your report goes on to state that there are interests of natural importance but do not state your perception as to how our limited activities have any direct detrimental effect; E) the adjacent footpaths are

far more clearly visible where they diagonally cross the final field whereas motorcyclists stay parallel and close to the east west stone wall

- Sect. 7 - the 'panoramic' views of the route are greatly over stated as the route runs adjacent to a field boundary wall. Have visited Arbor Low to look towards Derby Lane and the route taken by motorcycles is barely perceptible as minor indentations only if you study rather than view the route, unlike the barren soil typical of the many footpaths in the adjacent areas throughout the PDNP
- Sect. 8 – A) part of the natural and cultural heritage is the fact that the route has its very history and nature from industrial use as part of the saltway, well documented in such reference books as Dodd & Dodd. The directional stoop stone was erected and declares the route to be a highway under an Act of Parliament; B) the Peak District has a vast array of peaceful and tranquil experiences and so a few occasional motorcycles using Derby Lane such is not going to destroy that
- Sect. 9 - Refers to Appendices to which will refer later.
- Sect. 10 – A) you state disturbance but do not clarify who or what is disturbed and by what method. I actually by chance met the resident farmer on the day that he was fitting his new large gate and he told me that he had no objection to motorcyclists using the route. He stated that his problems came from a few irresponsible 4X4 users causing damage to the wet ground in a dip adjacent to the lower field gate in the winter of 2012; B) you make a bland over stated and unsupported statement of user conflict but know of no such conflict over the past 43 years of my personal use. Indeed 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. Have searched published Parish Records and can find no reports of concern over disputes nor any reports of misbehaviour being reported to the Police; C) you make reference to way marking but you have only two small way marker discs on show, if signage were improved then users would know what to expect in the way of sharing; d) the historical stoop stone has been removed from its correct location, it now serves as a partially hidden gate post, incorrectly aligned and inappropriately positioned. You make no reference to the historical deformation that has taken place in moving the stone. The route currently indicated by the stone is incorrect and barred by a fastened gate plus non legal sign indicating no public access. If you were truly concerned about historical content then you would be taking steps to enforce the user to reinstate the stone to its correct location and alignment. Refer you to the book Guide Stoops Of Derbyshire, written by Howard Smith, published by the Horizon Press, ISBN 978-1-84306-426-8
- Sect. 11 – A) in 2013 boulders were illegally placed blocking the gateway by the tenant farmer upon instructions from the Chatsworth Estate. The stones were moved very slightly but only after intervention by DCC, the Highway Authority, following complaints raised by PDVUG. Perhaps it is time that the PDNPA took a stronger role in protecting the rights of folk to use routes rather than trying to remove such rights, especially as a constant attack upon one minority group; B) your statement is incorrect and positively misleading because you know that the legal clarification of status has been concluded by Highway Authority as it has designated the route as having BOAT status; C) your own two paltry way marker disk signs state that the route is a "Public Road"; D) your ARP meeting knew of the status sought by DCC and blatantly agreed to organise "a pre-emptive strike" to introduce a TRO. Listen to your own audio recording and you shall hear this total and blatant abuse of Powers displaying contempt and prejudged outcome to a minority user group.
- Sect. 12 – A) the maintenance required for motorcycle use is minimal when bearing in mind the financial costs incurred to repairing other footpaths and bridleways, as an example please look to the works undertaken to footpaths in the parish of Edale as just one example; B) the suggested anticipation of the meeting with vehicles is exaggerated beyond comprehension, take a physical look at the width of the fields and tracks; C) improved signage would emphasise that the route has vehicular access; d) The recreational motorcyclists use a relatively narrow band of track and in close proximity to the side of which are designated footpaths, which are never violated by motorcyclists; E) 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; F) any noise pollution is more likely to come from industrial and agricultural vehicles

travelling along Long Rake and not from the minuscule number of motorcyclists using the route, again in accordance to your own logging figures

- Sect. 13 – A) your statement regarding adversely affecting use is again total negatively inspired discriminatory propaganda; B) 'beauty' is in the eye of the beholder and you have recorded that motorised users 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 – A) by what measure can the use of 3.5 motorcycles per day be considered visually and aurally intrusive; b) The route taken by motorcyclists is not impacting on the special qualities of the area in any way, bear in mind that only part of the route crosses two fields which are used for stock and that the route taken in the third field is following the route of the agricultural vehicles along the northern field edge. The footpath crosses the final field diagonally and that can be seen more clearly without studying the area for markings; C) your statement that confirmation of the status of the route as a BOAT will increase vehicle use is nothing but hysterical propaganda. The confirmation will have no effect on the possible increased use. Far more importantly is the PDNPA's indecent removal of legal vehicular rights which will increase traffic on other routes because there PDNPA removes routes without considering the knock on effect of the matrix; D) your reference to Government guidance is taken out of context and used in a discriminatory manner
- Sect. 15 - Refers to Appendices to which I will refer later.
- Alternatives - Sect. 16 – A) the width restriction is totally appropriate in comparison to the overall width of the lane; B) if the PDNPA is so concerned about numbers then limit the route to motorcycle use for a two year period to monitor use and then review the situation with PDVUG; TRF and LARA; C) the overall number of motorcycles is minuscule, your own logging statistics refers, 4X4 vehicles are currently illegally barred from connecting and using the lower section; D) there has never been nor currently exists any conflict other than in the mindset of a relatively small number distractors of your own Council Members. I have already referred you to the Parish Council Minutes and Police records
- Sect. 17 – A) the route has been used by motorcyclists over the past winter periods and there is no discernible wear; B) however take a look at the wear caused by the cattle accessing the area adjacent to the water trough where the ground is naturally wet, plus look to where the slurry that runs down the hill from the waste product pile deposited by the farmer in the southern field; C) motorcyclists would gladly assist the farmer/PDNPA and/or DCC to install drainage along those wet areas; D) to great positive effect over the past winter months recreational motorists introduced their own unilaterally imposed Voluntary Restraint on two other distinct areas of the Peak Park whilst the ground was particularly wet; E) recreational motorists would be prepared to consider such again in the future plus to include Derby Lane and to monitor the situation as part of a constructive process towards a consensus solution to the PDNPA's perceived problems
- Sect. 18 – A) the PDNPA has never tried nor encouraged other measures of control on this individual route; B) again the PDNPA has shown that it prejudices the outcome of alternative maintenance methods
- Public Interest - Sec. 19 – A) the nominal volume of users on this highway is so small that there is no need for further restrictions other perhaps than vehicle width or weight during winter months or times of extreme unseasonal wet weather; B) upon what specifics are the values placed upon the route by motorcyclist any less than those other users? C) you say that there are alternative routes for vehicles but the whole point is to value the characteristics of this specific route, the other user groups have far more choice with alternative routes; D) if one were to study the local OS maps there are a multitude of alternative routes for other user groups in the immediate vicinity of the route; E) 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; F) the volume of motorcyclists using the route, either daily or annually, is as previously stated minuscule in comparison to the number of other recreational users in the Peak District at any given time frame yet their use is neither discouraged nor prevented; G) the possible wear to the ground caused by one daily vehicular inspection by the farmer far negates any minor use by a few motorcyclists; H) the statement regarding the use of alternative routes on metalled roads is

ludicrous and does not even warrant our contempt, enough to say that alternative selected footpaths are available for all who do not wish to share this route

- Sec. 20 – A) an exemption to become sub section ‘g’ should be recorded that the route could have a weight; width; and/or number of wheels restriction; B) there is a multitude of options open to be tested and monitored
- 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 restricted yet again this is nothing short of wanton discrimination
- Appendix 1 – Status - Derbyshire CC has decided the route as a BOAT, an objection has been received but there has been at least one serious challenge to that objection
- Highway Authority Records – A) the legal status should be confirmed by the simple fact that DCC has investigated the status and applied for BOAT; B) the legal status is clear from historical evidence such as Tithe records; C) the legal status is clear from presumptive use, for the writer this has been since 1973; D) 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; E) the Peak National Park way marker disks confirm status as a “Public Road”
- Vehicle Logging Data - your figures show that only a very small number of motorcycles use the route and that the numbers have declined
- Access – A) you fail to mention that the boulders that are in place are in fact an illegal obstruction by the land owner; B) you fail to mention that the land owner has refused to obey the Highway Authority to remove those obstructions; C) you fail to mention that the historical stoop stone has illegally been moved and realigned
- Vehicle logging – A) the recorded nominal vehicle use is minimal especial in reflection to the footfall; B) please clarify why the intervening years are not stated; C) please clarify your proposed monitoring for current and future use
- Appendix 2 - Conservation Interest - Ecological Interest – A) a SSI cannot be applied to the ‘right of way’ such as the physical impact on the ground; B) the route only abuts it does not cross any SSI, which must be to the side of the route; C) a route should be measured between the enclosing walls and physical barriers; D) the use of vehicles, recreational or otherwise, along the route will not interfere with the underground features, especially by a few lightweight motorcycles compared to heavy agricultural equipment or passage of heavy beasts
- Archaeological Interest – A) the historical archaeological guide stoop stone has been illegally moved from its original location and alignment, a point that you fail to mention nor make any attempts to rectify; B) there is no impact in any way to the mining site by use by lightweight motorcycles
- Landscape Interest – A) the area has clearly been defined by the industrial, trading, commercial use of the route and the farming influence of mankind; B) the strategy must have due regard to historical use and diversity whilst managing recreation, this must include historical motor vehicle use; C) use of the route has no detrimental impact upon any of the points that you have raised
- 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 by its use
- Relative wildness - remains totally intact
- Intrusiveness/tranquillity – A) motorcycles and their riders are not viewed as a threat by wildlife, totally unlike the disturbance caused by ramblers; B) the recorded figures of use shows that very few motorcyclists use the route
- Natural heritage features - there is no adverse impact to these factors by the limited use by motorcyclists
- Cultural heritage features - there is no adverse impact to these factors by the limited use by motorcyclists
- Association - there is no adverse impact to these factors by the limited use by motorcyclists
- Recreation - there is no adverse impact to these factors by the limited use by motorcyclists
- Presence - there is no adverse impact to these factors by the limited use by motorcyclists
- Range of outdoor recreational experiences - there is no adverse impact to these factors by the limited use by motorcyclists

- Scope for management of recreation to enhance recreational opportunities or protect conservation – A) fail to understand why there needs to be any restrictions to recreational motorcyclists on this route; B) fail to understand why you have not suggested alternative strategies to land management, despite numerous options having repeatedly been put forward to you by PDVUG; TRF and LARA
- Appendix 4 - Impacts of Mechanically Propelled Vehicles - Ecological Impacts - Loss of vegetation – A) the route has not had its character changed by the use of motor vehicles, unlike the constant widening and repair work undertaken to many footpaths; B) although it is clear that agricultural vehicles have been driven over a wider area it is just as would be expected for a working farm; C) improved signage and marking would assist to ensure that folk stay to a single acknowledged route, motorcyclists do stay close to the field wall and out of respect to the farmer they do not cross the end field diagonally as is the case with walkers following their footpath; D) by all means conduct liaison with other specialists but include PDVUG; LARA and the TRF to help formulate any consensus modification to use
- Damage to the drainage – A) yet another totally inaccurate leading statement, the wet areas are; adjacent to the water trough where the ground is trampled by cattle and at the base of the final southern field gate largely due to the natural contour of the land; B) to our knowledge neither the Highway Authority nor the PDNPA has undertaken any maintenance to the route in the past 40 years; C) the limited use by a few motorcycles over the past winter has left no discernible impact upon designation nor caused any negative change of character; D) recreational motorists have repeatedly offered various Voluntary Restraint options on this and all of the other lanes but the PDNPA take no lead direction nor encouragement
- Noise and disturbance – A) as in the above section this is a totally inaccurate leading statement, as a member of both the RSPB and WWT can state that motorcyclists have not caused any disturbance to nesting birds; B) unlike ramblers and mountain bikers motorcyclists have far less impact upon bird behaviour as motorcyclists are not seen as a threat; C) all recreational motorcycles are road legal in respect of efficient silencing; MOT; insurance; driver licensing; etc, if non appropriate or illegal vehicles use the route then such should be the concern of the Police and would receive our fullest support; D) ramblers cause far greater disturbance to birds; E) dog walkers allowing their pets to run free off lead to toilet in the area along the route could cause serious potential health hazards to children, livestock and the environment
- Ecological/Geological impacts - another spurious claim as the underground interests are concentrated far below the surface and well away from the route taken by recreational motorists
- Archaeological Impacts – A) the only negative impact on historical signage has been the illegal movement of the stoop stone, which the PDNPA has clearly ignored for many years; B) are we to see the PDNPA instruct landowners to replace stoop stones to their correct locations and alignment; C) the illegal and inappropriate methods used for blocking the route have been totally ignored by the PDNPA
- Impact on heritage asset - totally incomprehensible, there has been no adverse impact
- Landscape and Visual Impacts - Visual impact of vehicle movements – A) vehicles have every right to use the area whether it be day time or night time; B) motorcyclists very rarely ride such routes at night, although late evening might be a possibility; C) far greater light pollution would be likely from head torches worn by ramblers or mountain bikers
- Wheel ruts and damage to character – A) wheel ruts would be typical for heavier farm vehicles and not motorcycles; B) motorcycles do not create wheel ruts, especially when travelling on bedrock; C) there are no wheel ruts nor to the best of our knowledge have there ever been any on the specific route other than those occasioned by agricultural vehicles; D) there is no current damage since recreational 4X4 vehicles have not used the route (refer to your own logging figures)
- Social impacts - Deterrence of use by non-MPV users – A) concur that appropriate signage is required and have repeatedly requested such on all of the routes under question; B) concur that your current signage is inadequate for the location; C) Manchester 17, PDVUG; LARA and the TRF, have on numerous occasions offered to part and match fund costing of appropriate signage of routes in the Peak District National Park but you have repeatedly rejected such; D) have offered to voluntarily assist with or to erect signage but that has been repeatedly rejected too; E) refute that voluntary codes have not worked, the TRF; ACU; LARA and Manchester 17

MCC codes of conduct are upheld; F) your 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 – A) concur that appropriate noise silencing is required and have already explained our approach to such; B) if there should be inappropriate noise levels then that should be a matter for the Police and not the PDNPA nor the Highway Authorities; C) will gladly continue to support such action by the Police against inappropriate use by such motorists
- Appendix 5 - Special qualities - Natural beauty – A) the location has been produced and induced by agricultural and industrial processes; B) drainage and erosion are natural processes managed by intervention for society's own purposes; C) evidence of use is far more clearly seen on the adjacent footpaths of the immediate area; D) evidence of usage by ramblers using the adjacent routes are far more intrusive to the eye than a few motorcycle tyre tracks hidden between vegetation and the boundary walls; E) the maintenance of footpaths and bridleways incur far more expense than the unsurfaced routes, jointly used by recreational motorists; ramblers; mountain bikers and horse riders
- 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 – A) the natural pollution resulting from animal waste is far greater than a few motorcycles passing by; B) 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 – A) motorcyclists cause less damage to the environment and are less of a threat to wildlife than any of the other human leisure activities; B) to the best of our knowledge there are no protected habitats; C) far more likely disturbance from ramblers
- Thousands of years of human influence – A) recreational motorised users will have no negative effect upon such ideals; B) time for the PDNPA to have historic features reinstated as mentioned previously
- Trees, woodlands, hedgerows etc - there is no damage sustained to the features unlike the patchwork scars of footpaths
- Opportunities to experience tranquility – A) noise is a fact of all human endeavours; B) noise which spoils tranquility to one person could be as simple as the 'chattering' of walkers; C) agricultural vehicles working the land cause far greater noise pollution than 3.5 motorcycles passing per day; D) heavy vehicles passing along Long Rake will cause greater noise pollution; E) the volume of ramblers who travel by car to the area is far greater than the few motorcycles being recorded
- Opportunities to experience dark skies – A) have already made an answer to this erroneous claim regarding motorcycle use at night; B) does this mean that neither ramblers; mountain bikers nor horse riders will be able to use head torches; nor lights required for safety or by law after dark?; C) will Duke of Edinburgh participants not be allowed lighting? D) will there be a ban on camping lights through the Peak Park? E) will there be a curfew imposed upon farmers to stop their evening working?
- Opportunities for outdoor recreation and adventure – A) you propose to remove those recreational rights from a single minority group who wish to fulfil the values of this category; B) there is no recorded conflict of users; C) there is no deterrence to other users; D) where you state "Matlock" we presume that you mean Monyash; E) the views are not 'far reaching' as 75% of the route is hidden by tree lined high sided walls; F) the route is hardly noticeable in the scale of the adjacent countryside; G) are not aware of any noise pollution testing having taken place but would be pleased to assist such an investigation in the future should the PDNPA wish to undertake such research
- Conclusion - find your report flawed; prejudiced; full of leading and loaded statements; lacking in true objectives and a willingness as you should to work with all user groups to find consensus solutions to perceived and or real situations.

Ramblers Association Huddersfield Group - support the order

West Yorkshire Lane Riders - The countryside is for all users, not just for a few exclusive groups like ramblers. Kinder Scout proved pivotal for the Ramblers association to allow them right to roam. Why should other users now object to people who just happen to like a different kind of activity? Our group promotes the responsible use of using green lanes, which are in fact roads. Are very aware of all users, be that walkers, cyclists, horse riders, etc and act in a very courteous manner when we see them. There is absolutely no reason why this lane shouldn't remain open. The "old argument" about damage is wearing thin. The majority of damage to lanes is due to natural erosion and weathering, so please don't bring that to the table. In summary, we fully object to the proposed TRO