

GLEAM



Green Lanes Environmental Action Movement

www.gleam-uk.org

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

AUTUMN 2026

Green lanes and illegal off-roading – two success stories

Police power to seize motor vehicles driven off green lanes strengthened

The police have the power to seize a motor vehicle where they have reasonable grounds for believing that the motor vehicle is being used in a manner which contravenes section 3 (careless and inconsiderate driving) or section 34 (driving on land without lawful authority) of the Road Traffic Act 1988, and is causing, or likely to cause, alarm, distress or annoyance to members of the public.

Section 34 makes driving on a footpath, bridleway or restricted byway, or off a byway open to all traffic, without lawful authority (e.g. permission from the landowner) a criminal offence. This prohibition against driving a motor vehicle on land which does not have public vehicular rights has been included in legislation since the first Road Traffic Act in 1930, when it was introduced because "*the remedies available to the public against any person riding a motor-cycle on a bridleway [were] for practical purposes of little value*" (letter of 20 May 1930 from the Ministry of Transport). But this has not stopped some off-roaders continuing to drive their 4x4s or motorbikes on footpaths, bridleways and restricted byways (for example, if they used to do so before the Natural Environment and Rural Communities Act 2006 prevented these public rights of way being upgraded to byway open to all traffic). Off-roaders also use green lanes which are byways open to all traffic or unsealed unclassified roads to gain access to land where they can drive off the routes, e.g. onto arable land, pasture, forestry or moorland.

The police were given the power described above to seize motor vehicles by the Police Reform Act 2002 because it is easier to use against illegal off-roading than a prosecution under section 34. When this power was first implemented, the police had to give a warning to the driver on the first occasion they believed the driver had contravened section 34, and could only seize his/her vehicle if they believed he/she had done it again within the following 12 months, i.e. ignored the warning. The requirement on the police to give a warning on the first occasion has recently been repealed for England and Wales by the UK Parliament, by section 8 of the Crime and Policing Act 2026, a section which came into force on 29 June 2026. The UK Government's factsheet on the provisions against anti-social behaviour, issued in 2025 when the bill was going through Parliament, says making the power to seize motor vehicles easier to use allows "*the police to react*

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robustly and immediately to the anti-social use of motor vehicles" and "will make the police powers to tackle the nuisance caused by any vehicle being used antisocially more effective."

It is more difficult for the police to use their power to seize motor vehicles being driven illegally and causing alarm, distress or annoyance in rural areas than it is in urban areas because such driving often takes place in remote areas. However, notices in locations where illegal use takes place can act as a deterrent. If these are insufficient, the police should work with highway and national park authorities on joint patrols, and with local people who are prepared to report illegal or possible illegal use as it happens, or on the basis of video evidence posted by the off-roaders (see next article for an example). Prosecutions and seizures should be publicised by the authorities to deter other off-roaders.



Signs used in Derbyshire to deter off-roaders from illegal use. They are effective because they are often vandalised, e.g. on routes which used to be well-used by off-roaders.

Off-roaders prosecuted for damage to protected blanket bog

Natural Resources Wales (NRW), the Welsh government organisation responsible for designation and protection of sites of special scientific interest (SSSIs), has successfully prosecuted three off-roaders who damaged peat and blanket bog habitats on Moel Fferna in the Berwyn SSSI, by driving their 4x4s on it and winching the cars out when they got stuck. They were prosecuted under subsection 28P(6A) of the Wildlife and Countryside Act 1981 which makes it an offence for a person to intentionally or recklessly destroy or damage any of the features for which an SSSI is designated. NRW's press release (<https://naturalresources.wales/about-us/news-and-blogs/news/off-roaders-convicted-after-significant-damage-to-protected-peat-bog-site-in-denbighshire/?lang=en>) and the BBC's news item (<https://www.bbc.co.uk/news/articles/cvgyl62pp1zo?>) explain that the

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videos the off-rovers posted on TikTok helped convict them (the BBC item includes a clip compiled by NRW from these videos).

Off-rovers can access Moel Fferna from unsealed unclassified roads and from a public footpath (which the Trail Riders Fellowship have applied to have upgraded to byway open to all traffic), although, as the news items point out, such access involves driving past warning notices and through barriers.

The NRW press release encourages people to report illegal driving in the countryside and on protected sites to NRW or to the police, and thanks the landowners, walkers and volunteers who protect the environment “*despite fear and abuse*” from their interactions with illegal drivers.

Off-roller responses to illegal use

Off-roller groups and organisations are well aware of illegal use which is facilitated by the green lanes they use, but seem reluctant to report the illegal drivers to the police, arguing that illegal use can be prevented by education and codes of conduct. The Trail Riders Fellowship (TRF) are part of a new (launched June 2026) national campaign coordinated by the National Motorcyclists Council which aims to reduce illegal and antisocial motorcycling on highways and private “*venues*”. The campaign’s website - <https://rideright.org.uk/> - says trail riders should “*Politely call out illegal riding when you see it within your riding group or online*” and “*share information with authorities*”. But this advice is not on the TRF’s website.

Below and overleaf are screenshots from videos which show illegal use, videos taken by TRF members or videos which the Green Lane Association (GLASS) is aware of, but which these organisations did not, apparently, report to the police. (A prosecution under section 34 of the Road Traffic Act 1988 has to be started within 6 months of the offence being committed, so it is too late now for the police to take action against these offenders.)



TRF members damaging SSSI peat bog accessed from Monks Trod byway open to all traffic



TRF members driving on disused quarry accessed from unsealed unclassified road

Illegal driving which GLASS was made aware of:



Driving past the sign which indicates where this unsealed unclassified road (UUR) in the Lake District becomes a bridleway. In 2021, the proportion of motorcyclists logged as driving on the bridleway was 35% of the motorcyclists logged on the UUR.



Driving on a well-used deviation from the Strata Florida green lane (UUR and byway open to all traffic), which is the track at the bottom right.

Trail Riders Fellowship demand privileged access

The Trail Riders Fellowship (TRF) asked North Yorkshire Council (NYC) to lift a temporary TRO on an unsealed unclassified road (U618) in North York Moors National Park so they could use the route for an event this summer. NYC agreed to do this, despite warnings from North Yorkshire Fire and Rescue Service of the risk of wildfire from heated exhausts and sparks from motorcycles traversing the route which is overgrown with dry vegetation. NYC's website continued to advertise the temporary TRO, i.e. other motorists were not offered this privileged access. Most of this route had no work done to clear the vegetation, either by NYC or the TRF, despite the fire risk. NYC told the police that the route had recovered from damage (the reason for the TRO) and so could be reopened, but this is contradicted by their continuing to advertise the TRO and by inspection which revealed old motorcycle ruts, making the route extremely hazardous for other users.

Motorcycle rut in U618, partially hidden by dry vegetation



*Published by GLEAM, PO Box 159, Otley, LS21 9BT, www.gleam-uk.org.
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