

**Local Access Forum Workshop
Motorised Vehicles in the Countryside
Derbyshire County Council's Policy Review**

What are Local Access Forums (LAFs)?

Between them the two Local Access Forums which cover Derbyshire are statutory advisors to the County Council, the Peak District National Park Authority and Derby City Council on the improvement of public access for the purpose of open-air recreation and enjoyment of the area. The Peak District LAF covers the northern part of the county – the National Park and areas around Buxton, Glossop and New Mills. The Derby and Derbyshire LAF covers the south and east of the county plus Derby City.

Background

Members of the two LAFs met in January 2009 to help the county council review and up-date the existing policy from April 2003. During workshop sessions people with differing backgrounds and views worked on a series of questions to do with motorised vehicles in the countryside. This is a contentious issue which arouses strong feelings in residents, countryside users and landowners and we agreed there is a need to separate facts from anecdotes.

LAFs' current experience of motorised vehicles in the countryside

- The status of routes is unclear and this lack of clarity causes problems
- Some routes are over-used by vehicles which causes damage and issues of safety
- Problems arise from illegal use or the lack of maintenance (although the police are getting to grips with illegal use). There is a perception that it's the people who are not in organised groups who cause most problems (Operation Blackbrook attempts to solve this)
- Horse riders are perceived to be vulnerable, especially to large 'convoys' of vehicles and some drivers' lack of consideration or understanding of how horses react to vehicles
- There is progress in some LAF sub-groups in looking at this problem

Some key themes

A) The issues to do with conflict in the countryside re. motorised vehicles are:

- Physical damage, noise and safety
- Too many and different types of users try to use the same routes and are not always considerate of others
- The lack of and cost of maintenance means that the deterioration of surfaces affects everyone including non-vehicular users
- There is a perception that vehicle users are a small group who cause a disproportionate amount of damage compared to walkers, riders and cyclists
- There is a lack of certainty over what rights exist on countryside routes

Ideas which might solve these issues or lessen the effect of conflict

- Clear signs indicating who is permitted to use routes
- Maintenance of surfaces which are appropriate to the level of use (but not at the expense of conservation interest) and the inclusion of volunteer input into this work
- A hierarchy of routes could work (like the Lake District system)
- A code of conduct for all users plus education and work with the media .This can be done though parish councils (providing information about responsibilities), user groups (influencing their membership) and the county council (website, signage, DMMO)
- Voluntary restraint and temporary closures – enabling rather than restriction
- Continue with enforcement against illegal use
- Resolve the legal status of disputed routes
- Provide alternative sites
- Look at what other local authorities have done to see if we can learn from them

B) Dealing with claims over legal status

Possible ways that the county council could clear a back-log of claims are, in order of preference:

- 1) Continue with the status quo of dealing with claims chronologically
- 2) Concentrate on the routes which are in the worst condition
- 3) Concentrate on a geographical pilot area eg in a national park
- 4) Employ a consultant to do the work
- 5) Concentrate on the routes which are most well-used

C) Regulating use and restraint

Voluntary restraint can work so long as it:

- Is developed with user groups and gets agreement across the board
- Is supported by information, education, signage and monitoring
- Is supported by codes of conduct which are developed with users and publicised widely
- Is backed up by enforcement if a minority ignore it
- Gets reviewed after a trial period
- Is done on a county-wide scale

For TROs to be effective they must:

- Be seen as a useful tool but used as a last resort when there is a clear need for them
- Be negotiated with users and then well publicised
- Be enforced on the ground quickly and effectively and penalties for breaking them must be applied
- Be properly signed on the ground so that users are clear about which groups they relate to
- Use the 'least restrictive option' process
- Be monitored to assess their effectiveness

Not maintaining some routes to provide a range of challenge might be acceptable, but:

- There would have to be a clear alternative nearby for other users
- There would be a need to minimise impact on properties, landowners, landscape and wildlife
- Selecting sites would be difficult
- The county council still has a duty to maintain all routes
- Challenging off-road terrain can be provided on private ground

Prioritising work and resources

Ways in which DCC might start to prioritise work on vehicular access to the countryside are:

- Look for more resources and funding
- Give priority to sorting out the legal status of routes
- Take action to prevent further deterioration of routes
- Don't forget the Rights of Way Improvement Plan and consider routes within the context of the whole network

- Possibly 'abandon' certain routes ie don't maintain them
- Look at the cost benefit of work – go for 'quick wins' and 'a stitch in time'
- Consider the users' point of view and try to get more user engagement
- Think about whether the route goes through a particular designation eg SSSI

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