

# GLEAM



Green Lanes Environmental Action Movement  
Patron: HRH The Duke of Edinburgh KG KT

[www.gleam-uk.org](http://www.gleam-uk.org)

A newsletter for those interested in protecting ancient ways from the ravages of recreational motor vehicles.

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## **Government response to Select Committee report and MVSWG**

*By Patricia Stubbs*

The Motor Vehicle Stakeholder Working Group (MVSWG) continues to limp along without reaching any agreement on any of the issues it is charged with considering. These are traffic regulation orders, repairs and maintenance, illegal and inappropriate use, and the status of green lanes which are unsealed unclassified roads. It has now been suspended until at least Spring or Summer 2019. Meanwhile Defra will consult the highway and national park authorities on how best to implement the recommendations for reforming the traffic regulation order (TRO) process made by the House of Lords Select Committee, in its review of the Natural Environment and Rural Communities Act 2006. The Select Committee wanted TROs to be used 'more widely and more flexibly to address some of the evident ongoing problems on green lanes'. This was to be 'the first step in any new approach'. The Select Committee said that the Government should secure 'better value, greater flexibility and applicability in the use of TROs to manage problems resulting from "green-laning"'. The House of Lords debated the Select Committee's report at the beginning of July. In this debate Lord Gardiner of Kimble, the Rural Affairs Minister, said that the Government wants 'to ensure that green lanes are suitable for purpose and can be used by ever more people'. We hope this means that the Government has realised that the purpose of green lanes is not to provide a playground for off-roaders. Off-roaders' activities deter walkers, horse riders, cyclists, carriage-drivers and the disabled. Instead, green lanes should provide safe and tranquil access to the countryside for non-motorised users.

## **Blubberhouses Moor, Nidderdale Area of Outstanding Natural Beauty**

*By Michael Bartholomew*

Blubberhouses Moor is vast - roughly 15 square miles of heather and blanket bog. Much of it is a SSSI. It is criss-crossed by around 24 kms of unsealed unclassified roads (UURs), distributed across the moor in a pattern that makes no sense. The UURs are not marked on the ground at all: they are indistinguishable from the moorland itself. They are no

## **GLEAM** – *Working to protect peaceful and quiet enjoyment of the countryside*

more than inscrutable lines on the map. From around the year 2000, vehicle users, believing that they have a right to drive and ride along UURs, started to use the moor in significant numbers. Because the routes are unmarked on the ground, it was impossible for vehicle users to keep to the mapped lines. In any case, many of them – especially motorcyclists – were unconcerned about the exact line of the UURs, and rode indiscriminately across the moor, seeking the excitement of its steeper sections, and inflicting severe damage on the moor's fragile fabric.

In 2004, and in response to complaints about the damage - and the noise - that vehicles were inflicting, North Yorkshire County Council (NYCC) convened a working group, composed of all those who had an interest in the moor, and charged it to make recommendations about its management. The group included representatives of English Nature (as Natural England was then known) and representatives of 4x4 and motorcycle groups. In a conclusion that is, as far as I know, without precedent, the group unanimously agreed to recommend a permanent, zonal, TRO on the entire network of UURs. What made the conclusion so powerful was the support given by the representatives of the Trail Riders Fellowship (TRF) and of the Motoring Organisations' Land Access and Recreation Association (LARA). In the light both of compelling evidence of damage, presented by English Nature, and of their own observations of the lack of visible tracks on the moor, vehicle users agreed that Blubberhouses Moor is entirely unsuitable for use by recreational motors. Credit is due to the TRF and LARA for their support for the TRO. NYCC imposed the zonal TRO in 2005, and in the years that followed, the moor slowly but steadily recovered. By and large, vehicle users respected the TRO.

Then, ten years into what was supposed to be a permanent TRO, things started to go wrong. The order came up for review, and although the conditions that necessitated the TRO were unchanged, NYCC lackadaisically let the order lapse. Under pressure, they were persuaded hastily to impose a temporary, 18 month, TRO, and a successor temporary order. But NYCC are resisting calls for the re-imposition of the original permanent, zonal TRO, on grounds of lack of money for the consultation and legal expenses that would be needed.

Opportunist motorbike and 4x4 users are now beginning to nose out onto the moor again, seemingly ignorant of – or maybe hostile to – the recommendations made 14 years ago by LARA and the TRF. There is nothing now in place to prevent the moor reverting to the shameful condition it was in, back in 2004. The moral of the story is this. The recommendations of a well-informed working group, under the direction of an excellent highways officer (now retired), are not powerful enough to protect a precious moor, when, 14 years later, NYCC's Highways Department is concentrating its efforts on the tarmacadamed road network, and is indifferent to the fate of the green lanes that it is also supposed to manage.

## Other green lanes which need protecting

By Diana Mallinson

### Green lanes in sites of special scientific interest

GLEAM has recently used the opportunity of a consultation by Natural England to look at recreational motor vehicle damage to sites of special scientific interest (SSSIs). Many green lanes run through SSSIs in England and Wales; one SSSI, in Lincolnshire, is itself a green lane. It is illegal to damage or disturb the wildlife or geological features which make SSSIs of special scientific interest, but enforcement of this legislation requires that Natural England is able to identify the person doing the damage. It was the difficulty of identifying those who damaged the special wildlife features of Blubberhouses Moor which led Natural England to propose the zonal traffic regulation order (TRO) described in Michael Bartholomew's article above.

Natural England's recent consultation was about it making byelaws e.g. to prohibit or restrict access to SSSIs by vehicles. But it cannot make byelaws which restrict the use of public rights of way, so these would only be effective where the damage or disturbance was to features off the right of way, not where the features were on the right of way. GLEAM therefore thinks, in cases of motor vehicle damage to the special interest features of SSSIs, where byelaws or the other regulatory measures available are not feasible or not appropriate, that Natural England (and Natural Resources Wales, its counterpart in Wales) should be encouraging highway and national park authorities to use TROs to prevent such damage.

The photos below (taken in January 2017) show damage to the special features, the vegetation and peat, of the Berwyn SSSI, in north-east Wales, by recreational motor vehicle use of a green lane, the Wayfarer (Bwlch Llandrillo).



Erosion to the lane has exposed over 3 feet of peat, which will affect the water table and hence its special interest.



Ruts in the vegetation and peat where motorbikers have driven off the route to avoid the sunken, flooded, section to the left.

Our response to the Natural England consultation included twelve examples of SSSIs in England which have been or are being damaged by motor vehicle use of green lanes.

### **Green lanes near Stonehenge World Heritage Site, Wiltshire**

Fritz Groothues wrote about the campaign to save two green lanes in the Lake District, which has recently become a World Heritage Site, in the Spring 2018 Newsletter. There has also been concern about motor vehicle use of two green lanes, which run very close to Stonehenge, which is a World Heritage Site because of its archaeological and historic importance.

Wiltshire Council is required, under the management plan for Stonehenge World Heritage Site, to implement measures to reduce the negative impact of roads and motor vehicle traffic at the site, and to encourage exploration of the site on foot. It has done this by making a traffic regulation order (TRO) on a section of the A344 near Stonehenge and is now working with Highways England on plans to divert the A303 to a tunnel away from Stonehenge, and to convert the old line of the A303 into a public right of way for non-motorised users. It also proposed TROs for the green lanes which run very close to Stonehenge, but did not make them, following a public inquiry in 2011. The Inspector who held the public inquiry considered that the impact of noise and visual intrusion from motor vehicles on the green lanes was outweighed by traffic on the A303. But that consideration will no longer apply when the A303 is diverted. He was also concerned that agricultural vehicles were as likely to damage archaeological features crossed by the green lanes as were recreational vehicles.

In July this year Wiltshire Council made an experimental TRO on these green lanes on the grounds of avoiding danger, preventing damage, preventing use which is unsuitable having regard to the character of the lanes and improving the amenities of the area. This experimental TRO lasts for 18 months and a consultation on whether it should be made permanent or not runs for the first 6 months, i.e. until 12 January 2019. We think that the reasons why the Inspector rejected the previous TRO proposals in 2011 are no longer applicable. Noise and intrusion due to the A303 will no longer apply when it is diverted by Highways England. Farmers have agreed not to use the green lanes to access their fields, so their vehicles will not pose a risk to the archaeology crossed by the green lanes. Wiltshire Council considers that the experimental TRO will make non-motorised use of the green lanes safer and more pleasant.

GLEAM asks its members to write to Wiltshire Council to make a representation in support of the experimental TRO being made permanent, including your reasons for your support. The consultation documents and details of how to comment are at <http://www.wiltshire.gov.uk/troconsultations/troconsultationvariousbywaysandfootpath.htm>.

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