GLEAM

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

A NEWSLETTER for those interested in protecting ancient ways from the ravages of use by motorised recreational vehicles.
SPRING 2005

Ministerial Muddles - The Battle Continues ....

As this Newsletter is going to press, GLEAM is in the middle of a mass of unfinished business, where the scene changes almost daily. It will merely be an update of what has happened in the last six months, and what we are working on at the moment. We have certainly not reached the end of the road.

Members will recall that in our Spring 2004 Newsletter we described at length the DEFRA Consultation Document *Use of mechanically propelled vehicles on Rights of Way*, and GLEAM s response to it. In his Foreword to this document Alun Michael made the admirable statement: *I do not think that it makes sense that historic evidence of use by horse drawn vehicles or dedications for vehicular use at a time before the internal combustion engine existed can give rise to rights to use modern mechanically propelled vehicles. Those who suffer from vehicle misuse find this incomprehensible . Our policy aim is to ensure that any historic evidence or use dating from a time when it could not have been envisaged that the way would be used by the sort of mechanically propelled vehicles we have today, should only enable that way to be recorded as a right of way for vehicles that are <u>not</u> mechanically propelled. We believe the new category of restricted byway provides this opportunity.*

Admirable though this statement was, and although the Consultation Document proposed legislation to this effect, the proposals were fatally flawed in two main respects:

1. The one-year period of grace .
The Document proposed that there should be a one-year period of grace from the commencement of new legislation to the cut-off date for applications for BOAT status. Furthermore, any application made before the cut-off date would be protected from the new regime until it was determined. It is now 16 months since the publication of the Document (9 December 2003); to introduce new legislation (with a General Election imminent) and to pass it through both Houses of Parliament and be enacted will take at least a year; and applicants will have a further year after that. Hence the off-roaders will have at least three years, if not five, from the publication date to the cut-off date in which to prepare their applications. Literally thousands of applications will be submitted all over the country, a tsunami will hit local authorities, who will be overwhelmed by it. It will take them years, if not decades, to to determine all these applications, during which time the ways in question will be protected from the new regime. At the end there will probably be no green lanes left to protect. GLEAM argues that the **only** way to prevent this happening is for the cut-off date to be made retrospective to the publication date of the Consultation Document, 9 December 2003.

2. The repeal of Section 34A *Road Traffic Act 1988.*
Section 34A is an extension of s34, which created the offence of driving a motor vehicle on a footpath, bridleway, restricted byway, common land or anywhere that is not a road, an offence which dates back to 1930. The Consultation Document said that the Government had been advised that s34A was incompatible with the European Convention on Human Rights, and that they proposed to repeal it. For the history of s34A we must go back to the late 1990s and the notorious *Grimsall Lane* case in Derbyshire. Six trail riders were prosecuted for riding on a bridleway, to which they pleaded guilty, but were acquitted. The reason for this was that the legal definition of a bridleway is a highway over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading a horse, . . Counsel for the defence argued that it was for the prosecution to prove that there were no other, no higher, no vehicular rights of way. Of course, it could not be proved that vehicles had **never** used the way, which would have been to prove a negative, which is impossible. Hence the offenders had to be acquitted.

This loophole needed to be closed in the*Countryside and Rights of Way Bill* in 2000. By the time this Bill had passed from the Commons to the Lords, the Government had not properly addressed this issue, but undertook to think about it . The Government knew that GLEAM s supporters in the Lords had an amendment which would have defeated the Government (but would have worked). At the last minute the Government, after intense pressure from GLEAM and a meeting with Lord Whitty, introduced their own amendment in place of GLEAM s. This became s34A, which said that the only drivers who could put forward a defence that public vehicular rights exist on a way shown on the Definitive Map as having lesser rights were broadly those with an interest in the land in question.

The Government was advised that this was incompatible with the European Convention on Human Rights, in that

other drivers who were prosecuted for infringing s34 would be presumed guilty, without any opportunity to prove their innocence; i.e. s34A created an irrebuttable presumption . The Government therefore proposed to repeal s34A. If nothing is put in its place, the consequence of this will be that anyone can drive down a footpath, bridleway or restricted byway, and, if apprehended, say that they have *prima facie* evidence that vehicular rights exist. Prosecutions will be in a magistrates court; but magistrates do not have the jurisdiction, training or competence to decide what rights exist on any particular way; this is properly done by a trained inspector at a public inquiry. Also, if the magistrates were to decide, their decision would not be a matter of record anyway, and would have to be made all over again if the offence was repeated in the future. Hence s34 would become unworkable.

GLEAM argues that it is **not** an infringement of Human Rights where the facilities exist for would-be users to prove that there are vehicular rights (as they exist under s53 *Wildlife and Countryside Act 1981*), and to get the record corrected if they can, **before** they use the way in question. Alternatively, the Government could replace s34A with GLEAM s original amendment. This was to make it an absolute offence to drive a mechanically propelled vehicle on a way shown on the Definitive Map as a footpath, bridleway or restricted byway, until such time as the Definitive Map is changed by process of s53.

The *Bakewell* case.

In the Autumn 2004 Newsletter we described how the House of Lords judgement in the case of *Bakewell Management Ltd v Brandwood* established that unlawful driving across a common would generate prescriptive rights of access, where such use is capable of being made lawful by the owner and causes no public nuisance. By association, motor vehicular use of a footpath, bridleway or restricted byway in contravention of s34 now counts towards accrued use for the purpose of dedication as a BOAT. This undid much of the principle of s34, which has applied since 1930. It also largely undermined both the Consultation Document and our response, necessitating a supplementary response. GLEAM has urged DEFRA to bring forward legislation to reverse the undesirable aspects of this judgement.

The House of Lords debate.

On 10 January in the House of Lords Viscount Bridgeman asked an unstarred question . This is a question asked at the end of a session, followed by a short debate with no vote at the end. The full text of this debate can be downloaded from the Internet. Lord Bridgeman asked Her Majesty s Government what is their policy with regard to the use of mechanically propelled vehicles on unsurfaced byways open to all traffic and unclassified county roads. This was followed by a 75-minute debate by Lord Bridgeman and eight other peers of all three parties and cross-benchers, before being wound up for the Government by the Parliamentary Under-Secretary of State, Lord Whitty. Lord Bridgeman and four other speakers (Baroness Scott of Needham Market, Lord Trefgarne, Lord Bradshaw and Baroness Byford) are Honorary Members, and were fully briefed by GLEAM before the debate. Three other speakers (Lord Judd, Lord Bridges and Lord Berkeley) have become Honorary Members since the debate. All nine speakers prior to to Lord Whitty were in support of our principles, with not a single opponent, and our views were faithfully relayed to the Government. I will deal with certain points from Lord Whitty s winding-up below. It is thought that this debate has greatly increased Government awareness of the problems, though it was too late to influence the DEFRA Consultation Response Document which was published a few days later.

Lord Whitty s winding-up.

In the course of winding up the debate on Lord Bridgeman s question, Lord Whitty made two remarkable statements. In the first he said:

I think that we are unlikely to be able to get away without serious challenge with anything less than a period of grace to submit claims. Of course, the claims would be under the new jurisdiction and not under the rather open-ended ability to claim that if a horse and cart passed that way in 1780, then a 4x4 can pass this year.

The second sentence is in direct contradiction of what the Government is saying. Whether it was an accidental slip or a political smokescreen doesn t matter. The fact is that the House of Lords was seriously misled in the course of the debate.

Lord Whitty s second statement concerned the surge of applications for BOAT status. In a letter in March 2004 to our Honorary Adviser Graham Plumbe, through his MP James Arbuthnot, Alun Michael had said:

I agree that, if we are to allow a one-year period for claims for motor vehicular rights to be made on the existing basis, there will be a resulting surge in applications, and I will look at this point further when I see the responses to the consultation.

Then in his winding up Lord Whitty said:

There has been a surge in a few areas, but in general there has not been a surge of claims.

These statements are hardly consistent, and Lord Whitty does not seem to be aware of what is happening all over the country.

The Government s framework for action.

On 21 January DEFRA published their Response Document to their Consultation of over a year earlier, titled *The Governments framework for action*. There were three main points to come out of this, one good and two bad. Firstly, the Government propose to legislate to reverse certain aspects of the *Bakewell* judgement, and to prevent the creation of public rights based on illegal use of mechanically propelled vehicles since 1930. Secondly, there appears to be no intention to remove the one-year period of grace to the cut-off date for BOAT applications, still less to make it retrospective. Thirdly, it also appears that the Government still intend to repeal s34A. It is to fight these last two points that GLEAM s campaign is now gathering force.

GLEAM s letters to Ministers.

To resolve these questions, we wrote separate letters under the *Freedom of Information Act 2000* to Alun Michael and to Lord Whitty. Firstly we wrote to Alun Michael asking for a copy of the legal advice whereby the Government was advised of the incompatibility of s34A with the European Convention on Human Rights. DEFRA first replied on the Minister s behalf extending the statutory 20 working days for reply to 40. We have now heard from

DEFRA that they are **withholding** this information, as it is exempt information under s35 (formulation of Government policy) and s42 (legal professional privilege) of the Act. Having introduced the *Freedom of Information Act*, it seems that this Act now means whatever the Government chooses it to mean.

Secondly we wrote to Lord Whitty asking the basis of the information surrounding his statement that there had not been a surge of claims. We have received a reply to this, not from Lord Whitty, but from Alun Michael as the Minister responsible. With his letter was a schedule of the number of outstanding BOAT applications, ascertained from a telephone survey of 41 Highway Authorities during November/December 2004. A large number of these showed a nil return, even for some of the large rural counties.

The telephone survey gave no indication as to who made the calls, who answered them, what questions were asked, or whether any research was undertaken before replies were given. In particular, there is no means whereby a judgment can be made as to whether or not a surge is taking place; a simple statement of outstanding applications says nothing. The poverty of this as a basis for making a statement to the House of Lords is highlighted by the fact that Hampshire County Council maintains a detailed claims list on its website. Alun Michael s list records nil outstanding BOAT applications, but Hampshire s web shows 14 awaiting investigation as at 20 Nov 2004. The updating of the web list at 1 March records 75 outstanding claims, of which 37 are BOAT applications awaiting investigation, plus the 7 or more being processed — total at least 44. On top of that, landowners in Hampshire have been notified by motorists of a further substantial number of applications being prepared. Hampshire have been finalising claims (of all sorts) at the rate of about six a year, so it looks as if it will take some 15-20 years before the present backlog is cleared. In the meantime it is not clear from Lord Whitty s statement as to whether or not these applications will be protected from the new regime.

GLEAM s BOAT applications survey.

In order to refute Lord Whitty s statement that *there has not been a surge of claims* it is vital to have hard factual statistical evidence, and not anecdotal evidence. GLEAM is therefore carrying out a survey of all 102 County and Unitary Councils in England and Wales as to the applications for BOAT status that they have received and expect to receive. We have asked how many outstanding applications they have on file, how many of these were received since 9 December 2003, how many more they expect to receive before the cut-off date, and the annual average number each of applications for BOATs, bridleways and footpaths that they have determined over the last five years. At the time of writing we have received 93 substantive replies out of 98 acknowledgements. The answers bear no relation to the schedule received from Alun Michael.

Many of the smaller urban Unitary Councils gave nil or near-nil replies, which is not surprising. However, for the larger and more rural Councils the picture is very different. Unfortunately, 30 Councils (perhaps understandably) declined to estimate the number of further applications that they will receive before the cut-off date, as there are too many variable factors involved. For these Councils it is therefore not possible to calculate how many years it will take them to clear their backlog. However, 19 of the larger rural Councils did make an estimate, and for these the calculated time that they will take to clear their backlog ranges from 4 years to 90 years. From the number of applications received since 9 December 2003, the increase in the annual rate of applications received since the publication of the Consultation Document ranges from nil to 46 times. From these figures it is clear that a tsunami of BOAT applications is building up, but has not yet fully struck.

The Government has its head in the sand in all this, and it is obvious that the surge is still in its infancy. If the Government does not wake up and change its present course, the consequences will be firstly an Act that is completely empty as to achieving a laudable goal; and secondly a far worse problem than existed before its advent, as a result of every track in sight being made the subject of an exempted application.

David Gardiner

Curiouser and Curiouser...

A correspondent writes:-

Re the much discussed Consultation Document from Defra Use of Mechanically Propelled Motor Vehicles on Rights of Way . *The government now seeks to change the burden of proof when a motor vehicle driver is accused of illegally driving on right of way. At present accused drivers/motor cyclists have to prove that they have a legal right to use that particular RoW - that it is indeed a byway open to all traffic. But, astonishingly, the government is now saying that this infringes their human rights! The argument is that that the presumption must be that they are innocent, and that it is for the prosecution to prove that they are guilty. How come, then, that the same logic is not applied if any of us were to be caught speeding or driving the wrong way down a one-way street?*

The Environment doesn't count on Green Lanes!

In the Order Decision by the Inspector at the Public Inquiry (22nd June 2004) hearing the appeal against the upgrading by Wiltshire County Council from a bridleway to a byway open to all traffic, the Inspector, Mr. Barney Grimshaw, in upholding the appeal, said (para.31):

A number of other matters were raised by objectors, which included:

- safety issues;
- the environmental impact of vehicular use;
- lack of need for an additional vehicular route;
- likelihood that vehicles will damage the route and make it difficult for walkers and horse riders;
- Wiltshire s Quiet Lanes policy;
- Potential nuisance to residents of nearby properties;
- Steepness and general unsuitability of the route for vehicular traffic.

I understand these concerns but because they are outside the criteria set out in the 1981 [Wildlife & Countryside] Act, *I have not given them any weight in reaching my decision*.

The Inspector was quite right. An Act purporting to facilitate and enhance people s enjoyment of the countryside backfired. No one seemingly dreamed that off-roading would become a sport detrimental to others and the environment, and that despite a couple of attempts to undo the damage of this and other age-old pieces of legislation, it has so far already taken years of pressure to clear green lanes of the off-roading menace.

The Report deals with complex legal matters, but the crux of the matter seems to be that the 1968 Act does specifically refer to the extinguishment of vehicular rights in para. 10(c) and it can be argued that reclassification of a RUPP as a bridleway would be pointless if vehicular rights were not extinguished at the same time.

Wiltshire County Council has not lodged an Appeal against the Order Decision. Local protesters who had fought a long, hard battle against the upgrading of the bridleway have been successful and are heaving sighs of relief.

Or does it? What about TROs?

On July 13th 2004 Alun Michael, the minister responsible for Rights of Way wrote to the Allen Valleys Action Group in Northumberland informing them, inter alia,

It is not widely appreciated that the current legislative provision does not preclude the making of a traffic regulation order where vehicular rights are not currently acknowledged to exist. A traffic regulation order can therefore be pre-emptive and put in place prior to the confirmation of a definitive map modification order where satisfactory evidence can be provided.

It appears therefore that 1. Pre-emptive TROs are legal and

2. TROs for **conservation purposes** can be pre-emptive.

On this point, campaigners in Hampshire were given authoritative advice by the Rights of Way Policy Officer at Defra, Ruth Howard.

Section 1 of the Road Traffic Regulation Act 1984 deals with restriction of traffic on rights of way.

1) The traffic authority for a road outside Greater London may make an order under this section (referred to in the Act as a traffic regulation order) where it appears to the authority making the order that it is expedient to make it-

(a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or

(b) for preventing damage to the road or any building on or near the road, or
(c) for facilitating the passage on any road or any other road of any class of traffic (including pedestrians), or
(d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
(e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for persons on horse-back or on foot, or
(f) for preserving or improving the amenities of the area through which the road runs.

Why Do People Join GLEAM?

Nearly twenty people in Derbyshire joined GLEAM recently. Here are some of the remarks they made and their reasons for joining.

> We are riders and have serious worries about meeting scramblers [on powerful motorbikes] on the bridleways. I can t let the girls ride by themselves.
>
> RUPP 55 near my house has been ruined by 4x4s and motorbikes - no longer able to walk it.
>
> Local bridleways either unusable - full of ruts - or dangerous because of bikes.
>
> An application has been made for use of a footpath as a track for vehicles [BOAT].
>
> Motorbikes and 4x4s are creating noise and general disturbance. A danger for everyone in the countryside.

And others from Hampshire

I try to keep fit at the weekends by running. In the village where I live I have found it increasingly difficult to do this because 4x4 vehicles have made some of the routes which I use to walk and run virtually impassable (Mark Oaten, MP for Winchester and GLEAM member)

The South Down Way is supposed to be one of the country s heritage national trails, and I cannot understand why this persistent use by trail bikes is allowed. Not only are these bikes environmentally unfriendly and damaging to the landscape, they are also a nuisance in terms of noise, and a severe danger to walkers, people on horseback, etc. I have now got to the point where I do not let my children go for a walk along this route by themselves, and dogs have to be kept on leads. A number of walkers have commented that they are put off from using this route because of the proliferation of trail bikes.

Dame Miriam Rothschild (1908 - 2005)
GLEAM's first Honorary Member.

Dame Miriam Rothschild, who died recently, was a most eminent scientist and, from all accounts, also fitted the stereotype of eccentric genius perfectly. Her entomological work, particularly on fleas, is known worldwide. But she also had an abiding interest and concern for environmental matters and helped all sorts of causes. Her obituary appeared in newspapers and publications all over the world.

Almost ten years ago, when GLEAM had only just been launched, there was off-roader trouble not far from Dame Miriam s home in the Ashton Wold area in Northamptonshire. She had heard about GLEAM and sent a donation. It was decided to ask her to become our first honorary member, to which she agreed. Despite her still busy life, she occasionally sent complimentary notes on GLEAM s work and progress, for which the Committee were most grateful.

GLEAM is very proud to have had Dame Miriam s interest and support. We report her death, albeit at a great age, with sadness.

Actions Speak Louder Than Words

(or the worse they get, the better .)
writes Andrew Overton from Doncaster

A Lane in Sykehouse near Doncaster

The Sykes and Fishlake areas lie on the north-eastern edge of the Doncaster area. The rights of way there include a great number of green lanes over which only the right of way on foot currently exists. There is a certain amount of dispute as to the designation of these lanes as footpaths, and it certainly seems likely that they were wrongly recorded when the definitive map was produced. Enclosure and parish records are pointing towards the fact that many of the routes are, in fact, public roads (RUPPs). However, at the present time, although claims for higher rights are being progressed, the only class of user entitled to use them is the pedestrian.

The decision by the government so far not to implement Section 34A of the CRoW Act 2000 has had repercussions in this area. Off-roaders are increasingly targeting the green lanes for visits, often travelling all over the north of England in convoys, confident in the knowledge that prosecution is unlikely due to the evidence that higher rights exist under present law. Doncaster MBC is in the difficult position that the only surface that can currently be justified is one suitable for pedestrians and occasional farm traffic, but this surface is being destroyed by illegal activity. Provision of a surface resistant to 4x4 traffic could be seen as an encouragement to use and certainly a great expense hard to justify. Repairs are pointless without measures to prevent further damage being introduced at the same time. Meanwhile, as can be seen from the photographs, the lanes are virtually impassable on foot, and **the worse they get, the more the off-roaders flock to the area**. Landowners face long detours to gain access to their fields, as the lanes are too rutted and muddy to support the movement of most machinery or animals.

What we need is leadership from central government. Whilst the proposed legislation is good news, it is isn t yet law. We need to get the legislation on the statute book quickly and we need to put a stop to vehicular rights being claimed on routes which simply cannot support vehicular traffic without being altered in character to such an extent as to invalidate them as a part of our countryside heritage. The government intends to repeal Section 34A, and so only new legislation will give local authorities the confidence to proceed with repairs and improvements to green lanes such as these.

A Lane in Fishlake near Doncaster

But what the situation in my area really reveals is the lie of self-regulation which the off-road lobby are trying to peddle. Here we have lanes which are weekly being ruined by illegal use. Despite the damage, despite the fact that the Council is progressing claims for higher rights in the area which would eventually lead to vehicular status and an appropriate surface, the off-roaders cannot wait. Rather, they flock here. And the truth if the matter is, that if an appropriate surface were put down making the routes easy drive on, at considerable public expense, 90% of the present visitors would never come back. If they have so little self-control when they have yet to establish their right to be here, do they really expect us to believe that they will act with consideration for the lanes and the convenience of others once they have their right?

News from Northumberland.

Readers of GLEAM s Autumn 2004 newsletter will recall that Jack Lindsay who lives near Hexham in Northumberland wrote about the Inquiry which was held to establish the classification of a lane claimed to have BOAT status by Mr. Alan Kind of LARA, the off-roaders organisation.

To the objectors delight the Inspector found in their favour.

Reflections on the Langley BOAT Inquiry

by Jack Lindsay

The legal world is a curious place, and one of its curiosities is how incurious most people are about how curious it is. Having attended the whole of the Langley BOAT Inquiry (concerning a Modification Order confirming the adoption of a track between Blacklaw Cross, across Mohope Moor to Keirsleywell Bank as a BOAT, as reported in the local newspaper, the Hexham Courant, on 17th September 2004), I have been granted a glimpse into a universe as complementary as the one featured in Douglas Adams *The Hitchhiker s Guide to the Galaxy.* It is a self-consistent world which shares elements with normal existence, yet strays into territory which is palpably unrealistic. The Inspector s findings, and the reasons for his decision, have now been circulated to all who wrote in before the hearing, or put in an appearance during it long enough to sign the attendance sheet, so I deem it unnecessary to rehearse in detail the points he makes. In a word, the upshot was no .

This is a triumph for common sense, for an order, which allows off-roaders to try out their toys through blanket bog which at times of the year is traversable only by hovercraft, cannot be proper. Yet, reading through the meticulous commentary on each and every argument advanced by Mr. Kind on behalf of the off-roaders, it is distinctly unsettling to note how commonplace care for the environment is specifically excluded from the decision. The battleground was ancient maps and legislation centuries old. The public was deterred from participating by a veiled threat that it was possible to be landed with heavy costs if one s contribution was adjudged irrelevant. I ignored advice from several friends to withdraw, and so became the only independent Interested Party listed in the report - a wholly unsought singularity. It was a challenge when the time came to contribute something at once relevant and pertinent, as my interests centre on the environment, present and future.

Luckily, an opening was afforded by evidence given on the first day by Mrs. Sue Rogers. She described how, when researching possible upgrades for footpaths to bridleways, she encountered a very muddy patch. Using her trusty staff, she prodded the ground and found there was a reassuringly hard surface below. This piece of evidence was supposed to support an aerial photograph submitted by Mr. Kind purporting to show the medieval Carriers Way, though the location of Sue s prod was nowhere near the track under discussion.

It was serendipitous that a couple of months previously I had purchased a second-hand copy of Charles Darwin s treatise Vegetable Moulds and Earthworms . This was published not long before he died, and there is a section where he describes how he discovered a quantitative formula for the depth of soil recycled per annum by wormcasts. He relates that when he first moved to Down House (where he lived till his death) he had laid down a path with small flagstones set edgeways . Initially the gardener kept it pristine, but then his attention lapsed, the weeds and worms took over and no trace of it was left. Thirtyfour years on in 1877, he was able to dig it up, and the small flagstones, all in their proper places, were found covered by an inch of fine mould . Thus, I remarked, if there is a track as alleged, all that is needed is to dig down and, using Darwin s elegant experimental method, determine when it fell into disuse. Mrs. Rogers contribution, wrongly located and not quantitative, was scientifically irrelevant. However, I added diffidently, I was uncertain if pointing out the irrelevance of an irrelevance was itself an irrelevance; and was rewarded with the glimmer of a smile from Mr. Alan Beckett, the Inspector.

When I was asked by a friend whether I thought anything I had said impacted on the result, I replied firmly No! That honour must go to the impeccably researched presentation from Mrs. Liz Sobell. All I have attempted in this personal account is to give a flavour of what it is like for an outsider to become momentarily embroiled in an Inquiry. The flights of fancy of legal eagles are not for me.

A Message to all GLEAM members:

In this issue of the Newsletter, there are several excerpts from letters of members describing the damage and nuisance off-roaders have created in various parts of the country. No apology is needed for printing photos once again showing the depredation of some of our country lanes

When GLEAM was first formed as a pressure group with a specific brief to get certain aspects of the law on rights of way changed, your committee had hardly appreciated that that they were about to be engaged in a very long battle against archaic laws which would be difficult to shift. Through inertia and an unwillingness on the part of ministers to get involved in details of the tremendous complexities of laws, enclosure awards, dedication and all the other common and statute law aspects, the government obviously felt that the proverbial can of worms couldn t be opened.

Nevertheless, we can assert with confidence that there are now many thousands of people who are aware of the problems and are fighting hard to get something done . GLEAM is now well known all over the country. As David Gardiner describes in his overview article above, our honorary members in both Houses of Parliament have drawn attention to the problems again and again, most recently in the House of Lords on 10th January last.

GLEAM is now ten years old; and though we continue to run on the proverbial shoestring unlike the well-funded motoring groups who look on GLEAM as their enemy , we are determined to build on our achievements until we have knocked some sense into the Government. As members will know, and to put it at its simplest, the main stumbling blocks in law have been the concept of once a highway, always a highway and that there is no distinction made between different kinds of wheels, whether they are mechanically propelled or not, whether on a pram, a 4x4 or a lorry.

Write a letter to the new Minister or your MP

The government will obviously do nothing until after the general election. But GLEAM must renew pressure as soon as possible once that is over so as to bring the problem of green lanes to the urgent attention of the new ministers.

GLEAM members will probably agree that the best way forward now is to write individually to newly elected or re-elected MPs drawing their attention to the problems in no uncertain terms. If you yourself can t think of what special points to make, please let Elizabeth Still at GLEAMs address know and she will gladly send a list of bullet points which could form the basis and outline of your letter. The address to write to is simply:

Name of Minister or MP,
House of Commons,
London SW1A 0AA.

GLEAM aims to protect public paths from wanton and illegal damage.
If you would like more information or wish to assist please write to:
GLEAM, P.O. Box 5206
Reading RG7 6YT

Published by GLEAM
Chairman: David Gardiner.
Executive Secretary and Editor: Elizabeth Still