

Newsletter Spring 2024

In this issue

Updates on local Rights of Way
Farming in Protect Landscapes grants
DCC tarmacking of riding routes
Pennine Bridleway update
Message from PHP Chair



What is happening to new rights of way claims in Derbyshire? It's very slow

The deadline for getting historic equestrian routes onto the Definitive Map has been extended from 2026 to 2031. Any not recorded by then will, with certain exceptions, be extinguished.

Since the BHS stated its Project 2016 (now Project 2031) training programme, 209 claims for Definitive Map modification orders (DMMOs) have been submitted to Derbyshire County Council (DCC). A hundred and twenty of them were submitted by our top researcher, Flick Edmeston. Around 70 applications are in the Peak District National Park area.

However, since the covid pandemic and government cuts to the Council budgets, processing DMMO claims has slowed right down. There are now only two members of staff working on them and only round 5 claims a year are being processed compared with an average of 12 a year before the pandemic.

Concerns have been mounting that, at the current rate, it will take decades for claims to be realised. The two Local Access Forums (Peak District National Park and Derby) have therefore written to DCC Legal Services asking the Authority to prioritise claims for multi-user routes because these are the ones that will do the most to increase access. A rather muted response was received. DCC said that they think their chronological approach to dealing with applications is the fairest, but they did agree to at least consider a list of claims agreed by the BHS, Ramblers, Peak & Northern Footpaths Society and Open Spaces Society to be priorities for action.

Two lists were agreed and sent to DCC Legal Services. The first set out 18 'decided' applications where DCC could get on with making the necessary Orders. The second was of 16 DMMO applications received between 2019 and 2021 where the consultation has yet to start. To date, there has been some action but not enough to keep up with the flow of new DMMO applications.

Progress on DMMO Orders over the last 18 Months

Orders confirmed

1. July 2022 – Brassington – Add Restricted Byway to un-named road at Longcliffe, claim made 2019.
2. Sep 2022 - Chapel-en-le-Frith – Add Byway Open to All Traffic (BOAT) to Gypsy Lane and upgrade FP91 to Restricted Byway. Claim made in 1990!

Orders Made

1. Oct 2022 – Hartington Upper Quarter – Upgrade FP102 to BW at Long Hill, claim made 2018
2. Dec 2022 – Northwood & Tinkersley – Upgrade FP8 to BW, claim made 2018
3. Jan 2023 – Charlesworth FP98 - Upgrade to BW, claim made 2019
4. May 2023 – Eaton & Alsop – Upgrade of FP13 to BW – original claim of 2017 remade after errors made by inspector at public inquiry 2022

Initial Consultations on DMMOs

1. July 2022 – Hayfield – Upgrade FP19 to BW and add a BW from BW18 to NCH at Brookhouses
2. July 2022 – Charlesworth & Hayfield – Upgrade FP23 and Hayfield FP26 and add a BW from parish boundary to Monks Road
3. Aug 2023 – Castleton FP5 and Bradwell FP1 – Upgrade to BW
4. Sep 2023 – Hartington Upper Quarter – Upgrade FP46 to BW and add a BW from Dove Head to Brand Top
5. Oct 2023 – Hayfield – Upgrade FP19 to BW and add a BW from BW18 to NCH.

Tarmacking riding routes

DCC has already tarmacked one riding route in the National Park, Bamford Clough, a Byway Open to all Traffic (BOAT) in the Hope Valley. It is now planning to tarmac another route, Old Road in Whaley Bridge. Meanwhile, Bamford Clough is still closed to all users and DCC now agrees that tarmac on such a steep route is dangerous.



Bamford Clough. It is 1:4 in parts, too steep for shod horses to use safely. Byways open to all Traffic are defined in law as routes used mainly on foot or horseback.

Old Road in Whalley Bridge is part BOAT (Buxton BOAT 28) and part unclassified highway (i.e. precise legal rights unknown). The intention is to tarmac it to make it suitable for road cyclists as an alternative to using a section of the A5005. Peak Horsepower is sympathetic to an alternative for road cyclists but for reasons of equestrian safety (increased volume of traffic, the likelihood of the route becoming a local rat run, increased vehicle speeds, and tarmac on a steep hill) we believe that tarmacking Old Road is an unacceptable solution as it will put equestrians, and probably walkers, in danger. The decision seems to be a *fait accompli* but there is talk of putting in measures to reduce vehicle speeds. Meanwhile we have raised with the Peak Park and with the Local Access Forum our concerns about DCC laying tarmac on equestrian routes in the national park.

Back Lane, Darley Dale

Back Lane is a BOAT just outside the National Park. Like Bamford Clough, it has been tarmacked by DCC to deal with off-roader damage. The steepest section got the tarmac treatment in January 2022. This time, DCC created a mid-strip of crushed limestone to give horses some purchase on the steep hill. The mid-strip was supposed to be grass-seeded to help bind the surface. However, motor bikes continued to use the route before the seeding took place and ruts soon appeared in the limestone base as the bikes powered up the hill. Once the autumn storms set in, water erosion exacerbated the motor bike ruts and spread loose stone chippings across the tarmac surface.



Back Lane tarmac. The central strip is supposed to be for riders

The newly tarmacked section had to be closed again for repair. DCC could maybe try a textured tarmac strip down the middle to see if this would stand up better to vehicular use, but we think that Back Lane is inherently unsuitable for motor vehicle use, regardless of its surface, because it is narrow, has dangerous bends and nowhere to get out of the way of vehicles.

DCC has yet to remove the cattle grid they put in at one end of the lane. This is an illegal obstruction preventing access for carriage drivers.

Severn Trent safety improvement

Following an incident on a public bridleway alongside its Linacre Woods site near Cutthorpe, Severn Trent is updating its safety guidelines and risk assessments. The incident involved two

riders on a bridleway adjacent to, but not on, Severn Trent land. There were no warning signs about the work being carried out. The horses were frightened by the works, spun round and bolted.

Severn Trent were very concerned when a PHP committee member (thank you Claire) told them about the incident, and have responded positively. Their guidelines had previously not included anything specific about equestrians, but in future Severn Trent have said that when they are doing works next to bridleways on land that they don't own, they will either get permission from adjoining landowners to display warning signs, or require the contractors to have someone on lookout duty to tell the work team that horses are approaching.

This is a great example of working with companies to improve rider safety.

Horse boxes at Linacre Woods

Severn Trent have also confirmed that if you want to box out to Linacre for a ride out, you can park in the first carpark on the right as you enter from Cutthorpe. It is signed for permit holders only, but they recognise horseboxes and trailers need more room and that this car park is more appropriate for boxes and trailers. But note that you must buy and display a parking ticket.

Moscar Cross Road BOAT (parish of Bradfield): Sheffield has agreed a TRO excluding 4x4s between October and May inclusive. For the time being use by motor bikes is permitted during the wettest months of the year but Sheffield will be monitoring the impact of motor bike use and has said that, if necessary, it will revisit the scope of the TRO.



Moscar Cross Road TRO

What is Defra doing about off-roading?

Defra's 2022 consultation on the recommendations of the 2019 Landscapes Review included some questions about off-roading and whether it should be further restricted. Defra has

decided, for now, against any new legislation. Instead, it wants to divide unsealed ways into those 'suitable' and those 'unsuitable' for off-roading and then seek agreement from the off-roading organisations to put Traffic Restriction Orders (TROs) on those deemed 'unsuitable'. Exactly how it intends this to be done remains unclear, but we live in hope.

Hollinsclough Rakes update (Staffordshire Moorlands): Swan and Limers Rakes have now both been repaired and Staffordshire has carried out the second (ie public consultation) stage on its TRO proposal. If implemented the TRO will exclude all types of recreational motor vehicle at all times. Among the grounds cited for the TRO is to preserve both routes as suitable for use on horseback. PHP has supported the proposal. We will keep you posted.



One

One of the now repaired Hollinsclough Rakes - but will the new surface hold?

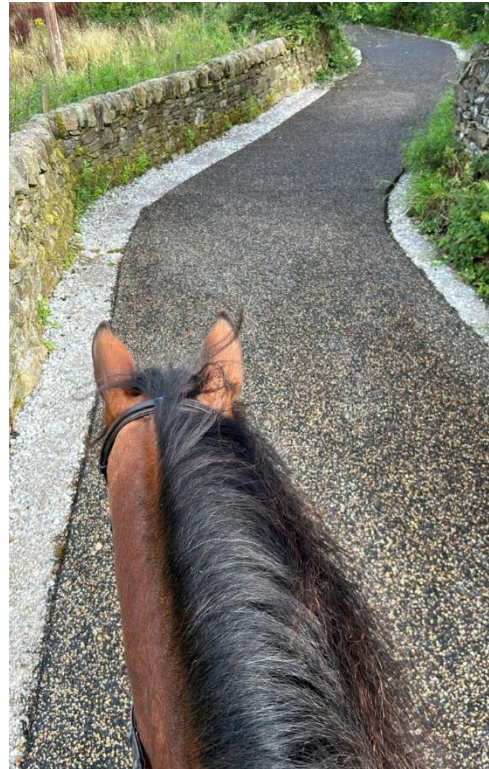
Ramsden Road (Kirklees): We have reported in previous issues on the anger and frustration of residents in the Holme Valley in the face of Kirklees's refusal to use TROs on routes badly affected by off-roading. Kirklees has now given way. It is carrying out a preliminary consultation on four routes with residents, businesses and landowners. We are expecting a formal TRO proposal and public consultation to follow but we don't know when this will be. Again, we will keep you posted. Meanwhile the Peak & Northern Footpath Society has taken Kirklees to court for its failure over many years to repair Ramsden Road. Kirklees lost and they have now drawn up a £300,000 repair plan. This is the cost to local tax payers of Kirklees failing to use its TRO powers.

SHALLCROSS INCLINE GREENWAY, WHALEY BRIDGE

Resurfacing of the Shallcross Incline with Flexipave was completed by Derbyshire CC in September last year. The 600m multiuser route, which avoids riding on a busy road, was badly eroded and had been out of use for several years. DCC were happy to engage with horseriders and BHS ABO, Christine Harding, provided them with details of other routes in the North West where Flexipave has been used on steep gradients for at least 10 years.

This is the first time DCC have used Flexipave on such a substantial length of path, though elsewhere the Transpennine Trail and Stockport MBC have used it successfully for many years. Whaley Bridge Town Council are committed to keeping the track in good order and funding is in place for regular maintenance to prevent the buildup of fallen leaves.

Feedback so far has been positive and the route is proving very popular, not least as an opportunity for a good uphill canter, there being very few places locally to do so. During the hard frost last month, the Incline, with its extensive new drainage system and porous surface, remained unaffected by ice and accessible to all.



Kelstedge Link Path reopened for Riders after nearly 50 Years closure!

Ashover Footpath 144, just outside the national park, is only around 60 metres long but it linked Vernon Lane Bridleway and Kelstedge Lane and meant that riders could avoid crossing the very busy A632 from a blind spot at the junction with Kelstedge Lane.

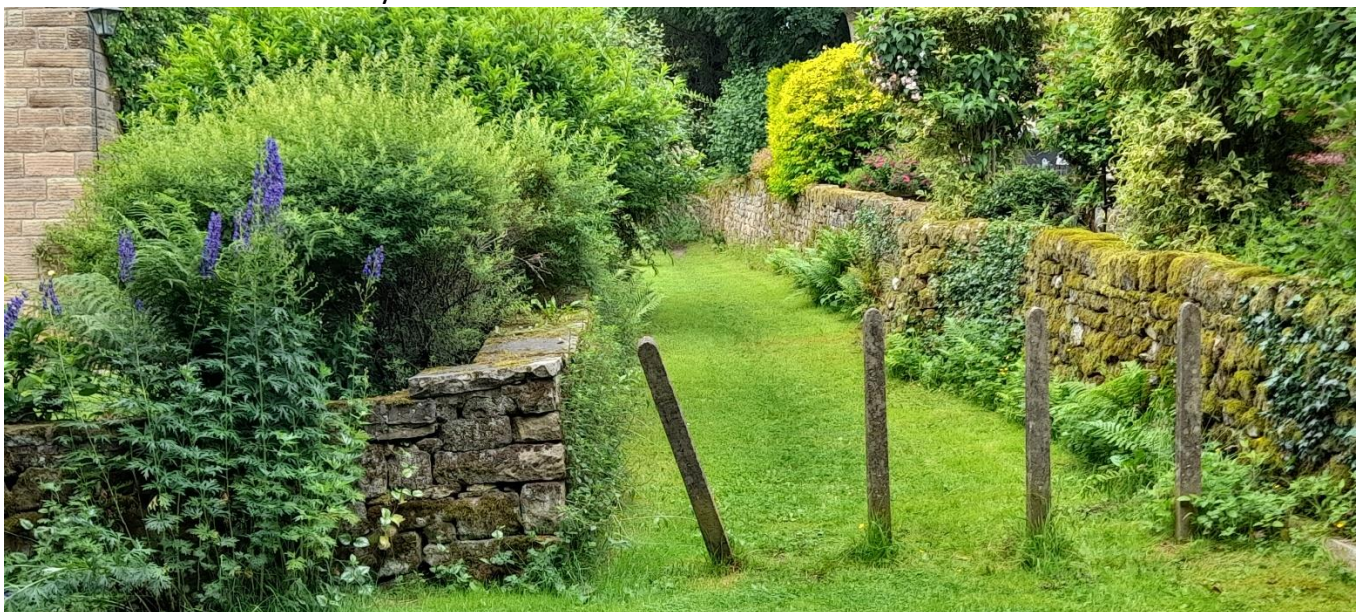
Riders had always used this walled track until sometime in the mid to late 1970s, when bollards were erected, preventing equestrian access. In September 2022 Ashover Parish Council held a meeting with DCC highway officers, the police, MP and residents about the safety issue, speeding vehicles exceeding the 40 mph limit through Kelstedge and the high mortality rate over the last few years. The local BHS volunteer Access officer reported the problems riders encountered when trying to cross the main road and the Head of Public Rights of Way was alerted to the situation.



The pink pin marks the link route that avoids having to use the busy A632

On checking the Definitive Map and Statement, the Head of PRow discovered that no structures were listed on the document and conceded that the bollards were an illegal obstruction, probably erected when North East Derbyshire District Council had jurisdiction over rights of way, which was the case until 2008. The bollards were removed in September 2023.

The historic evidence points to the track having higher rights and the BHS has been advised to make a claim it as a bridleway.



These obstructions have been removed

Farming in Protected Landscapes (FiPL)

FiPL is a Defra funded grant for farmers and land managers targeting climate, nature, people and place. The Peak District National Park (PDNP) has been awarded over £5 million to spend on FiPL projects over the life of the scheme. The scheme ends in March 2025, which means there is a year left to get applications in and schemes completed before the deadline.

Last month the first bridleway schemes were approved. The first scheme is an upgrade of a footpath to bridleway and is part of a wider conservation scheme. The second scheme is for the creation of a new bridleway, again it is part of a wider conservation scheme. The projects are being worked up and will be opened over the next few months. The routes will be concession routes and will be available for the life of the scheme, if the routes are popular and used in a responsible way they will continue as concession routes into the future.

The application process is for farmers and land managers and not for private individuals or the PDNP. If you think there could be a possible upgrade or creation scheme that would benefit the bridleway network in your area, and you know the land manager well, please suggest the farmer contacts PDNPA to discuss FiPL funding as the rates are very favourable.

The missing link – Pennine Bridleway update.

The Pennine Bridleway is a National Trail which starts in the Peak District and covers 205 miles of largely off-road routes or quiet lanes to Cumbria.

https://www.nationaltrail.co.uk/en_GB/trails/pennine-bridleway/

There is a gap in the Trail around Glossop. For now, the only options are to either transport your horse round Glossop or ride in a busy urban environment. Peak Horsepower, the SPEED bridleway group and the BHS have been working for several years with Derbyshire County Council to find a way of bridging the Glossop gap. The funding for the project comes in part from Natural England (NE), DCC and external funding opportunities. NE are funding the development work and DCC and SPEED are working on opportunities to bridge the gap by developing the bridleway network in the Glossop area. There are several possible routes. Which of these might be the solution is for now undecided. Plans are slowly being worked up and there is support from the Trans Pennine Trail team and Move More Glossop.

As with all things connected to rights of way, the implementation of the new route grinds on very slowly. We are approaching a General Election, and it can do no harm to ask prospective candidates where they stand on public rights of way in general and the completion of the Penning Bridleway in particular!

Message from PHP Chair Charlotte Gilbert

Please can I take this opportunity to encourage you, as a member of Peak Horsepower, to consider joining our committee? We meet over Zoom on the first Tuesday of the month. The present committee work hard on behalf of the equestrian community in the Peak District but

we could get even more done if we can get a few more on the committee. All the meetings are very informal and there is no pressure to take on more than you are comfortable with. If you don't want to make a regular commitment but have a skill or are happy to help with a specific project that would be very much appreciated too.

Help us ensure equestrian voices are heard!

Having more members gives us more influence when campaigning to improve equestrian access in the Peak District.

- Please encourage your friends to join Peak Horsepower via the 'Membership' link on our homepage: <https://peakhorsepower.co.uk/>
- Share this newsletter with anybody who might be interested – if you are on a yard can you print it out and take it down for others to read? Or just forward the email.

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Between issues of the newsletter you can keep up with news about riding in the Peak District by following us on Facebook! Search for 'Peak Horsepower Bridleways Group'