

The Dark Peak SSSI Peak District Moors SPA South Pennine Moors SAC

Midhope HLS AG00444068

Mickleden Clough Track

### Introduction

The moorland at Midhope is entirely within the SSSI/SPA/SAC. The land was in ESA 2003-2013. The ESA agreement was made with then owner at 2003. The land was sold in 2006 the ESA agreement remained in place.

The Lost Lad to Mickleden Butts access track is an informal route used by gamekeepers and shooters on Midhope Moor. The Shooters Cabin at Sugden Clough is accessible to most vehicles, from the public highway, and may have been so since WWII (when the moor was developed for artillery testing and as a decoy target for German bombers). From the cabin the route ascends Sugden Clough to Sugden Top/Lost Lad. The distance from the Cabin to the Mickleden Butts is 2km.

Early use (pre 2005) must be assumed to be light since the track is scarcely evident from aerial photographs. The route is not referred to directly in the Moorland Management Plan of 2005 (which includes an Access & Tracks Map), but the 2005 MMP describes use of all-terrain vehicles (ATVs) as permitted where not causing damage through rutting of soils.

### Casework Summary

The early Moorland Management Plans do not refer specifically to the track in any way; and this track does not appear on maps dating 2005 or 2008 (draft).

Subsequent NE site visits identified problems of over use on this route creating damage of the kind the plan was seeking to avoid. This was part of a pattern of increased use of vehicles on the moor under the ownership established in 2006. Particular problems were created on the peat soils up Sugden Clough to Lost Lad. On the thinner soils of Mickleden Beck there were erosion problems associated with waterlogged soils and steep slopes. Some discussions are described in notes from 2009 and the suggestion was made that the track would be rested. It is likely that if this was done it was a short lived measure and unconsented track repairs using timber sleepers was undertaken after 2009.

In the draft revision to the plan (2009) it was noted that the route from Lost Lad to the Mickleden Butts was suffering from damage arising from change in use. This is described in Annex I and a map and pictures are included. This extract from the plan did not appear in the final version of the plan; track repair was to be the subject of separate specific consultation.

NE were keen to label unsurfaced routes as 'informal' to avoid some of the pressure of the kind applied at Bradfield regarding resurfacing access routes to lines of butts.

A letter of advice was drafted (see Annex II). A signed copy of the letter sent on this subject is not present in the scanned paper files.

Evidence on the ground suggest that the (possibly only verbal) advice to rest the track and only to reuse carefully was not adhered to for an effective period and that damage on both

sides of the clough is still apparent from that period. Ad hoc repairs were made consent for this work is not present on the files.

The situation was revisited in 2012 when the current owners [Wakefield Farms Estate Ltd (WFE)] took control. They sought to revert to more traditional management with less reliance on vehicles and in particular not to use vehicles to transport shooters to site, although the recent practice of transporting the firearms to the butts in a light vehicle would continue.

Particular problems were identified and these were: the descent from Lost Lad towards the Cut-Gate Bridleway – a steep drop where tracking had exposed mineral soil (and where it appeared some hardcore had been added), and the descent to and rise from Mickleden Beck to the butts on the western side of Mickleden Clough – a wet rushy section with soft soils susceptible to disturbance. The change in ownership (2012) brought about a change in attitudes towards tracks more akin to the management up to 2006. The new owners have repeatedly expressed a desire to lessen the impact of vehicles and to repair damage done previously.

The approach at Mickleden has been to return the track to a green route used only moderately by Argos and Quads (all terrain vehicle – ATV) for moorland management. Visitors/shooters are expected to walk from either the lunch hut or from Lost Lad (the hill at the head of Sugden Clough before Mickleden is reached).

As part of the negotiations for the HLS, and the associated capital works for moorland restoration to secure recovering condition, it was agreed that some restoration to tracking damage would be undertaken at several locations. It was agreed that the route across Mickleden Clough (from Lost Lad to the vicinity of the butts) was the best way to get moorland management heavy equipment and ATVs to the western side of the clough and that under NE moorland restoration proposals of higher ground there would be a requirement for vehicles to use this route to access part of the restoration work area. The commissioned plan (DMS May 2014) recommended use of a surface matting like that being trialled at Moorhouse. It was agreed that the tracking would not be used onto the blanket bog.



Re Midhope - Capital Works Management Plan.msg

Plan of the HLS capital works prepared by contractor is available.

It was agreed [between NE and WFE] that after the restoration work and as part of the same capital works plan, the route would be given a 'floating' surface suitable only for the lightest of ATVs such as an argocat or a quad bike. The Terram grass-protector which was being trialled at Moorhouse NNR was selected, but it was agreed that this would not be used on the blanket bog [the proposed extent in the plan was reduced]. The route would be seeded and encouraged to recover.

The short rocky section from Lost Lad, described above, was unsuitable for Terram and the contractors reworked the in situ material to create a passable surface. [a process called soil

## Annex

inversion whereby surface soil is drawn aside and underlying subsoil is worked into a packed hard surface, topsoil is then drawn back over the flanks of the track and reseeded]

No assessment of the track element of the work was made in the HRA as it was concluded that the work was not on the SAC feature(s). The proposed extent of tracking as shown in purple above was reduced in extent specifically to avoid use of track on blanket bog.

The work was undertaken in 2014 after the heavy plant had tracked onto site using this route (the return route was from a different part of the moor). [the route was used daily during the 3-4 week work period, by contractors accessing the work site, for this quadbikes were used]

First reports of issues were an email from the PDNPA ranger Gordon Danks 15/01/2015

This was followed by the intervention by Tim Melling from RSPB.

Richard Pollitt

Land Management and Conservation Adviser

Natural England – East Midlands Area

[edited with additional material 01/03/2019]

## **Trim File Name; 27/07/2009 Tyrone Capital Inc Midhope Moor Extract Moorland Management Plan Dark Peak**

### **Midhope Moor – extract from moorland management plan**

#### **4.6 Vehicles**

Vehicles will not cross the ‘sensitive areas’ as highlighted on Map 2. Outside these areas the use of vehicles must not result in rutting or damage to the surface vegetation and special care should be taken to avoid wet and boggy areas. The use of wheeled or tracked vehicles in connection with grouse moor management will be largely restricted to the mapped tracks or the public bridleway as shown on Map 5, although low ground pressure vehicles like argocats are likely to be used more widely (eg for direct dosing), but only in conditions and places where their use will not cause rutting.

During the bird breeding season 1 April to 31 July vehicles used off established routes and tracks will be kept to a minimum to avoid bird disturbance and damage to nest sites. Where it is current practice not to use vehicles during the bird breeding season this will continue.

#### **Restoration of areas damaged by estate vehicles**

The route along the shooting butts on the northern side of Sugden Clough has been badly damaged by repeated vehicle use (mainly through carrying materials to repair the butts along Bull Clough). Low ground pressure vehicles have been driven up Sugden Clough and across Mickleden Clough for several years, but usage has always been light, and rutting has rarely spread from the line generally used by vehicles and walkers. Before 2005 heavy vehicles were rarely taken beyond Lost Lad – shooting parties were driven to Lost Lad then walked across Mickleden Clough, and no major repairs had been made to the butts for several years. The line of the route that has been used recently cuts straight down from Lost Lad onto the Cutgate path then straight down the slope, across damp, peaty ground into the stream, before crossing the stream and then taking a diagonal route up the western side of Mickleden Clough. Some wooden surfacing has been laid across rushy flushes and some plastic drainpipes have been laid to remove surface water.

The route from Lost Lad to Cutgate and then across Mickleden Clough needs to be rested to allow the vegetation to recover. The estate have agreed to use an alternative route to access the shooting butts this season, and to minimise vehicle access to this area in the future. Any route taken across Mickleden Clough should be carefully assessed to avoid rutting and erosion on steep areas (in particular on the clough side immediately below the Cutgate path) and to prevent damage to the Cutgate bridleway which has recently been repaired (at considerable expense). Action: NE adviser to visit in Oct 2009 to check state of section from Lost Lad across Mickleden Clough and to discuss the best route for future use of vehicles in this area.

The Estate have also agreed to cut and spread heather brash onto the damaged areas along Sugden Clough in 2009 / 2010 and to minimise use of this route to allow the vegetation to recover. While damaged areas are recovering the routes used by vehicles should be varied.

#### **4.7 Tracks**

## Annex

Natural England appreciate that tracks may sometimes be necessary to facilitate management on grouse moors including both shooting and grazing management and that they can therefore be required in some situations to achieve or maintain appropriate management.

Existing tracks are shown on map 5. Routine maintenance of existing tracks is permitted under this plan provided:

- repairs to track surfaces use the same materials and methods as the existing surface
- tracks are not widened or lengthened
- drains and drainage channels are not widened or deepened
- all machinery used complies with requirements of section 4.6 (Vehicles ) above

The improvement or upgrading of existing tracks will require separate consultation and consent from Natural England.

Proposals for new tracks will be assessed by examining the effects on the interest features of the SSSI/SAC/SPA and will be agreed if they do not impact significantly on the interest features or affect site integrity.

## Annex II

Trim File Name: 04/08/2009 Tyrone Capital Inc Moorland Management midhope Letter Conservation Plan Dark Peak

See highlighted text below – Mickleden track (draft text for letter to agent, refers to discussion at meeting March 2009) no physical copy of this letter on file

Dear Mark

Midhope Moors – The Dark Peak SSSI

Following on from our meeting in March, and subsequent telephone discussions with Matthew Finch and Roy Brown, I would like to take the opportunity to outline in writing a few issues with moorland management at Midhope, which I am hoping can be dealt with within the new moorland management plan.

Conservation Plan

The current conservation plan expires this month. Moors for the Future and Natural England are currently running a contract to spec-up opportunities for moorland restoration works on moorlands within ESA agreements which can then be used as a basis for conservation plan applications, with the subsequent works project managed by Moors for the Future. Penny Anderson Associates and James Frith are the contractors (both respected local consultants).

Last week I discussed opportunities for restoring dense bracken areas to heather moorland at Midhope. I suggested the management team at Midhope consider restoration work first on areas where bracken control has been carried out, particularly areas that are already fenced off (for example Fenny Common and the area below Pike Low) and on some of the more recent areas of extensive treatment

I suggested to Matthew that the Moors for the Future contractors could look at areas where bracken-heather restoration is proposed as part of their survey of Midhope. They will also be looking at opportunities for gully blocking and stabilisation of bare peat areas, mainly focusing on the higher level moorland areas. The contractors will contact your office to arrange access and discuss your proposals before they go out.

#### North America public bridleway repairs

Moors for the Future have now sent tender requests out for the repairs to this bridleway, so the work should be scheduled for autumn 2009. Bruce Wilkinson (from MFF) will contact you to discuss arrangements of this work nearer the time. Or if you have any queries, please do not hesitate to contact him directly.

#### Informal Track

At our meeting in March we discussed the damage to the route use by argocats along the northern side of Sugden Clough; and the increased use of vehicles from Lost Lad, cutting down across the Cutgate path and across Mickleden Clough to the butts on the high ground along the west side of Mickleden Clough and the north side of Bull Clough.

We agreed that vehicles will not be used on the route between Lost Lad to Cutgate and across Mickleden Clough this shooting season, to allow the damaged vegetation to recover, and that I will go out and look at the route in the autumn to see how well it has recovered.

Use of this route should only be resumed when the vegetation has fully recovered and subsequent use must not cause damage to the vegetation or soil. This route has historically (prior to change of ownership in 2005) been rarely used by vehicles on, not on a routine or regular basis.

The route from the shooting cabin to Lost Lad has a longer history of vehicle use, but has become damaged due to more heavy recent use. The route taken here should be varied over adjacent ground to allow the vegetation to recover. Applications of heather brash (cut from adjacent heather dominated moorland) may speed the recovery of the vegetation in this area.