

WASHGATE

Statement of Reason for Proposed Modification to draft Traffic Regulation Order November 2016

	Background
1.	On 11 March 2016 the Authority published a proposed traffic regulation order ("the Order") which would prohibit any mechanically propelled vehicle from proceeding along the road known as Washgate (specified in article 3 of the Order), subject to the exemptions in article 4 of the Order. The Order was considered by the Authority's Audit, Resources and Performance Committee in September 2016 and it was resolved to consult on a modification of the Order to include an additional exemption for four named motorcycle events at a frequency for each event of no more than once annually on the route known as Washgate.
2.	The proposal follows consideration of consultation responses under Regulations 4 and 7 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007. These responses identified various management options and were reported to the September 2015 and September 2016 Audit Resources and Performance Committees www.peakdistrict.gov.uk/committees .
3.	The aforementioned consultation responses referred to the established historic motorcycle trials that had taken place along this route. This was summarised in Appendix 13 of the September 2016 report. Further information on the type, nature and manner of the annual events taking place on this route are provided in Appendix 1.
4.	It was considered that there was the potential for one or more of the named established motorcycle events to be exempted from prohibition under the Order providing that impacts could be identified and controlled.
5.	The impacts from motorised vehicle use were identified in the statement of reasons for the Order provided under Regulation 5 of the 2007 Regulations. These are reproduced in Appendix 2. The impacts from unrestricted motorcycle use remain. However, regular established events on this route may provide control over motorcycle use with an opportunity to manage impacts.
6.	An exemption under the Order could allow named events to take place subject to terms which may include matters such as frequency, duration and numbers of those taking part and would be subject to prior notification to the Authority. These events would also be subject to any other applicable regulatory requirements outside the Road Traffic Regulation Act 1984. Details of the draft terms are set out in Appendix 3 and would be set out in an application form for authorisation.
	Consultation Comments
7.	This statement accompanies the notice of proposed modification and may be viewed at www.peakdistrict.gov.uk/consultations and at Aldern House, Baslow Road, Bakewell, Derbyshire, DE45 1AE from 8.45am to 5pm Monday to Friday (closed Bank and Public Holidays). A copy of the Order, statement of reasons for the Order, and map showing the extent of the proposed restriction published in March 2016 will also be available to view.

8.	If any person wishes to make any representations relating to the proposed order, they must do so by 5pm on Friday 25 th November 2016 via the consultation webpage referred to above or by writing to Rights of Way at the above address or to washgate@peakdistrict.gov.uk .
9.	The following documents are appended: Appendix 1 – Motorcycle Events at Washgate Appendix 2 – Impacts of Mechanically Propelled Vehicles Appendix 3 – Draft Terms of Exemption for Motorcycle Events

Appendix 1 - Washgate - Motorcycle Events

Event

- Bemrose Trial, commenced 1921
- Reliance Cup Trial, for motorcycles manufactured pre 1965, commenced 1911
- Dave Rowland Trial, commenced 1979
- Northern Experts Trial, commenced 1947

Timing

Each event takes place no more than once a year. The duration is one day.

Use

Washgate is either used as a means of access or as a section of the trial. Solo riders pass through each section only once. No practicing of the sections is allowed. Events generally are in the region of 125 riders and are limited by statutory requirements to 180 riders.

Dates and Numbers

Regular use of the route is made by the Bemrose and Reliance trials. The figures below do not provide confirmation that the Washgate route has been used on these occasions.

Event	Date	Number of riders
Bemrose	13/03/16	139
	18/03/15	113
	09/03/14	108
	17/03/13	110
	18/03/12	90
	20/03/11	182
	14/03/10	120
Reliance	05/06/16	103
	31/05/15	104
	01/06/14	120
	02/06/13	120
	27/05/12	118
	05/06/11	120
	06/06/10	108
Dave Rowland	03/07/16	82
	28/06/15	70
	06/07/14	91
	14/07/13	73
	15/07/12	81
	03/07/11	97
	04/07/10	97
Northern Experts	12/11/16	
	07/11/15	107
	08/11/14	114
	09/11/13	107
	10/11/12	130
	12/11/11	130
	13/11/10	112

Conduct

All motorcycles and trials must confirm to the guidance, rules and regulations of the sport's governing bodies. Riders are required to conform to all of the appropriate road regulations and insurances. Riders must observe a code of conduct during the trial. Events are non-speed related and are designed to test the individual rider's skill. Each motorcycle uses less aggressive trials tyres. Marshals/observers are stationed to observe riders in the sections.

Appendix 2 – Washgate – Impacts of Mechanically Propelled Vehicles

Ecological Impacts	Possible Mitigation
<p>Loss of vegetation adjacent to the route 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"> • 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. • 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. • Boulders and signage limit the width of vehicles using sections of the route. Signage at the listed bridge specifies the width limit. • Voluntary code of conduct (do not use roads that are too narrow for your vehicle) unsuccessful in preventing damage. • Liaison with PDNPA Ecologist over vulnerability, sensitivity and capacity issues.
<p>Damage to the drainage and surfacing of the route and boundary walls 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"> • Maintain the route. Consider appropriateness of surfacing with respect to designations and character of the area. Liaison with Highway Authorities and PDNPA Ecologist. • Replacement of the historic stone pitching is being carried out by volunteers in the Derbyshire section of the route. • 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.

Ecological Impacts	Possible Mitigation
<p>Damage to watercourse 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"> • Liaison with PDNPA Ecologist over vulnerability, sensitivity and capacity issues. • Boulder placed on the Derbyshire side of the route to limit wider vehicles using the river as a ford.
<p>Noise and disturbance impact on wildlife 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"> • Level and timing of use being monitored. Liaison with Natural England and PDNPA Ecologist over vulnerability, sensitivity and capacity issues. • Voluntary code of conduct (effective silencing, ride quietly) unsuccessful in preventing disturbance.
Archaeological Impacts	Possible Mitigation
<p>Impact on the heritage asset and its setting and therefore the significance of nationally designated and currently undesignated heritage assets 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"> • Level and timing of use being monitored. Liaise with PDNPA's Cultural Heritage Team over vulnerability, sensitivity and capacity issues. • Signage limits width to prevent damage but in itself impacts on the setting of the feature.
Landscape and Visual Impacts	Possible Mitigation
<p>Visual impact of vehicle movement in the landscape over a wide area 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"> • Level and timing of use being monitored. • Stone pitching being replaced by volunteers .

Landscape and Visual Impacts	Possible Mitigation
<p>Wheel ruts and damage to character of the route 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"> • Maintain the route. Consider appropriateness of surfacing with respect to designations and character of the area. Liaison with Highway Authorities and PDNPA Ecologist. • 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
<p>Signage 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"> • Assess the need to protect cultural heritage and natural features with the need to conserve other elements of the natural beauty of the area. • 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
Social Impacts	Possible Mitigation
<p>Deterrence of use by non-MPV users from presence or anticipation of vehicles Disturbance from vehicles on enclosed steep narrow lane</p>	<ul style="list-style-type: none"> • Signage indicating the range of classes of users • Voluntary code of conduct (limit to group sizes and maximum speed limits) unsuccessful in preventing disturbance
<p>Noise impact on people Disturbance from vehicles on users of the route and nearby properties.</p>	<ul style="list-style-type: none"> • Voluntary code of conduct (travel at a quiet and unobtrusive pace in small groups) not always applied

Appendix 3 – Washgate - Draft Terms of Exemption for Motorcycle Events

Named Events

Permitted motor cycle trial events may include:

- The Bemrose Trial
- The Reliance Cup Trial
- The Dave Rowland Trial
- The Northern Experts Trial

Prior Notification

An exemption from the Order shall not be available if less than 2 months prior notification for an event is provided. Such prior notification shall include details of the date and duration of a proposed event, the anticipated number of entrants, a route plan, risk assessment, any other permissions obtained or to be obtained, and any other information the organiser sees fit to support such an event to take place.

Date

Each event shall take place on the agreed date or such other date to be agreed in the event of adverse weather conditions.

Duration

Each event shall not exceed one day.

Frequency

Each named event shall be held not more frequently than once per calendar year.

Numbers

The number of entrants for each event shall not exceed 180. Each entrant shall only traverse the route once in each event.

Conduct

Each event shall be conducted in accordance with the regulatory and guidance requirements of the appropriate national governing body and such other conditions as may be required.

Pollution

There shall be no discharge of oil or petrol or refuelling within 15m of the watercourse.

Notices

Prior to each event taking place, notices with details of the event shall be placed on site.

Written Authorisation

An exemption from the Order for each event shall only be available with prior written approval from the National Park Authority, such consent not to be unreasonably withheld. This shall not be taken to replace any other applicable regulatory requirements outside the Road Traffic Regulation Act 1984.

Permit

As soon as available, and not later than 3 days prior to commencement of each event, the permit from the national governing body shall be submitted to the National Park Authority.

Reporting

A written report shall be submitted by the event organisers within 2 weeks following an event. The report shall detail the numbers of entrants, the duration of the event, any safety issues, and any other relevant matters relating to the organisation of the event and use of the Washgate route.

Reinstatement

Any consequential damage or disturbance to the route, river bank, and walls or other structures occurring during the period of an event shall be reinstated as required to the satisfaction of the National Park Authority in consultation with the landowner and any other relevant body within one month of the event occurring. In the event of damage or disturbance, appropriate alternative measures shall be identified for future events to ensure no such reoccurrence.

Breach

If any terms are breached, an exemption from the Order shall not be granted for that named event on the next request for exemption unless arrangements satisfactory to the National Park Authority have been agreed in advance.