

7. ACTION UPDATE ON HURSTCLOUGH LANE (A7622/SAS)

Purpose of the report

1. This report provides an update on the progress, since March 2015, with the implementation of the Authority's Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsealed Highways and Off-road.

Recommendations

2. **1. That the progress is noted and that a follow-up be provided to this Committee in 6 months' time as part of the annual action planning.**

Policies and legal obligations

3.
 - National Park Management Plan – Partnership for Progress 2012-17 –W14
 - 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).
 - Sections 5(1) and 11A of the National Parks and Access to the Countryside Act (NPACA) 1949

Background

4. On 20 March 2015, Audit Resources and Performance (ARP) Committee approved actions in the key areas of work required to deliver the revised Strategy on managing recreational motorised vehicles (Minute 17/15). The Green Lanes Action Plan focused on the priority routes where the need for improved management had been identified. At Hurstclough Lane, this included actions to monitor the use and condition of the route and to support the work by Derbyshire County Council as the Highway Authority to carry out repairs and determine the legal status.
5. At the meeting a petition was presented which called for a traffic regulation order to exclude permanently from Hurstclough Lane both 4x4s and motor bikes. The signatories considered that it was a valued local amenity and the presence of motor vehicles is a public nuisance and inappropriate on grounds of danger, damage, or amenity.
6. In response to this, it was reported that works were scheduled to be undertaken by Derbyshire County Council on this route. It was also considered that the actions plans identify actions appropriate at that time but do not preclude further actions as appropriate nor require action to be pursued in the event of a change in circumstances. No proposal has been identified for the Authority to consult on a traffic regulation order on this route and the repairs may result in a temporary closure to all users until the works have been completed and hence could affect the usefulness of any consultation. It was agreed that an update report would be provided in 6 months' time.

The Route

7. Hurstclough lane runs from Gatehouse near Hathersage to Bamford. It is approximately 1.5 km long. A map showing the route is provided in Appendix 1. There are properties at either end of the route. The route is narrow, steep and sunken and repairs to the surfacing and drainage are required. It is an important recreational asset for all users.
8. The route was given a score for the sustainability analysis undertaken in 2011 which indicates the scale of management problems associated with this route. Issues identified in the preparation of route management reports relate to user conflict and the nature and

condition of the route. Detailed route management information is available at www.peakdistrict.gov.uk/priorityroutes.

Update

9. Derbyshire County Council are finalising designs for consultation with the Peak District Local Access Forum and other stakeholders and this is said to be imminent for the works to take place as soon as practicable. The works will comprise surfacing and drainage works. In addition, the route has been confirmed as a Byway Open to All Traffic by an Inspector appointed by the Secretary of State.
10. The route summary report provides details of use, condition, and consultations and has been updated to incorporate latest use figures and reports from a site visit by the Peak District Local Access Forum in May 2015.

Proposal

11. It is proposed that this progress report be noted.

Are there any corporate implications members should be concerned about?

12. **Financial:**
The Authority budget planning (for 2014-15) included increased resources for this area of work in addition to delivering other action relating to the management of recreational motor vehicles and provision has been made to extend this until March 2016.
13. **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 actions 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.
14. There is a risk that enforcement and prevention of illegal use will not be wholly effective. There will be a need to monitor and review over the longer-term. Physical measures and signage may be the target of vandalism and may need regular replacement.
15. **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.
16. **Equality**
The requirements of the Equality Act 2010 have been met in the consideration of proposals on this route and the ongoing requirements to have regard to the duty.
17. **Background papers:**
None
18. **Appendices**

Appendix 1 – Map of the route
19. **Report Author, Job Title and Publication Date**

Sue Smith, Rights of Way Officer, 10 September 2015