

## PEAK DISTRICT NATIONAL PARK AUTHORITY

### STRATEGY FOR THE MANAGEMENT OF RECREATIONAL MOTORISED VEHICLES IN THEIR USE OF UNSEALED HIGHWAYS AND OFF-ROAD.

#### Context

The Peak District National Park Authority was established under the National Parks and Access to the Countryside Act 1949, as amended by the Environment Act 1995, to deliver two specific purposes; the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the National Park (often referred to as its special qualities), and the promotion of opportunities for the understanding and enjoyment of the special qualities of National Parks by the public. In addition, whilst delivering those two purposes, the National Park Authority, has a duty to seek to foster the economic and social well-being of local communities within the National Parks.

On 1 October 2007, under the terms of Section 72 of The Natural Environment & Rural Communities Act 2006, National Park Authorities 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 introduced to control excessive or inappropriate use of mechanically propelled vehicles away from the ordinary roads network”

The National Park Recreation Strategy (2011) states *“that by 2020, the Peak District will be a welcoming place, providing good access for all and quality facilities. Everyone will have the opportunity to enjoy and benefit from healthy outdoor experiences, contribute to the local economy and become more aware of the special qualities of the National Park. There will be a network of public transport routes linked to popular sites and any conflicts between recreation, residents and the management of the environment will be addressed. More people will have better information, a greater choice of activities, and more sustainable ways of enjoying them. The National Park will thrive because more people will both enjoy and care for it”*.

Primarily an upland area, the Peak District National Park includes a diverse range of landscapes, including open moorland and blanket bog, limestone plateau and wooded dales, with over a third of the Park covered by nature conservation designations. At the same time, because of its geographic position at the heart of the nation, the National Park is easily accessible and attracts millions of visitors from the surrounding urban areas and beyond who come to the Peak District to enjoy a range of outdoor leisure pursuits. The Park offers valuable opportunities for escape, adventure and enjoyment, but in welcoming a wide variety of users the Authority cannot allow those same activities to damage, or threaten to damage, the fabric and/or the special qualities of the National Park which the Authority is charged to protect. It also has to be mindful of the needs and interests of the resident population who live and work in the National Park.

We recognise that the Peak District’s unsealed highways have become a popular destination for motorised recreational vehicular users. These routes are not merely a means of accessing the special qualities of the Park but also a valued part of those special qualities relating to their cultural heritage, landscape importance and associated historic features. We will manage motorised recreation away from the ordinary roads network in the context of the National Park’s valued characteristics, so that legitimate users can enjoy the area without damaging the landscape or other people’s enjoyment of it. While heeding the views of motor vehicle user groups we must also listen carefully to local communities and other recreational users who assert their expectation to quietly enjoy the National Park. The Authority will seek consensus-based solutions to conflicts between different interest groups, but where this is not possible we must be prepared to fulfil our statutory obligations and protect the special qualities of the Park. This includes the power to make Traffic Regulation

Orders (TROs), conferred on National Parks under the Natural Environment and Rural Communities Act (2006).

This document builds on the previous strategy (2008-11) and sets out how the Authority intends to use these powers, where needed, to achieve our statutory purposes. The Strategy sets out how we will manage the impact on the Park's special qualities of vehicle use, either on unsealed highways or off-road, and the action we will take to protect the special qualities of the Park, including its enjoyment by all users. The Strategy is accompanied by a Procedure for making TROs.

This strategy results from a review of our previous strategy on this matter in the face of strong representations from many quarters. The Authority has taken note of the wide range of views but has been clear that it must remain balanced in its approach, mindful of the legitimate interests of different groups, and guided by its commitment to its statutory purposes and duty. We have also ensured that in redrafting our strategy we take full note of the guidance provided by the Department for the Environment, Food and Rural Affairs to National Park Authorities on making TROs.

### **Aims of this Strategy**

We will work in accordance with our 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 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 following section.

### **Key Principles**

The following principles will be applied to our work and action plans as we implement the aims for this strategy, set out above.

#### **1. We will work to conserve the special qualities of the National Park**

In keeping with our commitment to delivering our statutory purposes and by taking the lead where necessary, our work in this area will address the adverse impacts of vehicular use of unsealed highways on the special qualities of the National Park. We aim to optimise opportunities for understanding and enjoyment of those special qualities.

We have set out in the Core Strategy of our Local Development Framework, a list of the special characteristics of the Peak District National Park and will use them for our work in this area. These are:

- The natural beauty, natural heritage, landscape character and diversity of landscapes
- A sense of wildness and remoteness
- Clean earth, air and water
- The importance of wildlife and the area's unique biodiversity
- Thousands of years of human influence which can be traced through the landscape
- The distinctive character of hamlets, villages and towns
- Trees, woodlands, hedgerows, stone walls, field barns and other landscape features
- Significant geological features
- The wealth of historic buildings, and registered parks and gardens
- Opportunities to experience tranquility and quiet enjoyment
- Opportunities to experience dark skies
- Opportunities for outdoor recreation and adventure

- Opportunities to improve physical and emotional well being
- The easy accessibility for visitors from surrounding urban areas
- The vibrancy and sense of community of rural settlements
- The cultural heritage of history, archaeology, customs, traditions, legends, arts and literary associations
- Environmentally friendly methods of farming and working the land
- Craft and cottage industries
- The special value attached to the national park by surrounding urban communities
- The flow of landscape character across and beyond the National Park boundary providing a continuity of landscape and valued setting for the National Park
- Any other feature or attribute which make up its special quality and sense of place

As a National Park Authority, our responsibility to conserve those special characteristics is not limited to the physical characteristics of the Park. It also includes qualities, such as wildness, remoteness and opportunities to experience tranquillity and quiet enjoyment, particularly within those areas mapped as the Natural Zone within the Local Development Framework. We will apply these special qualities in implementing our powers in respect of recreational vehicle management. In the event of impacts on the special qualities of the National Park we will consider the use of TROs where appropriate

## **2. We will promote opportunities for everyone to understand and enjoy these special qualities in a responsible way**

In accordance with our second statutory National Park purpose we will promote opportunities for the understanding and enjoyment of The National Park's special qualities by the full range of users. We will encourage responsible use by all users to reduce impact on the National Parks' special qualities and all those who enjoy them.

In doing so, we will adhere to the 'Sandford Principle', incorporated into the Environment Act 1995 (Section 62), which states that: 'If it appears that there is a conflict between those purposes, (the National Park Authority) shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.'

Where appropriate, this will include considering the use of TROs under the Road Traffic Regulation Act 1984 Sections 22BB and 22BC and The National Park Authorities' Traffic Orders (procedure) (England) Regulations 2007.

## **3. We will seek to foster the socio-economic well being of local communities**

The National Park Authority will listen to local communities about the impact of recreational motor vehicle activity on their community well-being and seek solutions where we reasonably can, including partnership initiatives or independent interventions, to address damaging, negative impacts.

## **4. We will assist, where possible, in clarifying the legal status of routes**

The National Park Authority will co-operate with Highway Authorities to establish the evidence for the legal status of unsealed routes. Where motorised vehicular rights exist we will work with partners to ensure that such routes are signed, pro-actively managed and widely recognised by all interested parties including, where there are reasons for doing so, considering the use of regulation by Orders. Where no vehicular rights exist, we will work with the Highway Authorities, police and user groups to ensure the routes are clearly signed and recognised.

## **5. We will work with all relevant parties in minimising damage and disturbance**

The National Park Authority recognises the rights of responsible recreational motor vehicle users on legal and sustainable routes and will promote a spirit of co-operation with all user groups to try to minimise damage and disturbance, encourage voluntary action and to develop park-wide voluntary codes of conduct.

#### **6. We will work with partners in addressing illegal use**

Illegal motor vehicle activity within the National Park is unacceptable and the Authority will assist the police, in so far as we reasonably can, in preventing this type of disturbance and anti-social behaviour, and in collecting evidence of such activity for potential prosecutions.

#### **7. We will work closely with Highway Authorities and understand each other's roles**

The National Park Authority will support Highway Authorities in carrying out their duties in connection with the maintenance of routes but we will not normally consider making a TRO ourselves solely as a result of such duties having not been carried out. However, we will support a Highway Authority where the grounds for making a TRO are intended to prevent damage to a highway.

Where issues of safety exist, these should be dealt with by the Highway Authority acting in co-operation with the police with the National Park Authority providing any support we reasonably can,. Where the National Park Authority considers a TRO to be appropriate on other grounds, safety reasons may be an additional consideration'

Where problem routes cross Highway Authority boundaries and it seems sensible to each of the parties concerned that the National Park Authority should promote a TRO, then, notwithstanding the reason for the Order, the National Park Authority may do so.

#### **8. We will consult and communicate as widely as possible**

The National Park Authority recognises the importance of communicating effectively with interested parties and especially with local communities, about progress in effectively managing the use, by recreational motor vehicles, of un-surfaced highways, and of addressing illegal off-road activity. We will continue to devote an area of our website to the latest information relating to un-surfaced highway use. We will improve the circulation of our regular publication, 'Staying on the Right Track', to ensure it reaches all parish councils, all Authority members, relevant elected members and officers of other local authorities, and other interested parties.

As a matter of course the Authority will work with partners and consult widely on potential solutions to recreational motor vehicle problems, recognising the Local Access Forum as an important, but not the sole, channel for hearing the voices of local communities and user groups. Where the Authority's officers consider there is a *prima facie* case for making a TRO they will consult the Local Access Forum

#### **9. We will define our actions and measure progress**

Our proposals for implementing this strategy will be set out at any one time in an up to date action plan appended to the strategy. This will be progressively implemented across the whole of the National Park and will, as far as possible, be timetabled and measurable, so that progress can be effectively monitored by officers, Authority members and the general public.