

Practical Management of Motorised Recreational Vehicle Activity:

The Lake District Hierarchy of Trail Routes Initiative

IPROW member Geoff Wilson, one of the architects of the Hierarchy of Trail Routes in the Lake District initiative, explains the background to the long-running and dynamic project that is still operating in the Lake District and wider Cumbria, and asserts that the principles that underpinned the initiative remain relevant to authorities seeking to fairly manage recreational motor-vehicle use.



Geoff Wilson
IPROW member

The Hierarchy of Trail Routes in the Lake District (HoTR) initiative developed as a response to concerns over an apparent increase in the use of four-wheel-drive vehicles and trail motorcycles for recreational driving on the 'green roads' in the national park. The initiative also reflected the emergence of new thinking about the management of conflicts of interest in the countryside. The Department of the Environment's *Rural England* document (1995) had noted '.... there are many and increasing demands upon the countryside as a place for recreation. These have to be reconciled and no single interest ought to dominate to the exclusion of all others.' The initiative was also made possible by a realisation amongst recreational motor vehicle groups in the area that if they were to be taken account of they must create a single point of authoritative contact, for the Lake District National Park Authority (LDNPA) and Cumbria County Council (CCC). This group of users became known by the snappy title of the Hierarchy of Trail Routes in the Lake District Group.



Following-on from episodes of corporate hand-wringing, anecdotal claim and counter claim, and regular unfocused demands that 'something must be done', recreational motor vehicle user representatives made an offer to work with the Authority to try to harmonise vehicle use with all other pressures on the countryside. That a user representatives' structure, that was well-motivated and led existed in the area was fundamental from the outset.

This offer anticipated actions being taken that were informed by fact and not by prejudice or hyperbole. It sought to break the mould of twenty-five years of what had proved to be little more than intellectual trench warfare with the battlefield doing no more than vibrate, as byway claims were won and lost (this was ten years before the Natural Environment and Rural Communities (NERC) Act 2006) and no real impact made on the provision for, or management of, the activity. There were people amongst the recreational vehicle users who had studied closely the principles of Consensus Management that had emerged from organisations such as

Environmental Resolve (and more recently the [Best of Both Worlds](#) project), and who understood that consensus wasn't the same as compromise and that it didn't rely on the ultimately debilitating and marginalizing system of majority votes.

The LDNPA's Head of Park Management convened a meeting to discuss the situation. A key factor was his invitation, from the outset, to motor vehicle user representatives, Cumbria County Council (as the highway authority), and representatives of Parish Councils (through the Cumbria Association of Local Councils) and landowner bodies such as the NFU and CLA, and other interest groups such as the Friends of the Lake District. This made for a cooperative, rather than haphazard approach.



TRF stewards on Gatesgarth Pass Permit Day

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There was considerable pressure, and some temptation, to respond to those who shouted most loudly, and to fall-back on comfortable traditional legalistic measures; however it was eventually agreed that resort to law had previously not led to any sustainable solutions. The vehicle users suggested that the problems could be better managed without recourse to exclusion practices or the adoption of hard-edged policies.

In the face of doctrinal opposition from anti-vehicle groups and other national park authorities, the Lake District National Park Authority decided there were potentially things to gain from working with motorised users. Opponents to the initiative anticipated that by being a partner in the HoTR initiative, the LDNPA would be weakening its position as de facto highway authority and custodian of the

environment. The contrary has proved to be the case. Through its willingness to participate the LDNPA firmly laid a responsibility on to the motoring organisations to propose, execute, deliver and maintain reasonable management measures in advance of unilateral measures being applied. In response the motor vehicle users were given the opportunity to show that they too have a care for the special properties of a national park.

In the Lake District the working group for the Hierarchy set out to make the scheme immediately applicable to problem areas in the Park. As the doctrine and philosophy of the initiative were evolving so were applications of management control being piloted. The consequence of this was a very fast process of evolution, acceptance, and application of the concept of user-led, non-statutory, authority-approved management measures.

The general purpose of the HoTR initiative was to assess how it was possible to manage current and anticipated levels of recreational vehicle activity on trail routes. As research and intelligence developed, a suite of management techniques was employed, ranging from culture changing programmes, through signing and voluntary restraint, to formal traffic regulation orders and lobbying for new legislation in place of ineffective statute and regulations. The experiment's primary aim was "to eliminate unsuitable use and reduce conflicts between users". The pioneering approach pre-dated, and in many ways acted as a model for, the 1997 Government guidelines document 'Making the Best of Byways' which encourages management solutions to problems before resorting to unilateral regulation of use. A secondary aim of the initiative was that the principles applied to trail-route management regime should be transportable to other localities.

Despite this groundswell of bonhomie and partnership, the LDNPA view was that recreational motor vehicle activity was inappropriate in the Park, but policy required that the Authority would *work with relevant users, landowners and managers to manage recreational pursuits, resolve conflict, encourage responsible use and promote appropriate guidance and collaborate with others to ensure that recreational activities, such as recreational green road driving, do not have a detrimental impact on local communities, nature conservation interests, historic features or the landscape* (section 10 Access and Recreation of Park Management Plan – April 2004). This policy clearly reflected major concerns of that time. Recreational motor vehicle users lived with that; and worked closely with the Authority in pursuit of policies which would develop and apply an integrated approach to the management of access and recreation that will promote innovation and good practice.

Use levels were monitored by counters that are 'intelligent' enough to differentiate between motor vehicles and other users and were proved capable of doing so. This information exposed understated and exaggerated claims about levels of use and informed targeted, rather than broad-brush route management. Changes in route surface conditions were monitored by fixed-point photography which revealed that without a properly funded and sustained management regime, routes would continue to deteriorate, no matter how much control is applied to motor vehicular use. Photographs also identified locations where ongoing maintenance was not a



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Voluntary Restraint



Severe flood damage - road impassable to 4x4s in mile

Motorcyclists exercise extreme caution. The future of recreational motoring is in your hands

Lane Name: Gatesgarth Pass, Definitive Number: U5257
OS Grid Refs Ny4836 0571
Contact: Steve Pighills <pighills@talktalk.net>



practical option. The result of this was budgeted programmes of repair and maintenance, and jointly agreed voluntary restraint agreements, and traffic regulation orders.

By what was called the 'activity register' all representations about MPV use were logged, verified, and followed-up with awareness-raising to all interests; and where it was considered appropriate the police were involved. Opportunities were taken to identify and discuss where conflict was more imagined than real.

Central to the management regime was the allocation of a red, amber, and green colour-code to every trail-route in the county, and a routine of regular survey of routes which ensures that the colour code applied to each route remains relevant.

Ten years on and the LDNPA's Partnership's Plan 2010-2015 (effectively the Authority's park management plan) has amongst its delivery aims ones to which the ongoing HoTR programme is linked, without being as specific as the 2004 version:

... Making the most of the landscape and nature as the backdrop for outdoor leisure experiences for all, particularly the next generation of returning visitors – from relaxing and tranquil to adventurous and exhilarating.

Ensure that residents and visitors appreciate the importance of environmental protection by improving access, understanding, enjoyment, education and health.

It took ten years for the HoTR project in the Park and in wider Cumbria to evolve to a point where all interests were satisfied that the use of management principles which it had explored and piloted could be put into day-to-day practice. It no longer needed the attention of dedicated specialist staff. The intensity of backroom theoretical activity reduced. It had to, because 'authorities' have to make space to do other things. Mechanically propelled vehicle (MPV) user groups were aware of the need to reduce the resources that the Council and the Park needed to commit to managing this minority interest, but high profile, activity. This point had been reached. This was the end of the first phase of the project.

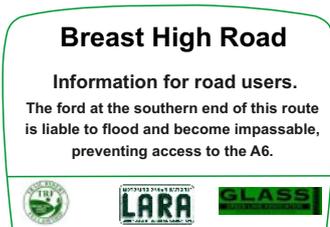
During the next phase the LDNPA maintained a Trails Management Advisory Group (TMAG). The TMAG comprised four representatives of motor vehicle users, LDNPA Members, representatives of other authorities and parish councils, land managers and other user organisations, some of which were known to oppose vehicular activity strongly. The remit of the TMAG was to advise the LDNPA and the Council on the management of routes used for green road driving in the territory. Through the TMAG differing opinions continued to be able to be expressed (sometimes strongly) and considered, and multiple options were

identified in an open and honest way; but management decisions were reached on the basis that no party would go away and try to scupper them, and with a commitment to abide by the outcomes. Many win-win situations have been created.

Seasonal, vehicle type, directional, discretionary, and permit-based traffic regulation orders (TROs) have been employed with the support of all partners. There is evidence that users will ignore the TRO signs where the need for it is not immediately apparent or made known. Users oppose regulation which they regard as politically or prejudice driven. Application and enforcement is a problem and motor vehicle user groups work with rangers and police in on-site 'sting' operations and on 'raising awareness days'. Minor traffic offences in remote areas are not a police priority, but some prosecutions have been pursued and publicised.



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In 2005 a "Raising Awareness" campaign was launched. It drew the recreational motor vehicle retail trade and media into an education programme aimed to reach users who are not members of local clubs or user groups. In order that the campaign's effectiveness could be evaluated the programme was being focused on a specific area of the Park where unlawful use of footpaths and bridleways by motor vehicles was a particular problem.

The recreational motor vehicle clauses (Part 6) of the Natural Environment and Rural Communities Act 2006 (NERC Act) were not supported by the LDNPA. The LDNPA anticipated, correctly as it transpired, that the NERC Act would address in broad-brush, sledge-hammer terms what the HoTR project was dealing with in detail. It was also anticipated that the NERC Act would concentrate MPV use onto a reduced network of routes, and increase unlawful use of routes which the NERC Act removed from the vehicular network and it did. MPV users felt let-down by the democratic process, but the HoTR programme was sufficiently robust to be able to deal with these new problems.

In 2007 the programme was enlarged to take in wider Cumbria, outside of the Park, and the need for fair management of recreational motor vehicle activity was acknowledged in the first Cumbria Countryside Access Strategy by specific reference to a sequential approach to the management of recreational motor vehicle activity. At this point a second phase of the HoTR project ended. The current, third phase, commenced when the function of the Trail Management Advisory Group was transferred to each of the two Local Access Forums that serve Cumbria. Transferring the principle of conflict management and facility provision through consensus to the Local Access Forums was another challenge and opportunity, but the key aspects of the project remain firmly in place:

- that the management programme is driven by evidence-based policy
- that the proactive involvement of MPV users as key partner interests is imperative
- that at some stage the lead authority/ies have to stand back from initiatives like this one because they have other things to get on with, and that users would eventually take the main responsibility for the ongoing project
- a determination that consensus isn't compromise

The public face of the programme is hosted on pages of Cumbria County Council's [website](#) and LDNPA references are [here](#) . The recently adopted Cumbria Countryside Access Strategy 2014-2019 illustrates the current relevance and importance of the HoTR project county-wide when it states *the Hierarchy of Trail Routes approach is now county-wide and provides the basis for a sustainable management regime for mechanically propelled vehicles on legal routes, including unclassified county roads.*

The LDNPA's contact with the programme is now largely through the Rangers who liaise with a volunteer MPV user 'moderator' when any issues arise. If possible the 'moderator' takes-over the issue from the Ranger. Also, one particular route demands special attention (it is subject to a rather special TRO) and a partnership group is convened by Rangers annually (or more often if necessary) to review the management of this route (and others if appropriate).

There have been six main elements to the trails management in Cumbria:

- Colour coded classification of routes and voluntary restraint
- Monitoring of levels of vehicular use
- Monitoring route condition
- Maintenance
- Traffic Regulation Orders
- Raising awareness

Underpinning the whole management scheme is the colour-coded classification of routes which constitutes the 'hierarchy', and voluntary restraint, and which introduces a very visible process of prioritisation of management attention.



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The colour-coded system of green, amber and red routes was developed as a management tool during 2002 and implemented out on site in January 2003. This is a refinement of an earlier more complex and not easily understood (and therefore inappropriate) route classification system. The classification into which each route falls is agreed jointly by users and the authority following surveys of each route. It is important to note that this is a dynamic system whereby routes can be moved between colour classes if circumstances change.

The definition of the different colour coded classifications is as follows:

Green Routes are those where there is minimal recorded vehicular use; they are sustainable at present and under current levels of use and no problems or valid complaints have been recorded. They are not signed and are inspected annually.

Amber Routes are those where moderate vehicular use is recorded. They are more sensitive for various reasons (popularity with other users, proximity to dwellings or stock etc.) and where an increase of use could lead to deterioration in condition or an increase in conflicts with other users. Advisory signs remain on site only after local consultation. The routes are inspected biannually.

Red Routes are those where significant vehicular use is recorded and have the greatest number of valid complaints in the Activity Register. They are under the greatest pressure and are subject to the greatest conflict between different classes of user and between users and the environment. Some of the routes cross the high fells and are badly eroded. For these reasons red routes need more active management. Inspection of the routes takes place biannually. Advisory signs remain on site.

In the Park the split of routes allocated to each colour is approximately 60% are green, 20% are amber, and 20% are red. In wider Cumbria the split is more biased to green routes because pressure of use is lower and

potential for conflict reduced. These routes are either Byways Open to All Traffic (BOATs) which have proven vehicular rights, or Unclassified County Roads (UCRs) which have presumed but not proven vehicular rights because they are part of the general highway network. The unsealed 'road' network represents less than 5% of the length of rights of way network in the county.

Maps of the trail-routes, and every route report sheet showing the colour allocation are available for users to see on Cumbria County Council's web-site.

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A fully referenced version of this article can be found on [IPROWiki](#).



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