

7. ACTION PLANS FOR THE MANAGEMENT OF GREEN LANES IN THE PEAK DISTRICT (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 2018/19 and action plans for green lanes, illegal use and communications for 2019/20 are provided.

2. Key issues include:

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

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 2020.**

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) Corporate Strategy 2019-24

Outcome: A National Park loved and supported by diverse audiences

Strategic interventions: Implement plans to increase public connection with the National park through the development of quality engagement opportunities that encourage responsible behaviours and by growing sustainable tourism products

(iii) National Park Management Plan 2018-23

The relevant areas of impact are:

- A National Park for everyone – relevant action is to overcome physical barriers to access
- Encouraging enjoyment with understanding - relevant actions are: to balance opportunities for enjoyment with conserving a fragile environment; to ensure shared responsibility.

(iv) 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/or 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.

Objectives for Green Lanes

8. **Heritage routes** connect the access of today with discovering the use of the past.

Conservation routes connect people with nature for enjoyment and understanding.

Community routes connect communities with their wider area for the well-being of residents and visitors.

Recreational routes form part of a promoted trail or an integral link to wider access for enjoyment, escape, or adventure.

People Objectives

- Reduce impact of use on local community
- Improve amenity and safety for route users
- Promote responsible use
- Encourage voluntary action
- Provide for exploration and escape
- Allow for the enjoyment of nature

Route Objectives

- Improve condition of route
- Maintain the character of the route
- Enhance the heritage features of the route
- Clarify legal status and/or line of the route
- Remove barriers to accessibility
- Integrate with access and rights of way network

Area Objectives

- Protect the environment of the area
- Enhance the biodiversity and wildlife connectivity of the route
- Minimise illegal use onto adjacent land
- Prevent deviation from the route

Progress 2018-19

9. A progress report for the period March 2018 to February 2019 is provided in Appendix 1. This sets out the following actions:
 - Consultation and reporting on a proposed TRO at Wetton Hills, near Wetton
 - Derbyshire CC's consultations on a proposed TRO at Stoney Middleton
 - Permitting use for two motorcycle trials at Washgate
 - Permitting use for cavers at Derby Lane
 - Facilitating voluntary restraint at Minninglow & Gallowlow Lanes
 - Monitoring of vehicle use and supporting police operations in the National Park
 - Supporting volunteers on a route at Rainow
 - Derbyshire CC repairs at Beeley Moor and responding to consultations on repairs at Chapel Gate, Hurstclough Lane and Minninglow & Gallowlow Lanes.
 - Update of route summary reports to incorporate latest use figures, legal status changes and environmental information.
 - Identification of accessibility and access improvements
10. A summary report of all the routes where the Authority has made TROs is provided in Appendix 2. During 2018, a requested exemption for a charity ride along five of these routes was not granted because of the impact this would have on the reasons for making the orders.

Green Lanes

11. Green lanes are an 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 as well as being important in their own right for their landscape and heritage and for supporting biodiversity. These routes provide an opportunity to explore and experience the National Park. The health and well-being they afford is increased at those locations where routes are suitable for the less-able.
12. 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.
13. The green lanes work has focused on managing recreational motorised vehicles on a number of priority routes and on routes and areas where use is illegal so as 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 (where necessary, on application) for disabled people who rely on road vehicles for access.

14. In March 2018, a wider set of objectives was considered to reflect the National Park's special qualities, develop an inclusive and integrated network, encourage enjoyment with understanding, provide access for all and for the enhancement of the routes and their environments 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 of routes and route management.
15. Since then the accessibility and suitability of routes has been taken forward in the Miles without Stiles work. The first 20 easy access routes in the National Park were launched in November 2018, with the handbook published in February 2019. The range of routes developed and promoted and the criteria applied informs the auditing of the byways and unsurfaced unclassified roads to identify barriers to access and improve accessibility, where achievable. It should be noted that whilst a number of the Miles without Stiles routes are on routes with former vehicular rights, the removal of vehicular rights is not a requirement for the promotion of a route as an accessible route and is just one of the factors to consider.
16. The Green Lanes Action Plan for the period March 2019 to February 2020 is provided in Appendix 4. This includes actions on priority routes as well as other green lanes throughout the National Park and sets out the following actions:
 - Vehicle logging and monitoring on routes
 - Meeting with Staffordshire CC, at their request, regarding the proposed 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 on 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 and identification of suitability for accessible routes
 - Identification of locations for signage to be funded by vehicle-user groups
 - 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 where: routes have become cul-de-sac routes, repairs have successfully resolved concerns, 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 identified by the Highway Authorities 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 at www.peakdistrict.gov.uk/priorityroutes are available for the 14 routes in Derbyshire, 4 routes in Staffordshire, 3 routes in Cheshire, 2 in Kirklees and 3 in Sheffield.

Illegal Use

18. The Illegal Use Action Plan for the period March 2019 to February 2020 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 2019 to February 2020 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 identifies the roles and involvement of these different groups and the key messages.
21. In implementing the Communications Action Plan officers will continue to:
- Liaise as appropriate with the Highway Authorities on signage, repairs and maintenance, clarification of legal status, and traffic regulation 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
 - Maintain a dialogue with local vehicle user groups
 - Participate in the national forum established by Defra
 - Facilitate advice from the Peak District Local Access Forum and other key stakeholders

Summary

22. The strategy for the management of recreational motorised vehicles 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.

26. **Equality**

The requirements of the Equality Act 2010 have been met in the consideration of actions and the Authority will continue to have regard to its duties under the Act.

27. **Background papers:**

None.

28. **Appendices**

1. Green Lanes Annual Report – 2018/19
2. TRO Report 2019
3. Map of Priority Green lanes
4. Green Lanes Action Plan 2019/20
5. Priority Green Lanes Summary
6. Illegal Use Action Plan 2019/20
7. Green Lanes Communication Action Plan 2019/20

Report Author, Job Title and Publication Date

29. Sue Smith, Rights of Way Officer, 21 February 2019