

6. **ACTION PLANS FOR THE MANAGEMENT OF RECREATIONAL MOTORISED VEHICLES IN THEIR USE OF UNSEALED HIGHWAYS AND OFF-ROAD (A7622/SAS)**

Purpose of the report

1. This report sets out details of the implementation of the Authority's strategy for the management of recreational motorised vehicles. An update on the progress in 2017/18 and action plans for green lanes, illegal use and communications for 2018/19 are provided.

2. **Key issues include:**

- Recreational motorised vehicles can give rise to impacts requiring management
- Green lanes are a valuable asset for a range of recreational users and abilities and nearby communities
- The heritage and nature value of green lanes and their setting in the landscape is important
- The Authority's involvement and commitment to this area of work together with the input by partners meets its statutory purposes and duties.

Recommendation

3. **That progress is noted, that the action plans at Appendices 4, 6 and 7 of this report are approved, and that a follow-up report be brought to this Committee in March 2019.**

How does this contribute to policies and legal obligations?

4. The work contributes to:

(i) Corporate Strategy 2016-19

Visitor experiences directional shift - Look after the whole Park as a public asset in a way that encourages access and responsible behaviour. Relevant key activities are:

- Manage the rights of way network and access land to encourage enjoyment of the National Park
- Encourage respect and understanding of the special qualities of the national Park by visitors through positive engagement.

Connecting people directional shift - Improve access to the National Park for less represented audiences, in particular people living with health inequality. The relevant key activity is:

- Deliver a range of funded service interventions to people living with health inequalities.

(ii) National Park Management Plan – Partnership for Progress 2012-17

WI4 under the welcoming and inspiring theme - Accessible and diverse recreation opportunities will be available for all, encouraging healthy living, enjoyment of the landscape and a sense of adventure. The relevant delivery aims are:

- Improve recreation opportunities for all, which encourage a sense of adventure, promote health and well being and are sustainable and appropriate to the National Park landscape
- Have an integrated, well managed and inclusive rights of way and access network, which encourages responsible enjoyment by all
- Work together to minimise damage and disturbance on unsealed routes

(iii) 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).

Background

5. On 1 October 2007, under the terms of Section 72 of The Natural Environment & Rural Communities Act 2006, National Park Authorities (NPAs) were given powers to make Traffic Regulation Orders (TROs). The accompanying guidance for National Park Authorities states that the powers are “part of a package of measures to control excessive or inappropriate use of mechanically propelled vehicles away from the ordinary roads network”.
6. A revised strategy and procedure for the management of recreational vehicular use and for making TROs was adopted in February 2012 (Minute 6/12). Members also resolved, in July 2011, to increase the resources available for implementing the strategy in order to accelerate the existing partnership work with Highway Authorities and the police and to extend this area of work across the whole of the National Park. As part of this, detailed annual action plans are to be provided to this committee. An extension of resources on a part-time basis was agreed in October 2013 (Minute 49/13), extended again until 31 March 2017 and made permanent on a part-time basis in January 2017 (Minute 20/16).
7. The aims of the strategy are to work in accordance with statutory purposes and duties, in active partnership wherever possible, to protect the special qualities of the National Park which include its open landscapes, bio-diversity, cultural heritage and the settlements of its local communities. Where excessive or inappropriate use of mechanically propelled vehicles away from the ordinary road network threatens the existence, quality and enjoyment of those qualities and the sustainability of unsealed roads, the Authority will take appropriate action in line with the principles set out in the strategy.

Progress 2017-18

8. A progress report for the period to February 2018 is provided in Appendix 1. This sets out the following actions:
 - A consultation on the modification of a proposed TRO at Washgate, near Hollinsclough
 - The making of TROs at Derby Lane, near Monyash, and Washgate.
 - Permitting use for cavers at Derby Lane
 - Facilitating voluntary restraint at Minninglow & Gallowlow Lanes
 - Highway Authority determination of legal status at Brushfield
 - Monitoring of vehicle use and supporting police operations in the National Park
 - Peak Park Conservation Volunteer work parties at Washgate and Three Shires Head
 - Replacement of signage
 - Update of route summary reports to incorporate latest use figures, legal status changes and environmental information.
9. A summary report of all the routes where the Authority has made TROs is provided in Appendix 2.

Green Lanes

10. Green lanes are a particularly important part of the public access network in the National Park. Their nature as multi-user routes mean they provide important recreational links between villages, enhance the bridleway network and form key routes to wider access. Many also have important cultural and natural heritage features and are ‘green corridors’ through the landscape. They provide an opportunity to explore and experience the National Park and for the study of nature. The health and well-being they afford is increased at those locations where routes are suitable for the less-able.

11. The term 'green lanes' is used to cover the network of routes which are or may have the potential to be motorised vehicular rights of way. Byways Open to all Traffic are defined as highways over which the public have a right of way for vehicular and all other kinds of traffic, but which are used by the public mainly for the purpose for which footpaths and bridleways are so used. Unclassified Roads carry rights of at least those on foot but the legal status of UCRs remains to be determined by the relevant Highway Authority.
12. The green lanes work has focused to date on managing recreational motorised vehicles on a number of priority routes and on routes and areas where use is illegal so to reduce impacts on the natural beauty and amenity of the National Park in accordance with our purposes, statutory obligations and the strategy. The green lanes work has also identified and undertaken improvements on the routes where TROs have been made in accordance with the Authority's ongoing duty under the Equality Act for decisions which may affect those with protected characteristics. This includes surfacing improvements, improvements to structures, opportunities for dedicated disabled parking and supporting guided events. This is in addition to our commitment under the TRO exemptions to provide access (on application) for disabled people who rely on road vehicles for access.
13. It is proposed that, in addition to managing the impacts of vehicles on certain routes, the people that use them, and the area surrounding them, where these routes are accessible and well-maintained they can get more people, more active, more often. The identification of routes will be undertaken by surveys of all byways and unsurfaced unclassified roads in the National Park to assess their appropriateness for walkers, cyclists, horse riders and motorised vehicles and the character of the route and area.
14. It is also proposed to identify routes which may be particularly suitable for less-able users and to promote them within the Miles without Stiles work. This will involve accessibility audits of all byways and unsurfaced unclassified roads in the National Park to identify barriers to access and improve accessibility where achievable. The surveys will commence this year.
15. In light of the above, a wider set of objectives is proposed which will reflect the National Park's special qualities, develop an inclusive and integrated network, encourage access for all and enjoyment with understanding and for the enhancement of the routes and the areas through fostering respect and a shared responsibility. The objectives are set out in Appendix 3. Highway Authorities have the responsibility for the determination of the legal status and route management.
16. The Green Lanes Action Plan for the period March 2018 to February 2019 is provided in Appendix 4. This includes actions on priority routes (previously reported to committee as the Priority Routes Action Plan) as well as other green lanes throughout the National Park and sets out the following actions:
 - Vehicle logging and monitoring on routes
 - Proceeding with consultations on a TRO at Wetton
 - Considering applications for TRO exemptions
 - Supporting voluntary restraint measures at Minninglow and other routes proposed by vehicle users
 - Supporting volunteer working parties at Washgate and other routes suitable for volunteers
 - Responding to Derbyshire CC's clarification of legal status
 - Responding to Highway Authority repairs on priority routes
 - Surveying and auditing the network
 - Identification of appropriateness and suitability for mapping and signage including as accessible routes.
 - Improving access as appropriate with the support of the Highway Authorities and donations such as via the Access Fund.

- Updating the route information reports for the priority routes.
17. A summary report is also provided in Appendix 5 for the priority routes. For some of the priority routes, issues which originally resulted in their classification may no longer apply such as becoming cul-de-sac routes, where repairs have successfully resolved concerns, where TROs have been made, or the determination of legal status has clarified that there are no rights for motorised vehicles. Routes where repairs have been proposed and confirmed by the Highway Authorities and where funding has been committed are also shown and where the NPA will continue to liaise with the Highway Authorities. For all priority routes, the need for continued monitoring remains. Background reports for the 14 routes in Derbyshire, 3 routes in Staffordshire, 3 routes in Cheshire, 2 in Kirklees and 3 in Sheffield are available at www.peakdistrict.gov.uk/priorityroutes

Illegal Use

18. The Illegal Use Action Plan for the period March 2018 to February 2019 is provided in Appendix 6. This sets out the following actions:
- Vehicle logging on routes
 - Identification of routes for police presence
 - Recording illegal use from information received
 - Maintenance and replacement of signage for TRO routes
 - Erection of signage, as requested by the Highway Authorities
19. The Illegal Use Action Plan identifies the actions to control illegal use on routes which carry no vehicle rights, routes which are permanently restricted by way of traffic regulation orders, or on land adjacent to routes with vehicle access. All reports of alleged illegal use are investigated. On the routes where traffic regulation orders have been made, detailed monitoring is undertaken. This is set out in Appendix 2.

Communications

20. The Green Lanes Communications Action Plan for the period March 2018 to February 2019 is provided in Appendix 7. This details actions to maintain and improve liaison and foster respect amongst those responsible for looking after green lanes either by way of statutory obligations or by way of their use. The plan identified the roles and involvement of these different groups and the key messages.
21. In implementing the Communications Action Plan officers will continue to:
- Liaise with the Highway Authorities on signage, repairs and maintenance, clarification of legal status, and traffic regulation as appropriate on priority routes and on other routes where issues have been identified, including those where illegal use is occurring
 - Work with the police on enforcement and education operations where illegal use is taking place
 - Liaise with landowners and communities
 - Establish and maintaining a dialogue with local vehicle user groups
 - Participate in a national forum established by Defra
 - Facilitate advice from the Peak District LAF and other key stakeholders

Summary

22. The longer-term commitment made to this work allows for the continuation of the nationally recognised progress, working in partnership with all parties to address the continuing problems of impacts on the National Park's special qualities, whilst developing opportunities to improve overall access to the lanes and reconnecting people with these valuable routes. The Strategy emphasises the need to protect the special qualities of the National Park and that responsible and sustainable use and a partnership approach is

inherent in doing this. The action plans are a means to focus resources with the involvement of others and propose managing impacts from motorised vehicle use whilst developing and enhancing these routes as a valuable resource.

Proposals

23. It is proposed that the action plans at Appendices 4, 6 and 7 be approved.

Are there any corporate implications members should be concerned about?

24. **Financial**

In May 2016, Members supported an investment proposal framework which included adding £26k to the baseline budget to deliver the green lanes action plan. This level of funding will allow continued progress on the matters identified in the Action Plans.

25. **Risk Management**

There is an element of reputational risk to the Authority in respect of expectations on the part of third parties not being met. There is also the potential for legal challenge as a result of actions arising from the strategic stance set out. However the Strategy and Procedure are clearly grounded in respect of the Authority's legal powers and abilities and have been drafted within realistic parameters in terms of deliverability.

26. **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.

27. **Equality**

The requirements of the Equality Act 2010 have been met in the consideration of actions and the ongoing requirements to have regard to the duties under the Act.

28. **Background papers:**

None.

29. **Appendices**

1. Green Lanes Progress Report – 2017/18
2. TRO Report 2018
3. Green Lanes Objectives
4. Green Lanes Action Plan 2018/19
5. Priority Routes Summary
6. Illegal Use Action Plan 2018/19
7. Green Lanes Communication Action Plan 2018/19

Report Author, Job Title and Publication Date

30. Sue Smith, Rights of Way Officer, 22 February 2018