

Annex F – Derbyshire Constabulary’s response to the proposed policy and strategy to manage recreational vehicular use of unsurfaced highways in the Peak District National Park.

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Dear Mr Pett

RE: Consultation on policy and strategy of managing recreational vehicles

Thank you for providing me with the opportunity to respond to the proposed PDNPA policy. I am sure you are aware of the level of feeling that this topic creates from the rural community within Derbyshire, especially within the National Park. It is vital therefore, that the correct strategic response is set from the key agencies involved. I am pleased to note that the proposed policy and strategy responds to this challenge by recognising that partnership working between agencies, user groups and the community is central to addressing the problem.

The police perspective on the situation of enforcement is centred around three key areas; Firstly their needs to be clarity over the legal status of routes in order that users understand where they can, and can't, ride or drive and to enable the police where appropriate to take legal action. Where there is doubt over the status of a route enforcement activity is unlikely to take place. The strategy addresses this issue by ensuring that PDNPA and DCC work together to prioritise those routes in which there is both environmental damage and community disruption over their use. I believe that the police also have a role to play in assisting in this prioritisation process, especially following community engagement.

Secondly, once the legal status of the routes is established this information must be publicised and made readily available to local communities and users alike. Signage is vital in this respect and whilst I recognise that the strategy emphasises improved signage I believe that there is scope for clear unique waymarking of "Byways open to all traffic". For this to be effective though this would need to be across the whole of the PDNPA and not in isolated areas.

Thirdly, enforcement activity would need to part of a holistic problem solving response to a localised problem. At hotspot locations where there is clear evidence of regular, illegal use on a route where the status of the route is known and the level of use causes significant environmental damage or community impact then it is appropriate and proportionate to

undertake enforcement activity. Notwithstanding this, it would always be necessary to undertake a risk assessment at the location to establish if it is safe for all those involved. I agree that it is appropriate for PDNPA staff to be involved in the enforcement activity but only in the role of spotters and subject, of course, to a risk assessment and briefing. In addition, the amount of resources that are applied to this problem would be dependent upon us being able to meet the requirements of other priorities at the time.

I would finally like to comment upon the use of Traffic Regulation Orders (TRO). Experience has shown that for a TRO to be effective it has, amongst other things, to be able to be enforced. Considering my previous comments the introduction of a TRO on a specific route needs to be a final response to a problem once all other options have been considered and the practicalities and risks of enforcement have been considered at that location. Your policy appears to reflect this and the use of TRO's should be considered carefully and the power used sparingly.

Yours sincerely

Roger Flint
Divisional Commander