

**1. MANAGEMENT OF RECREATIONAL VEHICULAR USE OF UNSURFACED HIGHWAYS IN THE PEAK DISTRICT NATIONAL PARK (A.7622/MJR)**

**Proposal**

1 This report reviews the progress of work under the Authority's Strategy to manage recreational vehicular use of unsurfaced highways and address off road use in the Peak District National Park. It outlines the initial findings and management plan recommendations on prioritised cases out of a list of 23 routes previously defined as 'may be unsustainable'.

**2 RECOMMENDATION:**

1. **That progress under the Strategy to manage recreational vehicular use of unsurfaced highways and off-road use in the Peak District National Park, as outlined in this report, be noted.**
2. **That members approve further work on the 23 'may be unsustainable routes', with particular focus on producing management plans for the eight higher priority routes given at Annex A of this report.**

**Policy Background**

3 National Park Management Plan 2006-11

Recreation and Tourism (Part 3, Chapter7):

'By 2011, all people, visitors and residents alike, especially those from under represented groups including disadvantaged communities, children and young people and the elderly should:

- Feel welcome in the National Park; and
- Have the opportunity to participate in diverse recreational activities that enhance the quality of their lives.'

A specific action in the Management Plan is to:

'develop ways to positively manage motorised recreation in ways that are legal and sustainable.'

National Park Authority Corporate Outcomes

This Policy and Strategy relates to Level 1 and Level 3 (respectively) priority Actions within the Authority's Corporate Outcomes:

- Ensuring landscapes are characterised, conserved and enhanced in accordance with their enduring and dynamic qualities
- The provision of a network of statutory and permissive routes, access to open country and other relevant opportunities in the National Park

**Key Issues**

4 On 5 October 2007, the Authority approved a Strategy to manage recreational vehicular use of unsurfaced highways and off-road use in the National Park, on a trial basis to be reviewed in one year. It also approved, after widespread public consultation, a Policy and Procedure on making Traffic Regulation Orders (Minute 92/07).

- 5 Following the Authority meeting in October a list of priority cases (Minute 92/07) was brought to this Committee for consideration (shown in Annex A of this report).
- 6 In March 2008 Services Committee approved a list of 23 routes for further prioritisation and as a basis of preparing management plans for those routes (Minute 10/08). Subsequently, at the June 2008 meeting of this Committee, officers agreed to bring a report to this meeting with initial recommendations on prioritised cases out of the list of 23 (Minute 10/08). These priority cases which, will be the focus for improved management action in partnership with the Highway Authority and the Local Access Forum, are shown in Annex A.
- 7 A report reviewing the Strategy will be considered by the Authority at its meeting in October 2008 (Authority Meeting Minute 92/07 and Services Committee Minute 10/08).
- 8 A report on a scrutiny review of recreation management was considered by the Authority's Audit & Performance Committee in July 2008 (see Resources section in the Appendix of this report).

## APPENDIX

### Background

- 1 The Strategy to Manage Recreational Vehicular Use of Unsurfaced Highways and Off-road Use sets out a detailed plan of action to address the issues associated with this activity. Members were given a detailed summary of progress so far in the June 2008 report to this Committee. This report provides a summary of progress to date and recommendations for prioritised future action through management plans.
- 2 **Management Plans - Progress Since June 2008**  
A list of 23 *may be unsustainable* routes was identified according to the previously published criteria contained within the Strategy, and these were reported to the Services Committee on the 7 March 2008. The Committee requested that action plans be prepared for each route on this list in consultation with the Highway Authority. To ensure that adequate progress is made in light of limited resources, this list of 23 routes has been further prioritised into a final list of priorities and dealt with in order of importance.
- 3 It is intended that management plans are investigated and enacted upon in three batches, to ensure that those with the highest priority receive the most urgent attention. The priority ordering is based on the results from sustainability surveys using a methodology approved by the Peak District Local Access Forum (2005) (National Park Authority Meeting Minute 92/07).
- 4 Using templates for these plans presented to Members in the June 2008 meeting of this Committee, management plans are therefore now being prepared for the first eight of the 23 priority routes. These routes are shown in Annex A. The management plan template is shown in Annex B.
- 5 In particular, work has concentrated on gaining the support and collaboration of the Highway Authority, Derbyshire Police and the Local Access Forum (LAF) to complete the plans. It is essential that the management plans for the routes take advantage of shared expertise from a number of stakeholders in order to achieve the most effective results.
- 6 All proposed works require prior approval and resources from Derbyshire County Council as the relevant Highway Authority. They have been asked to contribute their expertise in engineering terms and historical maintenance.
- 7 Regular meetings continue to take place with officers of the County Council in order to provide a clear plan based on factual evidence and respective responsibilities. This approach ensures that if legal or enforcement actions are required, then the process and reasoning are transparent and consistent.
- 8 The Local Access Forum has set up a sub-group to work with both the Peak District National Park Authority and Derbyshire County Council looking at the first eight higher priority routes. The LAF sub-group has been asked to prepare written assessments and recommendations for management of the route, and thus provide a valuable 'independent' input into the management plans.
- 9 Additionally, this collaborative approach is currently working well at a number of illegal-use sites where management plans have been successfully drawn up (summarised in the June 2008 report to this Committee).

10 In addition to our external partnership working, the Authority's Ecologists have been asked to assess the importance of the route and its affected vicinity in ecological terms. This will give an objective contribution towards the priority of any actions proposed, and inform any decisions on practical works. Further input will be requested from Rangers, Cultural Heritage team and Landscape Architects as the plans progress. We expect to receive reports from these contributors by the end of October 2008 such that the management plans can be completed in November.

11 **Traffic Regulation Orders – The Authority's Policy and Procedure**

In terms of management plans and the specific issue of Traffic Regulation Orders (TROs), the Authority's Policy states that: 'a guiding principle is that the Authority will work in partnership to involve recreational users, landowners, community groups, highways authorities and the police. Each route will be treated individually on a case-by-case basis'.

12 'Once the priorities are established, the Authority will be working closely with the Highway Authorities to determine appropriate management actions. Management options that will be explored may include physical improvements, voluntary restraint by vehicular users, permit systems or, a prohibition through the TRO powers'. The Policy also states that:

- In the case of a sub-standard route surface, the Highway Authority shall be responsible for considering the need for a TRO
- Where issues of safety exist, these should be dealt with by the Highway Authority acting in cooperation with the local police. If a TRO is considered appropriate then the Highway Authority will be responsible for it
- Where conservation or heritage issues are affected, the National Park Authority may consider the making of a TRO as one of the management tools available to address those issues
- The Peak District National Park Authority reserves the right to make TROs where we feel appropriate and notwithstanding the conditions set out above
- When TROs are made, the Authority will involve all relevant parties in explaining exactly why it is making such an Order

**Resources**

13 Within existing resources progress will be made, as far as possible, towards the Strategy Actions and management plans for the eight higher priority routes. This will be alongside other rights of way work.

14 A report on a scrutiny review of recreation management was considered by the Authority's Audit & Performance Committee in July 2008. In the Management Team response to that report more analysis will be given on the historic and planned trends on expenditure on Rights of Way and Access (including the implementation of the Countryside and Rights of Way Act) to help to inform any future view on resources. Resources had also been discussed at previous meetings of the Services Committee and members will have an opportunity to consider any resourcing issues in context of other priorities and as part of the longer term financial planning process during September – November 2008.

### **Risk Management**

- 15 The Policy and Procedure on making Traffic Regulation Orders sets out clearly the steps that must be followed where a TRO is deemed as being the only way to resolving a problem. This is important in relation to the risk of High Court action, and public inquiry over unresolved objections.
- 16 The Strategy provides a framework for prioritising and managing recreational vehicular use of unsurfaced highways and address off road use by the Authority with its partners.

### **Human Rights, Equalities, Health & Safety**

- 17 The rights of legitimate users, landowners and the health and safety of users are considered in the Strategy and Policy.

### **Consultees**

- 18 Internally with: Management Team, Head of Law, Head of Environment, Head of Heritage & Conservation, Head of Communications and the Member representative for Sport and Recreation.
- 19 Externally with: the Peak District Local Access Forum, Derbyshire County Council-Environment Department, Derbyshire Constabulary.
- 20 Meetings have taken place between officers of this Authority and representatives of vehicle user groups and the Ramblers' Association.

### **Enclosures**

- 21 Annex A – List of 23 priority routes (showing 8 'higher priority' routes).  
Annex B –Management plan template for the eight 'higher priority' routes.

### **List of Background Papers** (not previously published)

- 22 None

### **Report Author**

- 23 Mike Rhodes – Access and Rights of Way Manager

### **Publication date**

- 24 4 September 2008