

# Individual Decision

<b>Title of Report:</b>	<b>Proposed Traffic Regulation Order on The Ridgeway</b>		
<b>Report to be considered by:</b>	<b>Councillor Keith Chopping</b>	<b>on:</b>	<b>19 September 2005</b>
<b>Forward Plan Ref:</b>	<b>ID1022</b>		

## Purpose of Report:

To inform the Portfolio Member for Highways and Transportation of the comments received during the statutory consultation and advertisement of an Order to prohibit motor vehicles from using the Ridgeway National Trail from 1 October to 30 April each year.

## Recommended Action:

That the Portfolio Member agrees to the implementation of the Order.

## Reason for decision to be taken:

The Order is part of the measures advocated in the Ridgeway Action Plan, and is to protect the surface of the National Trail from damage from recreational motor vehicles.

## List of other options considered:

The stoning of the entire length of The Ridgeway in West Berkshire.

## Key background documentation:

- Responses received during statutory consultation and advertisement.
- Ridgeway Action Plan.
- "The Ridgeway National Trail Surface Issues." Report to the Executive July 2003.
- "Meeting the Grade: Quality Standards for National Trails". Countryside Commission 1997.

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### Contact Officer Details

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## Supporting Information

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### 1. Background

- 1.1 The Ridgeway National Trail is one of 15 nationally and internationally-recognised walks and rides, offering continuous walking, cycling and horse riding through some of Britain's finest scenery. In West Berkshire, the entire length is a public right of way, which is legally useable by pedestrians, horse riders, cyclists and vehicles. West Berkshire Council has a statutory duty to maintain its section of the Trail for public use.
- 1.2 In October 2003, the Ridgeway Management Group produced an Action Plan for The Ridgeway. This group comprises officers from the six highway authorities through which The Ridgeway passes; the two National Trails Officers and a representative of the Countryside Agency (CA). The Action Plan followed an audit of the Trail in 2002, which showed that over 50% of the route did not meet the surface standards expected of a National Trail ("Meeting the Grade: Quality Standards for National Trails"). The aim of the Action Plan is to address this situation by introducing a mix of physical improvements and traffic regulation orders (TRO's). Once implemented, the CA expects each highway authority to continue to maintain the standard for at least 10 years, and matched-funding had been offered.
- 1.3 In July 2003, the Executive passed the resolution as set out in Appendix 1. Subsequently, and following the production of the first draft Action Plan, the then Portfolio Member for Countryside and Environment advised that the following courses of action be taken: (a) proceed with the maintenance work required under the Plan, on the basis that such work will not be solely for the benefit of recreational motor vehicles, (b) support the Ridgeway Management Group in requiring that the then proposed "flexible TRO" be replaced by a seasonal TRO, (c) continue to work towards an all-year ban on recreational motor vehicles.
- 1.4 In West Berkshire, a substantial amount of maintenance work on the ground has taken place during the summer of 2005, grant-aided by the CA. This work comprises drainage improvements (ditches and culverts) and surface maintenance (re-grading or harrowing and seeding). Along some lengths a stone track has been laid where private use by agricultural machinery is required. Stoning of the surface has been limited to such locations, consistent with the direction of the Portfolio Member in 2003 that no improvements should be solely for the benefit of public recreational motor vehicles. Hedgerow maintenance work is to be carried out in the winter of 2005/06. Further surface maintenance and regular ongoing maintenance of completed work is planned for future years and will comply with the Action Plan and the CA's requirements for continued matched-funding.
- 1.5 The Action Plan advocates the use of seasonal TRO's, to be applied over the winter months when the surface of the Trail is vulnerable to damage. During the winter of 2004/05, the Council applied a temporary TRO to the West Berkshire section of the Ridgeway, to comply with the Action Plan and to prevent further substantial surface deterioration prior to the 2005 summer work programme. Monitoring of vehicular numbers revealed a significant drop in recreational vehicular use during the TRO.
- 1.6 The effect of the proposed Prohibition of Vehicles Order (the Order) would be to exclude all motor vehicles between 1 October and 30 April each year. These dates have been agreed by the Ridgeway Management Group and are consistent with those for the seasonal TRO's already in place in Wiltshire and Oxfordshire. The Order would not apply to any vehicles needing to gain access to land adjacent to The Ridgeway for agricultural purposes, or to maintenance and emergency vehicles. Enforcement of the Order would be by Thames Valley Police, and a successful relationship had already been established with officers from the Abingdon Police Station, who monitored and enforced illegal use during the 2005/05 temporary TRO.

- 1.7 It is considered appropriate to make the Order for the following reasons, under the Road Traffic Regulation Act 1984: to preserve and improve the amenities of the area through which the Trail runs and to preserve the character of the Trail.

## **2. Consultation Responses**

- 2.1 In total, 37 letters and internal memoranda have been sent to users and interested groups, seeking their views on the proposals. At the end of the statutory consultation period, there were four responses, including one letter of support and one of objection. The remaining two responses (from English Nature and Thames Valley Police) registered no objections.
- 2.2 The letter of support was from the Friends of the Ridgeway. They welcome the Order and also note that the 2004/05 TRO resulted in a big improvement in the surface of the Trail. They would prefer to see, however, a permanent year-long ban on recreational vehicular use. The reasons given are to protect the Trail for non-vehicular users; to remove noise and pollution from the Trail; to protect flora, fauna and heritage sites; to reduce costs of maintenance and to boost the local rural economy through tourism.
- 2.3 The letter of objection is from a motorcyclist and cites an unnamed survey claiming that motorcycles do not cause surface damage. Also, it says that heavy vehicles will continue to use the route and the recent surface works will encourage “joy-riders”, who will violate the Order. It says that the recent ditching work is illegal and may cause accidents for users, and that the character of the route has been destroyed due to the starkness of the recent works. It says that a public inquiry in 1992 decided that motorcyclists should be able to use The Ridgeway all year round.

## **3. Officer Comments**

- 3.1 Regarding the request from the Friends of The Ridgeway for a year-long ban, this would not be consistent with neighbouring authorities. Highway authorities have a duty to protect the rights of all legitimate users, and The Ridgeway Management Group does not, for this reason, support a total ban on motor vehicles.
- 3.2 Regarding the letter of objection, it is not considered appropriate to comment on the findings of an unnamed survey. The 1992 public enquiry discussed a proposal for a traffic order, but concluded that the majority of vehicular damage at that time was due to agricultural use. It is accepted that motorcycles may not cause as much damage as heavier vehicles, but inconsiderate motorcycle use can result in significant damage and conflicts with other National Trail users.
- 3.3 An alternative would be to lay a stone surface along the length and breadth of The Ridgeway, but this is contrary to the “green sward” character of the Quality Standard. Heavy agricultural vehicles would continue to use the route, but a private right is being exercised and surface stoning has been laid to accommodate them. As part of the Action Plan, farmers are to be approached and asked to avoid use of The Ridgeway where at all possible.
- 3.4 It is not accepted that the improvement works will encourage joy-riders, as these are often attracted by a poor-quality surface. Incidents of illegal use would be monitored throughout the period of the Order and appropriate future steps taken to reduce them. The ditching work is not illegal, as highway authorities have powers to drain the highway in this way, and all the ditches lie within the highway boundaries. Ditches and soakaways have been fenced where their presence may be potentially hazardous to users. The recent ditching works do presently have a stark appearance, but this is inevitable where newly-dug earth is involved, and the work will quickly blend with the surroundings once vegetation becomes re-established.

## **Appendices**

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Appendix 1 - July 2003 Executive resolution.

### **Implications**

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<b>Policy:</b>	Corporate Plan Strategic Priority 5 “ensuring the street environment is clean, well-maintained and safe”; Priority 8 “improving transportation”; Development Theme 2 “building capacity through partnership and innovation”.
<b>Financial:</b>	The one-off cost of the seasonal order is £1801, and the cost of signage £ 6518. A small contribution towards police enforcement may be required from each authority including WBC. The budget for the required works has been approved as part of the Council’s Capital programme for 2005/06 with matched-funding provided by the Countryside Agency.
<b>Personnel:</b>	None arising from this report.
<b>Legal:</b>	The implementation and sealing of the Order will be undertaken by Legal and Electoral Services.
<b>Environmental:</b>	The restrictions will help protect and enhance the Trail and its environs.
<b>Equalities:</b>	To maintain the Trail for public use.
<b>Partnering:</b>	The local authority membership of the Ridgeway Management Group; the Countryside Agency and the police.
<b>Property:</b>	None arising from this report.
<b>Risk Management:</b>	The proposals aim to minimise hazards on the Trail.
<b>Community Safety:</b>	The removal of potential hazards will enhance the safety and enjoyment of the Trail by the public.

### **Consultation Responses**

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<b>Members:</b>	
<b>Leader of Council:</b>	Graham Jones
<b>Select Committee Chairmen:</b>	Quentin Webb
<b>P&amp;L Committee Chairman</b> (where appropriate):	N/A
<b>Ward Members:</b>	Barbara Alexander, George Chandler, Chris Webber
<b>Opposition Spokesperson:</b>	Royce Longton
<b>Advisory Members:</b>	N/A
<b>Local Stakeholders:</b>	N/A
<b>Officers Consulted:</b>	Bill Jennison, Head of Countryside and Environment; Paul Hendry, Countryside Manager; David Holling, Head of Legal and Electoral Services; Alex Drysdale, Project Engineer (Highways and Engineering).
<b>Trade Union:</b>	None.