

WASHGATE
Statement of Reason for Proposed Traffic Regulation Order
March 2016

	Background
1.	The proposal is to make a traffic regulation order that will have the effect of prohibiting use by mechanically propelled vehicles at any time along the route known as Washgate.
2.	The proposed order would be for the purposes of: <ul style="list-style-type: none"> • preserving or improving the amenities of the area through which the road runs • conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area.
3.	The proposal conforms to the Authority's Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsealed Highways and Off-road and the Procedure for Making Traffic Regulation Orders.
4.	The proposal follows consideration of consultation responses under Regulation 4 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007. These responses identified various management options and were reported to the September 2015 Audit Resources and Performance Committee www.peakdistrict.gov.uk/committees .
	The Route and Area
5.	The road known as Washgate being an unclassified road which (1) in the County of Derbyshire, commences from Booth Farm (grid reference SK 057 680), proceeds in a south westerly direction for a distance of 1000 metres or thereabouts to meet the county boundary at the River Dove and bridge (grid reference SK 053 674) and (2) in the County of Staffordshire, from the county boundary at the River Dove and bridge, proceeds for a distance of 500 metres or thereabouts ending at Tenterhill (grid reference SK 049 673).
6.	The route is in a National Park designated for its exceptional natural beauty and adjacent to an area of Natural Zone where it is particularly important to conserve that natural beauty. There are habitats of national importance and high quality biodiversity habitats adjacent to the route. The verges are also of biodiversity value and as a wildlife corridor linking habitats and species. The River Dove supports three internationally recognised species. The designated and undesignated assets all make a significant contribution to the character of the area.
7.	The route leads from Booth Farm passing Leycote Farm and open country and leading to a convergence of rights of way at the River Dove. Much of the route has panoramic views and there is an impression of remoteness and timelessness.
8.	The historic nature of the route and the listed status of the bridge and their setting in the landscape in addition to the variety of natural and cultural heritage features and species adds to the experience of using the route. The route also gives the opportunity for quiet enjoyment and to experience tranquillity, one of the special qualities that people value most about the Peak District National Park.

9.	Appendix 1 sets out the use of the route. Appendix 2 sets out the conservation interests of the site. Appendix 3 sets out the factors which contribute to natural beauty and the opportunities for open-air recreation.
	Impacts
10.	Management problems associated with this route include disturbance, user conflict, the nature and condition of the route, the environmental sensitivity of the verges and the river and cross-boundary management. Actions have included advisory signage, logging vehicle use, repairs to the route, a consultation by Derbyshire County Council on a potential traffic regulation order and signage and barriers to reduce use above 1.3 metres in width.
11.	Derbyshire County Council resurfaced the eastern part of the route in 2009 and since 2011 there have been volunteer working parties restoring the historic stone pitching. In 2009 Derbyshire County Council placed boulders and signage beyond Leycotes Lane at Grid Reference 054 676 and at the western end of the route and which have prevented access by 4-wheeled vehicles to this section. Detailed route management information is available at www.peakdistrict.gov.uk/priorityroutes .
12.	The presence of mechanically propelled vehicles using the route, effect and evidence of their passing, and the works required to manage that use have an impact on the natural beauty in this area. This impact and the anticipation of the presence of motorised users can detract from the experience and enjoyment by other users. The reference in section 5 of the National Parks and Access to the Countryside Act 1949 to the purpose of understanding and enjoyment of the special qualities of National Parks suggests a focus on quiet outdoor countryside recreation associated with the wide open spaces, wildness and tranquility to be found within the National Park. (Defra 2007). The use of the route by mechanically propelled vehicles detracts from this focus.
13.	Whilst it is recognised that motorised vehicle users, in undertaking their chosen form of recreation, also appreciate the special qualities of the area, their continued use of the route by this mode of transport is adversely affecting those special qualities to a more significant extent than other users.
14.	The nature of the route and its location away from major roads is such that mechanically propelled vehicles are visually and aurally intrusive. Vehicle use on this route has led to impacts on the special qualities of the area and the route surface. The route and bridge are narrow and because of difficulties in passing and avoiding users there is the potential for conflict with non-motorised users. Government guidance suggests that 'a level of recreational vehicular use that may be acceptable in other areas will be inappropriate in National Parks and incompatible with their purposes.' (Defra 2007).
15.	Appendices 4 and 5 identify the effects of recreational vehicular use on the special qualities of the area.
	Alternatives
16.	A width restriction reduces the overall numbers and impacts from mechanically propelled vehicle users (MPVs) but 2-wheeled use is still significant in its extent and intrusive with the potential for conflict with other users.

17.	A restriction on all MPVs with an exemption for motorcycle trials on specified days limits the overall numbers and the type of vehicles but impacts would remain and would be concentrated during those times.
18.	In view of the nature of the route and area and use by non-MPV users, it is not considered that the impacts could be adequately managed by a more selective TRO or other measures such as a scheme of voluntary restraint. A less restrictive option is therefore unlikely to achieve the outcome of sufficiently protecting the natural beauty and amenity of the route and area.
	Public Interest
19.	In balancing the duty in section 122(1) of the Road Traffic Regulation Act 1984 to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the factors set out in S122(2) of the 1984 Act, the Authority believes the need to preserve the amenity and conserve the natural beauty of the route and the area through which it runs outweighs the needs of mechanically propelled vehicular users of the route notwithstanding that such a restriction will affect the expeditious and convenient use of the route by mechanically propelled vehicles. For vehicles seeking to use the affected route as a through-road, notwithstanding that there are no legal rights to use the route as a through-route, there are alternative routes on metalled roads in the area.
20.	Exceptions to the prohibition are proposed for: <ul style="list-style-type: none"> a) use by emergency services or by any local authority or statutory undertakers in pursuance of their statutory powers and duties b) use to enable work to be carried out in, on, under or adjacent to the road c) use for the purposes of agriculture or land management on any land or premises adjacent to that road d) use by a recognised invalid carriage e) use upon the direction of or with the permission of a Police Constable in uniform f) use with the prior written permission of the Authority
21.	On balance, it is considered that continued use by mechanically propelled vehicles on this route would have an adverse impact on the ecological, archaeological and landscape interests, the natural beauty, amenity and recreational value of the area, and the special characteristics of the route.
	Consultation Comments
22.	This statement accompanies the proposed order, notice of proposals and map showing the extent of the proposed restrictions. These may be viewed at www.peakdistrict.gov.uk/consultations and at Aldern House, Baslow Road, Bakewell, Derbyshire, DE45 1AE from 8.45am to 5pm Monday to Friday (closed Bank and Public Holidays and closed at 3pm on Christmas Eve).
23.	If any person wishes to make any representations relating to the proposed order, they must do so by 5pm on 22 April 2016 via the consultation webpage referred to above or by writing to Rights of Way at the above address.

24.	The following documents are appended: Appendix 1 – Vehicle Use Appendix 2 – Conservation Interest Appendix 3 – Natural Beauty and Recreation Appendix 4 – Impacts of Mechanically Propelled Vehicles Appendix 5 – Special Qualities
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Ref: Guidance for National Park Authorities making Traffic Regulation Orders under section 22BB
Road Traffic Regulation Act 1984, Defra, 2007