

Committee: ACCESS
Date: 17 April 2008

Report: PROPOSALS TO MAKE EIGHT TRAFFIC REGULATION ORDERS

Purpose of the Report

1. The purpose of this report is to consider the future management of 8 sensitive routes used by recreational motor vehicles in the Yorkshire Dales National Park.
 - (a) to consider the responses received following consultation under section 5 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007, and
 - (b) on the basis of these responses, and available evidence, seek a decision on whether to make the proposed Traffic Regulation Order(s) on each of the routes.

Strategic Planning Framework

2. The information and recommendation(s) contained in this report are consistent with the Authority's statutory purposes and its approved strategic planning framework.

- ***National Park Management Plan***

AR2. Identify the most appropriate measures to manage the use of motorised recreational vehicles on each sensitive 'Green Lane', and put all such measures in place by 2011.

- ***Integrated Access Strategy***

AS3 Safeguard the National Park from overall or irreversible damage through inappropriate activity and minimise conflict between different users:

- (c) Use existing legislation and guidance to limit inappropriate activity in the National Park, including supporting and encouraging the Police Authority in controlling illegal and anti-social use.
- (d) Work with the County Councils and users to explore, identify and implement appropriate management of green lanes on a regional basis.
- (e) Work with landowners, farmers, users and user groups to try and resolve any actual or potential conflict through positive visitor management.

AS4 Maintain the quality, diversity and scope of the National Park's recreational assets:

Consider each recreational activity in terms of where it should take place, in what volume and at what time. It must be recognised, though, that in many situations we have no legal means of control and so can only do so through education and encouraging users' voluntary restraint.

Background

3. The National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007 [referred to throughout this report as the Regulations] enables the Yorkshire Dales National Park Authority to make TROs (Traffic Regulation Orders) using powers under sections 22BB and 22BC of the Road Traffic Regulation Act (RTRA) 1984. A copy of the relevant Regulations (Statutory Instrument) can be found at www.opsi.gov.uk/si/si2007/20072542.htm and the Guidance pertaining to these Regulations at www.defra.gov.uk/wildlife-countryside/issues/public/npguid-tro.pdf. The TRO making process, for any individual route, adopted by the Authority was discussed at the Access Committee meeting on 25 October 2007. **Appendix 1** highlights that part of the Regulations that are relevant to this report.
4. At the Access Committee meeting on 17 January 2008 Members agreed, following consideration of the consultation (stage 1) responses under regulation 4, to move to stage 2 and consult under regulation 5 on proposals to make eight full time permanent TROs on the following routes:

Street Gate to Arncliffe Cote
Stockdale Lane
Harber Scar Lane
The Highway
Gorbeck Road
Cam High Road (Far Gearstones to Cam Houses)
Old Ing to Cam End (Ling Gill)
Horton Scar Lane / Foxup road

5. This second stage of consultation involves publishing notice of intention to make the TROs on the Authority website and in the local press. We also displayed notices on the routes affected, and issued a press release to ensure everyone who had an interest in the matter would find out about the proposals. In accordance with the Regulations we also contacted the consultees that we had consulted at the first stage of consultation. A list of all the individuals and organisations that responded to this second stage consultation is in **appendix 2**. The responses received have been summarised in **appendix 3 to 11**. **Appendix 3** is a summary of the responses which give 'general' (that is not specific to an individual route), reasons for objecting or supporting or comments on the proposed orders, whilst a summary of those detailed responses which related to a specific route are in **appendices 4-11**.

The Traffic Regulation Order

6. This second stage consultation process involves making available a copy of the notice of proposal, a map of the route that would be affected, a 'statement of reason', and a copy of the proposed Order. A copy of the last two documents for each route is shown in the relevant route appendices (see **appendices 4-11**).

7. In all 8 cases a TRO is being proposed for expediency in relation to both the “amenity” and the “natural beauty” of the National Park under S1(1)(f) and S22(2) of the Road Traffic Regulations Act 1984 (RTRA84):

- (s1(1)(f) RTRA84) enables a TRO to be made when it is expedient for preserving the amenities of the area through which the road runs, and
- (s22(2) RTRA84) enables a TRO to be made for the purpose of conserving the natural beauty of the area.

Exceptions to the Order

8. In the draft Order we have restricted use by all mechanically propelled vehicles and listed certain exceptions, which are:

- Use by emergency services or by local authorities or water authorities in pursuance of their statutory powers and duties;
- Use to enable work to be carried out in or adjacent to the highway;
- For the purposes of conveying goods, persons, merchandise to or from the premises or land adjacent to the highway;
- For the purpose of agriculture, land management or shooting on any land or premises adjacent to the highway.

9. Unlike ‘motor vehicles’, there is no definition of ‘mechanically propelled vehicles’ in the 1984 Act. The phrase ‘mechanically propelled vehicle’ is wider than ‘motor vehicle’ since it makes no reference to the need for the vehicle to be intended or adapted for use on roads and therefore does not exclude invalid carriages covered by the Chronically Sick and Disabled Persons Act 1970. Clearly we do not wish to restrict use of these routes by such classes of invalid carriage and suggest that the Orders are made with a further exception added as follows:

- ‘Use by invalid carriages covered by s20 of the Chronically Sick and Disabled Persons Act 1970’.

10. Adding in this exception is not seen as a ‘substantial’ or ‘significant’ change to the draft Orders.

Consultation Responses Received

11. As a result of the stage 2 consultations the Authority received, in writing, objections either to all of the proposed orders or to specific proposed orders from 79 individuals and organisations (15 of which were received after the consultation deadline). It should be noted that a small proportion of these 79 respondents objected to some of the proposed orders whilst supporting others. We received support for the proposed orders, to all or just specific orders, from 272 individuals and organisations (3 of which were received after the consultation deadline). It should be noted that this 272 includes one land owner that supported two proposed orders but did not support one other.

There were also two responses which have been classed as neither an objection or support but just 'comments' on the proposals.

12. The late responses have been included in this report, for 'completeness' where they were received after the consultation deadline but before this report was written. A breakdown of the consultation responses can be summarised as follows:

Table 1 shows breakdown of all consultation responses (including general responses)

All routes	Number of Objections		Number in Support		Number Comment Only	
	Organisation	Individual	Organisation	Individual	Organisation	Individual
Total number of responses	10	69	29	243	2	

Table 2 shows breakdown of detailed comments received about specific routes

Specific Route	Number of Objections		Number in Support		Number Comment Only		Total I
	Organisation	Individual	Organisation	Individual	Organisation	Individual	
Arncliffe Cote (appendix 4)	1 (representing a number of organisations)	5	3 (including one parish council)	12 (including two land-owners)	0	0	21
Stockdale Lane (appendix 5)	1 (representing a number of organisations)	5	3 (including one town council)	10	0	0	19
Harber Scar Lane (appendix 6)	1 (representing a number of organisations)	4	2	11 (including three land-owners)	0	0	18
The Highway (appendix 7)	0	4	2	10 (including one land-owner)	1	0	17
Gorbeck Road (appendix 8)	2 (one representing a number of organisations)	7	2	11 (including one land-owner)	0	0	22
Cam High Road (appendix 9)	2 (one representing a number of organisations)	6	2	11 (including 2 land owners)	0	0	21
Ling Gill (appendix 10)	1 (representing a number of organisations)	6 (including one land owner)	2	9 (Including one land-owner)	0	0	18
Horton Scar Lane / Foxup (appendix 11)	0	3	3	12 (including three land-owners)	0	0	18

13. Whilst it is interesting to know how many individuals and organisations responded to the consultation, Members should give weight to the quality of the evidence submitted and arguments made, rather than the overall numbers objecting or supporting a proposal. In **Appendix 3** the summary of the responses relating to general points have been grouped to show the numbers making similar comments. In **Appendices 4 to 11** the detail responses that relate to specific routes have been reported largely verbatim, the only amendment has been to ‘prune’ away any background comments to ensure Members can see the salient points. (Copies of all correspondence will be available at the Access Committee meeting should Members wish to see any of the original correspondence). Alongside all the consultation responses is a ‘comment’ from officers this is because the Regulations (regulation 14(2)b) state that:

‘where the National Park authority did not accede to those objections, the National Park authority must give its reasons for not so acceding ... to that person’.

First and second stage consultation (Statutory consultees)

14. Only the organisations listed in **appendix 1** have been consulted at both the first and second stage consultation. Not all of those who responded at the first stage have responded to the second stage consultation. The second stage responses are summarised below.
15. In considering these responses received Members attention is drawn, in particular, to the North Yorkshire County Council response (as highway authority) and the Police Authority (as enforcing authority). Both have changed their responses between the first and second stage consultation. (It should be remembered that the first stage consultation considered the possibility of a Traffic Regulation Order, only, and was based on the advice of the Yorkshire Dales Green Lanes Advisory Group which did not consider a full time permanent TRO was necessary on all 8 routes. The Access Committee did not agree with this and decided that the second stage consultation should be based on a full-time permanent TRO on all 8 routes).

NYCC’s Response

16. At the first stage consultation NYCC concurred with the advice on management proposals made by the Yorkshire Dales Green Lanes Advisory Group with only one amendment (the Arncliffe Cote route). At the second stage consultation NYCC agreed with the amended proposals put forward by ‘confirming its acceptance of the Authority’s management proposals’ on the eight routes. NYCC only made a specific comment on one route which was the Highway (see **appendix 7**).

Police Authority

17. Members will recall the North Yorkshire Police objected to the proposed orders at the first stage consultation making comments regarding the complexity of the proposed orders as well as the reliance on the police to enforce the orders. At the second stage consultation North Yorkshire Police recognised that the proposed full time orders went a long way to addressing the issues of complexity and so potentially made the orders easier to regulate. However their concerns with regard to the reliance on the police to enforce the Orders remain.

Yorkshire Dales Access Forum

18. The Access Forum considered the consultation at their meeting on 26 February 2008 and voted, *nem con*, for full permanent traffic regulation orders on the eight routes for the 'purposes of preserving the amenity and conserving the natural beauty of the area. Their view remains unchanged between the first and second consultation.

North Yorkshire Trail Management Advisory Group (NYTMAG)

19. NYTMAG objected to some proposed orders while supporting others. For further details see specific responses to individual routes.

Yorkshire Dales Green Lanes Alliance (YDGLA)

20. YDGLA supported all of the proposed orders. For further details see specific responses to individual routes.

The Ramblers Association (RA)

21. RA supported all of the proposed orders. For further details see specific responses to individual routes.

CTC Response

22. The CTC supported the introduction of the orders on all the routes concerned to 'provide tranquil, traffic-free routes' and feels 'that the absence of motor traffic will enhance use of the routes by all modes of sustainable travel over the long term'.

Campaign to Protect Rural England (CPRE)

23. CPRE supported all of the proposed orders.

Country Land and Business Association (CLA)

24. No objection to the proposed orders.

Council for National Parks (CNP)

25. Supported all of the proposed orders.

Further Considerations

26. In addition to the consideration of the consultation responses received at stage 1 (see Access Committee Report 17 January 2008) and stage 2 reported here, Members are aware that any decision to make a TRO must be based on sound evidence. Members have a copy of the detailed assessment report for each route, which are listed as background documents to this report.

27. In addition three routes (Ling Gill, Cam High Road and The Highway) currently have Temporary Traffic Regulation Orders (TTRO) for works, which have been put in place under the Highway Regulations in accordance with our highway delegation agreement with NYCC under section 14(1) of the Road Traffic Regulation Act 1984 (amended). If Members decide to make a TRO under the National Park Authority Regulations then Orders on these routes could not be made until the TTROs have elapsed.

What Members are being asked to decide at this Stage

28. Members are now being asked to make a decision on the basis of the evidence and the consultation responses received. The Regulations identify five options in relation to this decision which are:

- Make the Order(s) as proposed without amendment;
- Make an Order(s) giving effect to some of the provisions contained in a proposed order(s) whilst deferring a decision on the remainder;
- Make the Order(s) as proposed with amendment (NB if this were substantially different this would require further consultation);
- Abandon the making of the Order(s);
- Call a public inquiry to gain an 'independent' third party view on the proposed Order(s).

29. In relation to calling a public inquiry the Regulations state (regulation 8 (1)) 'The National Park Authority may cause a public inquiry to be held before making an order.' The Regulations, and accompanying guidance, do not give any advice or state any requirement as to 'what' may cause a public inquiry to be held, that being said a public inquiry is a useful mechanism for seeking an independent third party opinion, particularly where matters are finely balanced. Should members consider the issues relating to a specific route finely balanced a public inquiry may be called before any decision to make an Order is taken.

30. In summary before deciding whether to make an Order, the Authority must consider—

- (a) all representations made by persons consulted under regulation 4 (first stage consultation, see Access Committee 17 January 2008) , or made by other persons in accordance with regulation 7 - summarised in this report (the consultation is under regulation 5 ie the second stage consultation); and
- (b) if a public inquiry is held, the inspector's report and recommendation.

Conclusion

31. Following consultation, there is clearly overwhelming support for the TROs for the reasons proposed from many individuals. A wealth of evidence has been provided in the assessment reports which support the making of Traffic Regulation Orders on these eight routes. However this matter needs careful, and impartial, consideration as it is about whether to remove individuals 'rights'. In a number of instances the proposals will take away proven public 'rights' for recreational motor vehicle use, for others these rights are 'un-proven' but are being taken away as a pre-emptive measure. For all the routes that are the subject of this report it is the view of officers that TROs need to be made as a matter of expediency to preserve the amenity and conserve the natural beauty of the area.

RECOMMENDATION

32. **It is recommended that members make the traffic regulations orders, as detailed for each of the 8 routes in Appendices 4-11 subject to an amendment, that an exception be made for use by all classes of invalid carriages which are covered by s20 of the Chronically Sick and Disabled Persons Act 1970.**

Jon Avison
Head of Park Management
30 March 2008

Background papers

The National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007 SI 2007 No 2542

Consultation responses under Regulation 4 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007 – report to Access Committee 17 January 2008
A framework for the management of green lanes (unsealed routes) in the Yorkshire Dales National Park – November 2007

Decision Making – Issues of Pre-determination and Code of Conduct – report to Access Committee 26 July 2007

Individual route assessment report on the use of recreational motor vehicles as follows:

Arncliffe Cote – November 2007
Stockdale Lane – November 2007
Harber Scar Lane – November 2007
The Highway – November 2007
Gorbeck Road - November 2007
Cam High Road - November 2007
Ling Gill - November 2007
Foxup - November 2007

Extract from the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007 Relating to making Traffic Regulation Orders and objections

Publication of proposals

- 5.— (1) A National Park authority must, not less than one month before it proposes to make a traffic regulation order—
- (a) publish a notice—
 - (i) in a newspaper circulating in the area in which the road to which the order relates is situated; and
 - (ii) on its website; and
 - (b) take such other steps (if any) as it considers appropriate for ensuring that adequate publicity about the order is given to persons likely to be affected by its provisions, which may include—
 - (i) displaying a notice in roads or other places affected by the order; or
 - (ii) delivering a notice to premises occupied by persons appearing to the authority to be likely to be affected by any provision in the order.
- (2) Not later than the date on which the National Park authority complies with paragraph (1), it must send a copy of the notice of proposals to each person consulted under regulation 4.
- (3) A notice of proposals published, displayed or delivered pursuant to paragraph (1) must contain the details specified in Part 1 of Schedule 2.

Inspection of documents

- 6.— (1) The National Park authority must make the documents specified in paragraph (2) available for public inspection—
- (a) at the principal offices of the National Park authority during normal office hours, and
 - (b) at such other places within the National Park, if any, as the National Park authority may think fit, during such hours as it may determine for each place, from the date on which the notice of proposals is published until six weeks after the date on which the order is made or, as the case may be, the National Park authority decides not to make the order.
- (2) The documents to be made available for inspection are—
- (a) a copy of the notice of proposals;
 - (b) a copy of the order as proposed to be made;
 - (c) a map which clearly shows the location of the roads affected by the proposed order and, if appropriate, the alternative routes available for diverted traffic;
 - (d) a statement setting out the reasons why the authority proposes to make the order; and
 - (e) if the proposed order revokes or amends another traffic regulation order, a copy of that other order.

Representations

- 7.— (1) Any person may make representations to the National Park authority about the making of a proposed order by the later of
- (a) the date specified in the notice of proposals; or
 - (b) 21 days after the date on which documents are made available for inspection in accordance with regulation 6.
- (2) Representations under paragraph (1) must—
- (a) be made in writing;
 - (b) state the grounds on which they are made; and
 - (c) be sent to the address specified in the notice of proposals.

Holding a public inquiry

- 8.— (1) The National Park authority may cause a public inquiry to be held before making an order.
- (2) If the National Park authority causes a public inquiry to be held, it must appoint an inspector to hold it.
- (3) Following an inquiry the inspector must provide a report and a recommendation to the National Park authority.

Making the order

- 11.—(1) Before deciding whether to make an order, the National Park authority must consider—
- (a) all representations made by persons consulted under regulation 4, or made by other persons in accordance with regulation 7; and
 - (b) if a public inquiry is held, the inspector's report and recommendation.
- (2) An order must not be made—
- (a) before the expiry of the period for making representations about the proposed order under regulation 7; or
 - (b) more than two years after the notice of proposals relating to the order was published.
- (3) An order—
- (a) must specify the date on which it comes into force; and
 - (b) must not come into force before the National Park authority publishes a notice in accordance with regulation 14(1)(a).

Orders containing modifications to the proposed order

12. (1) Subject to paragraph (2), a National Park authority may, whether in consequence of any representations or otherwise, make an order in different terms to the proposed order which it made available for inspection under regulation 6(1).
- (2) Before making an order in terms which appear to the National Park authority to be substantially different from the terms of the proposed order, the National Park authority must take such steps as appear to it appropriate for—
- (a) informing persons likely to be affected by the modifications, and
 - (b) giving those persons an opportunity of making written representations, and must duly consider any such representations.

Orders implementing the proposed order in part

13. (1) A National Park authority may make an order giving effect to some of the provisions contained in a proposed order whilst deferring a decision on the remainder.
- (2) Where a National Park authority has made an order as described in paragraph (1), it may subsequently deal with the remaining provisions in any one or more of the following ways—
- (a) by abandoning them;
 - (b) by continuing to defer a decision on them; or
 - (c) by making an order or orders giving effect to them in whole or in part.
- (3) Where, pursuant to paragraph (2) or this paragraph, an authority has continued to defer a decision on any provisions, it may subsequently deal with those provisions in any way permitted by paragraph (2).
- (4) Where an authority makes an order giving effect to some of the provisions contained in the originally proposed order, the notice published under regulation 14(1)(a) and any notice given under regulation 14(1)(b) must—
- (a) indicate the provisions (if any) in the originally proposed order which have been abandoned or in relation to which a decision has been deferred; and
 - (b) state the title and date of any order which has been previously made to give effect to other provisions in the originally proposed order.

Action after making

14. (1) The National Park authority must, within 14 days after making an order—

- (a) publish a notice containing the details specified in Part 3 of Schedule 2—
 - (i) in a newspaper circulating in the area in which the road to which the order relates is situated; and
 - (ii) on its website; and
- (b) give notice in writing that the order has been made to any person who made representations under regulation 7.

(2)Where—

- (a) any person made representations under regulation 7 objecting to the making of the proposed order, and
- (b) the National Park authority did not accede to those objections, the National Park authority must give its reasons for not so acceding in the notice given to that person under paragraph (1)(b).

(3) The National Park authority must take such other steps (which may include steps corresponding to those mentioned in regulation 5(1)(b)) as it considers appropriate for the purpose of ensuring that adequate publicity is given to the making of the order.

(4) The National Park authority must, as soon as practicable after making the order, add to the documents made available for inspection pursuant to regulation 6—

- (a) a copy of the order; and
- (b) if the order has been made after the holding of a public inquiry, a copy of the report and recommendation of the inspector.

(5) The National Park authority must, as soon as practicable after publishing a notice in accordance with paragraph (1)(a), add a copy of that notice to the documents made available for inspection pursuant to regulation 6.

**List of Organisations and Individuals who have responded to the consultation
(see appendix 3 to 11 for summary of actual responses received)**

Table 2a Statutory Consultees

<i>Person</i>		<i>Cases in which consultation is required</i>	<i>Reg 4 - Response received?</i>	<i>Reg 7 - Response received?</i>
1	The highway authority for the area in which the road is situated.	In all cases	Yes	Yes
2	The appropriate Crown authority	Where the proposed order relates to or appears to the National Park authority to be likely to affect traffic on a Crown road.	Not consulted	Not consulted
3	The fire and rescue authority for the area in which the road is situated.	Where it appears to the National Park authority that the order is likely to affect the passage on any road of fire fighting vehicles.	Not consulted	Not consulted
4	The NHS trust or NHS foundation trust providing an emergency ambulance service for the area in which the road is situated.	Where it appears to the National Park authority that the order is likely to affect the passage on any road of ambulances.	Not consulted	Not consulted
5	The chief officer of police for the area in which the road is situated.	In all cases	Yes	Yes
6	The parish or town council for the area in which the road is situated.	In all cases	Yes	Some (see relevant appendix)
7	Any local access forum for the area in which the road is situated.	In all cases	Yes	Yes
8	Auto Cycle Union (ACU) #	In all cases	*	*
9	British Driving Society (BDS) #	In all cases	Yes	No
10	British Horse Society (BHS) #	In all cases	*	*
11	Byways and Bridleways Trust #	In all cases	Yes	No
12	Open Spaces Society #	In all cases	No	No
13	Ramblers' Association (RA) #	In all cases	Yes	Yes
14	Cyclists' Touring club (CTC) #	In all cases	Yes	Yes
15	Land Access and Recreation Association (LARA) #	In all cases	*	*
16	Natural England	Where the order relates to a road which is within or partly within an SSSI.	Yes	No
17	Campaign to Protect Rural England (CPRE) #	In all cases	Yes	Yes

18	National Farmers Union #	In all cases	No response	No
19	Country Land and Business Association #	In all cases	No response	Yes
20	Council for National Parks (CNP)	In all cases	Yes	Yes
21	Such other body that the National Park authority considers ... <ul style="list-style-type: none"> • North Yorkshire Trail Management Advisory Group (NYTMAG) • Moorland Association • Yorkshire Dales Green Lanes Alliance 	In all cases which the National Park authority considers appropriate	Yes No response Yes	Yes No Yes

#Consultations addressed to a local representative for the area following notification to the YDNPA for this purpose.

* Response from NYTMAG said that its response was supported by these organisations who are also statutory consultees, but no correspondence received directly from these organisations saying that the NYTMAG response should be considered as their individual organisation's response.

33. In addition to the BHS, ACU and LARA listed above, the NYTMAG response says it is also supported by the following:

- Defender Black Club
- Green Lane Association
- North East Rover Owners Club
- Pajero Owners Club
- Trail Riders Association of Craven
- Trail Riders Fellowship (TRF) – Cumbria Group
- Trail Riders Fellowship (TRF) – North Region
- Trail Riders Fellowship (TRF) – North Yorkshire and Teesside
- Trail Riders Fellowship (TRF) – West Yorkshire
- Yorkshire Land Rover Owners Club
- Yorkshire Off-Road Club

Other Individuals and organisations that have responded in accordance with Regulation 7

34. The tables below lists those people and organisations who have commented on one or more of the proposed orders:

- Individuals and organisations are grouped by whether they are primarily a supporter or objector;
- In the list of the respondees, where know the location of the individual is shown (where no location is shown the response was received by e mail with no address shown).
- Where in the table of consultation responses the same comments have been made by several respondents the numbers making these comments are noted in the left hand column;

Table 2b Correspondence received objecting to the proposed orders

First name	Surname	Organisation if applicable	Location
Jon	Ackroyd		BINGLEY
D	Barker		
I R	Baxter		STOCKTON ON TEES
J N	Bennett	Peak and Derbyshire Vehicle Users Group	CHESHIRE
D	Blair		LIVERPOOL
John	Boothroyd	Manchester Group TRF	HIGH PEAK
W	Brabbs		WIGAN
Ian	Brian		ROSSENDALE
Simon	Bridge		KEIGHLEY
Paul	Bridge		KEIGHLEY
Michael	Chaloner		HALIFAX
Graeme	Christie		LEEDS
D	Codrai	GLASS (national)	HERTFORDSHIRE
D	Colbert		SETTLE
Leo	Crone		DARLINGTON
Peter	Cross	TRF member	WARRINGTON
Philip	Dalglish		HARROGATE
Rodger	Davies	Lancashire Group TRF	CHORLEY
Dixie	Dean		LIVERPOOL
Edwin	Duckett	TRF member	VIA CARNFORTH
John	Gardner	Lancashire Group TRF	Up Holland
R	Gelder	TRF member	PARBOLD
Andrew	Gleghorn		SALTBURN
Peter	Griffen		
Mark	Hannon	GLASS (West Yorks and York Dales)	CASTLEFORD
Ian	Harris	TRF member	CLITHEROE
Richard	Hirst		BRADFORD
Les	Hobson		
Neil	Holland		GREAT HARWOOD
Mark	Hughes		
Simon	Hutton		LEEDS
R	Jackson		
Linda	Laughton		
Daniel	Laws		GREAT AYTON
Chris	Leather		
David	Light	North Yorkshire TRF	HARROGATE
David	Loney	Auto Cycle Union	BRADFORD
Brian	Marshall		PRESTON
Stuart	Monk	NYTMAG	INGLETON
John	Morgan		
Mick	Moses		LEEDS
D	Newton		RICHMOND
Harry	Nicholson		
Ian	O'Brien		ROSSENDALE
Tom	O'Brien		ROSSENDALE
David	Parkinson		CLITHEROE
Margaaret	Parminter		

First name	Surname	Organisation if applicable	Location
Anthony	Peel	TRF Member	CLITHEROE
J S	Pighills	Cumbria Group TRF	KENDAL
A	Riley		MIDDLESBROUGH
John	Robinson		
Paul	Sandever		HARROGATE
Kevin	Scranage		
A	Thompson		BRIGHOUSE
K	Thornton		DARLINGTON
Keith	Westley	TRF member	ORMSKIRK
Mark	Whittle		
C	Whitworth		HEBDEN BRIDGE
David	Willetts		MORECAMBE
Mark	Williams		POWYS
Fred	Wright	North East Rover Owners Club	
	Various		MORECAMBE
Wayne		TRF member	
Jon	Caird		WIRRAL
Roger	Jackaman		SURREY
Phil	Monaghan		
Kevin	Poole		
Brian	Marshall		PRESTON
Phillip	Ritchie		KENT
John	Garlick		BERKSHIRE
Susan	Lynes		LEEDS
A	Rigg	Member Manchester TRF	HEYWOOD
Kyle	Goram		HARROGATE
V	Lodge		TWEAKSBURY
R	Leatham		LANCASTER
Carol	Draper		MORECAMBE
Ronald	Lumley		EPSOM
Derek	Arnold		

Table 2c *Correspondence received in support for the proposed orders:*

First name	Surname	Organisation if applicable	Location
Jill & Paul	Adamson		LEYBURN
Steven	Alcock		
Godfrey	Alderson		HARROGATE
D E	Allen		KEIGHLEY
Chris	Alsop		
Ruth	Anderson		
Kath	Andoh		CHADDERTON
Kurt	Angelrath		NORWICH
Tim	Ashelford		ILKLEY
Pam	Ashton	CTC Bradford	
Peter	Ball		East Cowton
David	Bancroft		MANCHESTER

First name	Surname	Organisation if applicable	Location
Graham	Banks		NORTHALLERTON
Lorna	Barnes		RIPON
Marion	Barrow		
B	Bayliss		KNARESBOROUGH
Janet	Beard		SKIPTON
Helen	Beaven		
Christopher	Bennett		RIPON
J	Beresford	Landowner	VIA CARNFORTH
Jeff	Bilbrough		SKIPTON
Jo	Bird		BARNARD CASTLE
Geoff	Black		
Liz	Blanchard		YARM
Francis	Bland		BLACKBURN
Margaret	Bonsall		LEEDS
Robert	Braham		
Sarah	Bridge		
David	Broadley		HARROGATE
D	Brook		MANCHESTER
Jo	Brooks		
Avril	Bullas		RIPON
Jane	Burch		LEEDS
Tony	Burkitt		BURLEY IN WHARFEDALE
S	Carter		AUSTWICK
Peter	Chadwick		LEEDS
Geoffrey	Chaplin		LEEDS
Matthew	Clark		
Brian	Clarke		
Edwina	Clements		SKIPTON
David	Clough		LANCASTER
Donald	Cole		LEEDS
S	Collard		HARROGATE
Liz	Colquhoun		HOLMFIRTH
Robin	Costello		
Julian	Couthard		
R	Cowley		ROCHDALE
Ian	Cox		OTLEY
Susan	Cox		SEDBERGH
L	Crossley		
Jim & Jenny	Cunnington		SKIPTON
Donald	Dalton		LEEDS
Suzanne	Dalton		LEEDS
Judith	Davey		OTLEY
Anthony	Davies		MANCHESTER
Peter	Davies		
R	Davis		
Cathy & Richard	Dawson		
John	Deighton		
Maureen	Dodgson		ADDINGHAM
Sue	Douglas		HARROGATE

First name	Surname	Organisation if applicable	Location
Nichola	Drummond		
Paddy	Duffy		
Clare	Dunn		SKIPTON
Kevin	Dunnabe		DARLINGTON
Christopher	Eaton		
Emma	Eaton		
T	Eccles		RIPON
Chris	Ellison		VIA LANCASTER
Gael	Esplin		
Brian	Evans		
Richard	Exeley		
Nora	Faulding		SKIPTON
B	Feinson		KENDAL
Sheila	Foster		SKIPTON
Andrew	Fry		
Matthew	Goer		
Kevin	Gooche		BURLEY IN WHARFEDALE
Frank	Gordon		GIGGLESWICK
Sheila	Gordon		
Hazel	Goulden		ILKLEY
Roger	Goulden		
Ben	Grant		
Barbara	Gravener		
Andrew	Hall		
Kay	Harker		
H	Harper		HARROGATE
John	Harrison		EDINBURGH
Simon	Harry		SKIPTON
Sheila	Hartney		SHIPLEY
Jean	Haskell		EDINBURGH
Sheila	Haywood		SETTLE
Ron	Healey	CTC North Yorkshire	
Angela & Roger	Henson		HARROGATE
Julian	Hide		SUTTON IN CRAVEN
Dr Stephen	Higgins		LEEDS
Peter	Hirschmann		LEEDS
Richard	Hirst		BRADFORD
Sandra	Hogarth-Scott		
John	Hone		HARROGATE
David	Hopkins	Environment Agency	
N	Houldershaw		ILKLEY
Martin	Houseley		
Geoff	Howard		ILKLEY
Susan	Hoyle	Bradford HF Walking & Social Group	KEIGHLEY
A	Hunt		BARNSLEY
Doug	Huzzard	NYCC	NORTHALLERTON
John	Illingworth		BRADFORD
Sandra	Jacklin		
Brian	Jackson	Kirkby Malham PC	SKIPTON

First name	Surname	Organisation if applicable	Location
Fiona	Jackson		LEEDS
Andrew	Jackson		
Alan	Jackson`		
Martin	Jagger		
Harry	Jevons		ILKLEY
Anne	Johnson		CROSTON
Brian	Johnson		
Carole	Jones		
Marion & Len	Jones		ADDINGHAM
Pat & Jack	Jowett		LEEDS
Victoria	Kaye		
B	Kelly		OTLEY
Dr R	Kelly		EDINBURGH
John	Kemp	Rough Stuff Fellowship	
Michael	Kemp		WETHERBY
P	Kendall-Smith	Wharfedale Naturalist Society	OTLEY
B	Kenny		
Anne	Key		BAMPTON
Karen	Knowles		
Mark	Knowles		
Saskia	Kouyioumtzi		
Jane	Lacey		LEOMINSTER
Peter	Larner		LEEDS
Linda	Lee		KEIGHLEY
Gerald	Light		SKIPTON
Pauline	Lightfoot		
John	Llewellyn		MANCHESTER
W R	Lofthouse		HARROGATE
		The Nidderdale Society	HARROGATE
Karl	Lunt	Curlew Guided Walking	LANCASTER
Rowena	Macinnes		RIPON
Dugald	Macpherson		LEEDS
Diana & Paul	Mallinson		SKIPTON
Morag	Mar		
Phil	Martin		
D	Mason		
Andy	Massey		
Eileen	Mayson		ILKLEY
Dave	Mc Garvie		EMBSAY
Moya	McNamara	Friends of DalesRail	LEEDS
W H	Medlock	The Ramblers - West Riding Area	
Dr Joanna	Moody		PATELELY BRIDGE
Prof A	Moody		PATELEY BRIDGE
N	Moore		KEIGHLEY
David	Morling		LEEDS
Alexander	Morphet	Landowner	SETTLE
Leo	Murphy		
Peter	Noble		WAKEFIELD

First name	Surname	Organisation if applicable	Location
Lynne	Noble		
Peter	Nugent		
Alan	Nuttall		
Derek	O'Flaherty		AUSTWICK
Wendy & Edwin	Page		SKIPTON
Lewis	Pannel		
David	Parker		
Mrs E	Parkes		
John & Jane	Parkinson		ILKLEY
David	Parkinson		CLITHEROE
Geoff	Paul		ADDINGHAM
Jean	Philip	CPRE	SKIPTON
Adrian	Pickles		SETTLE
Neil	Piper		LEYBURN
Mrs Nancy	Powell Davies		
Ian	Prentice		
Richard	Pyatt		
James	Quarton		ILKLEY
Charles	Queen		KETTLEWELL
John	Redman		LEEDS
Charles	Rhodes		SKIPTON
C R	Richardson		EWHURST
Eric	Robinson		
Dr J C	Robson		
Brian	Rogers	Otley Walkers	
Alan	Rogerson	Landowner	SKIPTON
Holly	Rogerson	Landowner	SKIPTON
T E	Rowell		VIA CARNFORTH
Pat	Schwarzenbach		OTLEY
Anthea	Scott		HARROGATE
Ralph	Searle		
David	Shaftoe	Open Country	HARROGATE
Chris	Sharp		MALHAM
Margaret	Sheard		
P	Sibson		KNARESBOROUGH
Pauline	Sipson	North Yorkshire Fell Club	Knaresborough
E M	Slater	North Craven Heritage Trust	SETTLE
Geoffrey	Smith		HARROGATE
Derek & June	Smith		SEDBERGH
Ian	Smith		
Dr A	Soper		
J	Spence	Gearstones Syndicate	NORTHWICH
Ian	Standing		
Martin	Staniforth		LEEDS
Richard	Stevens		
Eric	Stockdale		SKIPTON
Valerie	Stockdale		LEYBURN
Mark	Storey		OTLEY

First name	Surname	Organisation if applicable	Location
D	Tattersall		SETTLE
Douglas	Thompson		
Dave	Thompson		
David	Thomson		
Joyce	Thornton		OTLEY
Hugh	Thornton	Chair of Environmental, Social & Environmental Policy - YDS	SETTLE
Jane	Toothill		
John & Anne	Towers		HARROGATE
John	Towler		SETTLE
S	Towler	Landowner	SETTLE
Bob	Tucker	Aire Valley Walkers member	
Phil	Tucker		
David	Turner		SKIPTON
B	Turner		SKIPTON
Steven	Turner		
Patricia	Uttley		RAWDON
Emma	Valence		
Martin	Vallance		RICHMOND
John	Walford		YORK
Keith	Walker		
Val	Walker Jones		
Christine	Walton		SKIPTON
Shelagh	Waring		MANCHESTER
Sylvia	Watson		LEEDS
Derrick	Watt		
Kristin	Whalley	CPRE	LEYBURN
Bob	Wightman		
Janis	Willingham		
Dr Mike	Willinson		LEEDS
Steve	Willis		
Shirley	Wilson		HARROGATE
R	Wiltshire		LEYBURN
Pauline	Wood		
Peter	Wood		
Norman & Joyce	Wordsworth		SKIPTON
Judith	Wox		
C J	Wright	Craven U3A	
Trevor	Wright		
Janet	Young		OTLEY
Peter	Young		OTLEY
		Buckden Parish Council	
		Calton Parish Meeting	
		Council for National Parks	LONDON
		Halton West Parish Meeting	
		Yorkshire Dales Local Access Forum	
Len			
		Pudsey & District Rambling Club	

First name	Surname	Organisation if applicable	Location
Bill	Quinton		
D	Dodsworth		KEIGHLEY
David	Gibson		CARNFORTH
David	Marvin		ILKLEY
Elizabeth	Judson		SETTLE
Jon	Willingham		
Jennifer	Willison		
John	Asher		SETTLE
Mark	Willingham		
Neil	Jackson		SETTLE
Peter	Black		
John	Brock	Ramblers Association Richmondshire Group	KENDAL
Rhona & Hugh	Thornton		LEEDS
Richard	Johnson	Land agent	
		Settle Town Council	
		Arncliffe Parish Meeting	SKIPTON
Mike	Bartholemew	Yorkshire Dales Green Lanes Association	OTLEY
Robert	Bell	Langcliffe Hall Estate	LANGCLIFFE
Michael	Gilbert		LEICESTERSHIRE
D & h	Langslow		HELLIFIELD

Other Comments received

Two other organisations commented on the proposals; these were Country Land & Business Association and North Yorkshire Police.

General objections, comments, and support**Table 3a – General objections**

Please note this table gives a flavour of the general objections received (see individual correspondence for further detail if required)

Numbers making this comment	Nature of objection	YDNPA Officer comment
71 individuals and organisations	Object to the placing of permanent traffic regulation orders on: <ul style="list-style-type: none"> • Street Gate to Arncliffe Cote • Harber Scar Lane • Stockdale Lane • The High Way • Old Ing to Cam End (also known as Ling Gill) • Gorbeck Rd • Horton Scar Lane/Foxup Road • Cam High Road (Far Gearstones to Cam Houses) 	Noted
23 individuals and organisations	Damage on the routes being considered is minimal, and could be easily repaired as part of the statutory duty to maintain the rights of way network. Damage by other user groups, landowners and the weather is just as significant.	The TROs are being proposed for reasons of amenity and natural beauty of which damage is just one consideration(see statement of reasons). The Authority commits over £600k to RoW maintenance and has a detailed maintenance plan on which it reports annually All route assessment reports contain the findings of a full condition survey and comparisons with previous surveys where they are available together with likely cause.
46 individuals and organisations	There are alternatives to permanent full time closure that would enable some access to be maintained whilst still achieving management objectives. Options mentioned: <ul style="list-style-type: none"> • Working more closely with user groups • Weight restrictions • Seasonal TROs • Weekend TROs • Occasional permit days • Voluntary restraint 	Other options besides full time permanent TRO have been considered and are listed in the framework document on the <i>Management of the use of green lanes (unsealed routes) in the Yorkshire Dales National Park</i> . Members of the Access Committee are also aware of the range of management options that are available. Noted

Numbers making this comment	Nature of objection	YDNPA Officer comment
	<ul style="list-style-type: none"> • Voluntary repair • Mention made of Lake District Hierarchy of Routes. <p>Many respondees expressed support for temporary orders or partial closures where necessary, and for the proposals arrived at through the Advisory Group.</p>	
13 individuals and organisations	Do not feel that other alternatives have been given fair consideration, and that the work and advice of the Green Lanes Advisory Group and YDNPA officers has not been followed.	<p>Other options besides full time permanent TRO have been considered and are listed in the framework document on the <i>Management of the use of green lanes (unsealed routes) in the Yorkshire Dales National Park</i>. Members of the Access Committee are also aware of the range of management options that are available.</p> <p>The YDGLAG was set up to give advice, and this is one, of several considerations taken into account in deciding the appropriate management for a route by members of the Authority.</p>
18 individuals and organisations	Motor vehicle users only have access to a small percentage of unsurfaced routes compared to other users.	<p>Figures from the 2007 Park Profile are:</p> <ul style="list-style-type: none"> • Footpaths 1460km • Bridleway 624km • BOAT 37km • Approximately 53km of footpath and bridleways are subject to an application/case for change of status to BOAT • There are approximately 108km of unsurfaced unclassified county road in the National Park
12 individuals and organisations	These routes represent a significant proportion of available routes and so their closure would have a very high impact on motorised users. The scale of the proposed closures is out of proportion to the identified issues.	There are 102 routes that have been identified as having possible or proven rights for recreational motor vehicles in the National Park. A desktop exercise has identified 28 of these as having high sensitivity to this use. Detailed assessments are being undertaken for each of these routes to ensure that any management decision is based on firm evidence.
30 individuals and organisations	The National Park should provide opportunities for all users to enjoy the area. Closing these routes could be seen as discrimination to a minority of users.	Agree that the National Park is for everyone and use of recreational motor vehicles on green lanes with proven rights is a legitimate activity. The Authority does not have a policy of banning use of these green lanes as a matter of 'principle', and there should be opportunities for recreational motor vehicle users to enjoy the area. It is the Authority's view that this activity does need to be managed and it is not appropriate on all green lanes, but this has to be assessed on

Numbers making this comment	Nature of objection	YDNPA Officer comment
		a case by case basis, as outlined in the individual assessment reports.
17 individuals and organisations	TROs will not address the issues of non-road legal vehicles or such riders riding illegally on bridleways and footpaths, or over open land.	Agree
6 individuals and organisations	Motor vehicle users do not have a significant impact on species or cultural heritage features. Some mention the ability to watch wildlife from motor vehicles as it is less disturbed than when on foot.	The impact on ecology and heritage features is considered on a case by case basis, through the individual route assessments.
31 individuals and organisations	<p>The low numbers of recreational motor vehicle users means that encounters with other users are rare.</p> <p>Some respondees cite many occasions where they have stopped and had friendly conversations with other users and landowners.</p> <p>The small numbers of routes available means the impact of noise or disturbance is limited.</p> <p>There are alternatives for other users who wish to avoid motor vehicles.</p>	<p>The numbers of recreational motor vehicles using individual routes is given in the assessment reports.</p> <p>Noted</p> <p>Noise research undertaken by Scott Wilson for the Authority shows that the background noise level is low and noise from motorbikes can carry over large distances in the National Park. The effect of noise and individual routes is discussed in the route assessment reports.</p> <p>Do not accept that this is a valid argument. There are alternatives for recreational motor vehicular users too, where motor vehicle use does not bring them into conflict with others in the same way.</p>
7 individuals and organisations	Believe that North Yorkshire Police do not support the TROs	<p>The response of North Yorkshire Police neither objects nor supports the proposals. However following the change in proposals between the first and second stage consultation they now say:</p> <p><i>"I appreciate the making of full time Traffic Regulation Orders on these routes should go a long way to addressing the issues I raised in my letter of the 3rd of December 2007 in regard to the complexity of the orders which were being proposed on some routes.</i></p> <p><i>Notwithstanding the fact that the orders may become full time and so potentially more easily regulated, the issues I have already raised in my letter of the 3rd of December 2007 in regard to North Yorkshire Police actually policing such regulations still remain.</i></p>

Numbers making this comment	Nature of objection	YDNPA Officer comment
		<i>Should the 'Parks Authority Access Committee' decide to implement these orders perhaps consideration should be given as to how regulation of the orders will be carried out without any police presence."</i>
4 individuals and organisations	Believe that North Yorkshire County Council do not support the TROs	In its response to the consultation under Stage 5 North Yorkshire County Council " <i>acknowledges that it has already expressed its opinion during your section 4 consultation and through its membership of the Yorkshire Dales Green Lanes Advisory Group. With regards to the current consultation the County Council wishes to confirm its acceptance of the YDNPA management proposals.</i> "
8 individuals and organisations	Motor vehicle gives access to the countryside which would not otherwise be possible due to difficulties with walking.	Agree that some people with limited mobility access the countryside using recreational motor vehicles. However, the proposed TROs will not prevent access for those with limited mobility using other means of access eg horse or horse and carriages or tramper style vehicles. The Authority has undertaken an audit of the rights of way network to identify physical barriers to access. In addition there are also other kinds of disability such as hearing or visual impairment, or learning difficulties that need to be considered.
2 individuals and organisations	Exceptions should be provided for authorised events	The Authority is not averse to well organised, long established motor trials. However, we are not aware of any that use these routes to access trials areas.
9 individuals and organisations	Impact on visual character and peace and tranquillity are minimal	This is specific to each route and this factor is considered in detail in the route assessment reports.
7 individuals and organisations	The Authority are not following the advice given through Making Best of Byways or their own policies (specifically Integrated Access Strategy AS1, AS3 and AS4)	The Authority believes that it is following advice contained in Making Best of Byways and other government guidance eg circular 12/96 and the Pullen Report (2003) Review of National Parks and its own policies within the Integrated Access Strategy.
2 individuals and organisations	Closure will put increased pressure on remaining lanes	The Authority will continue to monitor all 'sensitive' routes to see if there is 'displacement'.
7 individuals and organisations	Motor vehicle users contribute to the local economy	Noted.
1 individuals and	Government research shows that the majority of motor vehicle	This figure quoted is based on an 'average' from a National Survey

Numbers making this comment	Nature of objection	YDNPA Officer comment
organisations	use (62%) on routes is for access to premises or land management purposes. Hence a TRO will have little or no effect.	across the whole country. The approximate proportions of recreational and land management use are identified in the route assessment reports on a route by route basis and put in the context of the study quoted.
1 individuals and organisations	Exceptions for agriculture, land management and shooting purposes amount to a significant percentage of traffic and so the level of intrusion into natural beauty and amenity will not significantly reduce.	See above.
3 individuals and organisations	Ask for a public enquiry to be held to ensure that the decision is made independently.	This is one of the options available to members in considering the consultation responses
1 individuals and organisations	Believes that under section 130 of the Highways Act 1980 we need to "assert and protect the rights of the public to the use and enjoyment of any highway for which they are highway authority".	The Authority is delegated Highway Authority on behalf of the county councils and under its delegated powers takes this duty seriously and has promoted BOAT Orders where this is supported by the evidence.

Table 3b – General support

Numbers making this comment	Nature of Support	YDNPA Officer comment
258 individuals and organisations	In support of permanent traffic regulation orders to restrict recreational motor vehicles on: <ul style="list-style-type: none"> • Street Gate to Arncliffe Cote • Harber Scar Lane • Stockdale Lane • The High Way • Old Ing to Cam End (also known as Ling Gill) • Gorbeck Rd • Horton Scar Lane/Foxup Road • Cam High Road (Far Gearstones to Cam Houses) 	Noted
162 individuals and	Issues relating to damage:	All route assessment reports contain the findings of a full condition

Numbers making this comment	Nature of Support	YDNPA Officer comment
organisations	<ul style="list-style-type: none"> • Condition of route makes use difficult • For prevention of damage (many mention that the routes were not designed for motor vehicles) • Some mention water run-off issues • Some mention recent repair works and protecting them 	survey and comparisons with previous surveys where they are available. Surface condition is considered on a case by case, route by route basis.
97 individuals and organisations	Impact on tranquillity, visual impact and quiet enjoyment	See relevant sections in route assessment reports
40 individuals and organisations	Exclusion will allow the green lanes to be enjoyed quietly and peacefully by walkers, horse riders and cyclists	Noted
12 individuals and organisations	Exclusion of recreational motor vehicles will allow the routes to recover from the damage already caused by these vehicles	The findings from those routes originally covered by experimental TROs is that some recovery will occur; in particular the grassing over of rutted areas. Areas of deep ruts or damage caused by water would need intervention to be ameliorated.
20 individuals and organisations	Impact on ecology of the area – both habitat and species. This also includes impact on grazing stock	Impact on habitat and species is evaluated in the assessment report. The Authority has no evidence that motor vehicles obeying the code of conduct for the activity have a detrimental impact on grazing stock.
31 individuals and organisations	Impact of some of the drivers of recreational motor vehicles showing little regard for other users of the paths.	Noted
4 individuals and organisations	Believe that recreational motor vehicles have no place in the remotest and most tranquil parts of the National Park.	Noted
7 individuals and organisations	Provision for motor vehicles should be made at private venues.	Outside the scope of this consultation
9 individuals and organisations	Use is against National Park purposes.	Noted
24 individuals and organisations	Protection of an asset for future generations	Noted
9 individuals and organisations	Notes positive improvement on routes currently covered by traffic regulation orders.	Noted
2 individuals and organisations	Engineered solutions impact on the visual and landscape character, although others comment on the improvement to	Agree engineering works following completion can have an immediate visual impact, however this often reduces over time. The

Numbers making this comment	Nature of Support	YDNPA Officer comment
	routes recently repaired.	visual and landscape character impact of possible engineering works is addressed where appropriate in the reports.
18 individuals and organisations	Impact on heritage features including of the routes themselves	Addressed in the route assessment reports.
6 individuals and organisations	Believe use of motor vehicles on national trails is inappropriate	Designation as a national trail is not sufficient justification for proposing a TRO

Table 3c – General comments from organisations neither objecting or supporting

Reference number for correspondence	Nature of response	YDNPA Officer comment
North Yorkshire Police	<p>I appreciate the making of full time Traffic Regulation Orders on these routes should go a long way to addressing the issues I raised in my letter of the 3rd of December 2007 in regard to the complexity of the orders which were being proposed on some routes.</p> <p>Notwithstanding the fact that the orders may become full time and so potentially more easily regulated, the issues I have already raised in my letter of the 3rd of December 2007 in regard to North Yorkshire Police actually policing such regulations still remain.</p> <p>Should the 'Parks Authority Access Committee' decide to implement these orders perhaps consideration should be given as to how regulation of the orders will be carried out without any police presence.</p>	Views noted
CLA	Providing the exemptions to cover the use of these routes for agricultural, forestry, shooting or other land management purposes are included, along with continued access to adjacent property, then the CLA has no objection to the proposed TRO on the eight routes.	Exceptions are included in the draft Orders for this purpose

Arncliffe Cote to Street Gate

- (a) copy of draft Order
- (b) statement of reason for making a TRO
- (c) Consultations received objecting to the proposal to make the Order
- (d) Consultations received supporting the proposal to make the Order

Copy of draft Order

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(STREET GATE TO ARNCLIFFE COTE)
(PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)
TRAFFIC REGULATION ORDER 2008**

ROAD TRAFFIC REGULATION ACT 1984

The Yorkshire Dales National Park Authority (the “Authority”) acting in exercise of its powers under s.22BB(2)(a) of the Road Traffic Regulation Act 1984 (the “Act”) and all other enabling powers and after consultation with the Highway Authority for the road hereby makes the following Order :

- 1 When used in this Order “road” means any length of highway or of any other road to which the public has access and includes footpaths and bridleways.
- 2 Save as provided in article 4 of this Order no person except upon the direction or with the permission of a Police Constable in uniform or of a Traffic Warden shall cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 at any time after the date on which this Order comes into operation.
- 3 **STREET GATE to ARNCLIFFE COTE**
The road commencing at its junction with Mastiles Lane 10 metres to the east of Street Gate (grid reference SD 9051 6564) then in a north easterly direction for 7.3 kilometres ending near Arncliffe Cote farm at the classified road C394 (grid reference SD 9473 7050)
- 4 Nothing in article 2 of this Order shall render it unlawful to cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 if the vehicle is being used :
 - (a) in an emergency by fire brigade, police or ambulance services; or
 - (b) in the service of a local authority or water authority in pursuance of their statutory powers and duties ;
 - (c) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that road or any part thereof or the laying, erection, alteration or repair in that road or in land accessible only from that road of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or of any telegraphic line or

telecommunications apparatus as defined in the telecommunications Act 1984;

- (d) for the purpose of conveying persons goods or merchandise to or from land or premises adjacent to that road; or
- (e) for the purposes of agriculture land management or shooting on any land or premises adjacent to that road

and cannot conveniently be used for such purpose in any other road.

- 5 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
- 6 This Order comes into effect on * * * and may be cited as the Yorkshire Dales National Park Authority (Street Gate to Arncliffe Cote) (Prohibition of Mechanically Propelled Vehicles) Traffic Regulation Order 2008.

THE COMMON SEAL OF THE)
YORKSHIRE DALES NATIONAL)
PARK AUTHORITY was)
hereunto affixed on the day of)
in the presence of :)

.....
Solicitor

Statement of reason for proposed TRO**ARNCLIFFE COTE – MALHAMDALE**

The proposal is to make an Order that will have the effect of prohibiting use by recreational mechanically propelled vehicles (motor vehicles), seven days a week, 24 hours a day, along the route known as Arncliffe Cote. (This runs from Street Gate, near Malham Tarn, through to Arncliffe Cote Farm in Littondale, a distance of approximately 7.3km). The Order would be for the purposes of preserving the amenity and conserving the natural beauty of the area through which the route passes (the amenity is dependent to a considerable extent on the natural beauty). The Arncliffe Cote route gives opportunities for moderate and strenuous walking, cycling and horse riding, as well as for educational groups and links well with other routes.

The amenity of the area: the feeling of wildness, remoteness, and associated tranquillity would be preserved by the Order as the presence of recreational motor vehicles, or anticipation of their presence, and/or evidence of their passing detract significantly from these qualities. Noise from motor vehicles using the route is likely to affect a large area due to the open character of the landscape, in addition the vehicles would be visible over long distances. The route is away from roads and habitation, and other signs of modern human influence, and there are no significant ‘detractors’ from the landscape setting or any major noise sources in the vicinity.

The natural beauty of the area the route runs through would be conserved by this Order; the landscape, natural and cultural heritage features are outstanding, and include habitat of international importance. The presence of recreational motor vehicles would detract from the experience of these features.

This is an area of dramatic upland limestone scenery and there are panoramic views along much of the route including views of Pendle Hill, Old Cote Moor and Buckden Pike. The majority of this route lies within the Craven Limestone Complex Special Area of Conservation (SAC) and its constituent Malham-Arncliffe Site of Special Scientific Interest (SSSI). The first section of the route between Street Gate and Great Close are also within the Malham Tarn Ramsar site for wetland communities.

Cultural heritage features in the immediate vicinity of the route include evidence of a mining landscape from the 17th century, an extensive earthwork field system, a lime kiln and a very fine farmstead of probable Medieval date.

The grass sward along the route is vulnerable to damage by motor vehicles. There is no significant damage at present. While an engineered solution could be found to enable the route to sustain use by recreational motor vehicles this would, in itself, significantly alter the landscape and visual character of the route, and is likely to be to its detriment.

Further information about the amenity and natural beauty along the route can be found in the background report Arncliffe Cote - Assessment report on the use of recreational motor vehicles – November 2007.

Arncliffe Cote - Consultation responses received in accordance with Regulation 7

Objections to the proposed order

Organisation/individual	Comment	YDNPA comment
Dixie Dean and Jon Caird	<ul style="list-style-type: none"> • Any closure should only be for a period of making repairs. • Use is so low that likely conflict with other users is minimal. 	<p>Views noted, but at present the route is in good condition and no repairs are required.</p> <p>The balance of use surveys in the assessment report show use increasing, and details the type and nature of conflict identified along the route. The proposed traffic regulation order is for the purpose of preserving the amenity and conserving the natural beauty of the area through which the route passes (see statement of reason).</p>
Edwin Duckett	<p>This road is an easy ride starting from Street Gate, mostly grass with a fairly steep climb in the middle, which is has a hard surface. There is no need for a full TRO on this road, except maybe in the winter.</p> <p>I have never met any walkers on this road.</p>	<p>The potential damage to the route surface is not the primary concern; the proposed traffic regulation order is for the purpose of preserving the amenity and conserving the natural beauty of the area through which the route passes (see statement of reason).</p> <p>Balance of use studies contained in the assessment report show this route to be well used by walkers and cyclists.</p>
John Robinson	<p>Arncliffe Cote is no different to a hundred other different locations in the National Park available to non-vehicular users, as a place providing opportunities for strenuous walking, cycling and horse riding, except that it is an unsurfaced road.</p> <p>The road runs almost parallel to Mastiles Lane, the most popular route for walking groups and cyclists, which has already be appropriated for their exclusive use. There is also a secluded bridleway, running parallel to Arncliffe Cote from Street Gate to Arncliffe, that the more sensitive</p>	<p>Disagree there are not many other routes with similar characteristics for cyclists and horse riders. The status of the route is not the subject of this consultation.</p> <p>Mastiles Lane is closed to recreational motor vehicles by a NYCC temporary traffic regulation order, and is currently the subject of consultation on a possible</p>

Organisation/individual	Comment	YDNPA comment
	<p>walkers and cyclists could use, if they are so averse to meeting the occasional motorcycle group.</p> <p>I have ridden Arncliffe Cote many times and I have never seen a Horse rider on this route. I have seen very few walkers(Max 6) since it is isolated and does not form part of a popular circular route, the type of walk, that ordinary walkers would attempt. Only long distance walkers and fit cyclists use the route. They are few and far between.</p> <p>I have had a request from [landowner] (Arncliffe Cote-the only Householder involved in the route) to divert around her property, once she has obtained probate, and I have agreed.</p> <p>The Natural beauty of the area "is in the eye of the beholder". For a few academics, special habitats exist. For the average visitor, the general landscape is the only feature that is important. This landscape has been evolving for millions of years. Now the Parks Department are proposing to exclude a minority group, Trail Riders.</p> <p>As you point out this road has no significant damage at present. This is because the road has little or no use from recreational 4X4s since the gates were narrowed to exclude them, just after the War. Motorcycle use is very limited although the anti-vehicular lobby would have you believe there is a constant stream of vehicles crossing this area.</p> <p>The unique and beautiful verdant road across this rough pasture has been created by MPVs. In this case motorcycles and agricultural vehicles. Constant pressure has resulted in the continuous breaking and reforming of the surface ,along the line of the road, coupled with the natural reseeding that takes place season upon season, year upon year, has produced a visibly, beautiful, verdant byway, easily followed and shared by all users. Far from detracting from the landscape, MPV use</p>	<p>permanent TRO. The other route mentioned is part bridleway/part footpath and so not available as a through route for cyclists or horse riders.</p> <p>Balance of use studies contained in the assessment report show this route to be well used by walkers and cyclists. Agree that numbers of horse riders are low.</p> <p>Outside the scope of this consultation.</p> <p>Natural beauty in this context has legal meaning (see Defra Guidance to NPAs for further explanation) and is a term derived from Section 5(2) of the National Parks and Access to the Countryside Act 1949 (as amended and informed by Sections 59 and 99 of the Natural Environment and Rural Communities Act 2006), and one of the two principle criteria for designating an area as a National Park.</p> <p>The vehicle logger on the route shows an average of 22 motor vehicles per month, 80% of which are motorcycles. The balance of use survey shows use has increased in the past 12 months.</p> <p>Do not accept that this route has been created by motor vehicle use. This route is probably of Medieval monastic origin.</p>

Organisation/individual	Comment	YDNPA comment
	<p>has enhanced its appearance. Without vehicular use there would be no distinctive route, for walkers and cyclists, to follow easily.</p> <p>As for the dramatic limestone scenery, I, as a Trail Rider, appreciate the landscape in all its glory. I have been living and walking in North Yorkshire for the past sixty years. I can no longer walk long distances and rely on my motorcycle to revisit these wild, isolated locations.</p> <p>A Permanent TRO would be tantamount to a Death sentence passed for a minor misdemeanour. There are alternative solutions, if you think numbers of MPVs will increase in the future, monitor and apply a permit system. The loss of Arncliffe Cote by TRO would be a disproportionate response to the perceived threat to the environment. Considering all the other alternative routes, Bridleways/Footpaths, available to non-vehicular users in this area ,one must ask the question: Given that the YDNPA have a mandate to provide access for all why are they considering removing the vehicular rights on the only available unsurfaced route left from Malham to Littondale?</p> <p>As far as engineered solutions, to address sustainability, are concerned, there is no need for large scale intervention the sort that turned Gorbeck road into a stone shooting road. The natural beauty of the landscape was scarred by the desire to create part of the Pennine Bridleway over that route. Installing adequate drainage channels at the few points, where the subsoil is soft, at some time in the future, would be a better solution ,with the advantage of retaining the verdant nature of the route along most of its length.</p>	<p>Agree that trail riders also appreciate the landscape scenery. Agree that some people with mobility difficulties access the countryside in this way. However, others with limited mobility access using other means such as horse or horse and carriage or tramper vehicles which do not have the same impact on the amenity and natural beauty. There are also other kinds of disability such as hearing or visual impairment, or learning difficulties that need to be considered.</p> <p>YDNPA do not believe that a permanent TRO is a disproportionate response on this route given the routes special qualities. This is a pre-emptive TRO for the purpose of preserving the amenity and conserving the natural beauty of the area through which the route passes.</p> <p>Agree that an engineered solution would be inappropriate on this route.</p>
Jon Ackroyd	The recommendation for Arncliffe Cote of the YDGLAG was reasonable in light of the limited and restricted levels of use. Officers' recommendations fail to uphold this advice, calling into question the point of convening an advisory group if its considered views are to be	Based on the balance of use survey, the level of use by motorcycles has increased significantly since the route was considered by YDGLAG, in addition the group did not

Organisation/individual	Comment	YDNPA comment
	<p>disregarded. There is no reason why management proportionate to the level of use, i.e. voluntary restraint or seasonal restraint could not be used here. The Defra guidance in Making the Best of Byways recommends exploration of alternative and flexible management before more punitive and adversarial measures are implemented.</p>	<p>have vehicle logger data available to them at that time. The YDGLAG advice was focused on the prevention of damage to the route, but officers need to look at wider considerations such as preserving the amenity and conserving the natural beauty in keeping with the Authority's statutory purposes. The Authority does consider other options before deciding to make a TRO.</p>
<p>NYTMAG</p>	<p>Members are concerned that 'any damage' appears to be a license for hasty action. Who will be the judge of the 'damage'? If 'emergency' action is taken to protect the route, then equally 'emergency' action should be taken to apply appropriate proportionate management. Local users offer to carry out quarterly fixed-point photographic survey of the route.</p> <p>Users to seek restraint on use of the route. Ride carefully, ride less frequently.</p>	<p>Prevention of damage is only one consideration. The proposed traffic regulation order is for the purpose of preserving the amenity and conserving the natural beauty of the area through which the route passes.</p> <p>Based on the status shown on the Definitive Map following the decision of a public inquiry in 2001 use of the majority of the route by motor vehicles is illegal. However, the Authority is aware that some TRF members are using the route on the basis of the BOAT application alone that has been lodged, ahead of any further decision on status being reached. The landowner has attempted to stop this use as has the YDNPA by confronting users. Based on this it is difficult to see voluntary restraint reducing usage.</p>

Support for the proposed order

Organisation/individual	Comment	YDNPA comment
Bill Quinton	I'm still at a loss to understand how the Inspector could have decided this was a valid route for motorised vehicles. Once a pleasant green route, I have walked it many times. I sympathise entirely with the farmer and his family at Arncliffe Cote who have had to put up with the abuse of 4x4s and trail riders, and the noise of their passage through his farmyard. I trust you will impose a full prohibition on recreational vehicles on this route - 365 days a year, 24 hours a day.	The management of the route rather than its status is under consideration.
D Dodsworth	Having walked most of this route very recently I find it hard to believe that this could be considered a suitable route for motor vehicles. This is particularly true of the mid section around Lee gate and High Linseed Head and also the pleasant green walk descending to Arncliffe Cote.	Noted
David Gibson	<ol style="list-style-type: none"> 1 Tranquillity and wildness – wide views, distance from habitations and noise 2 Ruts beginning to show, shallow earth reduced to bare rock at ford, bad downhill east of High Linseed Head – notice increased use since BOAT application accepted. 3 Good area for walking off path 4 I used the route in November 07 and was passed by 7 motorcyclists. Their tracks were definitely noticeable afterwards. <p>I support full restriction for all recreational motor vehicles 24/7.</p>	Noted
David Marvin	<p>The Street Lane to Arncliffe Cote route offers splendid access to see and study some of the most wonderful limestone scenery available in the Dales as well as breathtaking views down into Littondale. Along with all high country in the Dales, this deserves proper peace and quiet to be fully appreciated, particularly by first time visitors and those not familiar with wilder places. There is absolutely no place for recreational motorcycles and 4-wheel drive vehicles in a location like this.</p> <p>Fortunately there are still stretches of this route which retain the thin covering of fine turf which is so characteristic of limestone areas. This needs to be retained at all costs without further damage caused by motor vehicles, whilst those sections already badly worn will hopefully start to recover when protected by a TRO.</p>	Noted
Peter Black	I am writing to give my full support to the imposition of a TRO on this	Noted

Organisation/individual	Comment	YDNPA comment
	<p>route. It is a route I have walked many times since I was a youngster and it crosses one of the most tranquil and beautiful parts of the dales. I fear this would change the character and physical nature of the whole area should this TRO not be imposed and vehicular access permitted.</p> <p>The TRO should be implemented to incorporate a full, 7 days a week and 12 months a year prohibition on all motor vehicles. Tranquillity is part of the attraction of this area and it is simply no place for motor vehicles. In addition there would be inevitable damage particularly in wet weather which occasionally is encountered in that area.</p>	
YDGLA	<p>This beautiful route is unsurfaced for much of its length and runs on thin turf above limestone. Turf of this type is entirely incapable of sustaining motor vehicle use, especially where the gradient is sharp – as it is on several sections of this route. Although most of this route is presently a definitive bridleway, motor vehicle use has increased of late and the damage is evident. Motorcyclists are now seen regularly on the route. The peace and tranquillity argument is particularly powerful here</p>	Noted
David Turner	<p>This route bisects one of the finest areas of limestone upland in the country, remote from roads. Much of it is vulnerable to damage. Vehicular use will destroy the turf on the limestone pastures and I recently saw significant damage on the steep section on High Lineseed Head where vehicles have taken a variety of routes.</p>	Noted
Derek & June Smith	<p>It is through a remote upland area with fascinating scenery, views and historical remains.</p>	Noted
Diana & Paul Mallinson	<p>Motor vehicles spoil the experience of upland limestone crag and grassland scenery that this route gives. They also damage the surface of the route and the wildlife habitats it crosses.</p> <p>This route cannot be engineered to make it sustain motor vehicle traffic because this would not be appropriate either ecologically or scenically.</p>	<p>See relevant sections in assessment report.</p> <p>Agree</p>
S Towler (Landowner)	<p>In reply to your letter of 5th February 2008. I farm land on the Street Gate to Arncliffe Cote route (SD90516564) – (SD83107926) and I am in favour of a permanent traffic regulation order on the route. Motor vehicles have</p>	Noted

Organisation/individual	Comment	YDNPA comment
	caused and continue to cause irreparable damage to the land.	
Sheila Foster (Landowner)	<p>This has to be one of the most attractive of the more remote routes whichever direction it is traversed. Within ¼ mile at either end you experience total silence – the odd aircraft excepted, so rare nowadays and what many visitors come here for and to enjoy. The CROW Act has made practically no difference to this route and 99% of people stick to the marked route, but have to deviate where the persistent use of bike and the occasional quad bike have eroded the track.</p> <p>Since the Stewardship Schemes have come into being the flora and fauna has improved enormously and will continue to increase if allowed.</p> <p>From a personal point of view most of these bikes come through the farm and at speed – this is a place of business and moving stock safely has sometimes been a problem.</p>	Noted
Arncliffe Parish Meeting	<p>Strongly support a TRO being made on this route. At a public enquiry a few years ago into its status – all the objections to this track being made into a BOAT, still stand in our opinion.</p> <p>The Parish failed in 1964, when this route was under review and no comment was sent then. We wish to rectify that now. Although this route is at the most easterly border of the Parish, the noise from the bikes is easily heard in the village and seen riding of track. We would like that noted.</p>	<p>This consultation is not concerned with the status of the route</p> <p>Noted</p>
Chris Ellison	<p>In January I rode this route from Malham to Arncliffe. We did not on that occasion see any offroaders however we followed the ‘stripes’ of three trail bikes both there and on subsequent lanes. The 3 marks were continuous all the way across and just the sight of them, seeing where the turf had been ripped off was enough to make my heart sink. On many other occasions I have seen trail bikes there and unfortunately the presence of them ruins for the day the sense of peace and tranquillity and true remoteness that the route would otherwise have.</p> <p>Again on 17 February 2008 I rode this lane. While on it I was confronted by three trail bikes who were making a lot of noise there on an otherwise silent day. One of them told me that he was the leader of Teeside TRF & he would not let me take his photograph. He got very agitated and held my wrist when I tried to note his registration number. When I told him he</p>	Noted

Organisation/individual	Comment	YDNPA comment
	<p>was not supposed to be there unless he had first shown that the route had vehicular rights and that those rights were not extinguished he went off into a rant. Unfortunately seeing the scramble bikes there on what was probably one of the best-weather days of the year ruined the experience for us. Unfortunately we had to follow the three stripes of damage all the way to Arncliffe Cote farm then after we had cycled Mastilles we followed the same stripes back across Dean Moor & Gorbeck.</p>	
Francis Bland	<p>Of all the green lanes that are blighted by motorised traffic, their presence on this one disturbs me the most. It was provided for farmers and drovers for horses and horsedrawn carts and was used extensively by monks from Fountains Abbey in medieval times, as they had a Grange on what is now the site of Middle House Farm. Motorbikes and 4X4's can have a devastating impact on ecological factors, and permanently damage the surface, especially on the steep sections of this route.</p> <p>Part of the route runs through a dramatic Site of Special Scientific Interest containing many fragile archaeological features and motorised traffic should definitely not be allowed here. It covers a remote and extra special limestone area that should have as little disturbance as possible. Just to 'listen to the silence' here is a great pleasure to many.</p> <p>The scenic quality of this route brings walkers to the area as it has extraordinary panoramic views and you get a real 'get away from it all' feel as you stride out in this beautiful place. Motorbikes, particularly trial bikes, make a dreadful noise that is not pleasant to hear in the countryside. People visit here to be free of this type of noise and want tranquillity, to hear the bird calls and see wildlife that these vehicles frighten away. There are also many ground nesting birds that should certainly not be disturbed by traffic and Peregrine Falcons are often seen in the vicinity.</p> <p>For the above reasons I feel very strongly that an all time TRO should be in place as soon as possible.</p>	Noted
Ramblers Association	<p>This is a wonderful scenic route, having extensive scenic views over Littondale, also towards Malham Tarn. It is an area of great peace and tranquillity. People walking this area do not want or need to be disturbed by motor cycles or 4x4s. There is evidence that some erosion has taken place on a sensitive landscape. A full time 24 hours a day, 7 days a week permanent TRO is required.</p>	Noted

Stockdale Lane

- (a) copy of draft Order
- (b) statement of reason for making a TRO
- (c) Consultations received objecting to the proposal to make the Order
- (d) Consultations received supporting the proposal to make the Order

Copy of draft Order

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(STOCKDALE LANE)
(PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)
TRAFFIC REGULATION ORDER 2008**

ROAD TRAFFIC REGULATION ACT 1984

The Yorkshire Dales National Park Authority (the “Authority”) acting in exercise of its powers under s.22BB(2)(a) of the Road Traffic Regulation Act 1984 (the “Act”) and all other enabling powers and after consultation with the Highway Authority for the road hereby makes the following Order :

- 1 When used in this Order “road” means any length of highway or of any other road to which the public has access and includes footpaths and bridleways.
- 2 Save as provided in article 4 of this Order no person except upon the direction or with the permission of a Police Constable in uniform or of a Traffic Warden shall cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 at any time after the date on which this Order comes into operation.
- 3 **STOCKDALE LANE**
That length of Stockdale Lane commencing immediately to the east of the access track to Stockdale Farm at grid reference SD 8529 6390 then in an easterly direction for 4.2 kilometres to the classified road C393 at grid reference SD 8918 6401 ; and also that length of road commencing at its junction with Stockdale Lane at grid reference SD 8745 6397 then north east for a distance of 1.2 kilometres to its junction with Gorbeck Road at grid reference SD 8810 6492
- 4 Nothing in article 2 of this Order shall render it unlawful to cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 if the vehicle is being used :
 - (a) in an emergency by fire brigade, police or ambulance services; or
 - (b) in the service of a local authority or water authority in pursuance of their statutory powers and duties ;
 - (c) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that road or any part thereof or the laying, erection, alteration or repair in that road or in land accessible only from that

road of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or of any telegraphic line or telecommunications apparatus as defined in the telecommunications Act 1984;

- (d) for the purpose of conveying persons goods or merchandise to or from land or premises adjacent to that road; or
- (e) for the purposes of agriculture land management or shooting on any land or premises adjacent to that road

and cannot conveniently be used for such purpose in any other road.

- 5 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
- 6 This Order comes into effect on * * * and may be cited as the Yorkshire Dales National Park Authority (Stockdale Lane) (Prohibition of Mechanically Propelled Vehicles) Traffic Regulation Order 2008.

THE COMMON SEAL OF THE)
YORKSHIRE DALES NATIONAL)
PARK AUTHORITY was)
hereunto affixed on the day of)
in the presence of :)

.....
Solicitor

Statement of reason for proposed TRO**STOCKDALE LANE – MALHAMDALE**

The proposal is to make an Order that will have the effect of prohibiting use by recreational mechanically propelled vehicles (motor vehicles), seven days a week, 24 hours a day, along the route known as Stockdale Lane. (The part of Stockdale Lane being considered runs from the junction with the access track to Stockdale Farm through to the tarmac road between Malham village and tarn, as well as the spur route which connects Stockdale Lane with Gorbeck Road). The Order would be for the purposes of preserving the amenity and conserving the natural beauty of the area through which the route passes (the amenity is dependent to a considerable extent on the natural beauty). The routes gives opportunities for long and short distance walking, cycling and horse riding with and forms part of the Pennine Bridleway (Settle Loop) which is very popular with cyclists and horse riders in particular.

The amenity of the area: the feeling of wildness, remoteness, and associated tranquillity would be preserved by the Order as the presence of recreational motor vehicles, or anticipation of their presence, and/or evidence of their passing detracts significantly from these qualities. The route is away from roads and habitation, and other signs of modern human influence, and there are no significant ‘detractors’ from the landscape setting or any major noise sources in the vicinity. The physical capacity of Stockdale Lane to accommodate motor vehicle use is particularly low because of the narrow, winding, relatively wild and isolated character of the track, and the intimate, confined nature of the valley.

The natural beauty of the area the route runs through would be conserved by this Order; the landscape, natural and cultural heritage features are outstanding, and include habitat of national importance. The presence of recreational motor vehicles would detract from the experience of these features.

There are fine views from the route with a marked contrast in terrain between limestone country to the north, and acid moorland to the south, as the route lies close to the Craven Fault.

The route of Stockdale Lane passes through Langcliffe Scars SSSI and Pikedaw Calamine Caverns SSSI. The latter area is of national physiographic importance and the surrounding mine spoil heaps and rock outcrops support important metalliferous plant communities. The route also passes through, or adjacent to, alkaline fen habitat which is susceptible to damage from motor vehicles.

There are many cultural heritage features of importance along the route including calamine, ochre and lead mining remains directly adjacent to the track. The track also overlies a complex of later prehistoric to early Medieval remains which are vulnerable to damage from an increase in motor vehicular traffic.

Further information about the amenity and natural beauty along the route can be found in the background report Stockdale lane - Assessment report on the use of recreational motor vehicles – November 2007.

Consultation responses – Stockdale Lane

Objections to the proposed order

Organisation/individual	Comment	YDNPA comment
Dixie Dean and Jon Caird	<ul style="list-style-type: none"> • The route should be maintained to a level appropriate by current level of recreational and agricultural use. A TRO may have to be applied whilst repairs are carried out, but this should not exceed 3 - 6 months. • If any restrictions are applied they should only be to restrict access by permit during Saturday and Sunday. • Use is so low that likely conflict with other users is minimal. 	<p>Views noted, but at present the route is in good condition and no repairs are required and the route should be maintained to a standard appropriate for its status. See statement of reason explains why the TRO is proposed.</p> <p>Noted, this was the original YDGLAG advice, but given characteristics of route, and evidence Members believe consulting on a full time TRO is more appropriate.</p> <p>Assessment report details levels of use (these are put in the context of Defra guidance and surveys undertaken elsewhere), and the type of conflict eg noise, and how it impinges on others enjoyment based on the individual characteristics of the route.</p>
Edwin Duckett	Is a hard limestone track from the western end. It is grassy on the top. This lane does get a lot of walkers. Maybe a TRO at the weekends and bank holidays would suffice.	Noted, this was the original YDGLAG advice, but given characteristics of route, and evidence Members believe consultation on a full time TRO is more appropriate.
John Robinson	<p>In my experience on this route ,the few walkers I have met, over the years, have welcomed my presence and enjoyed the exchange of pleasentries as a break from the rigger of a long walk. Children are particularly interested, since they do not carry the prejudices of some adults.</p> <p>You say the route is popular with Horse riders .I my experience I have not seen any Horse riders or signs of their presence(droppings/hoof marks).Do you have data to support your claim?</p> <p>The low numbers of MPVs on this route is due to the narrow nature</p>	<p>Noted</p> <p>Accept that numbers of horse riders on all routes in the Dales are relatively low. Stockdale Lane is, in this context, popular and assessment report has ‘balance of use’ survey results.</p> <p>Agree route is very confined in places, which</p>

	<p>of the road ,very few if any 4X4s would venture to use it. I have only seen motorcycles using the route in the last ten years. The surface is stony ,well drained and sustainable.</p> <p>Much is made of SSSI. Sensitive, fragile, unsurfaced road, not the normal word association that springs to mind. Using words such as sensitive and fragile is a form of anthropomorphism, political use of emotive language ,with the added psychological value of engendering sympathy for inanimate objects ,thereby creating the illusion that they need caring for. Whereas in fact the landscape has evolved naturally, over thousands of years and been reformed by geological acitivity, as well as industrial activity and vehicular movements. Beauty is in the "eye of the beholder". As you point out important metalliferous plants exist in the area because of industrial use and its associated transport ,not in spite of it.</p> <p>£20,000 fines exist for encroaching on an SSSI. Surely prosecution is more appropriate than exclusion.</p> <p>You state that the alkaline fen habitat is susceptible to damage from MPVs. I presume you mean acidic exhaust fumes would affect their growth. It would seem to me that the number of vehicular users is too low for any real effect and the wind would disperse the exhaust fumes. Banning MPVs, from this unsurfaced road, would not make one iota of difference to this habitat.</p> <p>You also state the prehistoric and Medieval remains are likely to be damaged by an increase in vehicular traffic .Monitoring is possible and issuing permit to limit the numbers using the route is a viable alternative to permanent TROs.</p> <p>What I do not want to see is the misuse of statistical data in the monitoring process.ie. There was an increase of 50% in traffic numbers in the last twelve months. This sounds significant but in reality could mean an increase from four MPVs per day to six MPVs per day. We need real numbers and not inflated numbers by aggregating the data from several monitors in the same area which count the same vehicle several times in the same day as has happened in the past.</p>	<p>limits use by 4x4. See route assessment report for numbers and condition survey</p> <p>View noted, and agree the 'natural beauty' of the landscape that has lead to National Park designation is a result of many influences on it.</p> <p>Damage is only one consideration the TRO is being proposed to preserve the amenity and conserve the natural beauty of which the SSSI is part, (see statement of reason)</p> <p>Concern is due to physical impact</p> <p>Accept that this is a possible mitigation measure for this factor, the TRO is being proposed to preserve the amenity and conserve the natural beauty of which the archaeological features are part.</p> <p>Assessment report shows actual figures together with average and 'maximum' recorded in any one day and these are put in the context of Defra guidance and surveys undertaken elsewhere.</p>
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Jon Ackroyd	Officer advice expanded on that of the YDGLAG for Stockdale Lane. YDGLAG is a balanced group established specifically by and to serve the NPA afford equality and objectivity. To suggest the sensitivity and amenity of the route have not been properly considered by the GLAG is demeaning and offensive. Further, existing use is undoubtedly lawful as the route is recorded on the list of streets and has commensurate rights until deemed otherwise. Pre-emptive TROs, whilst not unlawful, cannot be perceived as proactive management when actual problems are not quantified and levels of use very low.	This route is not recorded on the list of streets and based on bridleway status shown on the definitive map existing use is illegal. There is a BOAT application for the route but the Authority felt that there was insufficient evidence to support this claim. The applicant has been informed and objected to this decision. Views noted, a TRO can be justified as a pre-emptive measure to preserve the amenity and conserve the natural beauty of the route. Levels of use are shown in the assessment report, and these are put in the context of Defra guidance and surveys undertaken elsewhere.
NYTMAG	Agree with YDNPGLAG recommendations.	Noted, the YDGLAG advice was part of Members consideration in deciding what to do. Following discussion at Access Committee and given characteristics of route, and evidence in the assessment report Members decided to consult on a full time (24/7) TRO as, in their view, this was more appropriate.

Support for the proposed order

Organisation/individual	Comment	YDNPA comment
Bill Quinton	This is another route giving access to a pothole (Pikedaw Calamine Caverns), and I again remember it as a footpath through a grassy sward. Not so now. The recent resurfacing of the Stockdale end as part of the Settle Loop of the Pennine Bridleway is being systematically destroyed by the recreational vehicle users. I trust you will impose a full prohibition on recreational vehicles on this route - 365 days a year, 24 hours a day.	Route assessment report contains information from condition surveys
David Gibson	<ol style="list-style-type: none"> 1. Tranquillity and wildness – wide views, distance from habitations and noise 2. Pennine Bridleway 3. Very poor access to and from road at Cove Lane. 	Noted

Organisation/individual	Comment	YDNPA comment
Elizabeth Judson	<p>I support full restriction for all recreational motor vehicles 24/7.</p> <p>A month ago I walked with friends from Settle to Malham via Stockdale Lane and Gorbeck Road – a lovely walk. At two points during our walk our peace and enjoyment of our beautiful surroundings was shattered by the roar of engines as groups of 3 and 4 trail bikes came past us.</p>	Noted
Francis Bland	<p>I feel that all motorised traffic should be banned from this lane, particularly as it is part of the Pennine Bridleway. I met a horse rider who was very worried about the noise from motor bikes upsetting the horse, as the track was very icy and therefore slippery at the time. I appreciate that most motorbike riders are careful when they see a horse rider but they can't always see them along a route until the very last minute.</p> <p>I am of the opinion that motorbikes should be banned from this lane as they cause a great deal of damage to the surfaces and make a dreadful noise that is not pleasant to hear in the countryside. People visit the countryside to be free of this type of noise and want tranquillity, to hear the bird calls and see wildlife that these vehicles frighten away.</p> <p>As far as I am aware this lane is not a BOAT, so there should definitely be an all time TRO in place</p>	<p>Noted</p> <p>Noted</p> <p>YDNPA believe that there is insufficient evidence to substantiate the BOAT application. The applicant has appealed this decision.</p>
Chris Ellison	<p>This fantastic lane has been repaired recently and designated as the Settle Loop, part of the Pennine Bridleway. At great expense to the taxpayer they have been turned into a fantastic resource for walkers, cyclists & horse riders.</p>	Noted
Mark Willingham	<p>Only a week ago my wife and I came off Rye Loaf Hill and headed east on Stockdale Lane, continuing to the Malham road via Fair Sleets Gate. The physical damage caused by these recreational vehicles was obvious for all to see throughout the route described: thin turf had been torn off the surface of the track; in areas of rough, stony ground, riders had clearly gone off route to avoid the difficulties, and had inflicted damage to adjacent areas; riders had clearly ploughed through soft ground, causing severe damage to</p>	Noted

Organisation/individual	Comment	YDNPA comment
	these sections; the usual rutting damage was obvious. Our experience of seeing such damage was not a pleasant one, and most certainly spoiled our enjoyment of what we expect to be a 'special' place.	
Rhona & Hugh Thornton	We have also heard that horse riders are now visiting the area from all parts of the country to use the Settle Loop of the Bridleway. Presumably these visitors bring income to the area – a duty of the National Park is to “seek to foster the economic and social well-being of local communities”. Visitors are unlikely to continue to come to the area if they hear that their quiet ride on the Loop is likely to be disturbed by noisy motor cycles and 4x4s.	Noted
YDGLA	This is a route that runs chiefly across limestone grassland and which can therefore be (and indeed has already been) damaged by the passage of motor vehicles. Its designation as part of the Settle Loop of the Pennine Bridleway, and the potential for making this route a recommended route for Tramper-type disabled scooters, are additional reasons for a prohibition on motor vehicles.	See route assessment report
Settle Town Council	<p>Thank you for your further enquiry re the establishment of a TRO on Stockdale Lane. The Council did discuss this at its meeting on 3 December when it decided it was in favour of the proposal. The matter was discussed again at its meeting last Monday when it confirmed its earlier decision.</p> <p>I am sorry if our original response has gone astray but advise that the Council is very much in favour of the proposal for a full time permanent TRO and hope this response will assist you.</p>	Noted
David Turner	This route passes through a scenically and geologically important area which should be protected.	Noted
Derek & June Smith	As parts of the Pennine Bridleway Settle Loop, it is absolutely essential that recreational motor vehicles are excluded from these routes 24 hours a day 7 days a week. There is no safe enjoyment in riding a horse along narrow trackways when these are shared with motor vehicles. Our daughter lives along part of the Pennine Bridleway and lets stabling and grazing, which gives us some knowledge of this fraught subject.	Noted

Organisation/individual	Comment	YDNPA comment
Diana & Paul Mallinson	<p>The surface condition of this route has worsened since the condition survey reported in the assessment report. Where the surface has been repaired or constructed, there is little sign of damage, but motorbikes have made ruts adjacent to the stone track, and on sections where there has been no construction i.e. the route runs over vegetation. The width of ruts in some of the latter sections requires other users to deviate over tussocky or marshy areas. Instead of the upper section of Stockdale, and the Grisedale spur, being paths which show up only as a narrow smooth green grass track amid rougher grassland, the wear and ruts caused by motorbikes are making sections of them dark wide tracks, not appropriate to the surrounding landscape.</p>	See above
Ramblers Association	<p>Stockdale Lane is part of the Pennine Bridleway and also runs past Stockdale Farm. To allow vehicles and motorcycles would cause disturbance to riders, cyclists and walkers. The farmer and his family also do not want to be disturbed. This route has some good views over a wide area and is very peaceful and tranquil. This must be maintained.</p>	Noted

Harber Scar Lane

- (a) copy of draft Order
- (b) statement of reason for making a TRO
- (c) Consultations received objecting to the proposal to make the Order
- (d) Consultations received supporting the proposal to make the Order

Copy of draft Order for Harber Scar Lane

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(HARBER SCAR LANE)
(PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)
TRAFFIC REGULATION ORDER 2008**

ROAD TRAFFIC REGULATION ACT 1984

The Yorkshire Dales National Park Authority (the "Authority") acting in exercise of its powers under s.22BB(2)(a) of the Road Traffic Regulation Act 1984 (the "Act") and all other enabling powers and after consultation with the Highway Authority for the road hereby makes the following Order :

- 1 When used in this Order "road" means any length of highway or of any other road to which the public has access and includes footpaths and bridleways.
- 2 Save as provided in article 4 of this Order no person except upon the direction or with the permission of a Police Constable in uniform or of a Traffic Warden shall cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 at any time after the date on which this Order comes into operation.
- 3 **HARBER SCAR LANE**
The road commencing to the east of the Crown Inn, Horton-in-Ribblesdale at grid reference SD 8081 7269 then in a northerly direction for 7.6 kilometres ending at High Greenfield (grid reference SD 8310 7926)
- 4 Nothing in article 2 of this Order shall render it unlawful to cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 if the vehicle is being used :
 - (a) in an emergency by fire brigade, police or ambulance services; or
 - (b) in the service of a local authority or water authority in pursuance of their statutory powers and duties ;
 - (c) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or

reconstruction of that road or any part thereof or the laying, erection, alteration or repair in that road or in land accessible only from that road of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or of any telegraphic line or telecommunications apparatus as defined in the telecommunications Act 1984;

- (d) for the purpose of conveying persons goods or merchandise to or from land or premises adjacent to that road; or
- (e) for the purposes of agriculture land management or shooting on any land or premises adjacent to that road

and cannot conveniently be used for such purpose in any other road.

- 5 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
- 6 This Order comes into effect on * * * and may be cited as the Yorkshire Dales National Park Authority (Harber Scar Lane) (Prohibition of Mechanically Propelled Vehicles) Traffic Regulation Order 2008.

THE COMMON SEAL OF THE)
YORKSHIRE DALES NATIONAL)
PARK AUTHORITY was)
hereunto affixed on the day of)
in the presence of :)

.....
Solicitor

Statement of reason for proposal to make a TRO

HARBER SCAR LANE – HORTON-IN-RIBBLESDALE

The proposal is to make an Order that will have the effect of prohibiting use by recreational mechanically propelled vehicles (motor vehicles), seven days a week, 24 hours a day, along the route known as Harber Scar Lane (this runs from the village of Horton-in-Ribblesdale through to High Green Field Farm, a distance of approximately 7.6km). The Order would be for the purposes of preserving the amenity and conserving the natural beauty of the area through which the route passes (the amenity is dependent to a considerable extent on the natural beauty). This route forms part of the Pennine Way and Ribble Way and there is opportunity for short and long distance walks in a variety of landscapes, as well as opportunities for cycling, horse riding and caving.

The amenity of the area: the feeling of wildness, remoteness, and associated tranquillity would be preserved by the Order as the presence of recreational motor vehicles, or anticipation of their presence, and/or evidence of their passing detract significantly from these qualities. Any noise from motor vehicles, using this route, is likely to carry a considerable distance because of the topography of the route. After leaving the Crown Inn at Horton-in-Ribblesdale the route quickly leaves roads and habitation, and other signs of modern human influence, behind, the only habitation being the remote settlement of High Green Field Farm at its other end.

The natural beauty of the area through which the route runs would be conserved by this Order; the landscape and scenic quality is outstanding and natural heritage features are notable. The presence of recreational motor vehicles would detract from the experience of these features.

This route offers dramatic views of the Three Peaks area, and the vast majority of the route lies within an area perceived as tranquil, a feeling which is reinforced by the open landscape, and the presence of streams and natural sounds. Part of the route lies within the High Birkwith Caves and Fells Site of Special Scientific Interest (SSSI) which is primarily notified to protect the 5km of cave passages which lie at shallow depth beneath Birkwith Moor. The site also incorporates limestone pavement, grassland, flush and woodland habitats of interest.

Harber Scar Lane offers good opportunities for landscape experiences along the route including many limestone features such as shakeholes, caves and sections of pavement.

Further information about the amenity and natural beauty along the route can be found in the background report Harber Scar Lane - Assessment report on the use of recreational motor vehicles – November 2007.

Consultation responses specific to Harber Scar Lane

Objections to the proposed order

Organisation/individual	Comment	YDNPA comment
Dixie Dean and Jon Caird	<ul style="list-style-type: none"> The route should be maintained to a level appropriate by current level of recreational and agricultural use. Use is so low that likely conflict with other users is minimal. 	<p>Views noted Route should be maintained to a standard appropriate to its status.</p> <p>Views noted Assessment report details levels of use by motor vehicles and other users and likely conflict.</p>
Edwin Duckett	<p>This lane climbs fairly steeply from behind the public house in Horton, the first section is loose stone. Over Birkwith Moor the lane is rutted (probably caused by tractors). The ruts do fill with water in wet weather. Some maintenance would put this right.</p> <p>A full TRO is not required.</p>	<p>Findings of condition survey are reported in the assessment report. A further condition survey conducted in Feb 2008 found no significant changes.</p> <p>Views noted the proposed TRO is to preserve the amenity and conserve the natural beauty, (see statement of reason)</p>
Jon Ackroyd	<p>YDGLAG advice for Harber Scar Lane was expanded by officers. A Sunday TRO precludes vehicles on the day when most vehicular users are active. Further, given that most vehicular users will be constrained by jobs during Monday to Friday at least, retaining one day of the weekend with vehicle access would seem a fair and equitable share, with those seeking tranquillity having Sunday assured and weekdays highly likely.</p> <p>For the Access Committee to disregard Officer recommendation is disproportionate and suggests subjective personal opinions and prejudice influencing decisions.</p> <p>The surface of this route is rugged and sustainable and quite capable of accommodating managed vehicular use.</p>	<p>Noted, the YDGLAG advice was part of Members consideration in deciding the appropriate management option. However given characteristics of route, and evidence in the assessment report Members decided to consult on a full time (24/7) TRO as more appropriate.</p> <p>Officers make 'recommendations' only, it is for Access Committee members to reach a decision based on the information available to them. Members are aware of their responsibilities to declare any interests or lobbying (see paper to Access Committee paper July 2007)</p> <p>The surface condition is only part of the consideration findings of condition survey are reported in the assessment report. A further</p>

		condition survey conducted in Feb 2008 found no significant changes. The proposed TRO is to preserve the amenity and conserve the natural beauty, (see statement of reason).
John Robinson	<p>Another unsubstantiated claim about vehicular noise travelling a considerable distance because of the topography of the area. Vehicular noise levels are regulated by Law. Motorcycle exhaust noise has been significantly reduced in the past five years by manufacturers and the Trail Riders fellowship will not tolerate motorcycles without muffled silencers. Such bikes are not allowed to join guided tours of the unsurfaced roads.</p> <p>Sound, contrary to your assumption, is blown away on the breeze. Only on still days (which are few and far between) is there a chance of noise, from an excessively noisy exhaust, travelling a considerable distance. What do you define as a considerable distance? 100m, 500m, 1000m. Sound does echo from hard rock surfaces but as you point out this landscape is open</p> <p>There is an assumption here that there is a continuous stream of traffic and a continuous stream of walkers to observe them and so detract from the tranquility of the area. This is patently not the case. Vehicles are few and walkers on this route sporadic. The numbers of vehicles is so low, on this route, that proposing a total ban is Draconian and unreasonable.</p> <p>I would suggest that 90% of visitors to the National Park have little notion of SSSI's, Heritage sites etc and care even less. Their visits are for the general appreciation of the gentle, stony, landscape of the Dales as opposed to the Mountainous nature of the Lakes or the Heather Moorlands of the North Yorkshire Moors. They do not actively look for MPVs so they can be annoyed by their presence and complain.</p> <p>The route has a solid stone base and is sustainable, with little maintenance. The TRF has offered expertise, labour and financial support towards the maintenance of unsurfaced roads in the Dales, most of which have been so far not taken up.</p>	<p>YDNPA commissioned research into noise from motor vehicles on unsurfaced green lanes. This was carried out by Scott Wilson and showed that the background noise level in many areas of the Park is low, and noise from motorcycles on such routes as a 'rule of thumb' would cause annoyance over a corridor of 320m either side of an unsurfaced route. It is accepted that accurate evaluation is however site specific.</p> <p>Levels of use are shown in the assessment report, and these are put in the context of Defra guidance and surveys undertaken elsewhere.</p> <p>View noted</p> <p>Findings of condition survey are reported in the assessment report together with any maintenance that has been undertaken. A further condition survey conducted in Feb 2008 found no significant changes.</p>

Paul Sandever	This route, made up mostly of rock/hard surface with some grass areas has never changed in the 20 years I have travelled it and is beyond me as to why this lane requires TRO'ing.	The proposed TRO is to preserve the amenity and conserve the natural beauty, (see statement of reason), the surface of the route is only one consideration. Findings of condition survey are reported in the assessment report. A further condition survey conducted in Feb 2008 found no significant changes.
NYTMAG	Agree with YDNPGLAG recommendations. Misleading signage should be removed to reduce misunderstanding / conflict at Low Greenside.	Noted, the YDGLAG advice was part of Members consideration in deciding what to do. Following discussion at Access Committee and given characteristics of route, and evidence in the assessment report Members decided to consult on a full time (24/7) TRO as, in their view, this was more appropriate. Signage relates to 'no through road for motor vehicles'. As this is on a county road this is a matter for NYCC. However, the majority of Harber Scar Lane is currently recorded on the definitive map as bridleway.

Support for the proposed order

Organisation/individual	Comment	YDNPA comment
Bill Quinton	I remember this route as a well surfaced lane from Horton up to Sell Gill Holes and beyond, finally turning into a rough track. The present mud churned route is unrecognisable. Abuse by so called recreational vehicle users extends many metres on either side of the line - and I was once nearly badly injured by a trail rider flying over the hill (so well off the route) beside Sell Gill and landing a few feet from me while I was getting ready to descend the pothole. Unfortunately he was away before I could note any details. I trust you will impose a full prohibition on recreational vehicles on this route - 365 days a year, 24 hours a day.	Condition of the route is reported in the route assessment report. The off route usage around Sell Gill Holes was addressed with the use of fencing which has largely resolved the problem.
David Gibson	1 Tranquillity and wildness – wide views, distance from habitations and noise	Noted

Organisation/individual	Comment	YDNPA comment
	<p>2 Looks in a worse state than in the photographs in the report</p> <p>3 Pennine Way, for much of its length and Ribble Way</p> <p>4 I support full restriction for all recreational motor vehicles 24/7</p>	
Alexander Morphet (Landowner)	TRO full time	Noted
Chris Ellison	<p>This lane is one of my most frequently travelled lanes. I often ride the length of this then cross to Old Ing Farm by dismounting and pushing the bike across the connecting footpath. (I have ridden it in times gone by but have desisted ever since the 'no bikes – no motorbikes' sign was erected a couple of years ago.</p> <p>This route gives fantastic views towards Whernside & Ingleborough and of the Sulber limestone plateau on the other side of the valley. Again it is a truly isolated route however when one walks the length of it, which might take a few hours, when trail bikes are seen they spoil the whole experience. I do not think that trail bike riders realise that when they use a route, because they are so fast, they probably pass many or most of the users on that day so spoil the day for all of them. Also they do not realise that the noise travels so far as to blight bridleways and footpaths that might be a couple of kilometres or more from them, not to mention that the stripped off turf is left as an eyesore for many weeks if not permanently.</p> <p>It should be noted that the Governments advice is that routes which have a byway claim pending (i.e. the status is not yet definitive) should not be used by motors so that if there is likely to be such use then legal powers should be in force to prohibit this presumptuous use. Harber Scar, like Arncliffe and many others falls into this category where the guidance is that a pre-emptive TRO will allow the police to effectively prosecute users.</p> <p>About 1km up the route the green grassy track has now been worn totally away by recreational motors. I can remember in the late 1970s and early 1980s when it was grass all the way up. Now that has gone the water has washed out the track to be a wet boulder-strewn gully. The ancient kerbstones are now falling out as the 4x4s drive over them. Our history is going and going</p>	<p>Noted</p> <p>Noted</p> <p>The condition of this section of the route has been noted. Do not accept that it is not passable to cyclists.</p>

Organisation/individual	Comment	YDNPA comment
	<p>forever. This part of the track is now not passable on a pedal cycle.</p> <p>Where trail motorbikes were scrambling up the bank a few years ago, a barrier has been erected. This shows that when strict management is made on a route then slowly, very slowly the ground may recover.</p>	Noted
Jon Willingham	I am a regular user of the park and have seen first hand the damage caused by said vehicles on the green lanes, namely the green lane that runs from Cam End south towards Old Ing via Ling Gill bridge continuing south into Harber Scar Lane and Horton, the damage in particular around Old Ing farm caused me to divert from the footpath to be able to continue my walk.	Condition of the route is reported in the route assessment report.
YDGLA	In addition to our general reasons, we contend that there is a severe problem of conflict between motor vehicle and non-motorised users, especially in the walled section as it leads northwards away from Horton. The designation of much of this route as the Pennine Way is an additional reason for a prohibition on recreational motor vehicles.	YDNPA have no reports of accidents on this route.
Alan Rogerson (Landowner)	<p>Just a few days ago I was working in the fields near High Greenfield and I could hear continuous revving and gear changing, this was over a 2-3 hour period, over an area stretching from near Dodd Fell, past Cam Houses, towards Ling Gill, Old Ing and on to Harber Scar Lane- an arc nearing 150 degrees; and my hearing is far from perfect-or so I am often told!</p> <p>A comment should also be made on an apparent discrepancy between the numbers of vehicles monitored by the YDNPA, as using Harber Scar Lane compared with those we see at High Greenfield. For some time, for security reasons, we have been keeping an eye on vehicle movements at the farm but have only recently been noting the numbers of motor bikes. It is of interest that in an eight week period to mid-February over 100 motor bikes used this end of Harber Scar Lane- an average of about 9 bikes each weekend and 5 bikes midweek- double the number reported in the route assessment by the YDNP 2007.</p> <p>It might also be noted that in the eight week mid winter period</p>	<p>Noted</p> <p>The vehicle logger is located towards the Horton in Ribblesdale end of the route. The logger detected 40 motorbikes in Dec 07 and 42 in Jan 08. This is about 20% less than reported here. Based on anecdotal evidence only the 'missing' motorbikes may be cutting across to Old Ing or playing in the forest and going back out.</p>

Organisation/individual	Comment	YDNPA comment
	<p>mentioned above our rainfall at High Greenfield was over 25 inches. Year round bike use of this area may very well be considerably greater than the figures noted during this foul weather period.</p> <p>I would therefore support the imposition of a TRO prohibition on all recreational motor vehicles for a full 7 days a week, 12 month a year</p>	
David Turner	This is another route away from roads that should remain peaceful and unspoilt. As well as many important limestone features, it passes through part of the Ribblesdale drumlin swarm where hills of boulder clay and intervening marshy hollows are vulnerable to damage.	<p>Noted</p> <p>Will only be damaged if motor vehicles leave the clearly defined route</p>
Derek & June Smith	<p>Part of its length includes the Ribble Way, and for most of its length it is part of the much-used Pennine Way, with much of the remainder being a bridleway.</p> <p>It crosses the Birkwith SSSI and is a major access to cave systems.</p> <p>It is simply too much used by walkers, and will probably be more used by horse</p>	<p>Noted</p> <p>See comments on conflict above</p>
Diana & Paul Mallinson	<p>We walked this route on 29 February 2008 and noticed that the condition of the route surface had deteriorated, in comparison with your survey of January 2007 and our own experience in March 2007. Just north of Sell Gill Holes, much of the surface is now loose stone, uncomfortable for horses and walkers. Further north, motorbikes and 4-wheel drive vehicles have made substantial ruts in parts of the track and removed its natural grassy surface. In some places, the exit from these ruts is by a step, (presumably because the substrate is harder at that point than the rest of the track) rather than an incline, which is difficult for walkers and horse-riders under dry conditions. In wet conditions, such as 29 February, users have to deviate in several places (often over marshy areas) from the track to avoid water filled ruts which span the track.</p> <p>Motorbikes have left the track at points where its surface is good, damaging the thin vegetation layer in grassland areas. There are some motorbike tracks on and adjacent to the recently constructed</p>	This route was resurveyed in Feb 2008. The surface condition was not considered to have deteriorated significantly.

Organisation/individual	Comment	YDNPA comment
	<p>footpath (Pennine Way) joining Harber Scar Lane to Ling Gill, indicating that motorbikers are continuing to use this link between the two lanes despite the footpath only signs put up by the National Park. We think that if a TRO is put on Ling Gill, a TRO should be put on Harber Scar Lane; if not, motorbikes will continue to cross between the two routes and damage the constructed part of the Pennine Way.</p> <p>As well as the potential for damage to the track and the link to Old Ing, motor vehicles seriously detract from the wildness and peacefulness of this route. The majority of the route, being outside Greenfield plantations, provides fine near and distant views, as it winds between the heather and grass-covered hills above the Ribble. Recreational motor vehicles are detrimental to the beauty of this landscape.</p>	
Holly Rogerson (Landowner)	<p>I fully support the imposition of a full-time permanent Traffic Regulation Order to prohibit recreational mechanically propelled vehicles on Harber Scar Lane.</p> <p>I feel that it would be near impossible to police any temporary or part-time TRO. Partly because of the geography of Harber Scar and surrounding lanes, partly because anything other than a fulltime prohibition is open to interpretation, misuse and genuine mistakes and partly because of the mindset of these recreational users. For example when the sign was posted on our gate for this period of consultation we were subject to verbal abuse and obscene gestures, our gate was rammed with motorbikes and kicked, I had to move the sign to a distant gate to protect my family. When asked to slow down through our garden again we were subject to obscene verbal abuse. The number plates were unreadable. Often when damage has occurred and we have recorded number plates they have been stolen plates belonging to cars and vans.</p> <p>My reasons for supporting a TRO in general remain the same, the lane was not designed for the use it is now receiving. We are often unable to work with the farm stock with the number and speed of the motorbikes passing through our yard. Our animals are frequently at risk from vehicles passing at speed through our</p>	<p>Noted</p> <p>Motor vehicle user groups do not support this kind of behaviour.</p> <p>Noted</p>

Organisation/individual	Comment	YDNPA comment
	<p>garden and yard. There is an increasing number of motor bikes using Harber Scar Lane during the week, so a part time restriction would only move the problem to other times and days. The areas of special scientific interest that it passes through are of vulnerable and fast disappearing habitats, these flora and fauna are not affected by part time or temporary restrictions, any disturbance is disturbance to their habitat no matter what time of day or day of the week or time of the year. The ever increasing pressure on our wild and tranquil areas should surely necessitate some form of adequate protection particularly in the National Park. There are many walkers and cyclists who seek out such areas which are safe for them and their families to enjoy this amazing part of the Yorkshire Dales National Park.</p>	
D Tatersall	<p>Over the last 60 years, but particularly the last 20 years I have noted the rapid deterioration of Harber Scar Lane.</p> <p>As a child I knew Harber Scar Lane as 'Jackies Road' – this long before I could read a map, I presume the locals called it that as it led to Jackdaw Hole. Imagine my horror 18 months ago when I was leading the local history group on that lane and some refused to tackle it as it was that bad!</p>	See route condition in assessment report
Ramblers Association	<p>Some sections are badly rutted, further use by vehicles will make this worse. A long section is the Pennine Way and Ribble Way. Both are well used by walkers. Visitors doing both of the long distance paths so not want this sort of surface. The same also applies to day walkers. The route offers walkers peace and tranquillity and superb views. A full time 24 hours a day, 7 days a week permanent TRO is required.</p>	See route condition in assessment report

The Highway

- (a) copy of draft Order
- (b) statement of reason for making a TRO
- (c) Consultations received objecting to the proposal to make the Order
- (d) Consultations received supporting the proposal to make the Order
- (e) Consultations received neither objecting or supporting

Copy of draft Order

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(THE HIGH WAY)
(PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)
TRAFFIC REGULATION ORDER 2008**

ROAD TRAFFIC REGULATION ACT 1984

The Yorkshire Dales National Park Authority (the “Authority”) acting in exercise of its powers under s.22BB(2)(a) of the Road Traffic Regulation Act 1984 (the “Act”) and all other enabling powers and after consultation with the Highway Authority for the road hereby makes the following Order :

- 1 When used in this Order “road” means any length of highway or of any other road to which the public has access and includes footpaths and bridleways.
- 2 Save as provided in article 4 of this Order no person except upon the direction or with the permission of a Police Constable in uniform or of a Traffic Warden shall cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 at any time after the date on which this Order comes into operation.
- 3 **THE HIGH WAY**
The road commencing at the Cotterdale Road immediately north of its junction with the classified road A684 (grid reference SD 8420 9210) then north west for a distance of 7.9 kilometres to a point approximately 20 metres south east of Hell Gill Bridge (grid reference SD 7865 9685) where it meets the byway leading to Shaw Paddock
- 4 Nothing in article 2 of this Order shall render it unlawful to cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 if the vehicle is being used :
 - (a) in an emergency by fire brigade, police or ambulance services; or
 - (b) in the service of a local authority or water authority in pursuance of their statutory powers and duties ;
 - (c) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that road or any part thereof or the laying, erection, alteration or repair in that road or in land accessible only from that

road of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or of any telegraphic line or telecommunications apparatus as defined in the telecommunications Act 1984;

- (d) for the purpose of conveying persons goods or merchandise to or from land or premises adjacent to that road; or
- (e) for the purposes of agriculture land management or shooting on any land or premises adjacent to that road

and cannot conveniently be used for such purpose in any other road.

- 5 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
- 6 This Order comes into effect on * * * and may be cited as the Yorkshire Dales National Park Authority (The High Way) (Prohibition of Mechanically Propelled Vehicles) Traffic Regulation Order 2008.

THE COMMON SEAL OF THE)
YORKSHIRE DALES NATIONAL)
PARK AUTHORITY was)
hereunto affixed on the day of)
in the presence of :)

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Solicitor

Statement of reason for the proposed TRO

THE HIGH WAY – COTTER END TO HELL GILL BRIDGE

The proposal is to make an Order that will have the effect of prohibiting use by recreational mechanically propelled vehicles (motor vehicles), seven days a week, 24 hours a day, along the route known as The High Way (this runs from Cotter End for 7.9km through to the junction with the Shaw Paddock byway open to all traffic close to Hell Gill Bridge). The Order would be for the purposes of preserving the amenity and conserving the natural beauty of the area through which the route passes (the amenity is dependent to a considerable extent on the natural beauty). The High Way provides opportunities for long and short distance walks, and cycle rides. It is part of the Lady Anne Way long distance walking route and the Pennine Bridleway follows part of this route.

The amenity of the area: the feeling of wildness, remoteness, and associated tranquillity would be preserved by the Order as the presence of recreational motor vehicles, or anticipation of their presence, and/or evidence of their passing detract significantly from these qualities. Although the route is not widely visible from the valley, (except at the northern end of the route section) motor vehicles will be visible and audible for considerable distances along the route itself because the route follows a relatively straight line. The sound of motorbikes is also likely to carry to most of the connecting rights of way in the valley below and on the hillside above. The route is away from roads and habitation, and other signs of modern human influence, and there are no significant 'detractors' from the landscape setting or any major noise sources in the vicinity.

The natural beauty of the area the route runs through would be conserved by this Order; the landscape, natural and cultural heritage features are outstanding. The presence of recreational motor vehicles would detract from the experience of these features.

There are superb views along much of the route, including views of Mallerstang Common, Wild Boar Fell and the Settle – Carlisle railway (which is a conservation area). The route itself has historic associations with Lady Ann Clifford, and probably formed the main Hawes to Kirkby Stephen road until the construction of the turnpike built in 1825. It has a marked concentration of features of natural and cultural heritage interest, such as waterfalls, shake holes, lime kilns, and ruined buildings; these features cannot be enjoyed from other areas. The end of the route is very close to the Hell Gill Site of Special Scientific Interest (SSSI) which is noted for its gorge, and close to West End Meadows SSSI.

Further information about the amenity and natural beauty along the route can be found in the background report The High Way - Assessment report on the use of recreational motor vehicles – November 2007.

Consultation responses specific to The Highway

Objections to the proposed order

Organisation/individual	Comment	YDNPA comment
Dixie Dean and Jon Caird	<ul style="list-style-type: none"> • Not suitable for 4x4s. • The route should be maintained to a level appropriate by current level of recreational and agricultural use. • A TRO may have to be applied whilst repairs are carried out, but this should not exceed 6 months. Consider 'one way' system as proposed by NYTMAG. • Repairs should be made to permit through use by motorcycles. • Use is so low that likely conflict with other users is minimal. 	<p>Agree. The section being considered has a number of narrow gateways.</p> <p>Route should be maintained to a standard appropriate to its status, and repair work is in progress at Cotter End.</p> <p>A temporary traffic regulation order is now in place to allow these repairs to take place. A one way system was considered at the YDGLAG meeting, and this is one option taken into account but consultation on a full TRO was considered more appropriate by Members.</p> <p>YDNPA is undertaking repairs, to create a grass gravel track – appropriate to the routes status</p> <p>Levels of use are shown in the assessment report, and these are put in the context of Defra guidance and surveys undertaken elsewhere.</p>
Edwin Duckett	From Hell Gill Bridge the present TRO should only be left on until the southern end has been allowed to recover. Then it should only be ridden in a southerly direction.	Views noted the proposed TRO is to preserve the amenity and conserve the natural beauty, (see statement of reason), damage is only one consideration
John Robinson	<p>Part of Lady Anne Cliffords Highway, a vehicular route, that can be traced back to the Seventeen hundreds.</p> <p>There has always been one short section, of steep ascent ,over Cotter</p>	<p>Noted</p> <p>The alignment of the route shown on the</p>

Organisation/individual	Comment	YDNPA comment
	<p>Riggs to Cotter End, that has caused problems, in terms of rutting. It is difficult to believe that the route, now designated along the line of the wall ,was the original route used by Lady Anne in her coach and horses.</p> <p>The rest of the route has been restored over the past couple of years and is sustainable. It may be, in order to extend the time between restorations ,that a weight limit be imposed on the route, coupled with a oneway system ,so that only the descent from Cotter End is allowed.</p> <p>You state that vehicular noise will be heard along the valley and connecting routes. Have you monitored these routes to gather data to indicate the level, and endurance of the noise and the volume of traffic using this route, or is it an assumption.</p> <p>Again vehicular use of this route is low. Then again low is a relative term. To me averaging six vehicles a day, is a low usage. Since 90% of recreational use occurs at the weekend ,maybe a weekend TRO ought to be considered. That ought to satisfy the few, walkers, who crave complete solitude, in order to appreciate the Natural beauty of the Landscape and its Flora and Forna.</p>	<p>Definitive Map came about through the review of the evidence available and DMMO process.</p> <p>Views noted the proposed TRO is to preserve the amenity and conserve the natural beauty, (see statement of reason), damage is only one consideration</p> <p>YDNPA commissioned research into noise from motor vehicles on unsurfaced green lanes. This was carried out by Scott Wilson and showed that the background noise level in many areas of the Park is low, and noise from motorcycles on such routes as a 'rule of thumb' would cause annoyance over a corridor of 320m either side of an unsurfaced route. It is accepted that accurate evaluation is however site specific.</p> <p>Levels of use are shown in the assessment report, and these are put in the context of Defra guidance and surveys undertaken elsewhere.</p> <p>The YDGLAG advice was for a full time TRO reviewed after repairs had been undertaken. This advice and other management options were part of Members consideration in deciding what to do. Given characteristics of route, and evidence in the assessment report Members decided to consult on a full time (24/7) TRO as most appropriate.</p>

Support for the proposed order

Organisation/individual	Comment	YDNPA comment
Bill Quinton	I regret I did not find this route until the destruction had begun, but when I first walked it about 1990 it was possible to imagine how it would have been only a few years previously. I have crossed it a few times since, and been dismayed at the accelerating destruction. I trust you will impose a full prohibition on recreational vehicles on this route - 365 days a year, 24 hours a day.	Route assessment report contains information from the condition survey of the route
David Gibson	<ol style="list-style-type: none"> 1 Tranquillity and wildness – wide views, distance from habitations and noise 2 Cotter End appalling very doubtful if it can ever be repaired to BOAT standard. Cyclists should be encouraged to walk up and down Cotter Rigg. 3 Pennine Bridleway (part) 4 Cotter End Rigg still being used by motor cyclists in wet weather 5 I support full restriction for all recreational motor vehicles 24/7. 	<p>Route assessment report contains information from the condition survey of the route</p> <p>Temporary TRO now in place to allow repair works to take place</p>
John Asher	There are sections which are already fragile and degraded, especially the descent from Cotter End.	Route assessment report contains information from the condition survey of the route. This section is being repaired.
Jon Ackroyd	I offer support to a full-time TRO on the High Way from Cotter End to the junction with Shaw Paddock link, but on the proviso that this is fully reconsidered after 5 years. In addition, the maps accompanying the consultation do not accurately reflect the written extent of the order. The line of the Shaw Paddock BOAT to Hell Gill Bridge as exists on the ground must be protected and accurately represented on ALL legal documents	<p>Noted</p> <p>A detailed map of this end of the route was provided as part of the consultation which shows that the route from Shaw Paddock and over Hell Gill Bridge is unaffected.</p>
Chris Ellison	This route is one where again damage is being sustained as the underlying peat is not capable of carrying motorised vehicles. Any person from hundreds of years ago when it was dedicated as a cart and pack horse route would be horrified to see motors on it. Trail bike clubs have tried to post notices asking their colleagues to use the route in only one direction, to lessen the impact of their damage, but this has been of no use. Either they have ignored the notices, the damage has occurred anyway or both.	Noted

<p>Ramblers Association</p>	<p>Reasons/evidence: The route from Hell Gill Bridge (north end of the Yorkshire Dales National Park section) to High Dyke (approx 3 km) has recently been substantially improved by grass gravel surfacing, giving a reasonable surface for walkers, cyclists and horse riders. However, this surface is showing signs of wear, arguably due to use by motor cyclists during wet weather. Drainage along most of the higher parts of the route is good, except in two low hollows which show substantial tyre rutting and which hold water between the high bank on one side and the wall on the other. Because of this, motor cyclists have evidently been diverting on to the moorland above.</p> <p>From the old lime kiln on Cotter End, approx 3 km south of High Dyke, all the way down and across Cotter Riggs to Collier gate, approx a further 1.5km, the route is in a very bad state.</p> <p>One of our members who recently walked along this section of route reported having to move off the route itself on to adjoining access land, as passage on foot along the line of the track was virtually impossible. Being also an experienced horse rider, his opinion was that no horse could have used the route in this state without risk of serious injury. It seems unlikely that this area can now recover without remedial action.</p> <p>At the Collier Gate end of the route there is a sign from the Trail Riders Association of Craven asking motor cyclists to use the route only from the opposite (north) end. Yet our above-mentioned member, on the day when he walked the route, conversed with a motor cyclist coming up the hill who said that he was a member of the TRF, and that he had seen the sign but disregarded it. Clearly this is an example of voluntary restraint not working.</p> <p>Damage to the track surface is destructive of the visual and historic environment, and motor vehicles themselves are an alien intrusion and source of pollution on this historic route which was never envisaged to carry motorised traffic. Both vehicles themselves and damage to the track surface are sources of potential danger to walkers.</p> <p>Because this route is high up along the valley side, noise from vehicular use carries widely.</p> <p>It should be noted that northward from grid ref 8057 9395, a little south of</p>	<p>Route assessment report contains information from the condition survey of the route</p> <p>This section is now closed by a temporary TRO to allow repair works</p> <p>Agreed</p> <p>Noted</p> <p>Noted</p>
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	<p>High Dyke, this route forms part of the proposed route of the new Pennine Bridleway National Trail.</p> <p>For all these reasons, we do not believe that recreational vehicular use of this route is compatible with the concept of “quiet enjoyment” which has been widely recognised to be a principal criterion against which recreation within a National Park should be assessed.</p> <p>Hence our support for a full-time permanent TRO for this route.</p>	
Richard Johnson (for landowner)	For the record I am writing to confirm that Michael R Cannon who is the owner of the majority of the Lady Anne Clifford Highway supports the National Park's proposal for a full time Traffic Regulation Order on this route. This view is supported by the Conservators of Abbotside Common.	Noted
Sarah Bridge	Last year we went along The Highway and were appalled by the vehicle damage at the Cotterdale End of the track and wondered how long the rest of the excellently restored track running high above the Mallerstang valley will last if motor vehicles are allowed to continue to use it. I think a TRO on this track is long overdue to protect the work that has been done.	Route assessment report contains information from the condition survey of the route
YDGLA	The Cotter End section of this route is in a terrible state, due to the passage, both up and down, and despite a 'voluntary restraint' notice, of recreational motor vehicles – chiefly motorbikes. At present, and because of the vehicular damage, this section of the route is more or less off-limits for non-motorised users.	Route assessment report contains information from the condition survey of the route
David Turner	The wonderful views from this high level route, and its position along the edge of a large wilderness area, give it a particular value which should be protected.	Noted
Derek & June Smith	<p>The fact that the Pennine Bridleway follows part of this route is sufficient reason for unto support the proposal for a 24/7 TRO to prohibit recreational motor vehicles.</p> <p>The A684/B6259 roads provide a good route for normal motor traffic, and there are a number of minor tarmac roads for more adventurous motorists - to Grisedale and Cotterdale for example.</p> <p>The High Way forms a useful link between the network of footpaths running along the River Ure, as well as a through route with great views</p>	<p>Designation as a national trail is not sufficient reason for a TRO</p> <p>Noted</p>

	across the dale to Baugh Fell, Wild Boar Fell and the summit of the Settle-Carlisle railway. There are some historic and many natural features, including caves and potholes, along this route, which can only be fully enjoyed when free of the need to be on guard for motor vehicles. We hope that a TRO will be proposed for the northern section of this route, through Mallerstang from the present National Park boundary at Hell Gill to Thrang, although this may be more likely if/when the National Park is extended to include Nine Standards Rigg, Mallerstang and the northern Howgill Fells.	
North Yorkshire County Council	Support the proposed order, but in the future would like to see the narrow gates widened to allow carriage drivers to be able to use the route.	Noted
Diana & Paul Mallinson	The southern end of this route has been severely damaged despite a policy of voluntary restraint promoted by recreational motor users. Motor vehicles spoil the peacefulness and beauty of this route.	Route assessment report contains information from the condition survey of the route

Comments neither objecting or supporting

Organisation/individual	Comment	YDNPA comment
NYTMAG	Agree with YDNPGLAG recommendations. At the review it should be anticipated that future regulation of the route may include one-way traffic and / or a 500Kg weight limit	Noted, though YDGLAG suggested a TRO for reasons of damage and asked that any TRO should be reviewed after repair work has been undertaken its advice did not mention the amenity and natural beauty. Members, while considering the YDGLAG advice, have looked at wider considerations relating to National Park purposes, with the outcome that this advice, while considered has not been followed; consultation on a possible full time TRO for the reasons of preserving the amenity and conserving the natural beauty has been pursued as, this was considered more appropriate on the basis of the evidence and consultations. If a TRO is made a review will take place in five years time.

Gorbeck Road

- (a) copy of draft Order
- (b) statement of reason for making a TRO
- (c) Consultations received objecting to the proposal to make the Order
- (d) Consultations received supporting the proposal to make the Order

Copy of draft Order

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(GORBECK ROAD)
(PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)
TRAFFIC REGULATION ORDER 2008**

ROAD TRAFFIC REGULATION ACT 1984

The Yorkshire Dales National Park Authority (the “Authority”) acting in exercise of its powers under s.22BB(2)(a) of the Road Traffic Regulation Act 1984 (the “Act”) and all other enabling powers and after consultation with the Highway Authority for the road hereby makes the following Order :

- 1 When used in this Order “road” means any length of highway or of any other road to which the public has access and includes footpaths and bridleways.
- 2 Save as provided in article 4 of this Order no person except upon the direction or with the permission of a Police Constable in uniform or of a Traffic Warden shall cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 at any time after the date on which this Order comes into operation.
- 3 **GORBECK ROAD**
The road known as Gorbeck Road from its junction with the classified road C393 at Langscar Gate (grid reference SD 8880 6488) in a westerly direction for approximately 6.5 kilometres to a point 100 metres to the east of the classified road C393 at Clay Pits Plantation (grid reference SD 8304 6523)
- 4 Nothing in article 2 of this Order shall render it unlawful to cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 if the vehicle is being used :
 - (a) in an emergency by fire brigade, police or ambulance services; or
 - (b) in the service of a local authority or water authority in pursuance of their statutory powers and duties ;
 - (c) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that road or any part thereof or the laying, erection, alteration or repair in that road or in land accessible only from that road of any sewer or of any main, pipe, cable or apparatus for the

supply of gas, water or electricity or of any telegraphic line or telecommunications apparatus as defined in the telecommunications Act 1984;

- (d) for the purpose of conveying persons goods or merchandise to or from land or premises adjacent to that road; or
- (e) for the purposes of agriculture land management or shooting on any land or premises adjacent to that road

and cannot conveniently be used for such purpose in any other road.

- 5 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
- 6 This Order comes into effect on * * * and may be cited as the Yorkshire Dales National Park Authority (Gorbeck Road) (Prohibition of Mechanically Propelled Vehicles) Traffic Regulation Order 2008.

THE COMMON SEAL OF THE)
YORKSHIRE DALES NATIONAL)
PARK AUTHORITY was)
hereunto affixed on the day of)
in the presence of :

.....
Solicitor

Statement of reason for proposed TRO

GORBECK ROAD

The proposal is to make an Order that will have the effect of prohibiting use by recreational mechanically propelled vehicles (motor vehicles), seven days a week, 24 hours a day, along the route known as Gorbeck Road. (This route runs from the junction with the tarmac road between Malham village and tarn at Langscar Gate, through to Clay Pitts plantation above Settle, a distance of approximately 6.5km.) The Order would be for the purposes of preserving the amenity and conserving the natural beauty of the area through which the route passes (the amenity is dependent to a considerable extent on the natural beauty). The routes gives opportunities for long and short distance walking, cycling and horse riding with opportunities for carriage driving too. Gorbeck Road forms part of the Pennine Bridleway (Settle Loop) which is very popular with cyclists and horseriders in particular.

The amenity of the area: the feeling of wildness, remoteness, and associated tranquillity would be preserved by the Order as the presence of recreational motor vehicles, or anticipation of their presence, and/or evidence of their passing detract significantly from these qualities. Noise from motor vehicles using the route is likely to affect a large area due to the open character of the landscape, and the vehicles would be visible over long distances. The route is away from roads and habitation, and other signs of modern human influence, and there are no significant 'detractors' from the landscape setting or any major noise sources in the vicinity.

The natural beauty of the area the route runs through would be conserved by this Order; the landscape, natural and cultural heritage features are outstanding, and include habitat of national importance. The presence of recreational motor vehicles would detract from the experience of these features.

This moorland route has a very diverse visual character, reflecting the variations in the underlying geology and land cover. Much of the route has panoramic views including Warrendale Knotts, Attermire Scar, and high level views over Malham Tarn, with more distant views of Pen-y-Ghent, Fountain's Fell and Ingleborough. There is a strong impression of wildness reinforced by the open character, long views and the presence of cliffs and caves.

Gorbeck Road runs adjacent to the Langcliffe Scar and Jubilee, Albert and Victoria Caves Site of Special Scientific Interest (SSSI) which are designated for the geologic sequence they demonstrate, and the fossilised remains found there. The route crosses a variety of habitats including neutral and acid grassland, with scattered base-rich flushes, bog habitats with *Sphagnum* mosses and Cottongrass and some calcareous grassland. There are good numbers of ground nesting birds along the route including lapwing, curlew and snipe.

Jubilee Cave is a Scheduled Ancient Monument, and a second Scheduled Ancient Monument, a settlement north-west of Lang Scar, is located just over 50m from the route. At the eastern end of the route there are a series of mining remains, and a series of enclosures and field banks presumed to be from the prehistoric, and medieval periods,

respectively. These, like the mine shafts, take the form of pronounced earthworks which could be at risk of erosion.

Further information about the amenity and natural beauty along the route can be found in the background report Gorbeck Road - Assessment report on the use of recreational motor vehicles – November 2007.

Consultation responses specific to Gorbeck Road

Objections to the proposed order

Organisation/individual	Comment	YDNPA comment
Dixie Dean and Jon Caird	<ul style="list-style-type: none"> The route should be maintained to a level appropriate by current level of recreational and agricultural use. Use is so low that likely conflict with other users is minimal. Consider one way system as proposed by NYTMAG. 	<p>Route should be maintained to a standard appropriate to its status.</p> <p>Levels of use are shown in the assessment report, and these are put in the context of Defra guidance and surveys undertaken elsewhere.</p> <p>The YDGLAG advice did suggest a one way system, and this was part of Members consideration in deciding what to do. Given characteristics of route, and evidence in the assessment report Members decided to consult on a full time (24/7) TRO as most appropriate.</p>
Edwin Duckett	This road has been repaired and is fairly level going. It is narrow and suitable for motorbikes. No TRO is necessary.	The proposed TRO is to preserve the amenity and conserve the natural beauty, (see statement of reason), the surface of the route is only one consideration.
Jon Ackroyd	The YDGLAG recommendations for Gorbeck Road were flexible and pragmatic. Officer advice was less so, but again subjective and unsubstantiated opinion seems to have coloured the Access Committee decision.	Access Committee Members are aware of the need to base their decisions on the evidence presented in the Assessment Report including the YDGLAG advice, and the results of the consultation.
GLASS	<p>Gorbeck Road was recently upgraded to a BOAT and has a sustainable surface capable of use by MPV's all year round.</p> <p>The original idea of National Parks was to allow all people to access open countryside not just those who wish to walk in the park. We at GLASS have several disabled members who greatly enjoy the freedom of being able to enjoy the countryside from their vehicles.</p>	<p>The condition survey carried out in February 2008 shows new damage on the route which has occurred since the Feb 2007 survey.</p> <p>Agree that some people with limited mobility access the countryside using recreational motor vehicles. However, the proposed TROs will not prevent access for those with limited mobility using other means of access eg horse or horse and carriages</p>

Organisation/individual	Comment	YDNPA comment
	<p>I can fully understand the desire of walkers to enjoy a peaceful walk without coming into contact with MPV's but the park contains hundreds of paths neither legal nor accessible for use by MPV's so surely the answer for those wishing to walk undisturbed is to use one of these paths and not the handful of roads available to those who wish to drive in the Dales.</p> <p>You will notice that I have not just made a blanket objection to all the proposed closures as I feel that most are justified due to overuse and unsuitability for MPV's.</p> <p>The campaign by the YDGLA is a crusade by selfish individuals to who are intent on having the Dales to themselves. Who will be next in their firing line, mountain bikers, horse riders?. Please see sense and keep at least some of these routes open for those who wish to access the countryside from a vehicle either by choice or the inability to do otherwise.</p>	<p>or tramper style vehicles. The Authority has undertaken an audit of the rights of way network to identify physical barriers to access. In addition there are also other kinds of disability such as hearing or visual impairment, or learning difficulties that need to be considered.</p> <p>Do not accept that this is a valid argument. There are alternatives for recreational motor vehicular users too, where motor vehicle use does not bring them into conflict with others in the same way.</p> <p>Appreciate that GLASS support the majority of the proposals.</p> <p>View noted. The National Park is for everyone and use of recreational motor vehicles on green lanes with proven rights is a legitimate activity. The Authority does not have a policy of banning use of these green lanes as a matter of 'principle', and there should be opportunities for recreational motor vehicle users to enjoy the area. It is the Authority's view that this activity does need to be managed and it is not appropriate on all green lanes, but this has to be assessed on a case by case basis, as outlined in the individual assessment reports.</p>
D Colbert	<p>The order proposes to ban vehicles to preserve 'the amenity' and conserve the 'natural beauty' of the area? This land is over 1,000ft above sea level and has been intensively sheep grazed for 1,000 years, add mining, lime burning and turf cutting to the list and you have a usually bleak, certainly man made industrial site.</p> <p>Anticipation. Walkers do not anticipate motor vehicles on the tarmac roads of this area, which incidentally is far from remote, so they won't be giving them a thought in the grass lands.</p>	<p>Accept that the landscape of the Yorkshire Dales has been influenced by humans over thousands of years, and that this is part of what makes the area special.</p> <p>View noted</p>

Organisation/individual	Comment	YDNPA comment
	<p>Evidence of passing. Repair the boggy road properly with a narrow strip of grass for the carriage horses and two areas of hard surface for wheels then more grass and there won't be any evidence of motor vehicles. There are several footpaths and right to roam areas around, signpost might tempt walkers into the countryside and out of site of the roads.</p> <p>Noise. The widely used petrol engine is said to be without a long term future, noise levels cannot be predicted therefore it cannot be included as a factor in long term planning.</p> <p>Heritage. The tenants of Langcliffe banded together to purchase the Township. The cattle Gate proprietors made a legally binding agreement with equal rights and responsibilities. Land was set aside for roads which all could freely travel. None had the right to challenge use of the road. It would be a grave injustice to try to ban this rightful use.</p> <p>Views. The statement makes much of the views of the area, to which there is not any right, yet a most popular view nearby has been ruined by the actions of the Planning Committee.</p> <p>Since you do not claim that the 'caves, the scar, or the ground nesting birds' have been affected to date by the use of the road, the presumption must be they will not be adversely affected by the next 2000 years use, given the amount of rain, wind and frost which hits this area I think erosion is inevitable.</p> <p>The road has existed for hundreds, maybe thousands of years, views (sometimes) manufactured landscape, plants and wildlife have evolved without any vehicles being banned. However the ban caused by foot and mouth disease showed that without farmers, farm animals and walkers previously unseen plants and creatures emerged in this area. The roads were still being used</p>	<p>The route is suitable for carriage drivers. Repair of the recent vehicular damage has been added to the Authority's maintenance programme.</p> <p>Noise research undertaken by Scott Wilson for the Authority shows that the background noise level is low and noise from motorbikes can carry over large distances in the National Park. The effect of noise is discussed in the route assessment report. A five year review period has been suggested for any proposed TRO. Any changes could be addressed at the review.</p> <p>View noted</p> <p>Outside the scope of the consultation</p> <p>Noted</p> <p>View noted</p>

Organisation/individual	Comment	YDNPA comment
	<p>by motor vehicles.</p> <p>The NPACA 1949 came about I understand through a need to protect the common law rights of the public to use the highways of this country. The actions now proposed are the opposite of this ideal, ignore the right of the people and do not give any consideration to the aging population or the disabled.</p> <p>The public's right is too important to be cast aside by the flimsy arguments. We are all equal under the Langcliffe Enclosure Award and the Highway Law.</p>	<p>The Dower Report (1945) lead to the NPAC Act 1949. This documents the thinking behind National Parks in England and Wales which included opportunities to enjoy the natural beauty of relatively wild areas and 'quietude'. In terms of consideration for those with limited mobility the proposed TROs will not prevent access for those with limited mobility using other means of access eg horse or horse and carriages or tramper style vehicles. The Authority has undertaken an audit of the rights of way network to identify physical barriers to access to help 'access for all'.</p> <p>View noted</p>
John Robinson	<p>The subject of a resent Public inquiry ,Gorbeck road, was proven to have vehicular rights.</p> <p>The resurfacing has made the route sustainable for many years although the nature of the maintenance, yellow stone, does detract from the appreciation of the natural beauty of the landscape. The resurfacing has produced a narrow strip of solid surface and as such may warrant a weight restriction or a one way system for MPVs.</p> <p>The transient noise from MPVs would be absorbed by the soft nature of the open rough pasture coupled with the windy conditions ,generally experienced along this route.</p> <p>The undulating nature of the landscape means that sight of (presuming people were actively seeking to observe) MPVs would be short lived ,contra to your statement-would be visible over long distances. How long? What Scientific data was used in the monitoring of this area? The YDNPA ought to be wary of</p>	<p>Agree</p> <p>The Authority has undertaken a visual impact assessment of the engineering works, because it seeks to minimise the impact of such work as much as possible. A condition survey in Feb 2008 shows that the engineered sections are in good condition. However new damage is evident on some vegetation based sections. This is primarily through 4x4 use.</p> <p>The lack of boundary walls, and topography means that noise will affect a relatively wide area.</p> <p>Accept that the nature of the topography means that over much of the route motor vehicles would be 'hidden'.</p> <p>The identification of the zone of visual influnece for</p>

Organisation/individual	Comment	YDNPA comment
	<p>accepting hearsay evidence, on these matters, which have serious consequences for MPV users.</p> <p>Once again you are at pains to point out the Natural Geological features, the variety of Habitats and the Industrial heritage of the area. Since MPVs are confined to the narrow strip of land carrying the road. All these features are safe from MPVs.</p> <p>The danger in closing down unsurfaced roads ,based on Aesthetic appreciation of the area being diminished in some way, is that we enter a downward spiral of events based on opinion not Scientific fact.</p>	<p>each route was based on established techniques.</p> <p>The assessment report identifies that there should be no impact on these features unless motor vehicles left the route.</p> <p>Views noted. 'Amenity' and 'natural beauty' are assessed based on clear criteria, see Defra guidance though recognise 'judgments' still have to be made.</p>
Paul Sandever	I have recently travelled this route at the end of January and cannot see why this route should have a TRO. I believe this route was re-opened in mid 2007 after very long awaited repair work. The route is used by all user types, yet the condition of the route is still perfect.	<p>The condition survey carried out in February 2008 shows new damage on the route which has occurred since the Feb 2007 survey, anecdotal this has been over the winter period 2007/8.</p> <p>The potential damage to the route surface is not the primary concern; the proposed traffic regulation order is for the purpose of preserving the amenity and conserving the natural beauty of the area through which the route passes (see statement of reason).</p>
NYTMAG	Agree with YDNPGLAG recommendations.	Noted, the YDGLAG advice was part of Members consideration in deciding what to do. Given characteristics of route, and evidence in the assessment report, and Members view that simplicity was needed Members decided to consult on a full time (24/7) TRO rather than the seasonal one way system proposed by YDGLAG, as in their view, this was more appropriate. (It should be noted that the Police response to the second stage consultation supports a more simplified approach).

Support for the proposed order

Organisation/individual	Comment	YDNPA comment
Bill Quinton	I am dismayed and upset that the Inspector decided this route was an ancient carriageway - and fail to agree with his findings. The work to resurface the route for the Pennine Bridleway is being destroyed by vehicles, and the flanking ruts and destruction are getting worse. I trust you will impose a full prohibition on recreational vehicles on this route - 365 days a year, 24 hours a day.	The status of the route is not the subject of the consultation. A condition survey in Feb 2008 shows that the engineered sections are in good condition. However new damage is evident on some vegetation based sections. This is primarily through 4x4 use which is recreational.
David Gibson	<ol style="list-style-type: none"> 1 Tranquillity and wildness – wide views, distance from habitations and noise 2 Restricted TRO will not prevent damage to lower limestone length – soil going 3 Since the report it appears to show additional signs of use circa 4800 and south of junction with spur of Stockdale Lane 4 Pennine Bridleway 5 6 Very poor access to and from road at Langscar Gate 7 I support full restriction for all recreational motor vehicles 24/7 	Lower numbers of motor vehicles especially in wet weather would be likely to prevent damage. See above National trail designation is not sufficient reason for a TRO Noted
Elizabeth Judson	A month ago I walked with friends from Settle to Malham via Stockdale Lane and Gorbeck Road – a lovely walk. I was distressed to see how quite a significant section of Gorbeck Road had been destroyed yet again by motor vehicles after all the effort that the YDNP put into restoring the lane a few years ago. At two points during our walk our peace and enjoyment of our beautiful surroundings was shattered by the roar of engines as groups of 3 and 4 trail bikes came past us.	Noted A condition survey in Feb 2008 shows that the engineered sections are in good condition. However new damage is evident on some vegetation based sections. This is primarily through 4x4 use which is recreational.
Francis Bland	Although presently a BOAT this lane, like other green lanes in the Dales, was provided for farmers, drovers and for horses and horsedrawn carts and should definitely not be used by 4X4s and motorbikes. I feel that all motorised traffic should be banned from here, particularly as it is now part of the Pennine Bridleway where horse riders expect, and need, to be away from noisy	National trail designation is not in itself sufficient reason for a TRO

Organisation/individual	Comment	YDNPA comment
	<p>traffic.</p> <p>Thanks to these vehicles this lane was in a terrible state until it was recently renovated, at great cost, and more vehicular use will eventually ruin the parts where it presently has a good surface.</p> <p>The scenic quality of this route brings many walkers to the area as it has panoramic views of the three peaks, caves, limestone pavements and dramatic limestone scars. Motorbikes, particularly trial bikes, make a dreadful noise that is not pleasant to hear in the countryside. People visit the countryside to be free of this type of noise and want tranquillity, to hear the bird calls and see wildlife that these vehicles frighten away. There are also many ground nesting birds that should certainly not be disturbed by traffic.</p> <p>For the above reasons I feel that an all time TRO should be in place.</p>	Noted
Chris Ellison	<p>This fantastic lane has been repaired recently and designated as the Settle Loop, part of the Pennine Bridleway. At great expense to the taxpayer they have been turned into a fantastic resource for walkers, cyclists & horse riders. When I rode it a couple of weeks ago there was significant damage re-occurring from trail motorbikes starting to be seen. I'm afraid they treat the repaired surface as if it were a rollercoaster-racetrack and this must be stopped otherwise YDNP will have wasted so much of the taxpayers money. There is also a danger that should two 4x4s meet head on or one to meet a group of horses the solid track is not wide enough for them to pass. That would mean that one of the users would have to descend down the embankment and into the bog, clearly a dangerous thing to do. The part of Gorbeck that has been stone surfaced, if that could be kept free from motor vehicles and the ruts they produce will be a superb resource for disabled carriages or of people of limited mobility. There are no places in the Dales of such remoteness, with only the noise of the wind and birdsong that a Trumper could get.</p>	<p>A condition survey in Feb 2008 shows that the engineered sections are in good condition. However new damage is evident on some vegetation based sections. This is primarily through 4x4 use which is recreational.</p> <p>Noted</p>
John Asher	This is part of the Penning Bridleway, and I have seen, with some apprehension, recreational motor vehicles overtaking horses on a	Noted

Organisation/individual	Comment	YDNPA comment
	<p>road that is really not wide enough for safe overtaking.</p> <p>Also, huge works have had to be carried out to repair the route following damage to sensitive areas by recreational motor vehicles – this may well survive for a few years, but continuing use by recreational motor vehicles will damage the repairs yet again.</p>	See above
Rhona & Hugh Thornton	<p>We would add that considerable sums of money have been spent recently in repairing the damage to the surface caused by motor vehicles to the Gorbeck Road to make the bridleway part of the Pennine Bridleway. Unless the use of this lane by recreational motor vehicles is prohibited, the damage will return and this money will have been wasted. We have also heard that horse riders are now visiting the area from all parts of the country to use the Settle Loop of the Bridleway. Presumably these visitors bring income to the area – a duty of the National Park is to “seek to foster the economic and social well-being of local communities”. Visitors are unlikely to continue to come to the area if they hear that their quiet ride on the Loop is likely to be disturbed by noisy motor cycles and 4x4s.</p>	<p>Engineered section was constructed to BOAT standard in accordance with its status and see above</p> <p>Noted</p>
YDGLA	<p>This route has recently been expensively re-surfaced to bring it up to Pennine Bridleway specification, and to incorporate it in the Settle Loop. But the lifting of the TRO hat was imposed to facilitate this work, and the re-entry of recreational motor vehicles onto the route has already started to degrade the surface. Before all the work is wasted, a permanent TRO needs to be imposed.</p>	<p>A condition survey in Feb 2008 shows that the engineered sections are in good condition. However new damage is evident on some vegetation based sections. This is primarily through 4x4 use which is recreational.</p>
David Turner	<p>Although the character of this route has been changed by the bridleway causeway it passes through a remote area and the central section is still vulnerable to damage</p>	Noted
Derek & June Smith	<p>As parts of the Pennine Bridleway Settle Loop, it is absolutely essential that recreational motor vehicles are excluded from these routes 24 hours a day 7 days a week. There is no safe enjoyment in riding a horse along narrow trackways when these are shared with motor vehicles. Our daughter lives along part of the Pennine Bridleway and lets stabling and grazing, which gives us some knowledge of this fraught subject.</p>	Noted

Organisation/individual	Comment	YDNPA comment
Diana & Paul Mallinson	<p>We have walked this route, usually in conjunction with the Grisedale and Stockdale routes, for several years, and prize the wildness of the landscape through which it passes. Until the construction of the grass-gravel track over the glacial drift and peat section by the National Park, this part was very difficult to use, because of the wide, deeply rutted areas. The continual diversions to avoid the ruts and searches for a way through the wet areas made it impossible to enjoy the views. We remember coming across a recreational 4x4 stuck in the mud several years ago. We are concerned to note that, now the route is legally open to motor vehicles, parts of the route are again becoming damaged by 4x4s and motorbikes. The surface is in a worse condition now than reported in the condition survey of February 2007. Motorbikes are also straying from the track, even where the surface is in good condition, so that the surrounding vegetation is likely to be damaged once again. The thin layer of vegetation overlying the limestone sections of the route is being torn away, and the grass-gravel section is becoming rutted and therefore, on slopes, prone to further erosion by water. We enclose a photo taken at the beginning of February 2008 showing a point where the grass-gravel now has ruts over its complete width. There are other points where the ruts cover almost all the width of the grass-gravel.</p> <p>The advisory group's comments, on page 22, that motorised users sought natural beauty on this route, ignores the damage that is now being done to the route, and that similar views could be obtained by them from the tarmac roads between Langcliffe and Malham.</p> <p>We think that there is the potential for conflict between motorised and nonmotorised users (page 23). When we last walked it, on the first Sunday of February, walkers moved off the track as 2 recreational 4x4s passed by; this avoiding action would not be easy for horses or walkers in the section where drainage ditches have been dug.</p>	<p>Noted</p> <p>Agree. A condition survey in Feb 2008 shows that the engineered sections are in good condition. However new damage is evident on some vegetation based sections. This is primarily through 4x4 use which is recreational.</p>
		<p>Noted</p>

Organisation/individual	Comment	YDNPA comment
Ramblers Association	Before Gorbeck Road was repaired it was in a very bad state, sections were ankle deep in mud with 4x4 usage. Now it is part of the Pennine Bridleway and has been repaired to bridleway standard. This has been done at public expense, it would be a nonsense to allow 4x4s and motorcycles. The whole of the area is peaceful and tranquil and should remain so. There are splendid views, tranquillity is needed to fully appreciate such wonderful scenery. A 365 day a year, 7 days a week, 24 hours a day full time TRO is needed.	Repairs were carried out to BOAT standard Noted
Robert Bell (Land owner)	Support the TRO and would like it to be permanent	Noted

Cam High Road (Far Gearstones to Cam Houses)

- (a) copy of draft Order
- (b) statement of reason for making a TRO
- (c) Consultations received objecting to the proposal to make the Order
- (d) Consultations received supporting the proposal to make the Order

Copy of draft Order

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(CAM HIGH ROAD)
(PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)
TRAFFIC REGULATION ORDER 2008**

ROAD TRAFFIC REGULATION ACT 1984

The Yorkshire Dales National Park Authority (the "Authority") acting in exercise of its powers under s.22BB(2)(a) of the Road Traffic Regulation Act 1984 (the "Act") and all other enabling powers and after consultation with the Highway Authority for the road hereby makes the following Order :

- 1 When used in this Order "road" means any length of highway or of any other road to which the public has access and includes footpaths and bridleways.

- 2 Save as provided in article 4 of this Order no person except upon the direction or with the permission of a Police Constable in uniform or of a Traffic Warden shall cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 at any time after the date on which this Order comes into operation.

- 3 **CAM HIGH ROAD**
The road commencing at its junction with the classified road B6255 near to Far Gearstones at grid reference SD 7850 8028 then in a north easterly direction for 4.8 kilometres to the junction with the access track to Cam Houses at grid reference SD 8216 8276

- 4 Nothing in article 2 of this Order shall render it unlawful to cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 if the vehicle is being used :
 - (a) in an emergency by fire brigade, police or ambulance services; or
 - (b) in the service of a local authority or water authority in pursuance of their statutory powers and duties ;
 - (c) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that road or any part thereof or the laying, erection, alteration or repair in that road or in land accessible only from that road of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or of any telegraphic line or

telecommunications apparatus as defined in the telecommunications Act 1984;

- (d) for the purpose of conveying persons goods or merchandise to or from land or premises adjacent to that road; or
- (e) for the purposes of agriculture land management or shooting on any land or premises adjacent to that road

and cannot conveniently be used for such purpose in any other road.

- 5 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
- 6 This Order comes into effect on * * * and may be cited as the Yorkshire Dales National Park Authority (Cam High Road) (Prohibition of Mechanically Propelled Vehicles) Traffic Regulation Order 2008.

THE COMMON SEAL OF THE)
YORKSHIRE DALES NATIONAL)
PARK AUTHORITY was)
hereunto affixed on the day of)
in the presence of :)

.....
Solicitor

Statement of reason for the proposed TRO**CAM HIGH ROAD – FAR GEARSTONES TO CAM HOUSES**

The proposal is to make an Order that will have the effect of prohibiting use by recreational mechanically propelled vehicles (motor vehicles), seven days a week, 24 hours a day, along the route known as Cam High Road. (This section of the Cam High Road is from the junction with the B6255, close to Far Gearstones, through to the junction with the access track to Cam Houses, a distance of 4.8km). The Order would be for the purposes of preserving the amenity and conserving the natural beauty of the area through which the route passes (the amenity is dependent to a considerable extent on the natural beauty). This route carries the Pennine Way, Dales Way and will also be part of the Pennine Bridleway.

The amenity of the area: the feeling of wildness, remoteness, and associated tranquillity would be preserved by the Order as the presence of recreational motor vehicles, or anticipation of their presence, and/or evidence of their passing detract significantly from these qualities. The route quickly leaves the influence of the B6255 behind, and is then away from roads and habitation, and other signs of modern human influence along its length. There are no major noise sources in the vicinity, and the landscape quality is high although Cam and Greenfield woods are highly visible from the route. The straight line of the route and the lack of confining walls and features mean that motor vehicle noise will carry over a considerable distance. The route is in an isolated area which is perceived as wild and tranquil.

The natural beauty of the area the route runs through would be conserved by this Order; the landscape, natural and cultural heritage features are outstanding, and include habitat of national importance close to the route. The presence of recreational motor vehicles would detract from the experience of these features.

The route is in the heart of the Three Peaks area, and at the start of the route there are fine views of Ingleborough and Pen-y-ghent, and from a little higher up of Whernside and Ribbleshead viaduct. The route primarily runs through an area of acid grassland, although there are large bog habitats close to the route.

The most significant cultural heritage feature along this route is the route itself. It is believed to be part of the Roman Road between Ingleton and Bainbridge, and part of the route also became part of the main Lancaster-Richmond Turnpike Road in 1755. Just off the route is a small Scheduled Cairn situated 50m north of where the route terminates.

Further information about the amenity and natural beauty along the route can be found in the background report Cam High Road (Far Gearstones to Kidhow Gate) - Assessment report on the use of recreational motor vehicles – November 2007.

Consultation responses specific to Cam High Road

Objections to the proposed order

Organisation/individual	Comment	YDNPA comment
Dixie Dean and Jon Caird	<ul style="list-style-type: none"> • Little maintenance has been carried out by the highway authority. The route should be maintained to a level appropriate by current level of recreational and agricultural use. A TRO is in force and this time should be used to effect repairs. This should not exceed 3 - 6 months. • Once repaired, the route should be reopened and monitored. • Use is so low that likely conflict with other users is minimal. 	<p>This route is currently subject to a temporary TRO and is being repaired.</p> <p>View noted</p> <p>Levels of use are shown in the assessment report, and these are put in the context of Defra guidance and surveys undertaken elsewhere.</p>
Edwin Duckett	This road is a main route to the east of the dales and stands up well to the traffic. It should not have a TRO.	View noted, the TRO is proposed for preserving the amenity and conserving the natural beauty, (see statement of reasons)
Jon Ackroyd	<p>Ling Gill to Cam End and Cam High Road are currently subject to temporary closure to facilitate long overdue repairs. These are being conducted to a standard commensurate with their present usage. These routes are popular and generally well surfaced, the areas where disrepair has been identified resulting from prolonged neglect of basic surface repairs and drainage. Therefore surface sensitivity considerations will soon be allayed by repairs, a weighting which itself has arisen from sustained neglect rather than deliberate actions or quantified mapping.</p> <p>The outstanding issue is tranquillity. Whilst recognising the quantified mapping approach, pragmatism is also relevant. These routes cross rugged, bleak upland areas with very few interlinking rights of way, although much of the land is now open access. Such terrain and routes is the preserve only of the determined walker, who has at his disposal across the Park huge tracts of upland where no vehicles may reach, with arguably better landscape and more total tranquillity. The chance of meeting occasional vehicles on these two routes is something which most reasonable users</p>	<p>View noted, the TRO is proposed for preserving the amenity and conserving the natural beauty, (see statement of reasons) of which damage is only one consideration</p> <p>Levels of use are shown in the assessment report, and these are put in the context of Defra guidance and surveys undertaken elsewhere.</p>

Organisation/individual	Comment	YDNPA comment
	<p>would tolerate and should realistically acknowledge as a balance of use which can be borne within the Park.</p> <p>A full-time TRO is not justified on routes which have strategic importance to vehicular users when inclusive and balanced management has not been explored or implemented.</p>	<p>Other options besides full time permanent TRO have been considered and are listed in the framework document on the <i>Management of the use of green lanes (unsealed routes) in the Yorkshire Dales National Park</i>.</p>
John Robinson	<p>This route is a short but major, unsurfaced ,link ,road to Ribble Head and Ingleborough beyond. Although it carries the Pennine way, Dales Way and will also be part of the Pennine Bridleway it is first and foremost an ancient road which has be appropriated for these non-vehicular routes. Despite this I have never experienced any conflict of interest between users along its route in the last ten years. The route is wide and open and as such provides an amenity for all users.</p> <p>The open aspect ensures the dispersal of any "traffic noise" by the windy and sloping nature of the terrain. I would be pleased to see any monitored data to show the noise levels recorded along the route and the level of noise at various distances from the line of the route. Unsubstantiated claims should not inform any decision making process. It is easy to say noise will be carried over a considerable distance. Since this is borne out of a "feeling" that the noise will be carried over a considerable distance. Perceptions can not be quantified, it is a personal opinion, possibly not borne out by reality but remains to be proven.</p> <p>Tranquillity is a relative term. There are bridleways that cross the Dales that are more Tranquil than the Cam High road.</p> <p>Few people have the physical capacity for long distance walks, cycling or have Horses capable of travelling across the cam road. Suggesting a permanent TRO on the basis of the few seems a little unreasonable.</p>	<p>View noted</p> <p>This is acknowledged in the assessment report</p> <p>YDNPA commissioned research into noise from motor vehicles on unsurfaced green lanes. This was carried out by Scott Wilson and showed that the background noise level in many areas of the Park is low, and noise from motorcycles on such routes as a 'rule of thumb' would cause annoyance over a corridor of 320m either side of an unsurfaced route. It is accepted that accurate evaluation is however site specific.</p> <p>Agree, but based on assessment of background noise levels disturbance to tranquillity can be quantified (see Scot Wilson Report).</p> <p>Assessment report contains information on levels of use</p>

Organisation/individual	Comment	YDNPA comment
GLASS	<p>Cam High Road has had a considerable amount of public money spent on it in years gone by mostly on 2 cobbled ramps to allow vehicles to enter and leave the ford at SD 7872 8033. Surely this proves that the road is designed to be used by vehicles.</p> <p>The original idea of National Parks was to allow all people to access open countryside not just those who wish to walk in the park. We at GLASS have several disabled members who greatly enjoy the freedom of being able to enjoy the countryside from their vehicles. I can fully understand the desire of walkers to enjoy a peaceful walk without coming into contact with MPV's but the park contains hundreds of paths neither legal nor accessible for use by MPV's so surely the answer for those wishing to walk undisturbed is to use one of these paths and not the handful of roads available to those who wish to drive in the Dales.</p> <p>You will notice that I have not just made a blanket objection to all the proposed closures as I feel that most are justified due to overuse and unsuitability for MPV's.</p> <p>The campaign by the YDGLA is a crusade by selfish individuals to who are intent on having the Dales to themselves. Who will be next in their firing line, mountain bikers, horse riders?. Please see sense and keep at least some of these routes open for those who wish to access the countryside from a vehicle either by choice or the inability to do otherwise.</p>	<p>Evidence of routes likely status is not part of this consultation.</p> <p>Agree that some people with limited mobility access the countryside using recreational motor vehicles. However, the proposed TROs will not prevent access for those with limited mobility using other means of access eg horse or horse and carriages or tramper style vehicles. The Authority has undertaken an audit of the rights of way network to identify physical barriers to access. In addition there are also other kinds of disability such as hearing or visual impairment, or learning difficulties that need to be considered.</p> <p>This is a strategically important route for all users.</p> <p>Noted</p> <p>View noted. The National Park is for everyone and use of recreational motor vehicles on green lanes with proven rights is a legitimate activity. The Authority does not have a policy of banning use of these green lanes as a matter of 'principle', and there should be opportunities for recreational motor vehicle users to enjoy the area. It is the Authority's view that this activity does need to be managed and it is not appropriate on all green lanes, but this has to be assessed on a case by case basis, as outlined in the individual assessment reports.</p>

Organisation/individual	Comment	YDNPA comment
Paul Sandever	This route is a sustainable route and in the last 20 years of using this route the conditions have not worsened other than one section that could do with some maintenance.	View noted Route condition is reported in the Route Assessment Report.
NYTMAG	<ul style="list-style-type: none"> The large 'bomb-holes' on this route have been present for many years and are not the result of any changes in use, but of a long-term lack of maintenance. The surface sensitivity assessment should be done after the repairs have been concluded. This is a key route and every effort should be made to retain some access for MPVs under a regulatory regime. This is the favoured route for future HGV timber extraction that avoids vehicle movements through Newhouses, Horton-in-Ribblesdale. Highly likely to be upgraded to withstand HGV use. 	<p>View noted</p> <p>A further condition survey will be conducted after the works have been concluded and repeated in future years.</p> <p>Accept that this is a strategically important route for all users.</p> <p>No planning application has been received concerning the extraction route, although the Cam High Road has been suggested informally by the forestry company. If this did become the extraction route then it is accepted that this is a material consideration and should be taken into account as part of a review if a TRO is made.</p>

Support for the proposed order

Organisation/individual	Comment	YDNPA comment
Bill Quinton	The Romans may have built well - but not well enough to cope with 21st century vehicular abuse. Parts of the ancient paving (which ought to be scheduled as an Ancient Monument, and so be protected) have been torn up and thrown aside, and the ruts and mud extend well to each side. I trust you will impose a full prohibition on recreational vehicles on this route - 365 days a year, 24 hours a day.	Route assessment report contains information on the condition of the route. The route is currently closed by a temporary TRO to allow repair works to be carried out. Archaeological surveys have found no trace of ancient highway surface or structure
David Gibson	<ol style="list-style-type: none"> Tranquillity and wildness – wide views, distance from habitations and noise Pennine Way and Dales Way Present temporary restriction is not being obeyed 	Noted

Organisation/individual	Comment	YDNPA comment
	<p>4 Should only be repaired to restricted bridleway as probably suitable for horse drawn carriages. I support full restriction for all recreational motor vehicles 24/7</p>	
Jon Willingham	<p>I was also horrified to see the extent of damage caused by the use of recreational vehicles on the Cam High Road where the ruts caused by the recreational vehicles was very deep, so much so that it was not possible to walk on some stretches and again caused me to divert from the footpath. They left such a dreadful scar upon the landscape.</p>	<p>Route assessment report contains information on the condition of the route. The route is currently closed by a temporary TRO to allow repair works to be carried out.</p>
Jennifer Willison	<p>Cam High Road, for example, is in a very fragile state. Riders make increasingly wide tracks because even they cannot ride in the ruts they have made. If the lanes can be repaired, who will meet the increasing cost of the work? The terrain just cannot sustain recreational motor vehicle traffic, and we should consider the inheritance of future generations when considering action now.</p>	<p>Route assessment report contains information on the condition of the route. The route is currently closed by a temporary TRO to allow repair works to be carried out. This work is being funded by Natural England as part of the Pennine Bridleway</p>
YDGLA	<p>This route and the adjacent moorland are presently in a deplorable state, due to the activities of recreational mpvs. The route carries both the Pennine Bridleway and the Pennine Way – two powerful reasons for prohibiting mpvs.</p>	<p>Designation as a national trail in itself is not sufficient reason for a TRO</p>
Chris Ellison	<p>This route has suffered greatly from their use by both 4x4s and trail motorbikes. Being part of the Pennine Way and the Pennine Bridleway this route with their remoteness and tranquillity should be given special protection as there are very special routes isolated from the noise of motorised traffic.</p> <p>When I first used Cam High Road in the 1980s it was a green lane in the greenest sense. The track was one of turf and short grass and most parts of it were like walking on a carpet. Now it is a boulder strewn riverbed in many areas with ruts of up to a metre deep. The recreational vehicles have stripped off the turf and the weather has done the rest. Again however these routes should have been given pre-emptive TROs as their status has not yet been determined.</p>	<p>Noted</p> <p>See above</p>

Organisation/individual	Comment	YDNPA comment
Alan Rogerson(Landowner)	All walkers using the Pennine Way and Dalesway pass through this general area as do those crossing from Upper Wharfedale, through Langstrothdale to Ribblesdale. I believe a major attraction to these walkers is the `relative' tranquillity of the area. One has to say `relative' tranquillity because the peace and quiet can be-and more frequently is nowadays- shattered by motorbikes and recreational vehicles, whose riders use the lanes as a challenge to their skill, often at high speeds, on rough surfaces.	Noted
David Turner	There has been appalling damage to the steep section of this route and it should be protected.	See above
Derek & June Smith	it is an important high level section of the Pennine Way (in part) and the Dales Way (for the whole distance), crossing the watershed between the uppermost reaches of Wharfedale and Ribblesdale. Also, the western end of the route, as it descends from Cam End to Gearstones, gives a dramatic highlight to the fells as seen from both the B6255 and the adjacent sections of the Dales Way and the Ribble Way - which would be ruined by the presence of recreational motor vehicles.	Noted
Diana & Paul Mallinson	We are concerned that the construction work currently under way will be wasted if motor vehicles continue to use this route. Tom Stephenson, in his 1969 book on the Pennine Way, described this route as a grass track. The maintenance work being done by the National Park should restore them to this condition, but only if motor vehicles are banned. As well as the damage they have already done to these routes, motor vehicles destroy the peacefulness that non-motorised users experience on them.	Noted
J Beresford (Landowner)	I am in agreement with the order proposed.	Noted
J Spence (Holder of shooting rights)	Thank you for your letter re Cam High Road and Old Ing to Cam End. I have made my views in previous letters etc. The issue of these roads destroys our heritage and do hope your efforts are successful and some sort of sanity will come again to the area.	Noted

Organisation/individual	Comment	YDNPA comment
Ramblers Association	Cam High Road is part of the Pennine Way and Dales Way. Soon to become part of the Pennine Bridleway. The last thing riders and walkers want is to be disturbed by motorcycles and 4x4s. There are some very rough and boggy sections where vehicles have left the track causing more erosion. This makes some parts almost impossible to walk. There are some wonderful views and the peace and tranquillity of the area should be guarded. The curlews and skylark can be heard. The route will need to be repaired to bridleway standard. So do this and allow motorcycles and 4x4s is economic madness.	Noted

Old Ing to Cam End (Ling Gill)

- (a) copy of draft Order
- (b) statement of reason for making a TRO
- (c) Consultations received objecting to the proposal to make the Order
- (d) Consultations received supporting the proposal to make the Order

Copy of draft Order

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(OLD ING TO CAM END via LING GILL)
(PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)
TRAFFIC REGULATION ORDER 2008**

ROAD TRAFFIC REGULATION ACT 1984

The Yorkshire Dales National Park Authority (the "Authority") acting in exercise of its powers under s.22BB(2)(a) of the Road Traffic Regulation Act 1984 (the "Act") and all other enabling powers and after consultation with the Highway Authority for the road hereby makes the following Order :

- 1 When used in this Order "road" means any length of highway or of any other road to which the public has access and includes footpaths and bridleways.
- 2 Save as provided in article 4 of this Order no person except upon the direction or with the permission of a Police Constable in uniform or of a Traffic Warden shall cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 at any time after the date on which this Order comes into operation.
- 3 **OLD ING to CAM END (via LING GILL)**
That length of road commencing to the north west of Old Ing Farm at grid reference SD 8043 7736 then in a northerly direction for a distance of 4.0 kilometres via Ling Gill Bridge to its junction with Cam High Road at Cam End (grid reference SD 8016 8044)
- 4 Nothing in article 2 of this Order shall render it unlawful to cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 if the vehicle is being used :
 - (a) in an emergency by fire brigade, police or ambulance services; or
 - (b) in the service of a local authority or water authority in pursuance of their statutory powers and duties ;
 - (c) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that road or any part thereof or the laying, erection, alteration or repair in that road or in land accessible only from that road of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or of any telegraphic line or

telecommunications apparatus as defined in the telecommunications Act 1984;

- (d) for the purpose of conveying persons goods or merchandise to or from land or premises adjacent to that road; or
- (e) for the purposes of agriculture land management or shooting on any land or premises adjacent to that road

and cannot conveniently be used for such purpose in any other road.

- 5 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
- 6 This Order comes into effect on * * * and may be cited as the Yorkshire Dales National Park Authority (Old Ing to Cam End via Ling Gill) (Prohibition of Mechanically Propelled Vehicles) Traffic Regulation Order 2008.

THE COMMON SEAL OF THE)
YORKSHIRE DALES NATIONAL)
PARK AUTHORITY was)
hereunto affixed on the day of)
in the presence of :)

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Solicitor

Statement of reason for the proposed TRO**LING GILL – OLD INGS TO CAM END**

The proposal is to make an Order that will have the effect of prohibiting use by recreational mechanically propelled vehicles (motor vehicles), seven days a week, 24 hours a day, along the route known as Ling Gill between Old Ings and Cam End, a distance of 4.0km. The Order would be for the purposes of preserving the amenity and conserving the natural beauty of the area through which the route passes (the amenity is dependent to a considerable extent on the natural beauty). The area offers the opportunity for a wide range of outdoor recreation including walking, cycling, horse riding and caving, as well as nature study experiences. The route is part of the Pennine Way and proposed Pennine Bridleway.

The amenity of the area: the feeling of wildness, remoteness, and associated tranquillity would be preserved by the Order as the presence of recreational motor vehicles, or anticipation of their presence, and/or evidence of their passing detract significantly from these qualities. Along the southern part of the route, motor vehicle noise will be largely contained by surrounding drumlins, but is likely to be amplified within the route corridor itself. Further north the effects of noise are likely to be widespread, as the open character of the landscape around Cam End means that motor vehicles can be seen and heard over extensive areas of open moorland and along Cam High Road. The route is away from roads and habitation (after leaving Old Ings), and other signs of modern human influence, and there are no significant 'detractors' from the landscape setting or any major noise sources in the vicinity.

The natural beauty of the area the route runs through would be conserved by this Order; the landscape, natural and cultural heritage features are outstanding, and include important habitats. The presence of recreational motor vehicles would detract from the experience of these features.

The route has a strong sense of emptiness with an open, remote character and extensive views. The impression of wildness is reinforced by views to the Three Peaks. Part of the route lies within the High Birkwith Caves and Fell Site of Special Scientific Interest (SSSI) which is primarily notified to protect the 5km of cave passages which lie at shallow depth beneath Birkwith Moor. The site also incorporates limestone pavement, grassland, flush and woodland habitats of interest. The route also runs adjacent to the Ling Gill SSSI which is a sub-alpine ash woodland.

This route has historic associations following the pre-turnpike route between Settle and Hawes, and crosses the listed Ling Gill Bridge; it has natural and cultural heritage features of interest along its length.

Further information about the amenity and natural beauty along the route can be found in the background report Ling Gill - Assessment report on the use of recreational motor vehicles – November 2007.

Consultation responses – Ling Gill

Objections to the proposed order

Organisation/individual	Comment	YDNPA comment
Dixie Dean and Jon Caird	<ul style="list-style-type: none"> • The route should be maintained to a level appropriate by current level of recreational and agricultural use. A TRO may have to be applied whilst repairs are carried out, but this should not exceed 3 - 6 months. • Once repaired, the route should be reopened and monitored. • Use is so low that likely conflict with other users is minimal. 	<p>This route is currently subject to a temporary TRO and is being repaired.</p> <p>View noted</p> <p>Levels of use are shown in the assessment report, and these are put in the context of Defra guidance and surveys undertaken elsewhere.</p>
Edwin Duckett	From Cam End to High Birkwith this lane is a hard track, with water standing in wet weather, in ruts that could be drained. TRO not necessary.	View noted. However, the proposed traffic regulation order is for the purpose of preserving the amenity and conserving the natural beauty of the area through which the route passes., surface condition is only one consideration
John Robinson	<p>This route has a significant number of non-vehicular users at the Birkwith End .Since it is the start point for a number of diverse walks and Cave explorations , consideration of a Seasonal/Weekend TRO is reasonable. Few people stray beyond Ling Gill towards Cam End. A permanent TRO would appear excessive.</p> <p>Again I would contest your unsubstantiated assumption that noise would be heard over extensive areas due to the open nature of the landscape for reasons stated before.</p>	<p>View noted. Other options besides full time permanent TRO have been considered and are listed in the framework document on the <i>Management of the use of green lanes (unsealed routes) in the Yorkshire Dales National Park</i>.</p> <p>YDNPA commissioned research into noise from motor vehicles on unsurfaced green lanes. This was carried out by Scott Wilson and showed that the background noise level in many areas of the Park is low, and noise from motorcycles on such routes as a 'rule of thumb' would cause annoyance over a corridor of 320m either side of an unsurfaced route. It is accepted that accurate evaluation is however site specific.</p>

Organisation/individual	Comment	YDNPA comment
	<p>I also disagree with your assumption that all non-vehicular users object to the presence of motor vehicles .In my experience ,over the last ten years ,only a tiny minority have shown their disapproval by not acknowledging a friendly gesture. Walkers have often opened gates for me and had a pleasant chat. An acknowledgement of the mutual enjoyment of a day in the countryside. The presence of a motorcycle was a positive experience for these non-vehicular users(walkers and cyclists).A Social interaction that brightened up the days experience not detracted from it.</p>	<p>Noted (though not aware that the Authority has ever said 'all' non-motorised users)</p>
Jon Ackroyd	<p>Ling Gill to Cam End and Cam High Road are currently subject to temporary closure to facilitate long overdue repairs. These are being conducted to a standard commensurate with their present usage. These routes are popular and generally well surfaced, the areas where disrepair has been identified resulting from prolonged neglect of basic surface repairs and drainage. Therefore surface sensitivity considerations will soon be allayed by repairs, a weighting which itself has arisen from sustained neglect rather than deliberate actions or quantified mapping.</p> <p>The outstanding issue is tranquillity. Whilst recognising the quantified mapping approach, pragmatism is also relevant. These routes cross rugged, bleak upland areas with very few interlinking rights of way, although much of the land is now open access. Such terrain and routes is the preserve only of the determined walker, who has at his disposal across the Park huge tracts of upland where no vehicles may reach, with arguably better landscape and more total tranquillity. The chance of meeting occasional vehicles on these two routes is something which most reasonable users would tolerate and should realistically acknowledge as a balance of use which can be borne within the Park.</p> <p>A full-time TRO is not justified on routes which have strategic importance to vehicular users when inclusive and balanced management has not been explored or implemented.</p>	<p>Noted</p> <p>The route assessment report details levels of use by motor vehicles and other users.</p> <p>Recognise that the route has strategic importance for all users. Other options besides full time permanent TRO have been considered and are listed in the framework document on the <i>Management of the use of green lanes (unsealed routes) in the Yorkshire Dales National Park.</i></p>

Organisation/individual	Comment	YDNPA comment
Alexander Morphet (Landowner)	No TRO	View noted
NYTMAG	<ul style="list-style-type: none"> • That this route may become a cul-de-sac should not be a factor when considering regulation. • Repairs being undertaken on the route should be adequate for careful MPV use and not just for horses. • Special preparation for horses can compromise MPV use. • There is concern that the YDNPGLAG meeting at which advice was generated was not <u>reasonably conducted</u>. 	<p>Noted</p> <p>Repairs are being carried out to national trail standards, in accordance with the routes status and allowing for some agricultural use.</p> <p>View noted</p> <p>Concern noted. However the advice of the YDGLAG is just one of several considerations in Member deciding to consult on a full time TRO on this route.</p>

Support for the proposed order

Organisation/individual	Comment	YDNPA comment
Bill Quinton	This was once a good track giving foot access to the caves of Calf Holes and Ling Gill. Part at least has recently been resurfaced as bridleway (I guess), but is being eroded and destroyed by the vehicle users. I trust you will impose a full prohibition on recreational vehicles on this route - 365 days a year, 24 hours a day	Recent resurfacing is in good condition.
David Gibson	<ol style="list-style-type: none"> 1 Tranquillity and wildness – wide views, distance from habitations and noise 2 Pennine Way and Dales Way 3 Present temporary restriction is not being obeyed 4 Should only be repaired to restricted bridleway as probably suitable for horse drawn carriages. 5 I support full restriction for all recreational motor vehicles 24/7 	Noted
Jon Willingham	I am a regular user of the park and have seen first hand the damage caused by said vehicles on the green lanes, namely the green lane that runs from Cam End south towards Old Ing via Ling Gill bridge	Noted

Organisation/individual	Comment	YDNPA comment
John Asher	A section of bank close to a stream off the track on the uphill slope to the east has been used as a scrambling slope by motor bikers, resulting in erosion of the area.	This off track use is illegal regardless of whether a TRO is put on the route. So it is, not in itself, reason for imposing a TRO.
YDGLA	This route is designated as part of the Pennine Way and the Pennine Bridleway. This alone should raise a presumption against recreational motor vehicle use. The area of the route around Ling Gill is of especial landscape and historic interest. recreational motor vehicle should not be allowed to intrude. The moorland above Ling Gill, across which the route runs makes a soundboard for the transmission of vehicle noise (as fellsides do throughout the Dales). The peace and tranquility cannot be fostered if recreational motor vehicles use the route.	National trail designation is not sufficient reason for a TRO in itself. Noted
David Turner	Important SSSIs and the Ling Gill Bridge vulnerable to damage.	Noted
Derek & June Smith	<p>Apart from preserving the remote, peaceful nature of this route, there are three main reasons for keeping it free of recreational motor vehicles 24 hours a day 7 days a week:</p> <ul style="list-style-type: none"> • It runs along two SSSIs. • It crosses the listed Ling Gill Bridge - and we know very well the continual minor and occasional major damage inflicted by motor vehicles on the listed Stonehouse Bridge in Dent. • It is part of the Pennine Way and proposed Pennine Bridleway and, while most people can probably get out of the way of vehicles, even the most docile, well trained horses can be spooked by sudden motor traffic, to the danger of riders and others nearby. 	Noted
Diana & Paul Mallinson	We are concerned that the construction work currently under way and that carried out in 2005 will be wasted if motor vehicles continue to use this route. Tom Stephenson, in his 1969 book on the Pennine Way, described this route as a grass tracks. The maintenance work being done by the National Park should restore them to this condition, but only if motor vehicles are banned. As well as the damage they have already done to these routes, motor vehicles destroy the peacefulness that non-motorised users experience on them.	Noted

Organisation/individual	Comment	YDNPA comment
J Beresford (Landowner)	I am in agreement with the order proposed.	Noted
J Spence (Holder of shooting rights)	Thank you for your letter re Cam High Road and Old Ing to Cam End. I have made my views in previous letters etc. The issue of these roads destroys our heritage and do hope your efforts are successful and some sort of sanity will come again to the area.	Noted
Chris Ellison	<p>This route has suffered greatly from their use by both 4x4s and trail motorbikes. Being part of the Pennine Way and the Pennine Bridleway this route with its remoteness and tranquillity should be given special protection as there are very special routes isolated from the noise of motorised traffic.</p> <p>Again however these routes should have been given pre-emptive TROs as their status has not yet been determined.</p>	Noted
Ramblers Association	<p>Much of this route is in a poor state being badly rutted. Vehicles have made loops of the main track. This causes more erosion. After heavy rain some parts will be almost impassable. The route is part of the Pennine Way and as such is well used. Walkers do not want to find this amount of erosion. A full permanent 24 hours a day, 7 days a week TRO is required to prevent 4x4s and motorcycles.</p>	Route is closed by a temporary TRO and repair work is being carried out

Horton Scar Lane / Foxup road

- (a) copy of draft Order
- (b) statement of reason for making a TRO
- (c) Consultations received objecting to the proposal to make the Order
- (d) Consultations received supporting the proposal to make the Order

Copy of draft Order

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(HORTON SCAR LANE/FOXUP ROAD)
(PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)
TRAFFIC REGULATION ORDER 2008**

ROAD TRAFFIC REGULATION ACT 1984

The Yorkshire Dales National Park Authority (the "Authority") acting in exercise of its powers under s.22BB(2)(a) of the Road Traffic Regulation Act 1984 (the "Act") and all other enabling powers and after consultation with the Highway Authority for the road hereby makes the following Order :

- 1 When used in this Order "road" means any length of highway or of any other road to which the public has access and includes footpaths and bridleways.

- 2 Save as provided in article 4 of this Order no person except upon the direction or with the permission of a Police Constable in uniform or of a Traffic Warden shall cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 at any time after the date on which this Order comes into operation.

- 3 **HORTON SCAR LANE / FOXUP ROAD**
The road commencing at its junction with the classified road B6479 in Horton-in-Ribblesdale (grid reference SD 8088 7243) then in a north easterly direction for a distance of 8.8 kilometres ending at Foxup (grid reference SD 8716 7672) ; and also that length of road commencing at its junction with Horton Scar Lane (grid reference SD 8108 7250) then in a southerly direction to Town Head Farm at grid reference SD 8111 7226 ; and also that length of road from its junction with Foxup Road at grid reference SD 8711 7646 in a south easterly direction for a distance of 1.7 kilometres to its junction with the classified road C394 at Hesleden Bergh (grid reference SD 8778 7496)

- 4 Nothing in article 2 of this Order shall render it unlawful to cause or permit any mechanically propelled vehicle to proceed along the road specified in article 3 if the vehicle is being used :
 - (a) in an emergency by fire brigade, police or ambulance services; or
 - (b) in the service of a local authority or water authority in pursuance of their statutory powers and duties ;
 - (c) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or

reconstruction of that road or any part thereof or the laying, erection, alteration or repair in that road or in land accessible only from that road of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or of any telegraphic line or telecommunications apparatus as defined in the telecommunications Act 1984;

- (d) for the purpose of conveying persons goods or merchandise to or from land or premises adjacent to that road; or
- (e) for the purposes of agriculture land management or shooting on any land or premises adjacent to that road

and cannot conveniently be used for such purpose in any other road.

- 5 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
- 6 This Order comes into effect on * * * and may be cited as the Yorkshire Dales National Park Authority (Horton Scar Lane/Foxup Road) (Prohibition of Mechanically Propelled Vehicles) Traffic Regulation Order 2008.

THE COMMON SEAL OF THE)
YORKSHIRE DALES NATIONAL)
PARK AUTHORITY was)
hereunto affixed on the day of)
in the presence of :)

.....
Solicitor

Statement of reason for proposed TRO**FOXUP ROAD – HORTON-IN-RIBBLESDALE**

The proposal is to make an Order that will have the effect of prohibiting use by recreational mechanically propelled vehicles (motor vehicles), seven days a week, 24 hours a day, along the route known as Foxup Road (Horton Scar Lane). (This route leaves the B6479 in Horton-in Ribblesdale close to the Post Office, and travels for 8.8km through to the hamlet of Foxup. There are also spur routes at both ends). The Order would be for the purposes of preserving the amenity and conserving the natural beauty of the area through which the route passes (the amenity is dependent to a considerable extent on the natural beauty). The section of the route closest to Horton-in-Ribblesdale is heavily used by walkers, cyclists and educational groups, and as part of events. The remainder of the route is well used by more experienced walkers and cyclists.

The amenity of the area: the feeling of wildness, remoteness, and associated tranquillity would be preserved by the Order as the presence of recreational motor vehicles, or anticipation of their presence, and/or evidence of their passing detracts significantly from these qualities. Noise from motor vehicles using the eastern section of the route is likely to affect a large area due to the open character of the landscape, and the vehicles would be visible over long distances. The western section of the route is walled on both sides which will confine any noise. The route is away from roads and habitation, and other signs of modern human influence, for a long period, and there are no significant 'detractors' from the landscape setting or any major noise sources in the vicinity until Horton itself is approached.

The natural beauty of the area the route runs through would be conserved by this Order; the landscape, natural heritage features are outstanding, and include habitat of national importance. The presence of recreational motor vehicles would detract from the experience of these features.

Limestone outcrops, shake holes, waterfalls, and small streams create small-scale intimate landscapes with strong visual appeal and contrast with the generally open character of the area. There are dramatic views of Pen-y-Ghent and the spectacular feature of the open shaft of Hull Pot. There is a strong sense of emptiness and wildness, with long sections with no roads or buildings in view. This perception of wildness and tranquillity is reinforced by the long section of the route with a vegetation surface and no obvious engineered features.

The Foxup Road route lies partly within or adjacent to the Pen-y-Ghent Site of Special Scientific Interest (SSSI) which is designated for the wide variety of vegetation types it supports, as well as a number of nationally uncommon plant species. It also runs through Brants Gill Catchment SSSI which includes a network of underground streamways and associated potholes.

The route itself passes through a range of habitats including semi-improved neutral grassland, calcareous grassland and is immediately adjacent to a large area of bog habitats.

There are indications that more vulnerable sections of the route surface are slowly deteriorating, with signs of increased track width and greater amounts of exposed soil. This applies both to sections on steep ground where water erosion will play a part, and to sections on flat ground where this would not apply. While an engineered solution could be found to enable the route to sustain use by recreational motor vehicles this would, in itself, significantly alter the landscape and visual character of the route, and is likely to be to its detriment.

Further information about the amenity and natural beauty along the route can be found in the background report Foxup Road - Assessment report on the use of recreational motor vehicles – November 2007.

Consultation responses for Horton Scar Lane / Foxup Road

Objections to the proposed order

Organisation/individual	Comment	YDNPA comment
Dixie Dean and Jon Caird	<ul style="list-style-type: none"> • The route should be maintained to a level appropriate by current level of recreational and agricultural use. • A TRO may have to be applied whilst repairs are carried out, but this should not exceed 3 - 6 months. • As the majority of users are motorcycles, which average 1 a day and there are no width issues, I do not see any need for any other restrictions. • Use is so low that likely conflict with other users is minimal. 	<p>Route should be maintained to a standard appropriate to its status.</p> <p>There are areas of damage that have been identified. This needs to be balanced against further eroding the wild feel of the area if engineering works are undertaken (see assessment report).</p> <p>Even with the levels of use recorded, this route is seen as especially sensitive and the proposed full traffic regulation order was supported by NYTMAG at the YDGLAG meeting.</p> <p>Levels of use are shown in the assessment report, and these are put in the context of Defra guidance and surveys undertaken elsewhere.</p>
John Robinson	<p>It is acknowledged that Horton Scar lane, which forms part of Foxup road ,is a popular route for non-vehicular users since it is the major route to the ascent of Pen-y-gent and visits to Hull Pot. As such a seasonal TRO(April to September)and or a weekend TRO would be acceptable due to the volume of non-vehicular users and the potential for conflict of interest.</p> <p>Your contention that the rest of the route is well used by experienced walkers and cyclists I would dispute. I have covered this route on many occasions and I have never seen more than six walkers or two cyclists between Hull Pot and Far Berg. Perhaps six walkers is enough to justify the term well used. Have you monitor the route?</p>	<p>Noted, Other options besides full time permanent TRO have been considered and are listed in the framework document on the <i>Management of the use of green lanes (unsealed routes) in the Yorkshire Dales National Park</i>. However because of the sensitivity of the route consultation on a full time TRO was seen as appropriate by Access Committee.</p> <p>Balance of use figures are included in the report, although they are not available separately for the Horton Scar Lane section and the more remote section towards Foxup. However, it can be assumed that any cyclists seen is using the complete route as there are no other options.</p>

Organisation/individual	Comment	YDNPA comment
	<p>The eastern end is open and sound will travel. This carries the assumption that there will always be people there to observe and in the case of a tiny minority ,object. This is not the case, because the numbers of users both vehicular and non-vehicular is low.</p> <p>The nature of the terrain, two steep ascents from Foxup (Low Berg) would suggest a one-way route, from Horton to Foxup, would reduce any noise from motorcycles.4X4 vehicles do not use this route as the terrain is too difficult. The local farmer has used his tractor to get to his cattle, which graze between Low Berg and Far Berg.</p> <p>You state that the more vulnerable sections of the route surface are slowly deteriorating. Presumably you mean the boggy sections that cross the road. All road deteriorate over time unless remedial work is carried out. JCB's and Helicopters have been used in the past to repair "damage" caused by walkers.</p> <p>The few sections along the route that may cause offensive, ought to be given the same consideration in terms of maintenance. The signs of increased track width was illustrated recently when what appears to be a Quad was used, presumably, to carry stone to a repair at a boggy section. Instead of following the line of the road, new tracks were visible 10m to the left. One can not assume that widening of the road is entirely due to recreational users.</p> <p>The law also allows users of public ROW to take the nearest available route ,in order to overcome an obstruction. This would account for the widening ,at one or two isolated points along the route, due to boggy ground.</p> <p>I agree we do not want major intervention ,on the Gorbeck scale, it does detract from the appreciation of the landscape. Small scale drainage projects along the route would suffice.</p>	<p>Noted</p> <p>See earlier comments about other options considered. Though also note that this route is shown as a bridleway on the Definitive Map, though an application for change to BOAT status has been submitted, but not yet assessed.</p> <p>This needs to be balanced against further eroding the wild feel of the area if engineering works are undertaken (see assessment report).</p> <p>Agree</p> <p>Noted.</p> <p>Noted</p>

Support for the proposed order

Organisation/individual	Comment	YDNPA comment
Bill Quinton	Another foot access route to the potholes around Hull Pot, the lane used to be well surfaced and easily capable of taking the few farmers' vehicles that used it. No vehicles seemed to carry on past Hull Pot to Foxup, though there was some access to the near fields at Foxup. Once the trail riders discovered it, the route over the watershed was systematically destroyed. I think it's probably the worst of the eight in terms of the width of destruction. I trust you will impose a full prohibition on recreational vehicles on this route - 365 days a year, 24 hours a day.	See route condition section in assessment report
David Gibson	<ol style="list-style-type: none"> 1. Tranquillity and wildness – wide views, distance from habitations and noise 2. Present improvements not suitable for 4x4 use even if BOAT status granted. 3. Pennine Way 4. I support full restriction – unlimited for all recreational motor vehicles 24/7 	Noted
John Asher	This lane is deeply rutted in many areas, sometimes with parallel ruts.	See route condition section in assessment report
Alexander Morphet (Landowner)	Footpath only	The status of the route is not the subject of this consultation
Chris Ellison	Foxup road probably has some of the most vulnerable parts of track in the Park and in the middle of the route must be one of the most remote parts of the Dales. When in the middle not only can you normally hear no traffic, you can not see any part of landscape that has been influenced by human beings except the stone walls. The views over to Cosh Top offer miles and miles of peace & tranquillity.	Noted
Edwin Duckett	This road has a lot of delicate moor and is therefore suitable for a full TRO.	Noted
Jon Ackroyd	I will commence by confirming my support for a full-time permanent TRO-on Foxup Road and Hesleden Bergh which cannot reasonably sustain vehicular use.	Noted

Organisation/individual	Comment	YDNPA comment
NYTMAG	<p>Agree with YDNPLAG recommendations.</p> <p>There was discussion over the possibility of retaining use on the Hesleden Bergh spur, but members agreed that this was not appropriate.</p>	Noted
Neil Jackson (Landowner)	<p>Our family has farmed the land each side of horton scar lane and the western flank of pen-y-ghent (which is just east of the bridleway between horton and foxup) since 1947. Over the last few years we have seen an increase in the number of recreational vehicles using the route. We have always considered this to be illegal as bridleways, we are told, are for people on foot, or pedal cyclists. I have challenged these users countless times, been in contact with there organizations, but they argue the law does not apply to them!</p> <p>We would like to support the banning of recreational vehicles using this route before the situation gets completely out of hand and the damage done to the paths and fragile moorland becomes irreparable.</p> <p>The noise of around 20 scramble bikes tearing up the lane at full throttle.. as they do when they think there`s no one around, frightens the life out of sheep and cows in the adjoining fields, and no doubt disturbs wildlife. I have spoken to many walkers and visitors who cannot understand how these noisy vehicles should be allowed to spoil their quiet day out in the country.</p>	Noted
YDGLA	<p>This is one of the finest routes in the Dales, passing as it does, over the Pennine watershed and through some of the remotest scenery. The Long descent down to Foxup is badly damaged and will always be vulnerable to motor vehicle damage, for it passes across wet peat moorland. The peace and tranquillity argument is particularly powerful in relation to this route.</p>	Noted
David Turner	<p>This route passes through very remote country to the north of Pen-y-Ghent. The section west of Foxup, crossing a wet hillside, is already damaged and is particularly vulnerable</p>	Noted

Organisation/individual	Comment	YDNPA comment
Derek & June Smith	The main reason for this to be a 24/7 TRO is the number of walkers using it on a regular basis. Not only does the Pennine Way run along part of it, but two major circular walks from Horton over Pen-y-Ghent are also very busy (the short route by Hunt Pot and the longer one via Plover Hill) on the western part of this route. At times it is only possible to walk at the pace of the crowds. The presence of 4 x 4s and motorbikes here would lead to inevitable conflicts and accidents.	The popularity of the section between Horton-in-Ribblesdale and Hull Pot is noted in the report. The Parish Council believes it to be the most popular route in the parish.
Diana & Paul Mallinson	Foxup Road traverses very sensitive habitats; motor vehicle use is not sustainable along it.	Noted
Ramblers Association	There are sections on this route which are very badly eroded. It provides a through route between Horton and Foxup Bridge which give access to other routes for motorcycles and 4x4s. Thus making it popular for motorcycles and 4x4s. The whole of the area is one of peace and tranquillity. These are qualities that should be preserved and cherished for people who appreciate them.	Noted
Robert Bell (Land owner)	I am in favour of a permanent TRO as the road is being damaged by recreational vehicles, which are also severely compromising the quiet enjoyment of this beautiful place by other users.	Noted

